BEFORE THE MT WELCOME [FTAA-2603-1181] EXPERT PANEL

In the matter of The Fast-track Approvals Act 2024

And approvals sought for resource consents, an archaeology authority, a wildlife authority and for a complex freshwater fisheries activity

Record of Decisions of the Expert Panel
Under section 87 of the
Fast-track Approvals Act 2024

Date of Decisions: xxxx 2026

Date of Issue:

Expert Panel:

Trevor Robinson (Chair)

Juliane Chetham

David McMahon

Ray O'Callaghan

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LIST OF ACRONYMS AND ABBRIEVIATIONS

Term:	Meaning
ACO	Artificial cover object
AEP	Annual Exceedance Probability
AMP	Archaeology Management Plan
Applicant	Pukerua Property Group Limited Partnership
ARI	Annual Recurrence Interval
BOAM	Biodiversity Offset Assessment Model
CFFA	Complex freshwater fisheries approval
CIR	Civil Infrastructure Report
CNVMP	Construction, Noise and Vibration Management Plan
CSMP	Contaminated Soils Management Plan
CVA	Cultural Values Assessment
DoC	Department of Conservation
ECMP	Earthworks and Construction Management Plan
EHMP	Eco-Hydrological Management, Offsetting, and Monitoring Plan
EIANZ	Environmental Institute of Australia and New Zealand Inc

ESC Guide	Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region
ESCP	Erosion and Sediment Control Plan
FRA	Flood Risk Assessment
FTAA	Fast-track Approvals Act 2024
GWRC	Greater Wellington Regional Council
HAIL	Hazardous Activities and Industries List
HBA	Housing and Business Development Capacity Assessment 2023
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
ITA	Integrated Traffic Assessment
JWS	Joint Witness Statement
LEMP	Landscape and Ecology Management Plan
LMP	Lizard Management Plan
MCERT	Ministry of Cities, Environment, Regions and Transport
MDRS	Medium Density Residential Standards
MfE	Ministry for the Environment
MLUDS	Masterplan and Landscape Urban Design Strategy

NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NGA	Northern Growth Area
NPSFM	National Policy Statement for Freshwater Management 2020
NPSI	National Policy Statement for Infrastructure 2025
NPSIB	National Policy Statement for Indigenous Biodiversity 2023
NPSNH	National Policy Statement for Natural Hazards 2025
NPSUD	National Policy Statement on Urban Development 2020
NRP	Natural Resources Plan for the Wellington Region (Operative)
NPV	Net Present Value
NZTA	New Zealand Transport Authority Waka Kotahi
PCC	Porirua City Council
PDP	Porirua District Plan
PDPL	Pattle Delamore Partners Ltd
PS	Pump Stations
PSI	Preliminary Site Investigation
RMA	Resource Management Act 1991

RPS	Regional Policy Statement for the Wellington Region-Proposed Change 1 and Variation 1 Appeals Version-September 2025
RSWS	Wellington Water Regional Standards for Water Services
SEV	Stream Ecological Valuation
SH59	State Highway 59
SMP	Stormwater Management Plan
SNA	Significant Natural Area
SSESCP	Site Specific Erosion and Sediment Control Plan
SSECMP	Stage-Specific Earthworks and Construction Management Plan
TRoTR	Te Rūnanga o Toa Rangatira
WIP	Te Awarua-o-Porirua Whaitua Implementation Plan
WSD	Water Sensitive Design

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PART A: EXECUTIVE SUMMARY

[1] Pukerua Property Group Limited Partnership has applied under the Fast Track Approvals Act 2024 for a suite of approvals intended to enable a 949 lot residential subdivision, including a neighbourhood commercial centre, to proceed on the Mount Welcome Block, south of Pukerua Bay.

[2] The approvals sought included resource consents that would otherwise be required under the Resource Management Act 1991, a wildlife approval that would otherwise be required under the Wildlife Act 1953 in relation to activities affecting native lizards, an archaeological approval that would otherwise be required under the Heritage New Zealand Pouhere Taonga Act 2014 in relation to activities affecting archaeological sites, and an approval that would otherwise be required under the Freshwater Fisheries Regulations 1983 in relation to complex freshwater fisheries activities.

[3] The Expert Hearing Panel invited Comments on the applications from the required statutory parties, adjacent landowners, and seven parties that it identified as having an interest in the subject-matter of the application sufficient to warrant their being invited to provide Comments. A total of 17 separate substantive Comments were received.

[4] The Expert Hearing Panel convened two conferences with the parties, directed that Joint Witness Statements be prepared by independent experts in relation to engineering, herpetofauna, terrestrial ecology, freshwater ecology and planning matters, and issued numerous requests for information. It did not consider it was necessary to convene a hearing.

[5] The Expert Hearing Panel has considered all of the material put before it in arriving at its decision.

[6] The key findings made by the Expert Hearing Panel are:

(a) The Mt Welcome project will give rise to benefits that are regionally significant, principally through meeting housing demand and enhancing competition in the housing market of Porirua and the surrounding urban areas.

(b) The applicant's proposed arrangements for management of stormwater were seriously flawed and required significant amendments. The applicant proffered an alternative scheme design which has formed the basis for the Expert Hearing Panel's assessment of impacts.

(c) National, regional and district planning direction is generally either supportive or not antagonistic to the applications. However, there are areas of inconsistency with the project as redesigned. In particular, we found that the applicant's proposed culverting of a significant reach of Taupō Stream to be contrary to aspects of the National Policy Statement for Freshwater Management 2020, and uncertainties around the ability to successfully manage adverse effects on native lizards meant that the project is potentially inconsistent with the National Policy Statement for Indigenous Biodiversity 2023. Such areas of inconsistency are a relevant but not decisive consideration.

(d) We need to weigh also the fact that the activities for which consent is sought within the Resource Management Act jurisdiction have non-complying activity status. Again, this is a relevant but not decisive consideration.

(e) Our assessment of the adverse impacts of the applications highlighted the same matters as our assessment of relevant statutory instruments. In particular, we found that adverse effects on mauri and related cultural values from culverting of Taupō Stream were potentially significant, and adverse effects on herpetofauna were potentially material due to the uncertainties we had identified, but not in our view significant.

(f) We found that other adverse effects would be minor or less than minor after taking into account the conditions we considered appropriate.

(g) Weighing the potentially significant adverse effect we had identified against the clear regional benefits the Project would have, we did not find the former are sufficiently significant to be out of proportion to the latter.

(h) The non Resource Management Act approvals are clearer in that we have not identified any significant adverse impacts that would follow from their grant.

[7] Against the background of the legislative direction in section 85(3) of the Fast Track Approvals Act 2024, it follows that the only permissible decision the Expert Hearing Panel can make is to grant the application seeking approvals for the Mt Welcome development.

[8] Proposed conditions managing the activities for which approvals are sought have been through many iterations and in the Expert Hearing Panel's view, are significantly improved. The Panel has nevertheless found it necessary to make additional changes in a range of areas to respond appropriately to comments and to its assessment of the information received following the receipt of Comments.

[9] The Panel would like to thank all parties for their participation in the process. Parties have consistently responded constructively, often under intense time pressure, to the Panel's requests for assistance.

PART B: OVERVIEW OF THE APPLICATION AND PROCEDURE

Applicant

[10] The applicant for approvals is Pukerua Property Group Limited Partnership, which is a company managed within the Classic Group and operated though Classic Developments. The applicant's substantive application[1] records that Classic Group is one of New Zealand's largest privately owned construction development businesses, with a national track record delivering master plan communities, major civil works, and high-volume housing. Classic Developments is its specialist land development arm.

[11] The substantive application also records that Classic Group has an established presence in Porirua through past residential subdivision developments.

[12] The group includes Classic Builders, described as one of New Zealand's largest home builders.

Project Site

[13] The proposed development is primarily located on the Mt Welcome Block, a farm property with frontage to State Highway 59 (formerly State Highway 1) south of Pukerua Bay. The Mt Welcome Block comprises four existing parcels:

(a) Lot 1 DP 534864;

(b) Lot 2 DP 534864;

[1] Fast Track Substantive Application, Pukerua Property Group Limited Partnership, 16 March 2026, page 7

(c) Lot 2 DP 89102; and

(d) Part Lot 1 DP 89102.

[14] Earthworks associated with the proposed development extend onto the Muri Block located immediately to the north (Lot 1000, DP 608433) and the proposal also includes road modifications (initially to enhance the existing accessway, but in the long term a two lane roundabout) within the State Highway 59 road corridor.

[15] The substantive application describes the site area as being approximately 205 hectares and notes that it is currently used as a deer farm. Consistent with that use, most of the site is in pasture with a rolling to steep hill country topography.

[16] The following figure, taken from the substantive application, shows the site. The Township of Pukerua Bay and the Muri Block are readily identifiable immediately to the north of the site. The figure also identifies the Scaife Block immediately to the south of the application site. State Highway 59 is identifiable on the west margins of the site. Immediately further west, running in parallel with State Highway 59, is the national main trunk railway corridor.

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Figure 1: Map of the site[2]

[17] The site is located in three distinct catchments. Part of the site drains to the south with tributaries of the Taupō Stream flowing from the western portion of the site south-west to the Taupō Swamp Complex north of Plimmerton. Most of the site is in the Kakaho Stream Catchment with two distinct east and west sub-catchments draining ultimately to the Pāuatahanui Inlet. A smaller section of the site forms part of the Upper Waimapihi Stream Catchment and drains to the north, through the Muri Block.

[18] There are also a number of wetlands on the site. The substantive application[3] describes wetlands as the most prominent ecological feature on the property, albeit that, in the opinion of the applicant's ecological adviser, they are in poor condition and dominated by exotic species.

[2] Source: Figure 10 of the Application
[3] Section 5.4.2.

Description of the Project

[19] The project concept is one of residential subdivision to provide 949 residential allotments sized between 316m^2 and 2386m^2 with extensive earthworks to establish required finished surface levels. An area is identified for a future commercial centre. As above, the project plan provides for a new intersection with State Highway 59. Initially this will involve a right turning lane for northbound traffic entering the site, shifting the existing northbound taper to one lane further south and modifying the site access. Ultimately, this arrangement is to be replaced by a two-lane roundabout.

[20] The substantive application provided two figures, copies of which are set out below, illustrating the proposed pattern of development.



Figure 2: Site plan[4] [

[4] Source: Figure 16 of the Application



Figure 3: Proposed layout and staging[5]

[21] As illustrated in Figure 2, residential development is proposed to be located in three discrete areas of the site. These divisions reflect site topography with a lower terrace area separated from the upper terrace area by a gully with streams and wetlands located in the floor of the gully. The upper terrace is in turn separated from the eastern- most arm of development labelled the Lucas Block. Again, the two areas of development are separated by a gully and the development area on the Lucas Block follows the spine of a low-level ridge. Further east again of the proposed Lucas Block development area, the land falls away to another gully before rising ultimately to the Mt Welcome skyline.

[22] The project plan envisages that development will occur in stages, and 24 separate stages are identified in Figure 3. The applicant seeks flexibility as to the timing of subsequent stages after the first stage (of 54 lots) with the ability to group a number of stages. The proposed neighboured commercial centre is identified as Stage 5A.

[5] Source: Figure 17 of the Application

[23] It is noted that the approvals sought do not include any consent for building work other than necessary infrastructure. It assumes that the entire development, once subdivision occurs, would be undertaken as permitted activities under the Porirua District Plan (**PDP**).

[24] The application proposed stormwater management based on construction of raingardens at selected locations adjacent to proposed roads and creation of stormwater detention ponds at five locations. Three of these ponds would involve damming of perennial or intermittent streams. The applicant proposed that four of these detention ponds would also provide offsetting for loss of stream and wetland habitat associated with the development.

[25] As we discuss in detail below, this aspect of the applications was controversial for a range of reasons. In our Minute 18, we expressed concern about it. While not resiling from its application position that the proposed design represented a satisfactory method of managing both ecological and stormwater effects, the applicant proffered an alternative design involving removal of wetland and stream remediation areas from the footprint of the four detention ponds and development of a separate area on the eastern area of the site for ecological enhancement.

[26] Conferencing of freshwater ecology experts identified a concern with the applicant's alternative design that all four wetlands would have permanent shallow standing water. The applicant advised via the experts' Joint Witness Statement (**JWS**) that a further redesign eliminating permanent standing water within the detention pond footprints was feasible and we asked the applicant to document that further redesign. This was provided on 23 October 2026.

[27] Earlier in the process, we had sought feedback from GWRC and PCC as to whether it was open to us to direct redesign of elements of the Project by condition over the applicant's objection. GWRC considered that we could

not impose a condition requiring redesign after approval was granted. We suspect that GWRC misunderstood our question. What we had in mind was a condition or suite of conditions directing implementation of a specific redesign.

[28] Counsel for PCC addressed that scenario, noting our broad discretion to impose conditions and the similarly broad description of the activities for which consent is sought. As counsel noted[6], "The detailed design of how and where [the] matters [for which approval is sought] will occur is not provided for in the description of the activity itself, but left to the proposed conditions of the consent which include reference to various plans." Counsel considered that a requirement to provide additional wetland offsetting for instance would be within scope.

[29] At the conference held on 3 September 2026, counsel for the applicant agreed that there could not be any legal barrier to our rearranging the layout of the project by way of conditions.

[30] We agree with GWRC's view that it would not be appropriate (and might well be outside our jurisdiction) to impose conditions requiring that the Project be redesigned after approvals are granted.

[31] We likewise agree with counsel for PCC (and counsel for the applicant) that we have the discretion to impose conditions that require specific changes to the scheme design, subject to the constraints discussed in Part C of our decision below.

[32] Here, the applicant does not object to a scheme redesign per se, but rather expresses a clear preference for its original design.

[6] Memorandum of Counsel on behalf of PCC dated 2 September 2026 at paragraph 41

[33] The Panel has assessed the application on the basis that it needs to consider the applicant's original design and determine whether approvals can be granted on that basis. If we consider that the applicant's preferred design does not satisfactorily address relevant environmental effects, we will consider whether conditions implementing the alternative design are required.

Application Process

[34] The Mt Welcome Development is a listed project, meaning that it was set out in Schedule 2 of the FTAA on its enactment. As amended by Gazette Notice on 16 March 2026, the project description was:

> In stages, develop approximately 950 residential allotments, including an allotment and preparatory works to enable a future commercial centre, and associated infrastructure, including, roading, and pedestrian and cycle trails.

[35] The substantive application details pre-lodgement consultation the applicant undertook in accordance with section 29 of the FTAA over a period of some ten months between May 2025 and March 2026.

[36] Section 3.1.5 of the substantive application details GWRC's advice that there are no existing consents of relevance.

[37] The application before us was the second application filed by the applicant. The initial substantive application was made on 27 November 2025 and withdrawn on 18 December 2025. The current application was filed on 1 April 2026.

[38] MfE (now MCERT since 1 July 2026) provided its report on Treaty settlements and other obligations arising under section 18 of the FTAA on 2 April 2026.

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[39] The application was deemed complete by the EPA on 24 April 2026.

[40] The Fast Track Panel Convenor convened a procedural conference on 20 May 2026 with selected parties. Following that conference, the Panel Convenor summarised feedback received from GWRC and PCC in particular regarding apparent information gaps in the application and directed the applicant to respond.

[41] The applicant provided a bundle of material responding to the Convenor's directions on 4 June 2026 following which, after receipt of further comment from GWRC and PCC, the Panel Convenor appointed the Expert Panel and fixed the date it would commence work as 18 June 2026 and the timeframe for making a final decision following receipt of invited comments at 70 working days. That meant that the Expert Panel decision was due not later than 9 November 2026, subject to any suspension of processing in the interim. The subsequent suspensions discussed below means that the deadline for the Panel's final decision shifted to 17 December 2026.

[42] Following the Expert Panel commencing work, it convened a conference on 24 August 2026 at TRoTR's offices. The applicant, DoC, GWRC, HNZPT, PCC and TRoTR all attended the conference (DoC and HNZPT attended virtually), at which the applicant briefed us on the project and we obtained feedback from each of the other parties participating as to the key issues that they identified with the project.

[43] Following the conference, we undertook a site visit accompanied by two representatives of the applicant. During the site visit, we toured the property, identifying key features. We also viewed the site from vantage points to the west and followed the Ara Harakeke from the Airlie Road intersection with State Highway 59 to the location where the applicant proposes to culvert the Taupō Stream.

[44] On 2 July 2026, the Panel issued invitations to comment under section 53 of the FTAA. For this purpose, the Panel identified 47 properties to which the application related or which were adjacent thereto and seven additional parties whom it considered appropriate to invite comment from. Those parties were:

(a) Tiaki Wai;

(b) Pukerua Bay Residents Association;

(c) Plimmerton Residents Association;

(d) Friends of Taupo Swamp & Catchment Inc;

(e) Te Awarua-o-Porirua Harbour and Catchments Community Trust;

(f) Guardians of Pāuatahanui Inlet;

(g) Muaupoko Tribal Authority.

[45] A further 21 parties were identified as meeting the criteria in section 53(2), being:

(a) Porirua City Council (**PCC**);

(b) Greater Wellington Regional Council (**GWRC**);

(c) Te Rūnanga o Toa Rangatira (**TRoTR**);

(d) Minister of Housing;

(e) Minister for Arts, Culture and Heritage;

(f) Minister for Building and Construction;

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(g) Minister of Conservation;

(h) Minister of Education;

(i) Minister for the Environment;

(j) Minister for Infrastructure;

(k) Minister for Rail;

(l) Minister for Regional Development;

(m) Minister of Transport;

(n) Department of Conservation (**DoC**);

(o) Heritage New Zealand Pouhere Taonga (**HNZPT**);

(p) KiwiRail;

(q) New Zealand Transport Agency Waka Kotahi (**NZTA**);

(r) New Zealand Conservation Authority;

(s) Wellington Conservation Board;

(t) New Zealand Fish and Game Council;

(u) Game Animal Council.

[46] The period for making comment closed on 31 July 2026. Within that period 20 invited parties lodged responses. Two of those parties stated that they had no comment to make. Another two parties provided a combined

comment. Accordingly, the Panel had 17 substantive comments to consider from:

(a) Game Animal Council

(b) Megan D'Oliviera

(c) Minister for Infrastructure

(d) Te Awarua-o-Porirua Harbour and Catchments Community Trust and Guardians of Pāuatahanui Inlet

(e) Friends of Taupō Swamp & Catchment Inc

(f) Minister for Building and Construction

(g) GWRC

(h) TRoTR

(i) Associate Minister of Transport

(j) Pukerua Bay Residents' Association Inc:

(k) NZTA

(l) Wellington Conservation Board

(m) Tiaki Wai

(n) Plimmerton Residents Association

(o) Rebecca Davis and Jonathan Burchell

(p) PCC

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(q) DoC

[47] In the interim, the Panel received three reports provided pursuant to section 51(2)(e) from:

(a) DoC in respect of the wildlife approval sought by the applicant;

(b) DoC in respect of the complex freshwater fisheries activity approval sought by the applicant; and

(c) HNZPT in respect of the archaeological authority sought by the applicant.

[48] The applicant provided a comprehensive response to comments on 7 August 2026.

[49] Following receipt of the applicant's response to comments, the Expert Panel directed that conferencing occur in relation to engineering and ecological issues. It appointed Darcy Brittliff and Dr Gary Bramley to facilitate conferencing.

[50] To avoid expert conferencing and reporting occurring within too truncated a timeframe, the applicant requested that processing of the approvals sought be suspended. The Panel exercised its discretion to approve the suspension effective midnight on 14 August 2026. Processing recommenced on 28 August 2026 after a request from the applicant.

[51] JWSs were provided dated 18 August 2026 (aquatic ecology and wetlands, herpetology, and terrestrial ecology) and 21 August 2026 (engineering).

[52] The Panel also directed the planning advisors for the applicant (Mr McDonnell), GWRC (Mr Banks) and PCC (Mr Smeaton) to conference on consent conditions following the Panel's initial review of the version of

conditions proposed by the applicant and set out within its substantive application. Their Joint Witness Statement was dated 14 September 2026. Further details on the evolution of conditions are provided in PART K of this decision.

[53] In addition, the Panel received information from the applicant in response to its requests on:

(a) 2 July 2026;

(b) 17 July 2026;

(c) 31 July 2026;

(d) 7 August 2026;

(e) 28 August 2026;

(f) 7 September 2026;

(g) 10 September 2026;

(h) 11 September 2026;

(i) 17 September 2026;

(j) 5 October 2026;

(k) 8 October 2026;

(l) 21 October 2026;

(m) 23 October 2026;

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(n) 27 October 2026;

(o) 28 October 2026;

(p) 30 October 2026;

(q) 3 November 2026;

(r) 10 November 2026;

(s) 13 November 2026; and

(t) 19 November 2026;

(u) 24 November 2026.

[54] Other parties also provided information in response to the Panel's requests, as follows:

(a) GWRC on 6 August 2026;

(b) PCC on 7 August 2026;

(c) DoC, GWRC, and PCC on 2 September 2026;

(d) DoC and HNZPT on 4 September 2026;

(e) GWRC and Tiaki Wai on 15 September 2026;

(f) DoC, PCC and Tiaki Wai on 16 September 2026;

(g) PCC on 17 September 2026;

(h) DoC, GWRC, PCC, Tiaki Wai, and TRoTR on 16 October 2026;

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(i) DoC, GWRC, PCC, and Tiaki Wai on 30 October 2026;

(j) TRoTR on 3 November 2026; and

(k) GWRC on 19 November 2026.

[55] Following receipt of JWSs on ecological and engineering issues in August 2026, as above, the Panel requested that Dr Bramley and Mr Brittliff provide it with a report on those matters. Mr Brittliff's report was dated 25 August 2026, and the applicant provided a response to it (pursuant to leave the Panel reserved) dated 2 September 2026. Dr Bramley's report was dated 7 September 2026 and experts assisting the applicant, GWRC, PCC and DoC provided responses to it shortly thereafter (again pursuant to leave the Panel had reserved).

[56] The Panel also convened a conference to discuss the Joint Witness Statements with their authors on 3 September 2026.

[57] The Panel also received a joint memorandum from counsel for the applicant and PCC regarding the effect of the Planning Act 2026 and the Natural Environment Act 2026 on the applications before it.

[58] Following the issue of Minute 18, the applicant requested a further suspension of processing to enable it to properly consider and respond to issues the Panel had raised with key aspects of the application. The Panel agreed, and processing was suspended from midnight on 8 September 2026 until midnight on 5 October 2026 (19 working days).

[59] After the applicant provided an alternative scheme design on 5 October 2026, the Panel directed that freshwater ecological experts and representatives of TRoTR (if available) conference. Dr Bramley again facilitated conferencing and a Joint Witness Statement dated 15 October 2026 was filed with the EPA.

[60] Subsequently, we directed that Drs Taylor (advising GWRC) and Keesing (advising the applicant) conference regarding aspects of the quantification of stream offsets. Their Joint Witness Statement was filed with the EPA on 6 November 2026.

[61] We also directed that the planning advisors for the applicant, GWRC and DoC conference regarding the conditions on the complex freshwater fisheries approval sought, and any consequential changes to RMA conditions. Their Joint Witness Statement was provided to the EPA on 3 November 2026.

Principal Issues in Contention

[62] The principal issues in contention as identified by commenting parties were:

(a) Availability and management of potable water supplies;

(b) Adequacy of stormwater management, particularly given the shared ecological offsetting function of proposed wetlands;

(c) Downstream flood risk;

(d) Wastewater network capacity;

(e) Adequacy of sediment management

(f) Non-compliance with Structure Plan requirements;

(g) Appropriateness of transportation arrangements (external and internal) including future linkages;

(h) Cultural and ecological effects of Taupō Stream culverting proposed;

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(i) Adequacy of mitigation and offsetting of effects on freshwater streams and wetlands; and

(j) Adequacy of mitigation and offsetting of effects on terrestrial biodiversity, and in relation to herpetofauna also, the adequacy of the assessment of effects.

Prior Process

[63] Consideration of the approvals sought within PCC's jurisdiction needs to take place against the background of a strategic planning process that has identified the site as suitable for urban development for some time.

[64] Section 3.2.1 of the Substantive Application notes in this regard that the site formed part of an identified Northern Growth Area as long ago as 2009 in the Porirua Development framework. Subsequent district and regional growth strategies confirmed that position.

[65] Variation 1 of the Proposed PDP notified on 11 August 2022 proposed rezoning the majority of the Mt Welcome Block (including all of the site now the subject of this application) and the adjacent Muri Block for urban use. Variation 1 merged with the Proposed District Plan and was made operative in 2025.

[66] Figure 4 shows the zoning of the site. Yellow connotes Medium Density Residential zone. The small area in pink is zoned Neighbourhood Centre Zone. Brown connotes Rural Lifestyle Zone. The grey areas on adjacent sites are zoned Future Urban Zone.

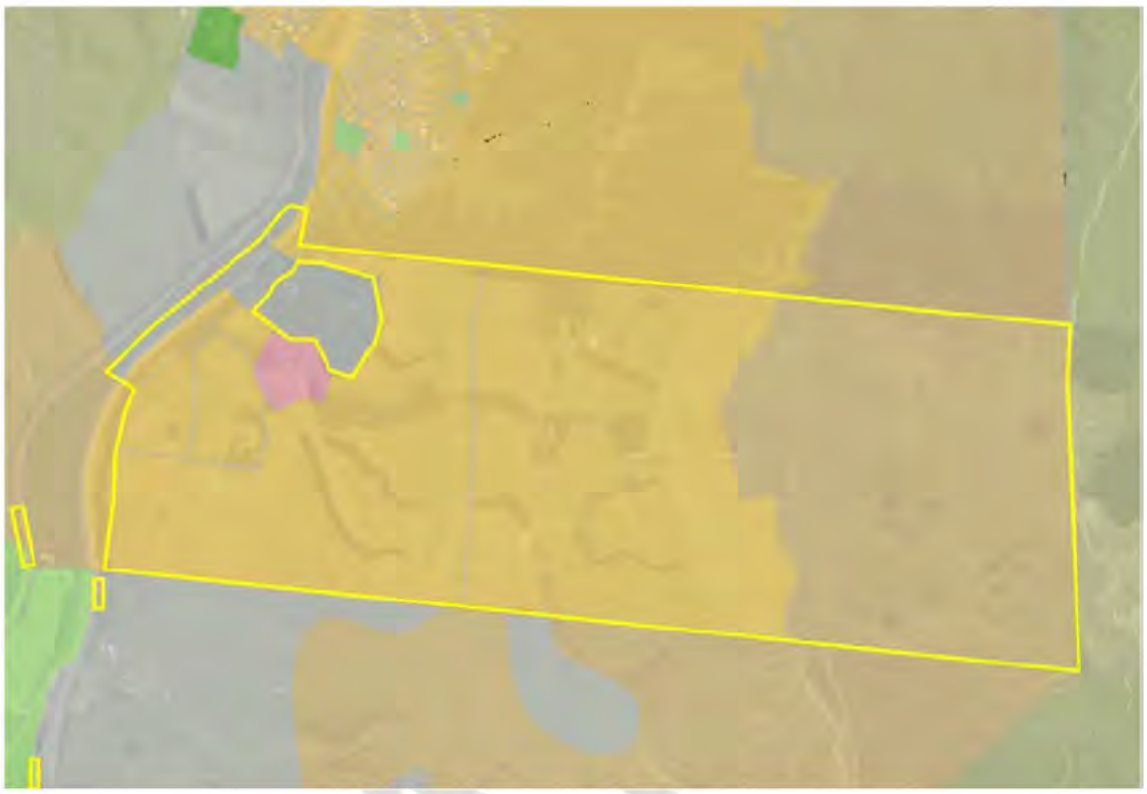

Figure 4: Porirua District Plan zoning of the site[7]

[67] The two blocks which were the subject of Variation 1 were described collectively as the Northern Growth Development Area to distinguish them from the broader Northern Growth Area which had been identified in previous Growth Strategies.

[68] Under the Operative PDP, development of both the Mt Welcome and Muri Blocks is subject to a Structure Plan, a copy of which is set out in Figure 5.

[7] Source: Figure 3 of the Application

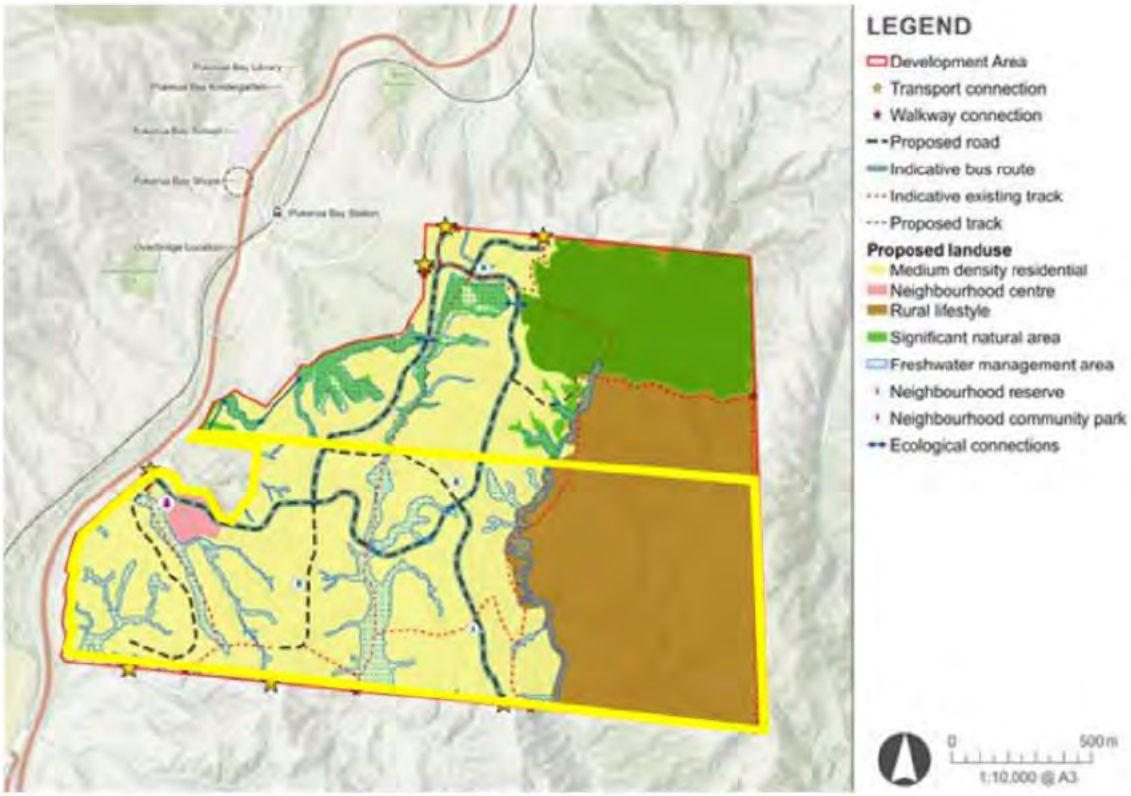

Figure 5: Northern Growth Development Area structure plan DEV-NG-Figure 1 with the Mt Welcome portion shown indicatively in yellow[8]

Approvals Sought

[69] The substantive application notes that the applicant seeks the following approvals:

(a) Land consents within the jurisdiction of PCC that would otherwise be considered under the RMA.

(b) Subdivision consents within the jurisdiction of PCC that would otherwise be considered under the RMA.

[8] Source: Figure 8 of the Application

(c) Resource consents authorising land uses within the beds of lakes, rivers and wetlands, land uses (earthworks and vegetation regulated by the operative regional plan, damming and diverting of water and discharges of water and contaminants and discharges associated with contaminated land within the jurisdiction of GWRC that would otherwise be considered under the RMA.

(d) A wildlife approval to authorise the capture, handling, relocation and incidental killing of lizards, if required, during vegetation clearance and earthworks that would otherwise be considered by DoC under the Wildlife Act 1953.

(e) An archaeological authority to disturb, modify or destroy potential archaeological sites while undertaking earthworks that would otherwise be considered by Heritage New Zealand Pouhere Taonga (**HNZPT**) under the Heritage New Zealand Pouhere Taonga Act (**HNZPTA**).

(f) A complex freshwater fisheries activity for upgrading and installation of culverts and dams, and works that disturb waterbodies that would otherwise be considered by DoC under the Freshwater Fisheries Regulations 1983.

[70] Consideration of the approvals sought in relation to matters otherwise governed by the RMA does not need to factor in the enactment of the Planning Act 2026 and the Natural Environment Act 2026 on 30 September 2026 which replaced the RMA and amended the FTAA. We asked counsel for the applicant and for PCC to advise us on that issue after their enactment and in their joint memorandum dated 8 October 2026, counsel referred us to Schedule 12 of the Planning Act. That schedule inserted a new Part 3 into Schedule I of the FTAA, clause 19 of which states that an application such as that before us, which was filed before commencement of the 'transition period' in the Planning Act (30 October 2026) must continue to be processed

and determined under the FTAA and in relation to the RMA, as in force at the time the application was made.

[71] Section 11 of the applicant's substantive application assessed the approvals sought within the jurisdiction of PCC and GWRC that would otherwise be considered under the RMA in relation to the relevant District and Regional Plan rules.

[72] We do not need to concern ourselves overly at this point with the specific rules the applicant discussed, or to consider the additional regional rules the applicant subsequently agreed were relevant[9], because the applicant accepted in its memorandum dated 2 July 2026 in response to our first information request that all RMA approvals should be bundled as non-complying activities.

DRAFT

[9] Refer the applicant's response to comments, appendix B at paragraph 26

PART C: DECISION-MAKING FRAMEWORK

[73] The various applications detailed in Part B above fall to be considered under the FTAA, which introduces both additional considerations than those that would normally arise in relation to a suite of applications under the RMA, and variations to the way some matters would ordinarily be canvassed in such an application.

[74] There is now a body of decisions under the FTAA that we can draw on to guide our decision-making process, while keeping in mind that the FTAA was amended in December 2025.

[75] The purpose of the FTAA is a key consideration[10]. Section 3 states:

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

[76] The Expert Panel on the Taranaki VTM project considered and rejected arguments that the purpose of the FTAA is merely procedural; enabling a quicker decision-making process[11]. We concur. Like that Expert Panel, we note the High Court's observation in *Ngāti Kuku Hapū Trust v Environmental Protection Agency*[12] that:

> [66] In enacting the FTA, Parliament made a deliberate decision to de-emphasise factors which might militate against approval. For example, the cabinet minute which approved the inclusion of the 149 listed projects noted it was the Government's intention to establish a consenting and permitting process that "makes it substantially easier for projects to be approved than the status quo, with a high bar needing to be reached for a panel to decline a project". …

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10 As discussed below, Clause 17(1) of Schedule 5 directs that when considering the criteria relevant to a resource consent application, greatest weight must be given to the purpose of the FTAA.

11 Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [69]

12 [2025] NZHC 2453

[77] FTAA decisions are not just quicker than, in this case, decisions under the RMA. They are more likely to result in a decision to grant the consents sought.

[78] Section 85 tells us how much more likely that is:

> **85 When panel must or may decline approvals**
> ....
> (3) A panel may decline an approval if, in complying with section 81(2), the panel forms the view that—
> (a) there are 1 or more adverse impacts in relation to the approval sought; and
> (b) those adverse impacts are sufficiently significant to be out of proportion to the projects regional or national benefits that the panel has considered under section 81(4), even after taking into account—
> (i) any conditions that the panel may set in relation to those adverse impacts; and
> (ii) any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.
> (4) To avoid doubt, a panel may not form the view that an adverse impact meets the threshold in subsection (3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider in complying with section 81(2).
> (5) In subsections (3) and (4), adverse impact means any matter considered by the panel in complying with section 81(2) that weighs against granting the approval.

[79] Section 85 refers to 'adverse impacts'. We have treated that concept as synonymous with the reference point used in the RMA of 'adverse effects' given the breadth of the latter, as defined in section 3 of the RMA.

[80] The Waihi North Expert Panel summarised section 81(3)[13] as requiring assessment:

a) of the extent of the WNP's regional or national benefits;

[13] Waihi North Expert Panel Final Decision, dated 18 December 2025 at page 34

b) of the significance of adverse impacts; and

c) whether the adverse impacts are "sufficiently significant" to be out of proportion to the WNP's regional or national benefits after allowing for, amongst other things, compensation that may be provided.

[81] We have adopted that same approach, while noting the point made by the Taranaki VTM Expert Panel[14] that even if the third question is answered in the affirmative, the Panel still has a discretion to grant the approvals sought. That Panel also observed that even if a project has significant adverse impacts, it may still be approved if the impacts are proportionate to the project's benefits. We consider that point logically flows from the way the third question is framed.

[82] As also noted by the Waihi North Expert Panel[15], section 85(4) means that non-compliance with say avoidance policies that would usually preclude the granting of an approval is not itself fatal to an application.

[83] The Taranaki VTM Expert Panel discussed this point in greater detail, finding[16] that

> …no adverse impact may be held to be out of proportion to the benefits of the project if the only basis for reaching that conclusion is that the impact is inconsistent with or contrary to a specified Act or other document the panel is required to take into account. That is not to say that the panel may not have regard to inconsistency with or breach of a relevant legislative provision or document; just that the inconsistency or breach may not be the only reason for holding the adverse impact to be disproportionate.

[84] The Taranaki VTM Expert Panel discussed what it means when section 85(3)(b) references adverse impacts that are "out of proportion" to the benefits of a project. It found a test based on whether the identified adverse

[14] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [246]
[15] Waihi North Final Expert Panel Decision, dated 18 December 2025 at page 33
[16] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [241]

impacts (after mitigation by any consent conditions or modifications) are larger, worse, or more important than the benefit to be useful[17].

[85] We consider that test fails to put sufficient weight on the words "out of proportion" read in light of the purpose of the FTAA. A finding that adverse impacts are out of proportion to the benefits of a project suggests to us that there is a material difference between the two, not just that adverse impacts are marginally greater than the benefits.

[86] The distinction we make may be somewhat academic because the comparison of adverse impacts and benefits will usually (as in this case) be between incommensurables that do not lend themselves to precise judgements. The Taranaki VTM Expert Panel also said[18] that it is not a like-for-like assessment and that the required analysis is inherently evaluative. We agree with that view.

[87] Further direction regarding the Panel's decision-making process is provided in section 81:

> **81 Decisions on approvals sought in substantive application**
>
> (1) A panel must, for each approval sought in a substantive application, decide whether to— (a) grant the approval and set any conditions to be imposed on the approval; or (b) decline the approval.
>
> (2) For the purpose of making the decision, the panel—
>
> > (a) must consider the substantive application and any advice, report, comment, or other information received by the panel under section 51, 52, 53, 55, 58, 67, 68, 69, 70, 72, or 90:
> >
> > (b) must apply the applicable clauses set out in subsection (3) (see those clauses in relation to the weight to be given to the purpose of this Act when making the decision):

[17] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [247]
[18] Ibid

> …
>
> (d) must comply with section 83 in setting conditions:
>
> ...
>
> (ea) may impose conditions under section 84A:
>
> (f) may decline the approval only in accordance with section 85.
>
> ….
>
> (4) When taking the purpose of this Act into account under a clause referred to in subsection (3), the panel must consider the extent of the project's regional or national benefits.

[88] We record that we have considered the application along with the other material described in section 81(2)(a).

[89] Section 81(2)(d) references section 83. That reads:

> **Conditions must be no more onerous than necessary**
>
> When exercising a discretion to set a condition under this Act, the panel must not set a condition that is more onerous than necessary to address the reason for which it is set in accordance with the provision of this Act that confers the discretion

[90] As part of PCC's comments on the application, its counsel submitted that this requirement exists in practice under the RMA. In contrast, counsel for the applicant submitted (as part of the applicant's response to comments) that it represented "a deliberate legislative intention that conditions be proportionate to the purpose for which they are imposed, and evidences a concern on the part of Parliament that conditions under the RMA framework may have been unduly onerous". Counsel suggested as a result

that "the Panel must be satisfied that a condition is no more onerous than is reasonably necessary to achieve its intended purpose" [19].

[91] Counsel for the applicant may be correct as to the legislative intention. However, in our view, it is good practice at least, even if it is not a legal requirement, that all conditions imposed on RMA consents are proportionate to the purpose for which they are imposed and no more onerous than is reasonably necessary to achieve their purpose. Certainly, our objective will be to ensure that is the case in respect of any conditions we impose.

[92] Section 81(2)(ea) incorporates new section 84A by reference. The latter states:

> **84A Conditions relating to infrastructure**
>
> (1) The panel may set conditions to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support—
>
> (a) the project; or
>
> (b) the stage of the project to which the application relates.
>
> (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.
>
> (3) To avoid doubt, a condition set under this section may impose an obligation on the applicant only.

[93] This section has particular significance given issues around the capacity of potable water and wastewater networks to service the site that we discuss in Part E of our decision.

[19] Memorandum of Counsel on behalf of Pukerua property Group Limited Partnership in relation to comments received from invited parties dated 7 August 2026 at paragraph 11

[94] Section 7(1)(a) of the FTAA provides:

> (1) All persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with -
>
> (a) the obligations arising under existing Treaty Settlements …

[95] The Panel has reviewed the report prepared under section 18 of the FTAA addressing this matter as the Ngāti Toa Rangatira Claims Settlement Act 2014 is of relevance to the Project area.

[96] In this context, Ngāti Toa has a coastal statutory acknowledgement covering marine and coastal areas downstream of the Project. While the site itself is not within that statutory area, three affected catchments (Taupō, Kākaho and Waimapihi Streams) ultimately discharge into it.

[97] A number of the approvals sought are those that would otherwise be considered under the RMA. As above, clause 19 of the amended Schedule 1 of the FTAA confirms that they should continue to be considered on the basis that the Planning Act 2026 and the Natural Environment Act 2026 had not been enacted.

[98] The relevant schedule in relation to those approvals for the purposes of section 81(2)(b) is Schedule 5. Clauses 17-22 of that schedule apply to the consideration of resource consent applications. Clauses 20-22 are not relevant to these particular applications.

[99] Clause 17 provides key direction, as follows:

> **17 Criteria and other matters for assessment of consent application**
>
> (1) For the purposes of section 81, when considering a consent application, including conditions in accordance with clauses 18 and 19, the panel must take into account, giving the greatest weight to paragraph (a),—
>
> (a) the purpose of this Act; and

(b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and

(c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.

(2) For the purpose of applying any provisions in subclause (1),—

(a) a reference in the Resource Management Act 1991 to Part 2 of that Act must be read as a reference to sections 5, 6, and 7 of that Act; and

....

(c) to avoid doubt, for the purposes of subclause (1)(b), when taking into account section 104(1)(c) of the Resource Management Act 1991, any Mana Whakahono ā Rohe or joint management agreement that is relevant to the approval is a relevant matter.

(3) Subclause (4) applies to any provision of the Resource Management Act 1991 (including, for example, section 87A(6)) or any other Act referred to in subclause (1)(c) that would require a decision maker to decline an application for a resource consent.

(4) For the purposes of subclause (1), the panel must take into account that the provision referred to in subclause (3) would normally require an application to be declined, but must not treat the provision as requiring the panel to decline the application the panel is considering.

...

(6) For the purposes of subclause (1), the provisions referred to in that subclause must be read with all necessary modifications, including that a reference to a consent authority must be read as a reference to a panel.

(7) Sections 123 and 123A of the Resource Management Act 1991 apply to a decision of the panel on the consent.

[100] Given our conclusion in Part B that the resource consents within PCC and GWRC's jurisdiction are appropriately addressed as non-complying activities, the exclusion of section 104D in Clause 17(1)(b) is of particular relevance.

[101] The Waihi North decision suggested[20] that when dealing with directive avoidance policies in planning instruments which, when taken together with section 104D, might usually require an application to be declined, it had taken the approach of taking into account that they would usually engage the "bottom line" approach taken in *King Salmon* and thus require an application to be declined; but recognising that they do not require the Panel to decline an application. We have taken the same approach.

[102] The Waihi North Expert Panel also noted[21] that Clause 17(2)(a) arguably disapplies (by omission) section 8 of the RMA (which requires decision-makers to take into account the principles of the Treaty of Waitangi), commenting:

> We say "arguably" because the cl 17(2)(a) definition of Part 2 of the RMA is said to apply only to references in the RMA and does not explicitly refer to cl 17(1)(b) which provides that the provisions of Part 2 of the RMA are "must take into account" factors.

[103] That Panel said it had approached the Application on the assumption that it was required to take into account the principles of the Treaty. We agree with and have adopted the same approach.

[104] We note that the section 18 report does not identify relevant Mana Whakahono ā Rohe or joint management agreements.

[105] Clause 18 is also relevant. It reads:

> **18 Conditions on resource consent**
>
> When setting conditions on a consent, the provisions of Parts 6, 9, and 10 of the Resource Management Act 1991 that are relevant to setting conditions on a resource consent apply to the panel, subject to all necessary modifications, including the following:

[20] Waihi North Expert Panel Final Decision, dated 18 December 2025 at page 243
[21] Waihi North Expert Panel Final Decision, dated 18 December 2025 at page 242

(a) a reference to a consent authority must be read as a reference to a panel;

and

(b) a reference to services or works must be read as a reference to any activities that are the subject of the consent application.

[106] Clause 19 applies more specifically to standard freshwater fisheries activities, as follows:

Conditions on resource consent may deal with standard freshwater fisheries activity

(1) A panel may set conditions on a consent in respect of a standard freshwater fisheries activity for which approval, dispensation, or authorisation is required, or for which a requirement may be imposed, under the following provisions:

(a) regulation 42 of the Freshwater Fisheries Regulations 1983 (culvert or ford):

(b) regulation 43 of the Freshwater Fisheries Regulations 1983 (dam or diversion structure):

(c)regulation 65(2) of the Freshwater Fisheries Regulations 1983 (noxious fish):

(d) section 26ZM(2)(a) or (3)(b) of the Conservation Act 1987 (transfer or release of live aquatic life).

(2) If the panel sets conditions under subclause (1), they must be the conditions the panel considers necessary to manage the effects of the activity on freshwater fish species, taking into account—

(a) best practice standards; and

(b) the New Zealand Fish Passage Guidelines.

(3) The provisions referred to in subclause (1)(a) to (d) do not apply to the holder of a resource consent issued under this Act who complies with the relevant conditions imposed under this clause.

[107] Turning to non-RMA approvals, Schedule 7, clause 5 sets out the criteria for an application for a wildlife approval, as follows:

> **Criteria for assessment of application for wildlife approval**
>
> For the purposes of section 81, when considering an application for a wildlife approval, including conditions under clause 6, the panel must take into account, giving the greatest weight to paragraph (a),—
>
> (a) the purpose of this Act; and
>
> (b)the purpose of the Wildlife Act 1953 and the effects of the project on the protected wildlife that is to be covered by the approval; and
>
> (c) information and requirements relating to the protected wildlife that is to be covered by the approval (including, as the case may be, in the New Zealand Threat Classification System or any relevant international conservation agreement).

[108] As part of the report provided by DoC pursuant to s51 of the FTAA, it commented on how these provisions should be applied. It suggested with reference to relevant authority that mandatory relevant considerations must be given genuine consideration and weighting, and that the instruction to give greatest weight to the purpose of the FTAA does not mean that that that consideration should be used to exclude consideration of other factors, or that in an overall balancing of different mandatory factors/ considerations, it will always prevail.

[109] DoC's observations accord with our understanding of the principles of administrative law guiding statutory decision-makers. We note, however, that in this case, section 85(3) governs the ultimate decision whether or not to grant the approval sought.

[110] Clause 6 governs conditions on a wildlife approval, as follows;

Conditions

(1) A panel may set any conditions on a wildlife approval that the panel considers necessary to manage the effects of the activity on protected wildlife.

(2) In setting any condition under subclause (1), the panel must—

(a) consider whether the condition would avoid, minimise, or remedy any impacts on protected wildlife that is to be covered by the approval; and

(b) where more than minor residual impacts on protected wildlife cannot be avoided, minimised, or remedied, ensure that they are offset or compensated for where possible and appropriate; and

(c) take into account, as the case may be, the New Zealand Threat Classification System or any relevant international conservation agreement that may apply in respect of the protected wildlife that is to be covered by the approval.

[111] Schedule 8, clause 4 sets out the criteria for assessment of an application for an archaeological authority.

Criteria for assessment of application for archaeological authority

(1) For the purposes of section 81, when considering an application for an archaeological authority, including conditions in accordance with clause 5, the panel must take into account, giving the greatest weight to paragraph (a),—

(a) the purpose of this Act; and

(b) the matters set out in section 59(1)(a) of the HNZPT Act; and

(c) the matters set out in section 47(1)(a)(ii) and (5) of the HNZPT Act; and

(d) a relevant statement of general policy confirmed or adopted under the HNZPT Act.

(2) For the purposes of subclause (1), the provisions of the HNZPT Act referred to in that subclause must be read with all necessary modifications, including that a reference to Heritage New Zealand Pouhere Taonga must be read as a reference to the panel.

[112] Schedule 9, clause 5 sets out the criteria for assessment of applications for complex freshwater fisheries activities:

> **Criteria for assessment of applications for complex freshwater fisheries activity approval**
>
> For the purpose of section 81, the panel must take into account, giving the greatest weight to paragraph (a),—
>
> (a) the purpose of this Act; and
>
> (b) the alignment of the proposed activity with best practice and the New Zealand Fish Passage Guidelines; and
>
> (c) how the proposed activity will manage risks to freshwater values or habitat, including prevention of access to or spread of invasive species; and
>
> (d) the availability and quality of the habitat upstream and downstream of the proposed activity; and
>
> (e) the presence of threatened, data-deficient, or at-risk species under the New Zealand Threat Classification System in the vicinity of the proposed activity; and
>
> (f) the advantages and disadvantages of providing fish passage upstream or downstream of the proposed activity.

DRAFT

PART D: ASSESSMENT OF BENEFITS

General Approach

[113] As above, we need first to assess the extent of the regional and national benefits the Mt Welcome development would have.

[114] We have approached the identification of potential benefits in the light of the identification in section 22(2)(a) of the FTAA criteria the Minister might have considered when deciding whether or not to refer a project to the fast-track process. Other Expert Panels have found this section of assistance, and the Taranaki VTM Expert Panel noted indications from the Select Committee report on the FTAA that this was intended[22].

[115] Unsurprisingly, section 22(2)(a)(iv) identifies that the Minister might consider whether a project will deliver significant economic benefits.

[116] We note also that another criterion[23] is whether a project:

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

[117] The wording of the purpose of the FTAA and of section 85(3)(b) means that our finding as to whether relevant benefits are 'significant', and if so, how significant, is of critical importance to our ultimate decision. We do not treat the listing of the project in Schedule 2 of the FTAA as determinative of the first question. We follow the approach of the Expert Panel considering the Maitahi Village Project, which considered that to be a matter of evidence for it to evaluate[24].

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[22] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [82]
[23] Section 22(2)(a)(iii)
[24] Maitahi Village Expert Panel Final Decision, dated 18 September 2026 at [515]

[118] We are also assisted in our examination of the second question by the Maitahi Village Expert Panel, which interpreted significance to mean, "sufficiently great or important to be worthy of attention; noteworthy" based on its ordinary meaning[25].

[119] The Waihi North Expert Panel provided useful commentary, stating[26]:

> [842] "Significant" is a word of indeterminate meaning. It can, for instance, be used in in the sense of "game-changing". But it can also have meanings along the lines of "worthy of note".
>
> [843] In the context of "deliver significant economic benefits" and "development of natural resources including mining", it is not particularly likely that any one mining project will produce game-changing effects, certainly across the country as a whole. The same can be said of any one project to "increase the supply of housing". Indeed, in a large city, even a substantial housing project is unlikely to make a material change to the supply of housing. All of this supports the view that "significance" is not to be determined by reference to whether implementation of the project will appreciably change national or regional gross domestic product or the annual tax revenue of the Government. Rather it is an indication of scale.

[120] We agree with this approach to the assessment of benefits. We also agree with the Maitahi Village Expert Panel that "the question of whether a project is indeed one with significant regional or national benefits remains an intensely factual determination turning on the particular circumstances of the Application"[27].

[121] In relation to the assessment of economic benefits, other Expert Panels have discussed whether the focus should be on gross benefits or net benefits. In some cases, parties have argued that all benefits and detriments (aka adverse

[25] Maitahi Village Expert Panel Final Decision, dated 18 September 2026 at [516]
[26] Waihi North Expert Panel Final Decision Report, dated 18 December 2025
[27] Maitahi Village Expert Panel Final Decision, dated 18 September 2026 at [515]

impacts) should be considered from an economic perspective, in a comprehensive cost benefit analysis.

[122] As the Taranaki VTM Expert Panel noted[28], the danger with the latter approach in reaching the decision that section 85(3) requires is that adverse environmental impacts are double counted; once in determining the extent of net benefits, and again when determining whether those same adverse impacts outweigh net benefits. That cannot be right.

[123] However, we agree with the conclusion reached by that Panel (following the approach of the Waihi North Expert Panel in this regard)[29] that where identified and able to be quantified, economic disbenefits should be taken into account when identifying the true scale of economic benefits.

[124] The Taranaki VTM Expert Panel also noted, unsurprisingly in our view, that any assessment of regional benefits is region-specific. Thus, what would be worthy of attention in the Gisborne Region may not be so in the Wellington Region, and vice versa.

[125] Another more general point we draw from previous FTAA decisions is that economic benefits occurring in the future should be discounted to produce a Net Present Value (**NPV**)[30]. The applicant's economic assessment presented the quantification of project benefits without taking account of when they would accrue.

[126] We asked the applicant about this aspect of its economic assessment and as part of the applicant's response to our request for information received on 28 August 2026, the author of its economic assessment, Mr Thompson, confirmed that value added estimates had been presented on an undiscounted basis "consistent with our usual approach of reporting GDP

[28] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [88]
[29] Taranaki VTM Expert Panel Draft Decision, dated 4 February 2026 at [90-91]
[30] Waihi North Expert Panel Final Decision Report, dated 18 December 2025 at [770]

and employment effects as measures of the scale of economic activity generated by a proposal, rather than as Net Present Values"[31].

[127] Drawing on the decision of the Expert Panel in the Waihi North decision, we considered that an approach which fails to take account of the changes in the value of money over time is potentially misleading. We consider that an NPV employing appropriate discount rates is a more reliable guide to the true benefit a project generates for assessment purposes.

[128] A number of prior FTAA decisions have used Treasury Guidelines to determine the appropriate rate of discounting. Mr Thompson addressed this point also at our request. In his response dated 20 August 2026, he advised that if an NPV was required, a 2% real discount rate was considered appropriate. He referenced Treasury Guidelines[32] as identifying the 2% Social Rate of Time Preference "as the appropriate rate for impacts that are predominantly non-commercial or public in nature"[33]. This of course raises the question as to whether this particular project is indeed predominantly non-commercial in nature since demonstrably, it is not a public project. Mr Thompson's view was that it was, consistent with the focus of the FTAA on significant regional or national benefits, including increased housing supply, housing needs, well-functioning urban environments and wider economic benefits.

[129] We discussed this reasoning with Mr Thompson at the conference the Panel convened on 3 September 2026 and he supplied further commentary dated 7 September 2026 in response to the Panel's request that he provide a quantification of assessed benefits at discount rates of both 2% and 8% (the latter being Treasury's recommended rate if the development is predominantly commercial in nature).

[31] Adam Thompson, memorandum to Pukerua Property Group LP dated 20 August 2026 at page 3
[32] The Treasury (2024), Treasury circular 2024/15: Updated Public Sector Discount Rates for Cost Benefit Analysis.
[33] Adam Thompson, memorandum to Pukerua Property Group LP dated 20 August 2026 at page 3

[130] Mr Thompson reiterated his view that 2% was the appropriate discount rate because of wider housing and regional economic outcomes. However, he acknowledged that the distinction between commercial and non-commercial projects is not exact in a development of this nature with commercial elements. He suggested therefore that the 8% discounted figures be treated as a sensitivity analysis.

[131] As Mr Thompson noted, practice as between FTAA expert panels has not been entirely consistent. We consider the most relevant guide is the Sunfield Expert Panel which was assessing a large Auckland housing development, and which considered that an 8% discount rate was the recommended Treasury rate, with a sensitivity of plus or minus 2%[34].

[132] We note in passing that we are unsure of the appropriateness of applying a sensitivity of plus or minus 2%. Our reading of the Treasury Circular[35] is that it intends that a 2% discount rate is used for sensitivity analysis in cases where an 8% rate is applied.

[133] The approach of using an NPV discounted at 8%, compared to one discounted at 2% was employed by the Ayrburn Screen Hub Expert Panel[36], in which some members of the present Panel were also involved.

[134] We consider that to be the preferable approach on the basis that the broader housing benefits that Mr Thompson emphasised can and should be assessed separately.

[34] Sunfield Expert Panel Final Decision dated 10 March 2026 at paragraph [510]
[35] The Treasury (2024), Treasury circular 2024/15: Updated Public Sector Discount Rates for Cost Benefit Analysis at paragraph 15
[36] Ayrburn Screen Hub Expert Panel Final Decision dated 13 May 2026 at paragraph [170].

National Benefits

[135] Mr Thompson's report did not suggest that the benefits of the project were of national significance, and we had no other evidence that would support a finding that that was the case.

Regional Benefits

[136] Mr Thompson did, however, consider that the project would have significant benefits to both Porirua City and Wellington Region. As above, it is the latter that is our primary focus.

[137] Mr Thompson identified the following benefits:

(a) It would provide "comparatively affordable new housing in Porirua City and the wider region", meeting the needs of a currently underrepresented sector of the community.

(b) It would introduce another major greenfield development to the study area, contributing to a wider range of housing being made available, and increase competition.

(c) Over the short to medium term (10 years) it would enable greenfield demand (and therefore Policy 2 of the National Policy Statement on Urban Development 2020 (**NPSUD**)) to be met.

(d) It would support housing affordability and contribute to retention of population within the region.

(e) Construction would contribute approximately $236 million (subsequently quantified as $135 million at an 8% discount rate, and $202

million at a 2 % discount rate) to GDP and support 1,450 FTE jobs in total.

(f) Once constructed, the expenditure of future residents would contribute approximately $23 million to GDP per annum (subsequently quantified as $957 million over 30 years, or $359 million at an 8 % discount rate, and $714 million at a 2 % discount rate) and support 205 FTE jobs per annum. Mr Thompson quantified the effect of the proposed retail centre operation separately at $8.9 million and 90 FTE jobs per annum.

(g) Indirect construction benefits in the primary sector through demand for primary sector products such as timber were estimated as a contribution to regional and primary sector GDP of $52.9 million and 320 FTE jobs.

[138] Mr Thompson did not identify any relevant economic disbenefits in his report.

[139] The only Comment we identified seeking to dispute that the identified regional benefits would be significant was that of Rebecca Davis and Jonathan Burchell. It offered no justification or reasoning for that view.

[140] PCC did not provide any expert economic evidence to the Panel. PCC did however, agree (via its planning report authored by Mr Smeaton) that the scale of the project means that Mr Thompson's conclusion that it will have significant economic benefits is likely to be reasonable. Mr Smeaton also accepted that the development would increase competition in the housing market and place downward pressure on prices. Mr Smeaton noted, however, that some assumptions in Mr Thompson's report related to house pricing had not been explained and that when annualised and compared to Porirua City's annual GDP, the predicted benefits appeared less significant. An annual construction benefit of approximately $15.7 million was compared to the 2025/26 Porirua GDP of $3,374 million. Mr Smeaton also

observed that no condition had been proffered to ensure the pricing Mr Thompson had used in his assessment would be realised.

[141] Mr Smeaton also identified potential economic costs of the development that Mr Thompson had not discussed in three categories:

(a) Preclusion of two of the three southern transport links identified in the Structure Plan governing the site;

(b) Limiting development of residential sites to one dwelling on each lot; and

(c) Adoption of a car-dominant urban form and insufficient provision for public transport.

[142] Mr Thompson responded to Mr Smeaton's comments as part of the applicant's response to Comments.

[143] He noted that his assessment had used indicative average house floor areas and that the proposal provides meaningful variation within the standalone and compact standalone markets. Mr Thompson also challenged the view that limiting dwellings on each lot was inefficient, pointing to a range of constraints on development. He considered that potential redevelopment options needed to be balanced against the desirability of certainty for all relevant parties.

[144] As regards pricing assumptions, Mr Thompson emphasised that the pricing assumptions he had used were indicative and were intended to show the development's likely position relative to other competing new-build developments

[145] Mr Thompson did not dispute the essential point PCC was making regarding construction benefits, but noted that actual activity would vary by stage.

[146] As regards potential economic costs, Mr Thompson noted that his analysis was not intended to be a full social cost-benefit analysis, and that the work of other experts would inform the assessment of costs and benefits. Specifically in relation to his supposed focus on private vehicle use, Mr Thompson noted the site's proximity to rail services, while recording that the extent to which public-transport benefits would be realised would depend on the availability of suitable connections.

[147] We requested further information from the applicant in relation to economic issues in our Minute 11 dated 14 August 2026. Mr Thompson responded on the applicant's behalf in a memorandum dated 20 August 2026.

[148] We asked what the basis was for the identified price differential between Mt Welcome and other current developments. Mr Thompson's response was that it was a product of lot size and gross floor area. He compared Mt Welcome to three other Porirua developments located south of the Paremata Bridge, observing that it sits broadly in the middle of these developments in terms of lot size, dwelling size and therefore price.

[149] At the initial briefing conference we convened on 24 August 2024, we queried Mr McDonnell as to whether the predictions in the Housing and Business Development Capacity Assessment 2023 (**HBA**) remained realistic in light of publicity about a slowdown in the property market and regional population trends over the last four years. His response was that as at 2025, when the economic assessment was prepared, there was still demand. He also observed that over the projected 15 year timeframe of the development, there would inevitably be ebbs and flows in demand. Both are fair points.

[150] We asked Mr Thompson how actual demand figures over the five years from 2021 were tracking relative to the HBA referenced in his report. He responded that over the 2021-2025 period building consent data indicated the supply of 263 dwellings per annum in Porirua City, compared to the

HBA's predicted demand of 523 dwellings per annum (excluding the 20% buffer required by the NPSUD. In his view this supported the HBA's finding of a significant shortfall in supply of new houses to meet demand.

[151] We observe that Mr Thompson's response assumed that the HBA demand predictions were accurate, the very thing we wanted to verify.

Findings

[152] Judged purely by the scale of the development, Mt Welcome is a substantial development that meets the test endorsed by the Maitahi Village Expert Panel of being "sufficiently great or important to be worthy of attention; noteworthy" in a regional context. We consider its benefits can reasonably be adjudged regionally significant on that basis, notwithstanding the contrary (and unsubstantiated) view of Ms Davis and Mr Burchell. We therefore accept Mr Thompson's evidence to that extent.

[153] Moving to the second stage of the inquiry, assessing just how significant those benefits are, we consider that, reliance on the houses ultimately sold as part of the development being 'affordable' in any real sense is a dubious proposition. Mr Thompson's response to Mr Smeaton's report for PCC was that Mt Welcome should correctly be described as providing "comparatively lower-priced new-build housing", but even that is questionable given his subsequent confirmation that if priced in the manner signalled in the application, Mt Welcome would fit broadly in the middle of three other developments, all of which might be considered to have more attractive locations by reason of their closer proximity to the Porirua (and Wellington City) CBD. On the other hand, we accept Mr Thompson's evidence that new builds in greenfield areas are likely to be cheaper than infill housing, so if that is the relevant comparison, his characterisation might be considered reasonable. Nevertheless, the fact that the price point for housing in the Mt

Welcome might be lower than other housing options does not mean that it is 'affordable'.

[154] Mr Thompson's assessment also depends on actual pricing being in accordance with the predictions he based that assessment on. As Mr Smeaton observed, in the absence of a condition governing sale prices, we have no certainty that that will be the position. Proposed Condition G1 would potentially impose some limit on the extent of changes in the ultimate price of houses in the development, but a 'general accordance' limitation still gives scope for change.

[155] We can understand why the applicant would be reluctant to bind itself in relation to a matter so central to the financial viability of the development, particularly given the range of properties and the lengthy time period over which they would be sold. There is force in Mr Thompson's reasoning in relation to the latter. We also doubt that a condition seeking to bind the consent holder on such matters without its agreement would meet the requirements in section 108AA of the RMA. The end result is that we cannot place great reliance in Mr Thompson's assessment of where in the housing market Mt Welcome would sit.

[156] We also need to consider whether the asserted benefits are truly additional, or whether the benefits Mr Thompson identifies are substituting for benefits other housing developments would provide. Clearly, to the extent that Mt Welcome is topping up housing supply in the short to medium term to meet predicted demand, it is additional and its benefits should be 'counted' as such.

[157] Mr Thompson's answer to our information request regarding the extent to which housing demand is matching the HBA predictions was unhelpful, and leaves us with the HBA as the best indicator of future housing demand we have.

[158] Figure 11 in Mr Thompson's report suggests to us that current and pipeline housing supply is sufficient to meet HBA assessed demand excluding provision for the 20% buffer the NPSUD requires, but not if it is included: it is 285 dwellings short in the latter case.

[159] The NPSUD buffer is presumably intended to recognise the uncertainties inherent in such forecasts, and so, in our view it should be included. That would suggest that approximately 30% of the Mt Welcome lots are required to meet short to medium term demand, and up to 70% of lots might be adding capacity over and above demand. That excess capacity might be considered, at least in part, an economic disbenefit to the extent it means that dwellings in other developments are not constructed, or if they are, they are not sold, reducing the monetary benefits Mr Thompson assessed.

[160] On the other hand, competition between housing developers is precisely the situation the NPSUD seeks to encourage as it can only act as a downward pressure on prices, as Mr Smeaton accepted. In our view, that is a significant regional benefit on its own because of the number of house sites proposed.

[161] The social benefits from adequate provision of good quality housing also need to be factored in. Section 22 of the FTAA makes the provision of housing a relevant consideration for the Minister when determining whether a project has national or regional benefits irrespective of the assessed economic benefits, presumably for this reason, along with the benefits of increased competition in the market.

[162] While the comparison Mr Smeaton drew between the average annual construction spend and annual Porirua GDP appears telling, we note the caution of the Waihi North Expert Panel discussed above regarding such comparisons. We consider the discounted NPV to be a better indication of the scale of the development and its benefits. Considered on this basis, we do not find the assessed construction benefits to be particularly significant.

Discounted at 8%, a figure of $135 million qualifies in our view as significant, but it is hardly startling. Obviously, it appears more impressive if the 2% sensitivity scenario is considered, but it also needs to be considered against the likelihood that a proportion of the assessed construction costs will displace construction at other sites discussed above. The assessment of increased employment accompanying construction is an additional element of significance, but also needs to be considered cautiously, taking into account the likelihood that a proportion of those jobs will not be 'new', but rather drawn from elsewhere in the region.

[163] The assessed expenditure of homeowners is larger both on an annual and a discounted NPV basis. Its relevance however depends on the soundness of Mr Thompson's assumption that people who are unable to buy houses at Mt Welcome will leave the region, rather than buy (or rent) on the Kāpiti Coast or elsewhere in the Greater Wellington urban area. While that may be correct for some, perhaps many, we were unconvinced that that would necessarily be the case in all cases. We regard it as a relevant but not critical element given that uncertainty.

[164] We have considered the other potential economic disbenefits Mr Smeaton identified. We consider the extent to which the development appropriately provides for public transport and is or is not consistent with the Structure Plan is best considered as a planning matter. We also have insufficient information to quantify the extent of any resulting economic cost.

[165] Similarly, we regard the restriction to one dwelling per lot is an unquantified opportunity cost at best, rather than an economic disbenefit that ought to weigh in our assessment of positive benefits. Put another way, it represents a foregone positive benefit rather than a cost. We also think that Mr Thompson had a point when he emphasised the need for certainty as to the number of dwellings in the development when assessing infrastructure capacity.

[166] In summary, we consider that Mr Thompson's quantification of the regional benefits of the project is overstated for the above reasons, but not to the point that would cast doubt on whether those benefits are significant. The principal benefits are from meeting assessed future housing demand and promoting greater competition in the housing supply market. Other claimed benefits are less material in our view.

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PART E: ASSESSMENT OF ADVERSE IMPACTS

Potable Water Supply

The Application

[167] The proposed engineering solution for water supply to the proposed development is set out in Section 7.6.3 of the Application[37]. The Application was supported by an Infrastructure Report[38], authored by Envelope Ltd. The Infrastructure Report states that the development would be constructed with two pressure zones, the low zone supplied from the existing Pukerua Bay reservoir, and the upper zone to be supplied by a future reservoir sited within the Muri Road development. The two zones would have an emergency connection to allow pressure restricted supply from the upper zone to the lower zone if required. The Panel was advised at its initial briefing conference that the Muri Road reservoir is already consented. The applications before us do not include the connection between the site boundary and that reservoir. If any consents are required for that connection, they would need to be addressed separately.

[168] The Infrastructure Report states that the lower zone is expected to have approximately 250 lots in this zone. The Stage 1 – 5A areas of the development are to be connected to the lower zone via a new water main in SH59 that would extend from the development northwards and connect to the existing water supply reticulation at Gray Street, Pukerua Bay, approximately 850m away. A second supply main, for resilience to the network, would be constructed into the site after the development exceeds approximately 50 lots. This would be an interim connection from the bulk supply main in SH59 into the site.

[37] Substantive Application Section 7.6.3
[38] Section 11 - Infrastructure Report, prepared by ENGEO, dated 4 June 2026

[169] The upper zone is expected to have approximately 700 lots connected to it. Connection to, and supply from the upper zone would require the completion and commissioning of the upper zone reservoir and the supply main to the reservoir and the reticulation main back from the reservoir to the development.

[170] The Infrastructure Report states that the water supply network would be designed to meet Tiaki Wai's service levels and comply with Regional Standards for Water Supply and the NZ standard for firefighting (SNZ PAS 4509:2008).

[171] However, Section 11.7 of the Infrastructure Report states that there are some lots that do not meet the required minimum or maximum operating pressure due to the design level of those lots relative to the levels of the reservoirs. It notes that there are 3 lots in the lower zone that have pressures exceeding the 90m maximum allowable pressure and 29 lots at the southern end of the Lucus Block that will have pressures less than the minimum pressure of 25m.

[172] The Application has not presented an assessment of effects of the proposed water supply system as there are no discharges or construction related effects associated with the proposed water supply system.

Section 53 Comments

[173] Tiaki Wai presented a comprehensive set of comments on three waters issues in its document, *Comments on FTAA-2603-1181 Mt Welcome, Pukerua Bay, Porirua*[39]. Tiaki Wai did not consider that the application demonstrated that the connection to Gray Street can be secured without impacting on SNA028. It noted that the additional information provided on 2 July 2026 included a proposed alignment for the water main, but considered the alignment did not take into consideration the public wastewater main located within SH59

[39] Tiaki Wai s53 Response, dated 31 July 2026.

or the required clearances between the wastewater main, the water main and SNA028.

[174] Tiaki Wai was also concerned about design details relating to lack of water conservation, network pressures and network constraints. It considered some of these matters could be resolved by conditions.

[175] Tiaki Wai concluded that additional information was required on water supply matters to demonstrate that the Gray Street connection could be secured and that the development could be appropriately serviced before consent is granted.

[176] Tiaki Wai considered that the application should be revised to include on-lot rainwater harvesting for non-potable reuse to be consistent with the intent of the Te Awarua-o-Porirua Whaitua Implementation Programme (**WIP**) and Plan Change 1 and the previous work in this catchment. It considered on-lot rainwater harvesting and water metering should be conditioned and supported by consent notice on the titles to ensure implementation at the time of building construction.

[177] Tiaki Wai stated that if consent were granted for the development without water conservation measures, it would not support connection of the development to the public water supply network.

[178] Tiaki Wai noted in paragraph 174 that the application does not present water modelling that justifies the design or a water services strategy that demonstrates opportunities and constraints to minimise the lots where non-compliant pressures are achieved. Tiaki Wai required a water servicing assessment, supported by modelling and approved by it prior to earthworks commencing for any of the development stages. It considered this could be secured by conditions that would also require consent notices requiring on-lot mitigation on titles where compliant pressures cannot be met.

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[179] Tiaki Wai stated that there were supply constraints on the lower zone and a maximum of only 200 lots could be connected to that zone. Tiaki Wai estimated that this would encompass Stages 1 – 3B, which was 190 lots by Tiaki Wai's count, based on the staging presented in the application. Tiaki Wai considered that development beyond this (or some minor changes to the network layout/scheme staging to encapsulate the remaining 10 lots to the system), and development of the commercial lot would require the upper reservoir to be operational before it would allow connection beyond 200 lots to the network.

[180] Tiaki Wai noted that there are some supply constraints in the bulk supply main servicing the North Growth Area (**NGA**) and Pukerua Bay. It has an upgrade strategy that involves the installation of a boost pump station on the bulk supply main, but that is some years away. Tiaki Wai considered the issue is manageable by way of a condition that requires the consent holder to regularly update Tiaki Wai on the progress of the development so that Tiaki Wai can programme the timing of the boost pump station in conjunction with overall development in the NGA. Tiaki Wai sought a condition that requires the consent holder to provide a 5-year development programme before the commencement of the 201st lot, and before every subsequent block of 200 lots thereafter, with the development programme identifying the anticipated rate and timing of the development water supply connections.

[181] TRoTR stated in its s53 comments[40] that it sought inclusion of water conservation measures, including rain harvesting to preserve the resource and its mauri. It considered that insufficient weight had been given to water conservation and rainwater harvesting as fundamental components of the stormwater management approach. TRoTR considered that rainwater harvesting can contribute to greater community resilience, and as climate-related events become more frequent, localised water storage and reuse is

[40] Te Rūnanga o Toa Rangatira s53 Response, dated 28 July 2026

integral to help build resilience, reduce demand on regional infrastructure networks, and provide an alternative water source during emergencies or water shortages.

[182] TRoTR considered that a more robust and precautionary approach is required that included greater emphasis on water retention, water harvesting, reuse and hydrological control measures that better reflected the principle of kaitiakitanga.

Applicant's Response to Section 53 Comments

[183] The applicant's response was supported by a memorandum prepared by Envelope[41]. Section 13 of the Envelope response responded to the concerns raised by Tiaki Wai regarding water supply issues.

[184] Envelope provided an updated drawing of the proposed Gray Street connection that it considered appropriately demonstrated that the water main in SH59 could be constructed without conflict with the wastewater main and SNA028.

[185] Envelope advised that it accepted the Tiaki Wai limit of 200 lots off the lower zone system, beyond which the upper reservoir must be operational before further development occurred, and this is secured by PCC condition D83. Envelope considered that there should be some flexibility incorporated into condition D83 to reflect actual uptake in the wider catchment and the provision to allow development of the commercial lot to be offset against the equivalent residential demand allocation if the commercial lot was desired to be developed before the latter apportionment of residential lots.

[186] Envelope considered the lots that did not meet the pressure limits set by the regional standards were only marginally outside the limits and were minor.

[41] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026

Envelope considered these matters could be resolved by pressure modelling and detailed design. Envelope considered the Tiaki Wai requirement to place consent notices for on-lot pressure boosting on the titles of properties that did not meet the standards to be unnecessary for a marginal shortfall on lots that were immediately adjacent to a reservoir.

[187] Envelope advised that on-lot rainwater harvesting tanks for non-potable reuse were not proposed and, in its opinion, were not necessary.

Applicant's Response to Minute 16

[188] The Panel issued Minute 16[42], requesting additional information from the applicant on water pressure issues and associated potential consent notices for properties that did not meet the regional standards for water supply in terms of maximum or minimum water pressure. Envelope responded on behalf of the applicant to Minute 16 in a memorandum[43]. Envelope provided additional information on the anticipated upper zone reservoir to be sited within the Muri Road development that confirmed the expected bottom and top water levels at the reservoir.

[189] The Panel sought an estimate of the likely head losses in the water supply system between the upper zone reservoir and the development in the area of the southern lots of the Lucus block, because those lots are quite distant from the reservoir. Envelope confirmed that likely head loss would be 2 – 4m, depending on peak flows in the network and network configuration. It considered the head loss would be determined through detailed modelling at time of detailed design.

[190] Envelope provided additional information on the lots likely to not meet the required minimum 25m head set by the regional standards. Envelope stated that it maintained its position that consent notices were not required on lots

[42] Minute 16, dated 28 August 2026
[43] Applicant's Response to Minute 16, prepared by Envelope dated 31 August 2026

that do not meet the minimum standard, largely because, in its opinion, the predicted shortfall in pressure would be minimal and remain well above the 10m minimum contemplated by the regional standards for a property close to a reservoir.

[191] Envelope considered that the affected lots and the proposed reduced minimum pressure should be confirmed with Tiaki Wai through the detailed design and engineering approval process. It suggested a condition should provide that if the proposed pressure departure is not accepted by Tiaki Wai, compliant private booster pumps must be provided for the affected lots, with this requirement secured through consent notices.

[192] It is noted that as a consequence of the adoption of the alternative stormwater strategy, all lots would be required to have 3,000L rainwater harvesting tanks, of which 2000L would be for reuse for non-potable water supply.

Findings

[193] Envelope provided revised drawings for the water main to the Gray Street connection in response to Minute 18. The updated drawings (sheets 1753-02- 5001 and 5002) indicate that the water main can be installed without conflict with the existing wastewater main and SNA028. The Panel is satisfied that this matter can be managed by condition D27C that requires the detailed design to be certified prior to construction commencing.

[194] The Panel has added condition D27C to the applicant's Minute 29 District consents version to include several specific requirements of the design process, including water network modelling and the preparation of a water supply design report, to deal with matters relating to water supply that have evolved through the Panel's assessment of the application.

[195] The Panel has some concerns regarding how the matter of expected water pressure at some lots in the Lucus Block being below the minimum standard

set by the regional standards can be efficiently managed through consent conditions. The Panel understands why the affected lots will have water pressure that is less than the required minimum of 25m. The Panel is also conscious that all lots within the development will also have a rainwater harvesting tank, which has an impact on housing construction cost and footprint on the house sites.

[196] The Panel does not accept the position of the applicant that the lots in question are only marginally less than the required minimum, because the information presented by the applicant consistently omits head losses in the pipelines at peak demand conditions, which are expected to be 2 – 4m by the applicant's estimates. The Panel anticipates the minimum pressures will be of greatest concern at times of peak demand, which is when pipeline head losses are greatest, and operational drawdown in the reservoir may also be greatest.

[197] The Panel also does not agree with the applicant's interpretation that the lots in question could be considered to be "close to a reservoir" and hence the issue could, in the applicant's mind, be viewed against the minimum allowance of 10m for lots close to reservoirs. The Panel considers the 10m minimum pressure situation to be intrinsically linked to the use of consent notices on the affected titles where this minimum pressure is unavoidable.

[198] The Panel acknowledges that at the highest lot (RL162) the likely pressure could be in the order of 18 – 19m if allowance for head losses in the network and a 70% operational water level at the reservoir (at peak domestic flow conditions) was adopted. This would indicate that the 24 lots that are at a level of RL161 – RL162 would have a minimum pressure at peak domestic demand flow conditions of 18 – 20m. The Panel does not consider this a minor departure from the minimum standard requiring 25m.

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[199] However, the Panel is conscious that the development aims to be able to provide housing as efficiently as is reasonably possible. The Panel does not consider the inability of the affected lots to meet the 25m minimum standard to be so severe that it must be mitigated such that the minimum 25m standard is met.

[200] The Panel considers that the likely adverse effect of less than desirable minimum water pressure at the affected houses would be largely unnoticed by the occupant, particularly if some mitigation steps were adopted.

[201] The Panel therefore considers that a pragmatic solution that avoids the need for boost pumping at house sites above RL155 is desirable. An alternative solution to boost pumping could be to minimise any further head losses between the connection point at the road and the plumbing fittings in the house. We consider that perhaps this could be achieved with a consent notice on the affected property titles requiring maximum pipe size specifications to be used as close as practicable to the plumbing fittings within houses. Tiaki Wai and the applicant are requested to address this potential in their comments on our draft decision.

[202] The Panel has included Condition D118A in the District consent conditions that requires a consent notice on titles for lots above RL155m that advises the owner that the minimum water pressure at the site might fall below the minimum desired pressure of 25m set by the Regional Standards for Water Supply at times. The Panel has included this consent notice process into the conditions to protect PCC and Tiaki Wai from any demand from a house owner that PCC or Tiaki Wai should modify the water network to achieve the minimum 25m water pressure at the connection to the property required by the regional standard.

[203] The Panel agrees with Tiaki Wai's request that the consent holder be required to provide a water servicing assessment, supported by modelling and

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approved by it prior to earthworks commencing for any of the development stages and to provide a 5-year development programme before the commencement of the 201st lot and before every subsequent block of 200 lots thereafter, with the development programme identifying the anticipated rate and timing of the development water supply connections. This process will allow Tiaki Wai to be satisfied the design meets appropriate standards prior to construction and will assist Tiaki Wai to manage future upgrade works more efficiently. This has been incorporated into condition D27(c)(f).

[204] Condition D83 deals with the maximum number of lots that could be supplied from the Pukerua Bay reservoir, beyond which network upgrades are expected to be required. The applicant sought the limit to be set at 237 residential lots, plus the commercial lot. Tiaki Wai concluded that a maximum of 200 residential lots, excluding the commercial lot, was the appropriate limit to ensure appropriate operational performance of the network. The Panel has accepted Tiaki Wai's recommended limit and made provision in condition D83(c) for the consent holder to replace the demand for the commercial lot with the demand from an appropriate number of residential lots if it wishes to proceed with the commercial lot development prior to the full 200 lot limit being reached. The Panel is satisfied that the water supply proposals, in association with the conditions discussed above, will achieve an appropriate solution for water supply.

Stormwater Management

The Application

[205] The key elements of the proposed stormwater management solution for the Mt Welcome project site were described in Section 7.6.2 of the Application

under the heading Stormwater[44]. The Application was supported by a Stormwater Management Plan (**SMP**) authored by Envelope Ltd, entitled 'Stormwater Management Plan'[45], which was contained as Appendix 11 of the Application. The SMP generally outlined the key elements of the stormwater management solution to be[46]:

(a) centralised raingardens treating road and allotment runoff;

(b) retention wetlands and attenuation ponds (mostly on the same footprint) providing flow detention and controlled discharge to pre-development rates;

(c) erosion and scour protection at all outlet structures; and

(d) developer-maintained devices during staging until vesting to PCC/Tiaki Wai Ltd.

[206] The SMP described the site as having 4 existing catchments (Taupō Stream, Kakaho Stream (west and east branches) and a small portion of the site draining to the Waimapihi Stream at the northern part of the site. Of note, the western portion of the site drains to the Taupō Swamp, and the eastern portion of the site drains to the Kakaho Stream, which flows into the Pāuatahanui Arm of Te Awarua-o-Porirua Harbour. As discussed in Part F of our decision, Taupō Swamp and Pāuatahanui Inlet are identified in relevant planning instruments as being sensitive to contaminant inputs.

[207] Section 6.3 of the SMP described the key performance criteria as being dictated by the PDP, Wellington Water Regional Standards for Water Services v3.1 (**RSWS**) and GWRC Plan Change 1 (Schedule 29). A key requirement of these documents is to control peak stormwater discharge

[44] Substantive Application - Section 6.7.2
[45] Stormwater Management Plan, prepared by Envelope, dated 4 June 2026
[46] Stormwater Management Plan, Section 1 – Executive Summary

rates for the 1% AEP event to pre-development rates. The SMP described the proposed use of five retention wetlands (A, B, C, D and E) that would provide both attenuation and retention functions, by the use of a controlled outlet system on each. Of the five retention wetlands, one system (D) was smaller and drained to the Muri Road catchment (Waimapihi Stream) and this system was primarily for peak-flow attenuation rather than retention. The SMP stated[47] that these systems were designed to effectively attenuate runoff, maintain pre-development discharge rates and provide improved hydrological control across all design events.

[208] A notable component of the proposed stormwater management solution was the use of retention wetlands formed in the bottom of the gullies (retention wetlands A, B, C and E) that would be flooded in larger rainfall events to achieve sufficient flow detention to achieve peak discharge flows to pre-development flow rates. This required a ponded water depth for the 1% AEP event of approximately 2m with storage volumes for the 4 main wetlands ranging from approximately 4,000m^3 – 8,000m^3 for the 1% AEP event.

[209] The proposed design of the wetland retention systems inherently created a situation with no spatial separation or delineation between stormwater function and ecological function as the two intended functions were on the same footprint. As discussed below in relation to freshwater ecology effects, Dr Keesing considered the arrangement satisfactory from an ecology perspective because he had been advised that maintenance of the retention wetlands would not be required.

[210] Consistent with that position, the drawings attached to the application showing the proposed retention wetland systems[48], did not show any provision for sediment collection/removal/control or any functional access

[47] Stormwater Management Plan, Section 6.7
[48] Substantive Application Appendix 30-26-1753-02-4300-R2 Drainage Wetlands

provision to facilitate operation and maintenance of the systems. This was in conflict with Section 8.2 of the SMP which stated, "All stormwater treatment and attenuation devices will include dedicated maintenance access for inspection, cleaning and media replacement … vehicle access (3m wide) will be provided to and across all wetland retention bunds to allow desilting, maintenance, and periodic inspection".

[211] The SMP listed several culverts required to convey stormwater within the site and from the site to the points of discharge from the site. The proposed development also required a 110m long culvert adjacent to SH59 to pipe a section of Taupō Stream to enable the construction of the new roundabout for access into the site once 110 lots have been completed. The culverts discharging from the site and the culvert within Taupō Stream were to have fish passage provision.

[212] Section 6.9 of the SMP described the use of approximately 30 raingardens to achieve stormwater treatment for runoff from roads and impervious areas of the lots across the development. The SMP stated that the raingardens have been designed to provide water quality treatment in accordance with GWRC Plan Change 1 (Schedule 28) and the Wellington Water Design for Stormwater: Treatment Device Design Guide. The SMP presented calculations that were claimed to demonstrate that the total capacity of the raingardens can accommodate the expected water quality flow from the impervious surfaces in the roads and lots.

[213] The SMP concluded that the raingardens should treat the stormwater to the expected removal rates provided in the SMP.

[214] Although not specifically shown on the drawings attached to the application, Section 6.14 of the SMP stated that all stormwater outlets will be designed with energy dissipation and scour protection measures to prevent erosion of outlet channels, embankments and downstream receiving environments.

[215] Section 10 of the SMP presented an assessment of alternatives considered for the site. The SMP stated that the existing gullies presented an opportunity to integrate stormwater retention and attenuation within natural landforms, reducing earthworks and enhancing downstream environments. The SMP also noted that the steeper road gradients and higher residential densities limited the ability to include roadside raingardens in the stormwater management solution, and the solution adopted larger centralised raingardens for stormwater treatment. The SMP concluded that ground conditions were unfavourable for soakage devices and that the use of on-lot rainwater re-use tanks for non-potable water had not been adopted because they relied upon private homeowner operation and maintenance, increased cost and complexity and often delivered limited hydrological benefit. With the proposed use of the site's centralised stormwater management approach, on-lot reuse was considered to add little additional value to overall system performance.

[216] The SMP stated at Section 10.2 "Overall, the preferred option provides a practical, resilient, and environmentally responsive stormwater solution that achieves the required technical, ecological and cultural outcomes for the Mt Welcome development".

[217] Section 15.13.1 of the Application [49] discussed the overall approach to stormwater management and the potential effects from the discharge of contaminants into the environment. It drew on the information presented in the SMP and noted that the stormwater solution was expected to maintain hydraulic neutrality, provide stormwater treatment achieving at least 85% of the Mean Annual Runoff Volume, reduce contaminants such as suspended solids, copper and zinc, protect downstream water courses and integrate stormwater design with the site's landform and ecological corridors, supporting environmental enhancement and long-term sustainability. Section 15.13.1 of the Application also stated, "The system is expected to

[49] Substantive Application Section 15

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'achieve a net ecological gain' and uphold 'Te Mana o te Wai' principles through water-sensitive design and mana whenua engagement. It contributes to the objectives of the Te Awarua-o-Porirua Whaitua Implementation Programme".

[218] The applicant proposed to finalise the system details of pipe sizing, device sizing and operational access arrangements, scour protection for stormwater outlets and steep open channels and associated design details at time of detailed design.

Section 53 Comments

[219] There were eight Comments on stormwater matters from parties through their s53 responses. The issues raised through the responses are discussed below in order of technical conflict between the responses and the applicant's proposed technical solution. Matters relating to off-site flood risk are covered separately in the next section of this report.

[220] Tiaki Wai presented a comprehensive set of comments on three waters issues in its document, *Comments on FTAA-2603-1181 Mt Welcome, Pukerua Bay, Porirua*[50]. The document recorded that the authors of the response were Ms Zeean Brydon and Mr David Wilson. Both are professional engineers with extensive expertise in stormwater matters.

[221] The Tiaki Wai response listed 17 matters relating to stormwater that it considered were "fundamental consent level matters". Tiaki Wai described these as matters that should be resolved before consent is granted because they may require structural changes to the stormwater management approach, staging or scheme plan. Tiaki Wai also identified 7 matters that it considered were "consent level, engineering approval and consent notice matters".

[50] Tiaki Wai s53 Response, dated 31 July 2026.

[222] The information presented in the Tiaki Wai response incorporated information discussed at meetings held on 16 and 17 June 2026 between Tiaki Wai, the applicant and PCC to discuss three waters matters. Tiaki Wai noted in its response that the applicant did not provide any further information in response at the meetings, and no conditions were agreed.

[223] Tiaki Wai noted in paragraph 18 of its comments that in assessing the application, it gave consideration to the requirements of a number of documents that included WIP (2019), and Te Wai Ora o Pārirua-the Porirua Harbour Accord.

[224] Tiaki Wai's principal concerns relating to stormwater revolved around treatment, hydrological control, flood hazard (discussed in the next section of this Decision), retention wetlands and reticulation.

[225] Tiaki Wai considered that the proposed stormwater approach did not demonstrate that the adverse effects on the sensitive receiving environments of Te Awarua-o-Porirua Harbour, Taupō Stream and Kakaho Stream would be appropriately avoided, remedied or mitigated.

[226] Tiaki Wai noted that it was a signatory to Te Wai Ora o Pārirua-the Porirua Harbour Accord and considered that the application, as proposed, was not consistent with that commitment.

[227] Tiaki Wai considered the proposed solution had not been developed from a thorough design process based on water sensitive design principles and that the application documents did not demonstrate how alternative stormwater management strategies were considered. Tiaki Wai considered the solution adopted was not supported by a robust assessment of options that tested alternative treatment configurations, rainwater harvesting at different scales, infiltration opportunities where geotechnically feasible or catchment trade-offs between source control, distribution devices and centralised stormwater management areas.

[228] Tiaki Wai considered that a Stormwater Impact Assessment, prepared in accordance with Schedule 29 of the GWRC Natural Resources Plan for the Wellington Region (**NRP**), assessing stormwater treatment performance, hydrological control and receiving environment outcomes together and against the objectives of the NRP and the catchment wide reduction targets of the WIP process had not been followed. It concluded that until this process was completed, the treatment, hydrological control, and cumulative effects conclusions relied upon in the application could not be verified against the outcomes sought for Te Awarua-o-Porirua Harbour, Taupō Stream and Kakaho Stream.

[229] Tiaki Wai did not support the approach of combining ecological mitigation with stormwater management through the proposed retention wetland systems. Its concerns centred on an absence of a clear options and safety in design assessment, staging risks, maintenance access, pre-treatment requirements and maintenance difficulties and potential negative effects during maintenance from vegetation disturbance.

[230] Tiaki Wai considered pre-treatment in the form of a gross pollutant trap and/or sediment forebay was considered best practice upstream of the retention wetlands and necessary to protect the retention wetlands. Tiaki Wai was concerned that the absence of any clear provision for collection of sediment from the systems and maintenance requirements to remove deposited sediment within the retention wetlands could be a significant problem as disturbance of wetland planting resulting from sediment removal would create adverse effects and might require resource consent approval.

[231] Tiaki Wai did not support the proposal to combine "natural inland wetlands" achieving ecological mitigation with stormwater management devices. Tiaki Wai required these functions to be separated and considered that the SMP needed updating accordingly. Tiaki Wai identified several design matters that, in its view would need to be resolved before engineering approval and

vesting of the assets, including access, public/private drainage boundaries, maintenance requirements and constructability. It stated that it would not support vesting of these assets or transfer of associated operational stormwater responsibilities unless the identified matters were resolved to its satisfaction.

[232] Tiaki Wai also raised concerns relating to retention wetland D, the small wetland on the northern side of the project, upstream of the Muri Block. It stated that as the wetland did not receive any natural flows and was not needed for any treatment purpose, Tiaki Wai preferred the device be amended to a dry detention basin.

[233] The s53 Comments on stormwater matters from GWRC was supported by GWRC Appendix 2[51], which was prepared by Mr Andres Roa Concha, a chartered professional engineer with 30 years' experience in three waters matters. The GWRC Comments considered that the applicant had not conducted an options assessment demonstrating that the Water Sensitive Design (**WSD**) principles had been fully considered. The document also noted that the proposed raingardens and wetlands were located in areas that are space-constrained and in some cases steep, leaving little room for safe maintenance access. GWRC considered that the stormwater device design must allow for adequate room for safe maintenance access and operations.

[234] GWRC expressed concern that as the design intends for all flows to discharge to the proposed retention wetlands, resuspension of sediments and associated contaminants could occur if flow velocities are not appropriately managed. The GWRC response considered that sediment forebays/extraction zones should form part of all stormwater management devices to facilitate maintenance and reduce risk of contaminant release

[51] GWRC s53 Response, Appendix 2 – Technical Comments Stormwater Management, dated 3 July 2026

and/or disturbance to plant life during maintenance and cleaning activities, but these were not provided for in the design.

[235] GWRC considered that the applicant should have provided a draft Operation and Maintenance Plan as part of the application material to provide details on matters such as proposed inspection and maintenance, preventative and periodic maintenance tasks and ownership and responsibilities.

[236] The s53 response from GWRC was also supported by GWRC Appendix 6[52], "Technical Comments Water Resilience" which was prepared by Ms Kirsty Duff and Mr Tim Lewis. This document also raised concerns regarding a lack of detail in the application on operation and maintenance of the retention wetlands, particularly with respect to sediment management and removal. Concern was also expressed relating to potential failure and overtopping of the embankment/dam structures. GWRC considered that although the proposed retention wetlands may not be classifiable dams, they recommended that the design needed to consider failure modes and breach and over-design scenarios should be provided to identify the potential consequences of the structures under extreme conditions.

[237] The s53 Comments from PCC was supported by its Planning Report[53] authored by Mr Smeaton. Section 6.4.1.3 of this document raised concerns regarding the staging of the retention wetlands relative to the stages of subdivision and a lack of detail in the application. PCC's concern was that any retention wetland that had development within its catchment should be constructed and commissioned prior to that development use being constructed.

[52] GWRC s53 Response, Appendix 6 – Technical Comments Water Resilience, dated 6 July 2026
[53] PCC s53 Response, Planning Report on behalf of Porirua City Council, dated 31 July 2026

[238] Section 6.4.4.1 of the PCC Planning Report raised concerns that the retention wetland embankments were proposed to be constructed partially within land proposed to be vested to PCC. PCC considered those embankments to be part of the stormwater management system and as stormwater infrastructure would be vested to Tiaki Wai, a separate entity to PCC, PCC would not accept stormwater assets being located within land to be vested to PCC.

[239] The PCC s53 Comments noted the concerns relating to the retention wetlands raised by Tiaki Wai and reiterated those concerns.

[240] In summary, with respect to the proposed combined role of the retention wetlands (stormwater function and wetland performance), Tiaki Wai, GWRC and PCC had serious reservations about the proposed design, construction, operation, and maintenance of the retention wetlands. These concerns were triggered by the proposed combined function of stormwater management and wetland amenity within the same footprint, lack of sediment management/retention facilities, lack of access for the operation, maintenance and sediment removal expected to be required and concern relating to wetland vegetation disturbance during maintenance activities.

[241] In addition to the s53 Comments received from the public entities described above, TRoTR stated in its s53 Comments[54] that it considered the use of constructed wetlands as stormwater devices undermined the integrity and mauri of natural waterways and wetlands, including through potential loss or long-term modification of existing wetland systems.

[242] TRoTR stated that it did not support the proposed use of streams and wetlands as stormwater management devices and considered the proposed "in-line" stormwater wetland approach to be inappropriate.

[54] Te Rūnanga o Toa Rangatira s53 Response, dated 28 July 2026

[243] Both Tiaki Wai and GWRC also submitted s53 Comments on stormwater treatment matters. As noted above, the applicant proposed the use of approximately 30 raingardens to achieve stormwater treatment for runoff from roads and impervious areas of the lots across the development. Tiaki Wai discussed stormwater and raingarden matters at paragraphs 66 – 69 in its s53 comments[55]. Tiaki Wai did not accept the pollutant removal rates claimed in the SMP because it estimated the rain garden sizing would only provide a filter media footprint of approximately 1.3% of the contributing impervious area. This compares to a requirement of 2% stipulated in Section 4.3.2.1 of the Water Sensitive Design for Stormwater: Treatment Device Design Guideline document prepared by Wellington Water, dated 2019.

[244] Tiaki Wai considered that the raingardens needed to be re-sized to comply with the Guidelines or, alternatively, the applicant needed to provide a site-specific, evidence-based assessment demonstrating equivalent or better contaminant removal performance. Tiaki Wai considered that, in the absence of further supporting information, the claimed removal rates could not be relied upon for assessing potential effects and it would not support vesting of the raingardens as public assets until the matters were resolved.

[245] Tiaki Wai was also concerned that any re-sizing of the raingardens could affect the earthworks design, road layout and scheme plan. Tiaki Wai considered these matters to be a fundamental design matter that should be resolved prior to consent approval, rather than deferred to detailed design.

[246] GWRC also commented on raingarden design matters[56], and stated concerns about lack of space for safe maintenance access and considered that there were some sections of the stormwater network that did not discharge to a

[55] Tiaki Wai s53 Response, dated 31 July 2026
[56] GWRC s53 Response, Appendix 2 – Technical Comments Stormwater Management, dated 3 July 2026

raingarden or a retention wetland (or both) and hence these discharges would not be subject to water quality treatment.

[247] GWRC's Comments concluded that the applicant's design sizing of the raingardens was inconsistent in that the SMP stated an assumed impervious area of 75% for lots and 85% for roads. However, GWRC concluded that the preliminary sizing had adopted contributing areas of 200m^2 (roof) and 36m^2 (driveway) per lot, totalling 236m^2 per lot. GWRC noted that the majority of lots ranged from 500 – 600m^2 in areas and a 75% impervious assumption would yield a contributing impervious area of 375 – 450m^2. GWRC therefore concluded that the raingarden design should be re-visited.

[248] GWRC reviewed the proposed raingarden sizing against the Guideline requirement of 2% of their contributing impervious catchment. GWRC concluded from its review that nearly all raingardens fell well below the 2% threshold, even when assessed against the lower 236m^2 per-lot assumption.

[249] GWRC noted that the stormwater plans did not show a rain garden or alternative device servicing the proposed commercial lot and considered this information should be provided.

[250] The PCC Planning Report that supported the PCC s53 Comments noted in Section 6.5.1.5.1 that the catchment directed to the stormwater culvert that discharged to the south (the Skaiffe Block) did not pass through a retention wetland. PCC considered this raised uncertainty relating to how this might affect flooding hazards on the adjourning land and how the catchment would achieve hydraulic neutrality.

[251] Tiaki Wai raised concerns regarding stormwater outfalls and staging as two fundamental consent-level matters relating to the proposed stormwater reticulation. It also raised concerns regarding vesting of reticulation assets, maintenance and constructability that it considered were matters to be resolved before engineering approval and vesting of assets. As with the

retention wetland elements, Tiaki Wai stated that it would not accept vesting of stormwater outfalls until the consent-level stormwater matters were resolved.

[252] The proposed stormwater reticulation includes several stormwater outlets on hillsides above the retention wetlands, several culverts, including culverts beneath the earth embankments that form the dam-like structure for the retention wetland systems and the culvert on Taupō Stream at the proposed inlet roundabout.

[253] The Planning Report[57] attached to the PCC s53 Comments raised concern that some of the proposed stormwater outlets were within land to be vested as reserve and these had potential to scour at the outlet due to the steepness of the land. The Planning Report noted that this may not meet the requirements of the PCC Draft Code of Development Standard. Other outlets were noted to be in private land which could create access difficulties for the asset owner (who would not be PCC), and the location of those outlets could create issues with the management of secondary flow paths for downstream landowners.

[254] GWRC's Appendix 6[58] stated concerns relating to several proposed culverts, including: wingwall orientation, length and alignment, provision for maintenance, potential for scour at the outlets and it considered the feasibility of some of the culverts remained uncertain. The s53 Comments also stated that culverts must be designed for fish passage.

[255] NZTA was concerned that the preliminary design of the stormwater runoff from the proposed inlet roundabout did not include full provision for treatment to eliminate an increase in contaminant loads. NZTA considered this to be inconsistent with industry best practice and in conflict with its

[57] PCC s53 Response, Planning Report on behalf of Porirua City Council, dated 31 July 2026
[58] GWRC s53 Response, Appendix 6 – Technical Comments Water Resilience, dated 6 July 2026

global consent for state highway stormwater discharges, which was required to show progressive improvement in reducing contaminant load to support catchment water quality objectives over time. NZTA required additional stormwater treatment elements to be provided to deal with this matter.

[256] NZTA also stated that it would not accept any discharge of stormwater from the development (outside of the state highway discharges) into the state highway stormwater network. NZTA considered stormwater and water quality matters required further resolution, including treatment performance, asset ownership and maintenance responsibilities.

[257] DoC considered all instream structures such as culverts, dams and retention wetlands should be designed, constructed, operated, monitored and maintained to provide for effective fish passage, in accordance with the NZ Fish Passage Guidelines. DoC also considered that the applicant should be required to provide a Fish Passage Plan to the Director-General of Conservation for certification before construction begins.

[258] Several parties raised concerns regarding hydrological control in their s53 Comments. Tiaki Wai considered that the proposed stormwater management strategy of achieving stormwater neutrality for peak flows (by the use of the retention wetlands) did not meet the required objectives of hydrological control. That was because hydrological control involved addressing changes in runoff volume, runoff frequency and stream erosion potential arising from increased imperviousness.

[259] Tiaki Wai noted that the GWRC Hydrological Control Guidance Note (September 2025) established a hierarchy that prioritises rainwater harvesting and non-potable reuse above land disposal and/or infiltration where practicable with extended detention providing supplementary mitigation. Tiaki Wai noted that the proposed stormwater management system does not demonstrate any provision for the required retention component and that

the application material estimated an increased post-development runoff volume including 40% increase in mean daily discharge to the Taupō Stream and a significant increase in total runoff volume.

[260] Tiaki Wai considered that if the stormwater proposal continued to rely on extended detention alone (in the retention wetlands), the proposal needed to acknowledge there was no provision for retention and the residual effects of the increased runoff volume and frequency on downstream stream bank stability, ecological values and cultural values needed to be assessed. Tiaki Wai stated that it would not support the vesting of any claimed retention or extended-detention devices as public stormwater assets until a compliant hydrological control approach was demonstrated.

[261] GWRC noted that hydrological controls to mitigate development-related changes in small but frequent rainfall events are not proposed as part of the overall stormwater management solution. GWRC considered that the stormwater solution could have adopted controls such as retention via infiltration and/or rainwater reuse tanks and/or extended detention measures designed in accordance with GWRC's Hydrological Control Guidance Note.

[262] GWRC did not consider the proposal's stormwater management focus on hydraulic neutrality for large infrequent rainfall events addressed hydrological control issues. GWRC considered that the lack of any infiltration provision in the raingarden design (which may be appropriate given the soil conditions) and the absence of rainwater reuse tanks on the lots resulted in no water conservation measures for stormwater volume mitigation being part of the stormwater proposal.

[263] GWRC concluded that the design excludes groundwater recharge through infiltration and provides no alternative means to sustain baseflows in the streams.

[264] The s53 Comments received from Friends of Taupō Swamp & Catchment and from the Te Awarua o Porirua Harbour and Catchments Community Trust and Guardians of Pāuatahanui Inlet expressed concern that the proposed stormwater runoff from the development should be reduced to protect the downstream catchments and suggested this could be achieved by reducing the extent of impervious area created by the development, use of 10,000L rainwater reuse tanks on the lots and perhaps stormwater from roads could be channelled through swales. These parties were concerned about the risk of increased stormwater runoff creating a risk of increased sedimentation in the downstream catchments.

Applicant's Response to Section 53 Comments

[265] The applicant's response was supported by a memorandum prepared by Envelope[59]. This memorandum set out Envelope's response to comments and provided additional information on some issues raised.

[266] The response on stormwater matters also included a Stormwater Options Assessment Memorandum[60] that set out the options considered by Envelope, the suitability of those options, and Envelope's response to Tiaki Wai's view on each option. Envelope did not agree with the general views of Tiaki Wai and GWRC that the stormwater solution developed for the project had not considered alternatives. Envelope stated that alternatives had been discussed in the SMP, but accepted that additional information would be helpful and that the additional information provided as part of the response was incorporated into an updated SMP.

[267] As part of the assessment of options, Envelope stated that the use of on-lot rainwater tanks for re-use of non-potable water were not required to meet stormwater outcomes at this site. Envelope considered that the retention function provided by tanks was better dealt with in the communal retention

[59] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026
[60] Response to Section 53 Comments, Stormwater Options Assessment Memorandum prepared by Envelope, dated 4 August 2026

wetlands. Envelope also considered avoidance of on-lot tanks removed on-lot maintenance and compliance risk for future homeowners.

[268] Envelope stated that it considered the proposed solution to be appropriate for the site and the best practicable option for stormwater management at the site.

[269] The response prepared by Envelope acknowledged the cultural importance of Te Awarua-o-Porirua Harbour, Taupō Stream and Kakaho Stream to Ngāti Toa Rangatira, including the importance of protecting and enhancing the mauri of freshwater receiving environments. Envelope stated that it considered the proposed solution represented the best practicable option for the site and would deliver positive outcomes for the Te Awarua-o-Porirua catchment.

[270] Envelope considered the matters raised regarding the proposed retention wetlands and included a detailed discussion on the issues raised by the various parties on matters associated with them. Envelope confirmed its view that it remained satisfied that the proposed wetland systems could deliver the required hydraulic attenuation outcomes. Envelope considered the retention wetlands were not isolated stormwater devices and viewed them as forming part of an integrated catchment management approach. It considered the wetland location, storage volume and discharge controls to have been deliberately designed to work with the site's natural drainage patterns, landform and receiving environments.

[271] Envelope stated that it did not agree with Tiaki Wai that stormwater management and ecological enhancement functions must be physically separated and considered multi-functional wetlands are widely used in stormwater design because they can simultaneously provide hydraulic attenuation, water quality benefits, ecological enhancement and landscape outcomes. It considered that if the hydrological performance objectives are

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achieved, the fact that a system also delivers ecological benefits does not diminish its stormwater management function.

[272] Envelope did not consider gross pollutant traps or sediment forebays to be necessary on the retention wetlands. It considered that suspended solids, gross pollutants and course sediment would be largely removed upstream of the retention wetlands by the raingardens, the road drainage network, catchpits and inlet structures. As Envelope considered that as the retention wetlands were not being relied upon as treatment devices, sediment traps or forebays upstream of every wetland was not required.

[273] The applicant's response was supported by a memorandum prepared by Pattle Delamore Partners Ltd (**PDPL**)[61]. Section 2.2.3 of this memorandum set out its view on expected sediment accumulation in the retention wetlands. It considered that there would be significant capacity for natural sedimentation before the functioning of the wetlands or stormwater detention would be impacted. It carried out a desk top assessment of likely sediment loads entering the wetlands and considered this would reduce because of the removal of stock from large parts of the catchments.

[274] PDPL carried out a high-level literature review of sediment accumulation rates in natural and constructed wetlands. PDPL concluded that the estimated time required for the retention wetlands to infill with sediment to the outlet culvert level ranged from 35 to 85 years. PDPL acknowledged that there were a number of factors that influenced sedimentation rates and, as such, that estimate should be considered as indicative only and was only an order-of-magnitude assessment.

[275] Envelope provided additional information and design improvement amendments to deal with improved access to the retention wetlands with increased the access width on the access tracks from 3m to 4m. However,

[61] Response to Section 53 Comments, prepared by PDPL, dated 6 August 2026

Envelope noted that the design did not provide a 4m wide access at the minor gully-head outlets as they do not accumulate sediment and cannot practicably take a vehicle corridor in that terrain.

[276] Envelope did not agree with the recommendation from GWRC that a dam-burst analysis (see paragraph 33) was necessary. Envelope considered the proposed retention wetland embankments were not comparable to large flood protection or water storage structures that would typically warrant complex breach-failure assessment. It considered that the detailed design process would confirm bank stability, spillway performance and operational resilience in conjunction with the geotechnical engineer.

[277] Envelope maintained its view that the retention wetland system remained an appropriate and effective means of delivering stormwater management, hydraulic attenuation, and environmental enhancement outcomes for the development.

[278] Envelope also disagreed with Tiaki Wai on the need to amend retention wetland D to a dry detention basin. Envelope considered the design permanent water level in the device was a deliberate component of the stormwater management strategy, providing retention and attenuation functions that assist in replicating existing hydrological conditions. Envelope therefore confirmed that the proposed design would remain for retention wetland D.

[279] Envelope stated in its response on raingarden matters that it disagreed with Tiaki Wai and GWRC that the design sizing of the proposed raingardens did not meet the requirements of Wellington Water's Sensitive Design for Stormwater: Treatment Device Design Guideline. Envelope provided additional calculations for the raingarden sizing and concluded that it did meet the required 2% sizing criterion. Envelope considered that the difference of opinion resolved around the interpretation of the impervious

area draining to a raingarden and considered its view to be more appropriate and correct for its design intent.

[280] Envelope accepted that additional design details on culverts would assist with demonstrating the feasibility of the proposed culvert network. It provided supplementary information[62] to demonstrate the feasibility of the proposed culverts. The additional information set out the concerns raised regarding a specific culvert, the recommended solution proposed by Tiaki Wai or GWRC, and Envelope's response on the matter. Envelope confirmed that it agreed that culverts should not cause scour or erosion, should avoid increased flooding on neighbouring land, and should be designed to avoid blockage. Envelope considered the information supplied was sufficient for consent consideration and remaining design details could be dealt with at detailed design as that information was not essential at consenting stage and that it had no impact on the assessment of potential environmental effects associated with the culverts.

[281] Envelope reviewed the issues raised relating to outfall location, maintenance access, risk of scour and easement arrangements. Envelope provided additional information in the form of their Stormwater Access Response[63]. This document provided additional details for access to the retention wetlands, culvert inlets and outlets and raingardens. Envelope confirmed that it considered the proposed locations of the culverts and the outlets to be appropriate and did not see a need to modify the location or design of the culverts.

[282] Envelope noted that easements in gross over stormwater assets in favour of Tiaki Wai had been added to the subdivision staging scheme plan to ensure appropriate easements are in place.

[62] Response to Section 53 Comments – Culvert Details, prepared by Envelope, dated 4 August 2026
[63] Response to Section 53 Comments – Stormwater Access, prepared by Envelope, dated 4 August 2026

[283] The response to comments from other parties was covered in a table called *The Overall Response Table*[64]. This Table recorded, with respect to fish passage issues in culverts, that the applicant agrees that fish passage should be provided where ecologically justified. There were no further issues of technical substance relating to stormwater that is not already covered in the discussion above relating to comments by the Councils and Tiaki Wai.

Joint Witness Conferencing

[284] The Panel directed expert conferencing on stormwater matters in Minute 9[65] and required a signed JWS be submitted to the Panel. Minute 9 also confirmed that the Panel had appointed Mr Darcy Brittliff as an independent expert on stormwater matters to facilitate the stormwater expert conferencing and to provide an independent opinion to the Panel.

[285] The experts provided a JWS[66] on stormwater matters that set out the expert views on:

(a) The scale of sediment load into the retention wetlands.

(b) Are pre-treatment and/or forebays required on the retention wetlands?.

(c) Can the preliminary design of the access provisions to the retention wetlands be improved?.

(d) Can the parties discuss and update their position on the potential use of on-lot recycle tanks.

(e) Appropriate raingarden design criteria for the site.

[286] The JWS recorded that the experts agreed on the four expected sources of sediment to the retention wetlands, occurring over three phases of the

[64] Response to Section 53 Comments – Overall Response Table, dated 7 August 2026
[65] Minute 9 – directing expert conferencing, dated 12 August 2026
[66] Minute 9 – Joint Witness Statement - Stormwater, dated 21 August 2026

project life (construction, house building and post-development phase), expected only minimal sediment sourced from roads and roofs due to removal by raingardens, and agreed that stormwater outfalls in steep gullies and water courses downstream created notable risk of erosion sediment source and existing hill slopes and remaining farming activities created another potential source of sediment. The JWS recorded that a Commissioning Plan that set out how the raingardens and retention wetlands would be protected during construction would provide a management mechanism for sediment management.

[287] The experts did not agree on what engineering response was appropriate to deal with matters such as the location of outfalls and associated potential scour risk and sediment management.

[288] The JWS recorded the experts agreed that if stormwater maintenance and inspection activities, which might include a sediment forebay, were required at the retention wetlands, these must be outside of ecological offset wetlands.

[289] The experts did not agree on the necessity for sediment forebays at the retention wetlands. GWRC and Tiaki Wai considered them to be a necessary component of the system to facilitate sediment and debris removal and maintenance, whereas the applicant's expert did not consider them to be required at the project site.

[290] Tiaki Wai noted that a forebay and its access is essential if Tiaki Wai is to vest and operate these stormwater assets, but the forebay would need to be legally excluded from the ecological offset area so that sediment removal could occur without a separate resource consent. The JWS recorded that Tiaki Wai will not vest an ecological wetland.

[291] The JWS recorded agreement on some general matters relating to on-lot reuse detention tanks, but also recorded that Tiaki Wai and GWRC did not agree with the applicant's assessment of the benefit of rainwater harvesting

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tanks and considered the applicant had only assessed catchment-scale volume rather than sub-catchments within the development. The experts did not agree on whether the tanks should be required to provide extended detention as a hydrological control function, rather than reuse/water conservation only.

[292] The JWS records the matters relating to raingarden design criteria. The experts did not agree on how the design guidelines should be applied, with disagreement focussing on the correct interpretation of the contributing untreated impervious catchment and on the most appropriate infiltration rate for the media. Tiaki Wai's view was that untreated runoff from roads and impervious on-lot areas should be used to size the raingarden such that the 2% criteria in the guidelines are met. The applicant had adopted a general area of 236m^2 per lot and both Tiaki Wai and GWRC did not agree that the applicant's approach could be relied upon. The experts also disagreed on the most appropriate filter media infiltration rate for design of the raingardens.

[293] The statement of evidence from Mr Brittliff[67] reviewing these matters supported the use of a Commissioning Plan to assist with managing sediment runoff into the retention wetland areas. Mr Brittliff supported the general agreement at the expert conference that the developer would be responsible for sediment removal, vegetation replacement and any remedial works associated with the retention wetlands until 80% of the houses were constructed within the catchment of the retention wetland.

[294] Mr Brittliff considered that there were opportunities in the detailed design of the development for improvements in the outlet locations and sediment management design to minimise the scale of erosion and associated sediment movement to the retention wetlands.

[67] Independent Expert Witness Statement from Mr Darcy Brittliff, dated 25 August 2026

[295] Mr Brittliff also considered that there was conflict between the function of a retention wetland and a stormwater management area and the devices as proposed were lacking critical stormwater management elements that provided appropriate access and maintenance needs.

[296] Mr Brittliff considered the wetland retention areas should be viewed as stormwater management purposes first, as they provided a critical flood protection purpose, and a clear delineation between stormwater purpose and ecological purpose could be set by an appropriate land title.

Alternative Stormwater Strategy

[297] In response to Minute 18, the applicant submitted an alternative stormwater strategy[68] that separated stormwater attenuation from offset wetlands. This involved the use of stormwater detention ponds in the same location as the previously designed retention wetlands that would attenuate peak flows to pre-development rates up to the 1% AEP event and would be vested in Tiaki Wai for ownership, operation and maintenance.

[298] The proposed detention ponds were described as having a shallow standing water (approximately 100mm deep) pond that would be created above the existing gully floor by filling in part of the existing gully in the area near the earth embankment that formed the detention structure. The concept design did not include a forebay as the applicant considered a forebay was not required. However, the Envelope Memorandum noted that if a forebay is preferred by Tiaki Wai, it could be detailed during detailed design and could be located within the base of the pond without affecting its storage or operation.

[68] Minute 9 – Joint Witness Statement - Stormwater, dated 21 August 2026

[299] The alternative stormwater strategy also incorporated a 3,000L rainwater tank on each residential lot that would provide 2,000L for outdoor use (not plumbed to the house for inside reuse) and 1,000L extended detention.

[300] The alternative proposal did not involve any modification to the previously proposed raingardens on the basis that the applicant considered that as the on-lot tanks would deal with roof runoff, the raingardens would, if anything, be over-sized.

[301] Ecological offset areas were relocated on other areas of the site that did not have a stormwater function.

[302] The alternative stormwater proposal was supported, with respect to stormwater matters, by an updated SMP, revised stormwater modelling and revised stormwater drawings.

[303] The Panel issued Minute 21[69] inviting the parties to comment on the alternative stormwater strategy. Tiaki Wai submitted a response[70] that set out its view on the alternative stormwater strategy. Tiaki Wai stated that it considered that material issues remained unresolved. It noted that although the ecological function previously attributed to the retention wetlands was removed from the stormwater attenuation zone, the proposed ponded water body will still have an environmental designation and require consent to work within, which in its view did not demonstrate a water sensitive design response or compliant hydrological control.

[304] Tiaki Wai considered the proposed 3,000L on-lot tanks did not meet the Hydrological Control Guidance Note because they were not proposed to be plumbed into the house for non-potable use, did not provide year-round drawdown, provided insufficient retention and supplementary mitigation and would discharge too quickly to function as extended detention. Tiaki

[69] Minute 21 – Invitation to Comment, dated 6 October 2026
[70] Tiaki Wai Response to Minute 21 – Alternative Stormwater Strategy, dated 16 October 2026

Wai considered on-lot reuse tanks should be plumbed into the houses for non-potable reuse.

[305] Tiaki Wai concluded that the alternative detention ponds only provided peak-flow attenuation and did not deal with increased runoff volume and frequency. It was also concerned that the proposed ponded water approximately 100mm deep could result in warm discharges downstream to Taupō Stream and Kakaho Stream, which would be a worse outcome than the vegetated wetlands previously proposed.

[306] Tiaki Wai did not agree with the applicant's assessment of the raingarden design and considered the applicant had not resolved impervious area assumptions, design infiltration flow rate for the filter media, erosion and sediment mobilisation risks or the need for an accepted Stormwater Impact Assessment as per NRP Schedule 29.

[307] In its response[71], GWRC commented on the alternative stormwater strategy. The assessment by Mr Roa noted the 17 issues that had been raised during the JWS process and assessed the alternative proposal against these. The 17 issues included various aspects of sediment sources, sediment removal, additional detention, on-lot reuse tanks and raingarden design. Mr Roa concluded that none of the 17 issues were resolved by the alternative design. Mr Roa also assessed the alternative proposal against the 19 items the s53 GWRC comments raised and concluded that only two of these were resolved by the alternative proposal.

[308] GWRC considered that there remained several issues associated with the alternative proposal to be resolved, including the planting in the detention ponds, proposed additional earthworks to fill in the base of the gully to form the standing water body in the base of the proposed detention ponds and

[71] GWRC Memorandum in Response to Minute 21, dated 16 October 2026

maintenance issues associated with the detention ponds and potential consenting issues associated with maintenance activities.

[309] GWRC noted that the alternative strategy offered some improvements, but it still had several unresolved matters and did not represent a successful reconsideration of the stormwater management approach.

[310] Following further reconsideration by the applicant, expert caucusing on ecology matters and the Panel's request for further information in Minute 23[72], the applicant submitted a revised alternative stormwater solution[73] that sought to address the issues raised by Tiaki Wai, GWRC and PCC regarding the alternative.

[311] Key changes incorporated into the revised alternative stormwater proposal included: the removal of the proposed 100mm standing water body in the base of the stormwater detention basins, the elimination of the previously proposed infilling in the base of the gully at these ponds, amending the rainwater reuse tanks to be plumbed into the houses for non-potable use, the addition of a forebay in ponds A, B and C, creation of a fee simple title for each pond that can be vested to Tiaki Wai, improved access to the ponds for maintenance and the SMP was updated to reflect the changes.

[312] The applicant noted in its response that not all drawing details had been amended to reflect the intent of the revised alternative design because it was waiting for comment from Tiaki Wai and GWRC, so as to achieve some efficiency in the drawing update process.

[313] Comments were received on the revised alternative proposal in response to the Panel's invitation in Minute 26. Tiaki Wai submitted a response[74] and noted that it supported the applicant's proposal to plumb in the rainwater

[72] Minute 23 dated 20 October 2026
[73] Envelope Memorandum in Response to Minute 23, dated 23 October 2026
[74] Tiaki Wai Response to Minute 26, received 30 October 2026

tanks on private lots, supported the removal of the 100mm standing water body in the detention ponds and the addition of forebays in ponds A, B and C while noting that the drawings did not show appropriate access to the detention ponds.

[314] Tiaki Wai noted its remaining concerns as including the proposal to retain some permanent water in pond D, the absence of a forebay in pond E, the need for greater detail on the final sizing of the reuse tanks was and some continuing concern regarding the amount of impervious area that was not provided with either retention or extended detention.

[315] Tiaki Wai concluded that the redesign does not change its position on a number of matters that were set out in Attachment A of its response. With respect to ownership, Tiaki Wai noted that their previous comments (16 October, paras 72 – 76) were considered partly addressed, the stormwater management functions were becoming clearer, but were still not fully resolved.

[316] GWRC submitted a response[75] and noted that although it supported the proposed use of rainwater reuse tanks on private lots and the addition of forebays on ponds A, B and C, a number of items it had previously raised were not addressed by the amended alternative proposal.

[317] TRoTR also provided further comment responding to the applicant's alternative proposal. It considered the proposed separation of stormwater management from ecological offsetting and provision of additional stream remediation and offsetting in the Kakaho East catchment to be an improvement, better distinguishing infrastructure from restoration and aligning with protecting the mauri of natural waterways. Notwithstanding this, Te Rūnanga remained uncertain that the offsetting would achieve the intended ecological and water quality outcomes and support the objectives

[75] GWRC Response to Minute 26, received 30 October 2026

of Te Wai Ora o Porirua – Porirua Harbour Accord, noting the limited focus on enhancement within the affected Taupō and Waimāpihi catchments.

[318] TRoTR was supportive of the introduction of rainwater tanks for every residential lot as a positive step in water conservation and protection of freshwater mauri. However, it pointed to outstanding technical issues identified by GWRC, Tiaki Wai, and PCC regarding design, effectiveness, maintenance and long-term performance of the stormwater system. TRoTR stressed that ongoing monitoring, adaptive management, and resolution of these technical matters was considered essential.

[319] As directed in Minute 28, the applicant provided a response[76] including updated drawings, an updated SMP and an updated Civil Infrastructure report to reflect the latest details of the alternative stormwater proposals and to provide consistency through the various documents.

[320] The final information describing the details of the proposal confirmed the use of 3,000L rainwater reuse tanks, plumbed into the houses on private lots designed to provide 2,000L for reuse and 1,000L for extended detention. The information also stated that raingarden sizing had been reviewed, considering the proposed rainwater reuse tanks and with a 50% allowance for clogging over time applied to the infiltration flow rate for the filter material. This review concluded that the raingardens met the required 2% criteria.

[321] The revised drawings showed improved access to the detention ponds for maintenance, additional drainage details, details for dealing with erosion and scour risk at outlets and final preliminary design earthworks, roading and services.

[76] Envelope Memorandum - Response to Minute 28, received 10 November 2026

Findings

[322] Our findings on stormwater matters have first addressed the application proposal, and secondly addressed the revised alternative proposal.

[323] We find that the application proposal had several acute and problematic aspects that could not be resolved through expert caucusing, consideration and discussion. The solution relied upon a combined stormwater detention/attenuation function within the same footprint as a proposed stream and wetland remediation/offset.

[324] Tiaki Wai will be responsible for the ownership, operation and maintenance of the system. Tiaki Wai and GWRC considered that there were serious risks associated with the operation and maintenance of the retention wetland systems due to the expected difficulties of managing sediment and debris accumulation in the retention wetlands. These difficulties included:

(a) No forebay or similar purpose-built collection/settlement area that could be used to collect/settle incoming sediment and debris in a suitable structure that could be maintained.

(b) Inadequate access to the base of the retention wetlands for maintenance.

(c) The likely need to disturb the vegetation in the base of the retention wetland to remove sediment and debris buildup – however, this would have a significant adverse effect on the wetland vegetation and would require separate resource consent approval, for which there was no assurance a consent would be granted.

(d) Likely resuspension of sediment within the retention wetland that could be carried over into the downstream watercourses, including Taupō Stream and Kakaho Stream.

[325] The experts agreed that there were several sources of potential sediment to the retention wetlands during construction, house building and post development.

[326] The Panel notes that the geotechnical report[77] supporting the application states in Section 5.1 "The slopes consist primarily of loess/colluvium deposits overlying greywacke sandstone… Within the loess deposits, landslides, soil creep and tunnel gullies are prevalent". The Panel noted the steep sided gullies above the proposed retention wetland sites and observed soil slumping on the site during its site visit. The Panel considers these soils provide a potential source of sediment into the retention wetlands, from the actions of erosion, scour and land slumping, notwithstanding the applicant's intention to revegetate some of the slopes above the retention wetlands.

[327] The Panel considered the applicant's view that the storage volumes within the retention wetlands would or could provide an accumulation zone for incoming sediment for some decades. The Panel acknowledges the indicative estimated range for sediment infilling of 35 to 85 years presented by PDPL in the applicant's response to s53 Comments, and the Panel accepts PDPL's limitation that the estimate is indicative only, and that it provided an order-of-magnitude estimate only. However, the applicant did not provide any comprehensive assessment or modelling of likely sediment load being transported to the retention wetlands, how settlement of that sediment would behave and to what extent it could reasonably and practically be managed and, if required, removed, all within the framework of a 'working offset wetland'.

[328] The Panel has noted the design intent to locate several stormwater outlet structures on steep hillsides above the retention wetlands. Although it is envisaged these structures would include provision for scour protection at the outlet, the Panel considers there is a remaining risk of erosion of

[77] Geotechnical Investigation – Mt Welcome, prepared by Engeo, dated 7 November 2025

sediment from the open channels below the outlets from situations such as land slippage, excessive flood flow and/or soil slumping adversely affecting the effectiveness of the scour protection system, creating a notable sediment source into the retention wetlands and potentially beyond.

[329] Given the agreed long-term continued source of potential sediment to the gully areas, the Panel considers that sediment management will likely be required at the retention wetlands to prevent adverse effects to water quality in the receiving waters.

[330] The Panel accepts the view of Tiaki Wai that it would be a very difficult and uncertain obligation on Tiaki Wai, as owner and operator of the retention wetlands, to manage sediment at the retention wetlands in light of the restrictions imposed from the obligation to enhance wetland performance/avoid wetland disturbance.

[331] The Panel agrees with Tiaki Wai and GWRC that the combined functions of stormwater attenuation and wetland enhancement on the same footprint are in serious conflict with each other, are not resolvable and, if allowed to occur would likely result in significant adverse effects to either the downstream receiving waters, the proposed wetland itself, or both.

[332] As above, Tiaki Wai clearly stated) that it would not accept the vesting of the retention wetlands if they were to be approved and would not take responsibility for their operation and maintenance. The applicant's initial fallback was to suggest that the retention devices would be vested in PCC as recreation reserve, but at the conference we convened on 3 September 2026, Mr Smeaton told us that PCC was unlikely to accept vesting of an area with a stormwater management function. Mr McDonnell suggested we might direct vesting, but we find that we have no power to direct public bodies to accept ownership of assets they do not want to accept even if we considered that course warranted (which we do not, given the responsibilities and

potential liabilities that would accompany these assets). The applicant did not provide any alternative comprehensive proposal to take long term ownership and associated operation and maintenance obligations for the retention wetlands on themselves (or some alternative willing entity) as an alternative to Tiaki Wai (or PCC) operating the systems (assuming they were permitted to do so).

[333] In the absence of a willing and suitable owner and/or operator for the retention wetlands and their associated stormwater infrastructure, the Panel considers that there would be a very real risk that significant adverse environmental effects could arise at the retention wetlands resulting from unmanaged sediment accumulation, unmaintained stormwater structures and significant runoff in steep gully areas with highly erodible and slip prone soils.

[334] The Panel concludes that the potential adverse effects assessment contained within the application was not carried out with sufficient consideration of the potential sediment issues associated with the retention wetlands, did not fully assess the difficulties (both physical and overcoming the inherent resource consent approval obligations for wetland disturbance criteria) of maintaining a stormwater detention system on the same footprint as a wetland serving an ecological function, and did not factor in the risk that the public entity intended to own, operate and maintain the system would not accept that duty.

[335] The Panel therefore considers the stormwater proposal presented in the application to be seriously flawed and has set it aside, with the Panel's consideration of stormwater matters advancing on the basis of the revised alternative contained in the applicant's information responding to Minute 28, received on 10 November 2026.

[336] The revised alternative stormwater system, involving the five stormwater detention ponds and separate ecological systems on other parts of the site provides a solution that overcomes a number of Tiaki Wai's concerns and enables ownership and operation responsibilities to reasonably fall back on Tiaki Wai.

[337] The Panel notes that there are still some technical issues in dispute between the applicant and Tiaki Wai and GWRC. We discuss these issues below and present our position on these matters.

[338] The proposed stormwater detention ponds include ponds A, B and C, which are proposed to have a forebay for sediment capture and maintenance. The revised drawings[78] show the feasibility of a 4m wide access track to the forebays to facilitate maintenance. The Panel envisages the final details of the access track and the forebay dimensions to be confirmed at detailed design and GWRC conditions R39 and R40 deal with this process. In addition, GWRC condition R43 requires the consent holder to prepare and obtain certification of an Operation, Maintenance and Monitoring Plan to ensure the devices are operated and maintained as required. The JWS recommended the use of a Commissioning Plan to deal with operation and maintenance of the detention systems until 80% of the houses are completed in the catchment. The Panel supports this recommendation and has incorporated this, by way of amendment to condition R43(b) to include the scope and purpose of the Commissioning Plan into the Operation, Maintenance and Monitoring Plan process. This is also covered by PCC condition D28A and D75A.

[339] The applicant has elected not to provide a forebay on pond D as it considered there are no sediment-producing sources in that catchment. There is also no proposed forebay on pond E because the applicant

[78] Revised drawings 4300 – 4351, response to Minute 31, dated 24 November 2026

considered sediment carried into the pond during flood events will spread across the basin and can be managed across the basin floor in dry conditions.

[340] The Panel accepts the applicant's reasoning for avoiding a forebay on pond D. The catchment is small and in a fully developed area. Pond D is described in the updated SMP as an attenuation pond. The SMP states that pond D may be lined as it will be formed on engineered structural fill. The Panel considers such matters can be confirmed at detailed design with input from the appropriate professional engineers.

[341] The applicant is not proposing a forebay on pond E because it considered a forebay would require excavating or obstructing the stream at the outlet, which they considered to be contrary to the aim of keeping the stream unchanged apart from the outlet culvert. The Panel notes from the SMP that the area of pond E is over 5,000m^2, with a large flat area in the base that is beside the stream. The Panel accepts the design objective of minimum alteration to the stream, recognises the large flat area for sediment accumulation during ponding events and accepts that the impact of sediment accumulation at this pond, over time, is unlikely to have a noticeable effect on ponding storage volume. The Panel is satisfied that pond E can provide the intended attenuation function without a forebay due to the nature of the catchment, the topography of the gully floor, the presence and size of the stream and the likelihood that any benefits achieved from having a forebay (if any) could be greatly outweighed by negative benefits associated with stream flow disturbance/interruption.

[342] The Comments from Tiaki Wai, GWRC and PCC had raised concerns relating to general stability and resilience of the embankments forming the detention ponds. GWRC sought additional dam burst analysis at detailed design to assess potential risks and consequences of a burst of one or more of the embankments in an extreme event. The Panel is satisfied these matters can be managed by PCC conditions D30 and D31.

[343] The stormwater solution now includes the requirement for a 3,000L rainwater reuse tank on each lot that will be plumbed into the house for non-potable reuse and for outside tap reuse. 1,000L of this volume will be used for extended detention, with a slow release to the stormwater network. The applicant proposes to control this requirement by consent notice on the titles. Tiaki Wai and GWRC remain concerned that the proposed sizing may not comply with the requirements of the GWRC Greater Wellington Hydrological Control Guidance Note.

[344] The Panel recognises that the rainwater reuse tanks have several benefits: they reduce water demand for potable water, they reduce the volume discharged to raingardens which improves the efficiency of the system, and they reduce the quantity of runoff discharged from the development during rainfall events, which helps mitigate adverse effects from increased runoff associated with urbanisation of the site. They also form part of the hydrological control assessment for the development.

[345] The development is large and is likely to have a range of house roof sizes across the development and implemented over several years. The Panel considers it more efficient to have a single, prescribed tank size and arrangement as a mandatory requirement rather than each house owner/designer having to gain approval for a specific tank size for each individual house, even though an individual house assessment might result in a slightly larger tank size for some of the houses.

[346] The full development will have rainwater reuse tanks, which is a vast improvement on the initial proposal, and given the costs involved in supplying and installing the tanks detailed by the applicant in response to the Panel's request for information, the Panel is satisfied that the requirement to have a 3,000L rainwater reuse tank, plumbed into the house for non-potable reuse, on each lot is part of an appropriate mitigation for managing potential adverse effects from increased stormwater discharge from the site associated

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with the development from rural to urban use. The Panel is satisfied this will be appropriately managed by its proposed PCC consent condition D106A.

[347] The revised stormwater system has not modified the raingardens, and the applicant considers that the raingarden design meets the design criteria set out in Tiaki Wai's Water Sensitive Design for Stormwater: Treatment Device Design Guideline. The Panel is satisfied that the proposed raingardens will provide treatment benefit for the discharge and the inclusion of house rainwater reuse tanks eliminates a previous source of dispute between the applicant and Tiaki Wai and GWRC where there was disagreement on the interpretation of catchment source to the raingarden. The Panel is satisfied that the process of stormwater detailed design being submitted to GWRC for certification prior to construction (GWRC condition R39) will ensure the appropriate raingarden design is implemented.

[348] Tiaki Wai considered that a detailed Stormwater Assessment Options Report has not been provided and that it should be. The applicant considers that the Options Assessment set out in Section 10 and the Stormwater Impact Assessment set out in Section 11 of the SMP adequately demonstrate the applicant's assessment of the options. The Panel notes that the process since July 2026 has involved numerous discussions, expert witness caucusing, design amendments, Panel review and detailed reconsideration of the most appropriate stormwater solution for the site. This process has been extensive, wide ranging on issues and options, required significant resource input, and resulted in what can be described as a more robust and comprehensive stormwater solution. The Panel does not require any further technical information for consent consideration and hence an Options Report is not required by the Panel.

[349] The updated SMP[79] sets out the proposal for fish passage at Section 6.13. The proposal confirms that during detailed design the culvert sizing will be reviewed against the NZ Fish Passage Guidelines to ensure all permanent crossings support fish movement. This will be controlled by GWRC condition R57A. We address fish passage issues further in our discussion of freshwater ecology effects and the complex fisheries activity approval.

[350] The stormwater proposal supporting information included preliminary details for erosion protection at stormwater outfalls. GWRC conditions R39 and R40 require the consent holder to submit detailed stormwater design and an updated SMP for certification prior to construction. The Panel is satisfied these conditions will manage the design process in order to ensure that the risk of erosion and scour occurring at the stormwater outlets and any downstream sections of open water course where velocities might become problematic can be managed.

[351] The proposed development on the site results in increased stormwater generated on the site, discharged into steep sided gullies with sensitive downstream receiving waters and with flood prone areas further down the catchment. The original proposal for stormwater management within the site has been significantly modified to deal with Comments raised by the s53 Comments received and queries raised by the Panel. The original stormwater solution proposed in the application had, in the Panel's opinion, severe flaws to the extent that the solution could not be implemented with a required level of operation and maintenance resource to prevent significant potential adverse effects on the receiving waters.

[352] The revised alternative stormwater solution largely resolves the technical flaws in the earlier proposal and provides a more robust and comprehensive solution for the site. The Panel has amended conditions relating to the design information to be provided for the stormwater solution and has

[79] SMP prepared by Envelope, dated 10 November 2026

added condition D27A to the applicant's Minute 29 District consents version, with corresponding requirements in condition R39 of the Regional consent conditions, to include several specific requirements of the design process, including stormwater modelling and the preparation of a stormwater design report, to deal with matters relating to stormwater that have evolved through the Panel's assessment of the application. The Panel considers the proposed solution for stormwater management on the site, in conjunction with the consent conditions we have imposed will provide the required level of stormwater management service for the development and will result in only minor adverse effects on the downstream receiving waters.

Flooding

The Application

[353] The assessment of effects relating to flood risk is set out in Section 15.15.2 of the Application under the heading *Flood Hazard*[80]. The Application was supported by a SMP authored by Envelope Ltd[81], which was contained as Appendix 11 of the Application. Section 3.13 of the SMP described the existing flood hazard at the site to be generally localised, with mapped flood extents generally aligning with the Flood Management Area boundaries shown in the District Plan. The SMP also stated that minor flood hazard had been identified within the low-lying gullied near SH59 but did not materially affect the proposed development and, due to the site's elevated topography, flooding was not expected to pose a risk to the development area.

[80] Substantive Application - Section 15.15.2
[81] Stormwater Management Plan, prepared by Envelope, dated 4 June 2026

[354] The performance criteria adopted by the design approach for the management of flooding risk was set out in Section 6.3 of the SMP and included:

(a) A site-specific hydrological and hydraulic assessment showing how stormwater would be collected, conveyed, treated, attenuated and discharged in accordance with the RSWS and NRP Plan Change 1 hydrological control standards;

(b) Requirements that would ensure building platforms enable dwelling construction with a minimum 200mm freeboard above the 1% AEP flood level; and

(c) Requirements to maintain on-site attenuation and hydraulic neutrality to ensure no increase in downstream flood risk.

[355] The SMP described the proposed use of five attenuation systems to achieve hydraulic neutrality for rainfall events up to the 1% AEP event. Devices A, B, C and E were proposed as retention wetland systems and Device D was proposed as a detention basin system. The concept design incorporated controlled outlet structures designed to limit discharges to pre-developed flow rates for the 10% and 1% AEP event.

[356] Detailed hydraulic modelling of the stormwater system was undertaken to assess the peak attenuation and hydraulic neutrality requirements, and the assessment is described in Appendix 5 of the SMP, Flood Risk Assessment[82] (**FRA**).

[357] The FRA report described the flood model used as being based on the Tiaki Wai stormwater model, which extends from the south of Pukerua Bay to Plimmerton Beach, but modified with boundary conditions for the

[82] Flood risk Assessment – Envelope, dated 10 March 2026

modelling exercise set close to the development site. The Envelope 'cut-off' model was then used to assess, in finer detail, expected flood water depths within the development area and its immediate surrounds. Section 2.1 of the FRA stated, "the proposed model is suitable for identifying and assessing the effects on flooding for the proposed development and is not intended or suitable to be extrapolated to a wider area".

[358] The FRA identified areas of pre-developed flood hazard within the site, which was broadly concentrated in the lower part of the valleys with some accumulation generated by the small culverts in the system. The modelling also identified three areas where the flood water was estimated to be at sufficient depth to flow across SH59.

[359] Post-development model scenarios were run with the inclusion of the proposed stormwater system and the five attenuation devices. Section 6.2 of the FRA stated that the predicted flood depths across the development were generally minor and primarily confined to the proposed road network and the designated stormwater management areas. The proposed design showed reduced flooding on SH59. The model indicated reduced flood water depths downstream of the site, reflecting the attenuation provided by the proposed retention wetlands.

[360] The FRA concluded, "Overall, the modelling demonstrates that the proposed stormwater and roading designs are effective and that the proposed development does not result in a material increase in flood risk to existing or proposed buildings, infrastructure, or surrounding properties."

Section s53 Comments

[361] Tiaki Wai submitted Comments on flooding matters[83] and stated that it had reviewed the SMP, the FRA, and the model build, and concluded that the proposed approach does not demonstrate that the development would not

[83] Tiaki Wai s53 Response, dated 31 July 2026.

adversely affect the wider area flood hazard, in particular the existing flood risk downstream of the Taupō Swamp.

[362] Tiaki Wai noted that the flood modelling exercise completed by the applicant only addressed the site and immediate surrounds on the applicant's understanding that neutrality for peak stormwater discharge would be sufficient to manage the flood risk within the receiving catchment. Tiaki Wai considered the attenuation proposal did not provide volume control, and the FRA identified increased post-development volume, resulting from development within the catchment. Tiaki Wai considered the FRA did not address the effects of increased volume on the Taupō Swamp and the flood hazard across a wider area.

[363] The Tiaki Wai Comments also identified a number of technical concerns related to the FRA model input criteria. Tiaki Wai considered that further modelling was required that assessed the wider catchment, included expected development runoff from other developments approved in the catchment, and assessed expected changes in flood water level in the lower part of the catchment where existing flooding occurs.

[364] The Comments from Friends of Taupō Swamp & Catchment[84] expressed concern regarding the potential increased flows from the development and asked that extra measures be taken to ensure against overwhelming the proposed system.

Applicant's Response to Section 53 Comments

[365] A memorandum prepared by Envelope[85], in response to s53 Comments stated that Envelope did not agree with Tiaki Wai's view that the current flood assessment (SMP and FRA) was insufficient to assess potential flooding effects. Envelope considered that extending the flood model to

[84] Friends of Taupō Swamp and Catchment s53 Response, dated 25 July 2026.
[85] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026

cover the full NGA catchment was not required and stormwater and flooding effects could be assessed using the boundary conditions applied at the catchment edge (i.e. the cut-off model approach) and extending the model extent would not change the assessed effects.

[366] Envelope considered that a catchment-wide assessment extending to all future development scenarios would rely on assumptions regarding developments that have not yet been designed, consented or constructed. Envelope considered that the relevant assessment should focus on whether the application proposal appropriately manages the flooding effects generated, which Envelope stated they considered it did.

[367] Envelope considered that the modelling undertaken was appropriate and that the stormwater management approach adopted appropriately managed the flood and stormwater effects generated by the development.

Joint Witness Conferencing

[368] The Panel directed expert conferencing on flood risk matters in Minute 9[86] and required a signed JWS be submitted to the Panel. Minute 9 also confirmed that the Panel had appointed Mr Darcy Brittliff as an independent expert on stormwater matters to facilitate the stormwater expert conferencing and to provide an independent opinion to the Panel.

[369] The experts provided a JWS[87] on stormwater matters that included the expert's consideration of the extent (if any) to which the additional stormwater runoff from the development might increase the depth, extent and/or behaviour of flooding in the lower catchment.

[370] The JWS records that the experts agreed that the applicant's cut-off model was generally fit for its local flood risk purpose, but was not built to assess effects on the Taupō Swamp or further downstream. They also agreed that

[86] Minute 9 – directing expert conferencing, dated 12 August 2026
[87] Minute 9 – Joint Witness Statement - Stormwater, dated 21 August 2026

resolving whether downstream flooding will be materially affected required an extended, whole-of-catchment model run, which was beyond the data available to the experts.

[371] The experts did not agree on whether the downstream ponding/flooding effect is, in fact, material. The applicant considered that no material effect is expected, while Tiaki Wai considered that it is presently unknown, and the current model could not answer the question. Tiaki Wai considered the Awa model is the best tool to assess the impact of the proposed development on the existing flooding at Plimmerton.

Response to Further Minutes Issued by the Panel

[372] In response to Minute 18, the applicant provided updated stormwater modelling which was outlined in a memorandum from Envelope[88] and the detailed model approach was described in the Extended Flood Modelling memorandum[89], with the modelling extended to include the catchment down to the Plimmerton urban area.

[373] The Extended Flood Modelling memorandum stated that the updated model estimated changes in flood water depths would be a reduction in flood water depth of approximately 90 – 100mm in the upper Taupō Swamp area (immediately below the site), an increase of up to 54mm through the lower Taupō Swamp, and 7 – 20mm within the developed Plimmerton area, with no change in flood extent or properties affected.

[374] Tiaki Wai and the applicant had further discussions on the applicant's updated modelling. The outcome of those discussions was incorporated into the response from Tiaki Wai on the revised stormwater modelling in the Tiaki Wai response memorandum[90]. As part of the discussions between the two parties, the applicant amended some aspects of the model and re-ran the

[88] Envelope - Response to Minute 18, dated 7 September 2026
[89] Envelope - Extended Flood Modelling – Taupo Swamp, dated 8 September 2026
[90] Tiaki Wai – Response to Applicants Additional Stormwater Modelling

model to obtain updated estimates of floodwater levels for Tiaki Wai to consider. The modelling indicated some increases (up to 84mm) in parts of the downstream catchment that was not developed. The applicant noted that there may have been some instability in the model that was causing the estimated increase in downstream flood levels.

[375] Tiaki Wai stated in its memorandum that it considered that the applicant's revised modelling did not resolve all outstanding flood concerns. Tiaki Wai considered model instability may have been a factor in the model predicting increases in the downstream area, but it had not been proven, and those increases might be "real".

[376] Tiaki Wai considered that more detailed modelling should be carried out as part of a final approval process and the requirement should be that there is no increase in additional flooding in the downstream area, which was an outcome sought in the NGA structure plan.

[377] Tiaki Wai considered the matter could be managed by appropriate conditions requiring final modelling at detailed design and approved through the engineering approval phase before construction began.

Findings

[378] The Panel notes that aspects of the latest flood modelling carried out by the applicant was viewed in the Tiaki Wai response as simulating flood levels in a system incorporating retention wetlands as the main attenuation devices. As discussed in this decision in the Stormwater Effects section, the stormwater solution has evolved through several iterations and is now proposed to utilise stormwater attenuation ponds, separate from wetlands, and includes on-lot retention tanks. It is anticipated that these amendments, and other refinements associated with the detailed design process and refinement of the model approach will likely have an influence on final estimated peak flood levels in the downstream catchment. The Panel also

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notes the comments in the expert statement from Mr Brittliff[91] at Issue 5 where Mr Brittliff concluded that additional attenuation volume in three of the proposed five attenuation devices may be able to be achieved if final modelling concluded it was required.

[379] Tiaki Wai has recommended a consent condition that includes a requirement that there be no increase in off-site flooding within the Taupō Swamp catchment. Whilst the Panel agrees that there should be no increase in the lower catchment, there appears to be some uncertainty in existing input parameters for the various flood models relating to ground levels within the footprint area of the Taupō Swamp. It is possible that these matters may be resolved by improved input data and updated modelling processes before the applicant progresses to its detailed modelling phase. However, to avoid a potential conflict if there are still unknowns and/or uncertainties at time of detailed modelling, the Panel has provided some flexibility for the parties in the wording of the condition relating to acceptable flood level changes within the footprint of the Taupō Swamp.

[380] The Panel notes Tiaki Wai's view that the consent conditions should also protect the Kakaho catchment from increased peak off-site flood flows and the Panel agrees with this view.

[381] The Panel has amended conditions relating to the design information to be provided for the stormwater solution and the associated flooding risk and imposed specific conditions limiting the permitted impact of flooding for the specified design events. The panel has added condition D27A, and more specifically D27A(a), (c), (e) and (f), and added condition D75A to the applicant's Minute 29 District consents version, with corresponding requirements in condition R39 of the Regional consent conditions. These additional conditions require the consent holder to provide more extensive design detail, carry out detailed stormwater modelling, prepare a stormwater

[91] Darcy Brittliff – Statement of Evidence, dated 25 August 2026

design report, demonstrate post development peak flows are no greater than pre-development peak flow rates and demonstrate the mitigation solutions adopted in the design of the stormwater systems avoids increases in floodwater levels in the downstream developed area of the Taupō Stream catchment before construction is permitted to commence. The Panel considers that these additions appropriately deal with matters relating to flooding risk that have evolved through the Panel assessment of the application.

[382] Overall, the Panel is satisfied that flooding risk can be managed by the proposed conditions such that the potential adverse effects from flooding are low.

Wastewater Management

The Application

[383] The proposed wastewater management solution for the Mt Welcome project site was described in Section 7.6.1 of the Application under the heading Wastewater[92]. The Application was supported by a Civil Infrastructure Report[93], (**CIR**) authored by Envelope Ltd. The CIR described the key elements of the proposed wastewater solution, which included:

(a) 6 pump stations (**PS**) to deal with the variable terrain across the site. Five of these PS sites would contain pump infrastructure and one would have a large storage tank to attenuate wastewater flows from the site;

[92] Substantive Application - Section 6.7.1
[93] Civil infrastructure report, prepared by Envelope, dated 4 June 2026

(b) Seven small sub-catchments where gravity reticulation is proposed to be avoided and low pressure pumped systems will be used for these to limit the number of main PS required;

(c) Wastewater flows from the Muri Road west and Muri Road east catchments (Muri Road Stage 2 and Stage 3 development areas) would be discharged into the Mt Welcome wastewater reticulation;

(d) Three sections of existing public wastewater reticulation immediately downstream of the site, in SH59, were identified to have limited capacity and were identified as requiring upgrading to mitigate the risk of increased wastewater overflows in the latter stages of the development, when the flows from Muri Road Stages 2 and 3 were added to the system.

[384] The CIR described the sub-catchments draining to the proposed PS. The proposed PS-5 would cater for 374 lots within the Mt Welcome development and 500 lots from the Muri Road Stage 2 and 3 developments. PS-5 would discharge to the reticulation within the Mt Welcome development, which would convey all wastewater flows to the proposed PS-1 site. The PS-1 site would contain a large attenuation storage system, which would discharge to the downstream public reticulation system in SH59.

[385] Envelope carried out detailed modelling of the proposed wastewater system to test the capacity of the downstream wastewater reticulation against the proposed increased discharges from the Mt Welcome and Muri Road Stage 2 and 3 systems. The modelling assessment was described in the Wastewater Hydraulic Model Report[94] (Model Report), prepared by Envelope.

[386] The Model Report states that the model used was based on the PCC wastewater hydraulic model with modification that cut the model off upstream of the existing Paremata PS. Envelope used the cut-off model

[94] Wastewater Hydraulic Model Report, prepared by Envelope, dated 21 November 2025

approach to reduce the extent of the PCC model to allow increased detail assessment within the Mt Welcome development area. Envelope stated that some settings within the model had also been amended following discussions and advice from Tiaki Wai.

[387] The Model Report stated that the base model was for the 2018 population for all stage scenarios around the catchment and that the model did not include any flows from the Muri Road Stage 1 development or the Plimmerton Farm development.

[388] The Model Report stated further that the model results indicated that all stages of the Mt Welcome development could be discharged to the public wastewater network without causing additional overflows in the downstream network. The model results also indicated that overflows would occur once the additional flows from the Muri Road Stage 2 and Stage 3 developments were discharged to the network.

[389] The Model Report assessed options to minimise and/or eliminate the potential overflows triggered by the addition of the Muri Road Stages 2 and 3 development future flows. The Model Report concluded that a solution relying only on attenuation storage at the PS-1 site would require a storage volume that would be significant, and it could become impractical as a standalone solution. The Model Report concluded that the most likely preferred solution would involve upgrading three sections of existing reticulation in SH59, immediately downstream from the site, combined with approximately 1,600m^3 attenuation storage at the Mt Welcome PS-1 site.

[390] The Model Report also noted that an alternative solution that could deal with the combined discharge from the Mt Welcome and Muri Road Stage 2 and Stage 3 developments could take the form of reduced attenuation storage at PS-1, upgraded sections of the existing network in SH59 and further upgrades (to be confirmed in the future) of other elements of the network

further downstream near the public network PS-13 at the Plimmerton roundabout, where the network overflowed in the model simulations.

Section 53 Comments

[391] Tiaki Wai presented a comprehensive set of Comments on three waters issues in its document, *Comments on FTAA-2603-1181 Mt Welcome, Pukerua Bay, Porirua*[95]. The document recorded that the authors of the response were Ms Zeean Brydon and Mr David Wilson. Both are professional engineers with extensive expertise in wastewater matters.

[392] The Tiaki Wai response set out some matters relating to wastewater that it considered were "fundamental consent level matters". Tiaki Wai described these as matters that should be resolved before consent is granted and stated that it would not support connection to the public wastewater network until the matters were resolved to its satisfaction. Tiaki Wai also identified some other matters that it considered were "consent level, engineering approval and consent notice matters".

[393] The information presented in the Tiaki Wai response incorporated information discussed at meetings held on 16 and 17 June 2026 between Tiaki Wai, the applicant and PCC to discuss three waters matters. Tiaki Wai noted in its response that the applicant did not provide any further information on wastewater matters at the meetings or in response to the meetings, and no conditions were agreed.

[394] Tiaki Wai noted in paragraph 18 of its Comments that in assessing the application, it gave consideration to the requirements of a number of documents that included WIP, and Te Wai Ora o Pārirua-the Porirua Harbour Accord.

[95] Tiaki Wai s53 Response, dated 31 July 2026.

[395] Tiaki Wai's principal concerns relating to wastewater revolved around the potential for increased overflows of wastewater in the Plimmerton and Paremata area downstream of the site, due to limited capacity in the wastewater network.

[396] Tiaki Wai considered that the proposed wastewater approach did not demonstrate that the adverse effects on the sensitive receiving environments of Te Awarua-o-Porirua Harbour would be appropriately avoided, remedied, or mitigated. Tiaki Wai noted that it was a signatory to Te Wai Ora o Pārirua-the Porirua Harbour Accord and considered that the application, as proposed, was not consistent with that commitment.

[397] Tiaki Wai considered the wastewater strategy should be revised with updated wastewater modelling. Tiaki Wai did not agree with the modelling approach adopted by the Model Report. Tiaki Wai considered the model needed to be extended to include the network downstream of PS-13, because the increased volume discharged from the development to the network would increase pump operation duration with potential impacts on downstream overflows. It also considered that the flows from the Muri Road Stage 1 development and Plimmerton Farm Stage 1 development needed to be included in the model assessment to fully assess cumulative effects across the NGA Structure Plan area.

[398] Tiaki Wai noted that the application had assumed surcharge in the trunk main would be acceptable without providing a review of the as-built data to confirm the actual overflow risk and that surcharging of the trunk main would not impact on other connections, including the Plimmerton Farm Stage 1 trunk main connection.

[399] Tiaki Wai was also concerned that the applicant had not provided a concept design for the proposed attenuation storage system at the PS-1 site (Lot

1300) and it could not assess how the storage volume could be appropriately constructed and operated on that site.

[400] Tiaki Wai concluded that an updated wastewater assessment should be carried out that considered the cumulative effects associated with the other developments in the NGA anticipated by the Structure Plan.

[401] Tiaki Wai was also concerned that the application did not include on-lot wastewater modelling or an optioneering report that justified why a low-pressure system was required for sixty-three lots and why five pump stations were required. It considered the assessment should be provided to demonstrate pumping solutions had been minimised. It considered these matters could be managed through engineering approval and appropriate consent conditions.

[402] The s53 response from PCC was supported by its Planning Report[96] authored by Mr Smeaton. Section 6.5.1.3 of this document raised concerns regarding the wastewater strategy adopted by the application and drew on the concerns expressed by Tiaki Wai. PCC supported the concerns expressed by Tiaki Wai.

[403] The s53 Comments received from Friends of Taupō Swamp & Catchment and from the Te Awarua o Porirua Harbour and Catchments Community Trust and Guardians of Pāuatahanui Inlet and from the Plimmerton Residents Association expressed concern that the proposed wastewater discharge from the development could result in additional wastewater overflows as these organisations understood the wastewater network to have very limited capacity.

[96] PCC s53 Response, Planning Report on behalf of Porirua City Council, dated 31 July 2026

Applicant's Response to Section 53 Comments

[404] The applicant's response was supported by a memorandum prepared by Envelope[97]. This memorandum set out Envelope's response to Comments from Tiaki Wai on wastewater matters.

[405] Envelope stated that it acknowledges the importance of ensuring that development within the NGA does not create unacceptable wastewater effects, including increased overflow risks within downstream receiving environments. However, it considered the information provided for the application was sufficient to conclude that the development could be appropriately serviced and that any future infrastructure requirements could be identified and managed through staged delivery mechanisms.

[406] Envelope stated that it did not agree with Tiaki Wai's requirement that updated modelling was necessary to fully assess the potential overflow risk. It considered the existing wastewater modelling had considered other developments sufficiently and had appropriately considered the discharge from Plimmerton Farm Stage 1, as that included attenuation and controlled discharge.

[407] Envelope considered that any further modelling should sit with Tiaki Wai as the network operator responsible for configuring the wider network to accommodate planned growth.

[408] Envelope considered the wastewater assessment presented in the application demonstrated a feasible and appropriate servicing strategy for the development and while further reassessment may appropriately occur as development proceeds, the matters raised by Tiaki Wai did not demonstrate that the proposal cannot be serviced or that unacceptable wastewater effects will occur.

[97] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026

Joint Witness Conferencing

[409] The Panel directed expert conferencing on wastewater matters in Minute 9[98] and required a signed JWS be submitted to the Panel. Minute 9 also confirmed that the Panel had appointed Mr Brittliff as an independent expert on wastewater matters to facilitate the wastewater expert conferencing and to provide an independent opinion to the Panel.

[410] The experts provided a JWS[99] on wastewater matters that set out the expert views on wastewater modelling and associated assessment of risk of downstream reticulation overflows and on matters associated with the proposed attenuation storage at PS-1.

[411] The JWS recorded that the experts agreed that Tiaki Wai's wastewater network model needed to be updated with the applicant's development data before the overflow risk question could be answered with confidence as this is the right tool to answer the question.

[412] The JWS noted that there is a process for staged development assessment in the wastewater model to confirm there are no effects from the initial stages.

[413] The JWS also noted that the experts agreed that reserving additional land area available during Stage 1 for potential wastewater storage would provide time to model and agree the wastewater solution, including its timing. This was actioned in the form of a revised layout at the attenuation area at PS-1 that deleted a proposed residential lot and incorporated the area of that lot into the PS-1 attenuation area.

[414] The JWS stated that the experts recommended that a Wastewater Mitigation Plan should be prepared that considered the rate of development in the NGA to support the development detail and programme for the Mt

[98] Minute 9 – directing expert conferencing, dated 12 August 2026
[99] Minute 9 – Joint Witness Statement - Wastewater, dated 21 August 2026

Welcome development. The experts envisaged the mitigation plan document would be a live document with periodic review through the development delivery.

[415] The experts agreed in the JWS that matters relating to the attenuation system at the PS-1 site were now advanced by the increase in the attenuation lot size, but the results from the proposed updated modelling were required to understand the detail of the expected attenuation required, and the timing of it. The experts agreed that potential septicity issues could be managed by an appropriate design solution.

[416] The statement of evidence from Mr Brittliff[100] reviewing these matters considered it appropriate that the Tiaki Wai model be used to assess and guide upgrades to the network required to support developments in the NGA and used to assess the impact of specific developments and mitigation required for that development.

[417] Mr Brittliff supported the concept of a Wastewater Mitigation Plan, which would draw on model conclusions guiding what upgrades were required and when. Mr Brittliff considered this approach would confirm the scale and nature of upgrades, and as the developments progress to later stages, the significance of the increased discharge rates could be assessed and appropriate mitigation, if required, confirmed.

Additional Wastewater Information

[418] In response to the matters raised at expert caucusing, the applicant submitted an updated wastewater modelling memorandum[101] that set out the results from updated wastewater modelling. The updated model assessment incorporated a fixed maximum discharge from PS-13 that would protect the areas downstream of that from increased flows from the NGA catchment,

[100] Independent Expert Witness Statement from Mr Darcy Brittliff, dated 25 August 2026
[101] Updated Wastewater Modelling Memorandum – prepared by Envelop, dated 28 August 2026

included allowance for some flow from Plimmerton Farm and Muri Road developments, and assessed the likely timing of when attenuation storage would be needed at the Mt Welcome PS-1 site.

[419] The revised modelling concluded that with no attenuation storage, the wastewater flows from the first 200 lots at the Mt Welcome site could be discharged without downstream overflows in the 6-month ARI event. Greater rainfall events were likely to trigger overflows in the downstream network unless attenuation was installed at the PS-1 site. Envelope considered that the scale of the overflows in the 1-year and 2-year ARI events resulted in no material worsening of the existing overflows at PS-13.

[420] The Panel issued Minute 18[102] instructing the parties to share specific information and inviting the parties to comment on the updated wastewater modelling. Tiaki Wai submitted an Additional Tiaki Wai Wastewater Modelling memorandum[103] that set out the results of its updated model assessment of the first 200 lots at the Mt Welcome development without attenuation storage at the PS-1 site. Tiaki Wai concluded that without attenuation storage, the connection of 200 lots at the Mt Welcome development would result in increased wastewater overflows to the receiving environment in the 6-month, 1-year and 2-year ARI events.

[421] In its response to Minute 18, Envelope submitted an updated Wastewater Hydraulic Model Report[104] that included an assessment of potential overflows in the downstream network with 200 lots connected at the Mt Welcome development without attenuation storage. The report stated in Section 7.4 that the model assessment of the first 200 lots scenario had allowed for the Muri Road Stage 1 development with an allowance of a

[102] Minute 18, dated 4 September 2026
[103] Tiaki Wai Additional Wastewater Modelling Memorandum, 23 September 2026
[104] Envelope - Wastewater Hydraulic Model Report, dated 30 September 2026

pumped flow from PS-30 and the model included an allowance for flows from Plimmerton Farm.

[422] The Envelope updated model assessment concluded that, for a 200-lot scenario there would not be additional overflows in the 6-month ARI event, but there would be additional overflows of 67m^3 in a 1-year ARI event and 161m^3 in a 2-year ARI event. Envelope considered these additional overflows not to be material and that the first 200 lots could proceed without attenuation storage.

[423] Tiaki Wai submitted a memorandum[105] in response to Minute 21 that set out its assessment of the updated Envelope wastewater hydraulic model report. Tiaki Wai noted some differences in model approach between its model and Envelope's model, mostly relating to how flows from other developments were considered, the allowance for wet weather infiltration into the system, and potential overflows downstream of PS-13 resulting from increased volume discharged and not just peak flow discharge.

[424] Tiaki Wai stated that it concludes that the first 200 lots at the Mt Welcome development would result in additional overflows to the receiving environment and mitigation would be required. Tiaki Wai considered that wastewater mitigation must be confirmed ahead of any works commencing on site and reviewed as development progresses.

[425] Tiaki Wai also stated that it had concerns that the area provided at the PS-1 site for attenuation storage (Lot 1300) would be large enough for final attenuation storage volume and additional land may be required with impacts on the consented scheme plan.

[105] Tiaki Wai – Comments on Envelope Updated Wastewater Modelling, dated 16 October 2026

Findings

[426] The Panel notes that the assessment of potential effects resulting from possible additional downstream wastewater overflows relies heavily on comprehensive model analysis. The experts agreed that the Tiaki Wai model was the most appropriate wastewater model to base the analysis on, and the Panel recognises that reliable model output is dependent upon appropriate input parameters. Tiaki Wai will remain in control of the model input parameters through the certification of wastewater model reports submitted as part of engineering approval.

[427] The Panel considers Tiaki Wai's requirement that the consent holder provide on-lot wastewater modelling or an optioneering report that justified why a low-pressure system was required for sixty-three lots and why five pump stations were required to be reasonable. The Panel also notes that the proposed wastewater reticulation to be designed and constructed on the site would have to meet the Wellington Regional Standards for Wastewater Services required by the Panel's revised wording of condition D27B.

[428] Condition D27 and the associated condition D70 of the PCC conditions draft version the applicant provided in response to Minute 29 did not have specific requirements dealing with these matters. The Panel has imposed a new condition D27B to require the consent holder to provide a wastewater design report, supported by modelling, calculations and detailed drawings, to Tiaki Wai, for certification prior to the commencement of construction of the development stage that the report relates to. The new condition D27B requires the design report to set out the strategy for managing the wastewater, and condition D27B(b) requires the consent holder to demonstrate that the number of pump stations and areas of low-pressure system have been minimised. The design report must also describe the expected wastewater overflow mitigation (if any) required by condition D27B(c) and condition D27B(h) requires the consent holder to consider and provide an update on the status of other developments within the NGA,

how the Mt Welcome project programme integrated with them and how that integration was dealt with in the wastewater modelling of expected network performance. The imposed new conditions has replaced condition D81, which has been deleted.

[429] The Panel notes the applicant's view that some modest additional overflow volumes associated with its assessment of the expected discharge from the first 200 lots at the development, discharged to the downstream receiving environment, could be considered immaterial. However, the Panel also notes the objectives of WIP (2019), and Te Wai Ora o Pārirua-the Porirua Harbour Accord, and views any additional wastewater overflows resulting from the development as being in conflict with these objectives. The Panel finds that the proposed draft condition of consent requiring that the discharge of wastewater from the development does not result in additional wastewater overflows to the receiving environment in rainfall events up to the 5-year ARI event is an appropriate mechanism to manage this potential effect.

[430] The Panel has included the 5-year ARI as the minimum design rainfall event for the assessment of mitigation required to avoid wastewater overflows to the receiving environment in condition D27B(c) to ensure certainty of the design event where wastewater overflows are to be avoided.

[431] The Panel envisages a mechanism that requires model reviews to assess current wastewater capacity, generally in the form of proposed draft condition D27B(c), would provide a mechanism to ensure that industry knowledge and resources available at the time of the review will appropriately determine what mitigation measures are required to deal with potential adverse effects from wastewater overflows associated with those future stages.

[432] The Panel notes that the draft condition D81 in the version provided in response to Minute 29 was structured around the modelling assessment being carried out prior to the issue of the section 224(c) certificate of the RMA. The Panel has deleted condition D81 and addressed the intent of this condition by requiring the modelling assessment to be carried out as part of the design report process in condition D27B(c), which is prior to the commencement of construction of the relevant stage.

[433] The Panel has also addressed the intent of condition D81 with the imposed condition D27B(c) requiring the modelling assessment be undertaken prior to the first stage of construction, because the Panel is not satisfied that any lots could be developed without creating a risk of waster overflows in the downstream network and hence the modelling will confirm what mitigation is required (if any) throughout the project programme.

[434] The Panel considers the proposed solution for wastewater management on the site, refined with further detailed modelling at detailed design, in conjunction with the consent conditions we have imposed, will provide the required level of wastewater management service for the development and will result in only minor adverse effects on the downstream receiving environment.

Earthworks and Construction Effects

The Application

[435] The proposed earthworks to create the landform for the Mt Welcome project are described in Section 7.5 of the Application under the heading Earthworks[106]. The Application described the scale of the earthworks as

[106] Substantive Application - Section 7.5, Earthworks

(a) covering an area of 81.46ha;

(b) cut heights up to 21m;

(c) fill depths up to 24m;

(d) a total cut volume of approximately 1,905,000m^3;

(e) a total fill volume of approximately 1,806,000m^3;

(f) an allowance of approximately 135,000m^3 of unsuitable material; and

(g) an allowance of approximately 128,000m^3 for topsoil stripping.

[436] The Application was supported by earthworks plans, a CIR authored by Envelope Ltd'[107] and a Draft Earthworks and Construction Management Plan[108] (**ECMP**).

[437] Section 7 of the CIR described the proposed earthworks, the proposed staging, the design goal to achieve a balance of cut to fill, the need to meet geotechnical requirements and the need to comply with GWRC's *Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region* (**ESC Guide**). The proposed earthworks staging would involve 8 stages of earthworks with some stages incorporating part stages. As the preliminary design had concluded that there would likely be a large volume of unsuitable material generated by the proposed earthworks, the design included a proposed unsuitable material fill structure to avoid having to remove the unsuitable material from the site.

[438] Section 7.2 of the CIR outlined the geotechnical considerations Envelope had included in the preliminary design, based on the geotechnical assessment

[107] Civil Infrastructure Report, prepared by Envelope, dated 4 June 2026
[108] Draft Earthworks and Construction Management Plan, prepared by Envelope, dated 14 November 2025

completed by ENGEO[109]. ENGEO concluded, with respect to the proposed earthworks, that its slope stability assessments of the proposed cut and fill batters indicated that the batter slopes might be prone to failure during ultimate limit state earthquake events and raised groundwater conditions. Its assessment found the design batter slopes for most of the cut and fill batters failed to meet the target factor of safety required under these design conditions.

[439] ENGEO concluded that detailed assessment would be required at the time of detailed design, and mitigation solutions may need to be implemented for some of the batter slopes. That mitigation could include solutions such as flatter batter slopes, slope stability elements, retaining structures and/or setbacks from the base of upslope natural batters and/or from the edge of the top of natural steep batter faces.

[440] The preliminary earthworks design information included preliminary erosion and sediment control plan (**ESCP**) information, with detailed ESCP information for the stage 1 earthworks. Envelope stated that the information prepared was based on the requirements of the ESC Guide and that all earthworks would be carried out in accordance with the ESC Guide.

[441] Section 8 of the draft ECMP set out details of how the earthworks were expected to be constructed and covered proposed staging, management of the ESCP and the proposed unsuitable fill.

[442] The draft ECMP also set out how dust was to be managed during construction to avoid adverse effects on neighbours.

[109] Geotechnical Investigation – Mt Welcome Development, prepared by ENGEO, dated 6 November 2025

[443] The application included a report on construction noise and vibration prepared by Marshall Day Acoustics Ltd[110]. We have discussed construction noise and vibration effects separately in this decision report.

Section 53 Comments

[444] GWRC submitted Comments on earthworks matters[111] and stated that earthworks have the potential to accelerate soil erosion and mobilise sediment, leading to discharges of sediment to receiving environments if not appropriately managed. GWRC stated that achieving the planning policies for earthworks, and avoiding unacceptable discharge quality, relies on earthworks being undertaken in accordance with good management practice, which is set out in the ESC Guide.

[445] GWRC acknowledged the applicant had proposed a range of management plans to manage earthworks and construction within streams. However, GWRC considered the structure and purpose of the applicant's management plans was not clear and that there was no site-wide management approach to guide the implementation of staging.

[446] GWRC recommended a revised purpose and structure of the management plans that involved the ECMP (including the ESC principles), a Chemical Treatment Management Plan and a Stream Works Management Plan to set out the overall management principles, practices and monitoring and reporting requirements. These Plans would be submitted for certification prior to construction of any works. The Plans would be supported by a stage specific ESCP that would be submitted for certification prior to construction of each stage of earthworks and/or stream works.

[447] GWRC considered the revised approach provided greater clarity and certainty for contractors and GWRC enforcement staff. GWRC also

[110] Noise and Vibration Assessment – Mt Welcome Development, prepared by Marshall day, dated 29 May 2026
[111] GWRC s53 Response, paragraphs 207 – 240, dated 31 July 2026.

considered it would be more efficient and reduce administration complexity because it only required the ESCP to be certified at each stage.

[448] GWRC identified some concerns relating to the proposed monitoring methods and site associated trigger levels. However, it concluded that these matters could be dealt with by certified management plans and appropriate consent conditions.

[449] GWRC also identified several concerns relating to detail associated with the proposed works adjacent to stream and the scale of some earthwork's stages with respect to the potential exposed areas prior to stabilisation. GWRC considered that conditions could control these matters, combined with appropriate amendments to the ECMP when it is finalised.

[450] The s53 Comments received from Friends of Taupō Swamp & Catchment, Te Awarua o Porirua Harbour and Catchments Community Trust and Guardians of Pāuatahanui Inlet, and Rebecca Davis and Jonathan Burchell expressed concern that the proposed earthworks could lead to adverse effects from sediment runoff associated with earthworks. They sought appropriate robust conditions be applied to manage this risk.

Applicant's Response to Section 53 Comments

[451] A memorandum prepared by Envelope[112], in response to s53 Comments stated that Envelope did not entirely agree with GWRC's Comments on the management plan structure and did not agree with GWRC's suggestion that only one stage of earthworks be permitted at any one time.

[452] However, Envelope considered that the matters raised by GWRC related to refinements of implementation, monitoring and plan structure and Envelope submitted an updated draft ECMP[113] as part of the response to the s53 Comments. The updated draft ECMP set out greater detail on the

[112] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026
[113] Updated draft ECMP, prepared by Envelope, dated 7 August 2026

management plan structure and how the plans worked together, greater detail on how geotechnical considerations would be managed during the construction phase, and included new sections dealing with works near streams and site stabilisation.

[453] Envelope stated the primary objective of its approach to the management of earthworks was to minimise sediment discharge to the downstream receiving environment and it considered the combination of staged earthworks, erosion and sediment controls, progressive stabilisation requirements and compliance monitoring had been specifically designed to achieve that outcome.

Findings

[454] The Panel considers the scale of the earthworks to be large compared to the number of houses developed by the project and hence the associated potential for sediment discharge from the site, particularly given the steep terrain is high. The Panel considers the downstream Taupō Swamp and Pāuatahanui Inlet receiving environment to have significant environmental and cultural values and thus must not be exposed to unacceptable sediment discharges.

[455] The Panel considers the proposed bundle of management plans proposed to manage earthworks and construction related effects is consistent with industry practice and is an appropriate way to ensure the desired outcomes are achieved. However, the Panel preferred the structure and comprehensiveness of items to be included in a ECMP requested by GWRC (condition R10D) to better reflect current industry practice and to give greater confidence of environmental outcomes than the wording in the applicant's D15A Minute 29 version. Condition D15A has therefore been amended to reflect condition R10D in the regional conditions.

[456] The Panel finds that the potential adverse environmental effects from earthworks and associated sediment discharge from the site can be managed through appropriate conditions and the use of certified management plans, such that the potential adverse effects are low.

[457] Geotechnical issues are addressed in the following section.

Geotechnical Impacts

The Application

[458] The Application was supported by a Geotechnical Report[114], authored by ENGEO Ltd. The Report presents the finding of the geotechnical investigations, which included a desktop study, site observations and bore holes and test pits were carried out. The key findings of the investigation that have a potential influence on the design and expected performance of soil related matters at the site included:

(a) The site is underlain by surficial soils, including loess, alluvium, colluvium and residual soil deposits, typically with a thickness of 1 – 5m, but deeper in places.

(b) Greywacke rock is present at the surface at places across the site.

(c) Slopes steeper than approximately 25° typically have evidence of shallow landslides and soil creep. Slope stability analysis of these slopes indicates that failure of the surficial soils on these slopes (potentially down to bed

[114] Geotechnical Investigation – Mt Welcome Development, prepared by ENGEO, dated 6 November 2025

rock) may occur under raised groundwater, extended periods of rainfall and seismic events.

(d) Slope stability analysis of the design cut and fill batter slopes indicates some of these may be prone to failure under ultimate limit state earthquake events and that seismic displacement of material may be up to 2m.

(e) Localised areas of soft and saturated ground were observed in low-lying areas and the base of gullies. These soils are expected to be prone to liquefaction.

(f) On-site surficial soils are expected to be suitable for engineered fill.

(g) Mitigation solutions will be required for all natural slopes with a slope angle greater than 25° that have lots or infrastructure above or below them. Large cuts in rock may also be prone to rockfall and may require stability mitigation if there is a risk to dwellings at the base of cut batters.

(h) Cut batters in loess soils will require a site-specific erosion design to mitigate against tunnel gullies occurring.

(i) The proposed embankments for the stormwater detention ponds will require detailed analysis and design by a suitably qualified and experienced engineer.

[459] We note that the proposed five earth embankments associated with the retention wetlands described in the application were renamed through the assessment of the application to become stormwater detention ponds as a result of a change in the stormwater management strategy, as described in our discussion of Stormwater Effects. That change in stormwater function did not change the size, shape or form of the earth embankment structures

and hence the discussion below, on geotechnical matters, relating to the embankments is not influenced by the amended stormwater solution.

[460] The geotechnical report concluded that although there were geohazards present at the site, the risk to proposed buildings from natural hazards would be acceptably low once the proposed works and the proposed mitigation measures and recommendations described in the report were completed.

[461] A Site Memorandum[115] was issued by ENGEO that summarised the response from ENGEO to several geotechnical matters raised by PCC's geotechnical advisor (Tonkin & Taylor Ltd) that had been raised during a consultation phase on geotechnical matters. The memorandum recorded that ENGEO's position on the issues raised in the consultation phase had not changed and considered those issues adequately covered by the report and the proposed mitigation measures outlined in the report.

[462] The assessment of natural hazards with respect to geotechnical matters was described in Section 15.15.1 of the Application. The assessment represented the information in the geotechnical report on how the potential hazardous geotechnical matters would be mitigated and/or managed. The mitigation and proposed management processes were described as including detailed geotechnical assessment during detailed design to inform the final design, specific design batter slopes where required, possible use of retaining structures and/or slope stability solutions such as pinned mesh or soil nailing, possible setback from unstable natural slopes and control of surface water and groundwater. These solutions need to be supported by appropriate on-site observation during construction to confirm design assumptions.

[115] Site Memorandum – Response to RFI, prepared by ENGEO, dated 4 2026

[463] The Application concluded that the proposed mitigation measures proposed in the geotechnical report would result in the proposal being considered to pose a less than minor geohazard risk on people and property.

Section 53 Comments

[464] The s53 Comments from PCC[116] were supported by a Technical Review Report[117] prepared by Tonkin & Taylor Ltd that identified 22 geotechnical issues that, in the reviewer's opinion, required consideration. The review included consideration of further information provided by ENGEO to Tonkin & Taylor dated 3 July 2026, and Tonkin & Taylor's opinion on that information.

[465] The Tonkin & Taylor review of the issues concluded that of the 22 issues in contention, 2 were resolved, 18 could be managed by condition wording recommended by Tonkin & Taylor (and included within the Technical Review) and 2 matters required, in Tonkin & Taylor's opinion, further clarification.

[466] The two matters requiring further clarification related to assessment of liquefaction risk in the bottom of the gullies and at the proposed unsuitable material fill site, and concerns relating to the earth embankment structures associated with the stormwater detention ponds.

[467] Tonkin & Taylor considered that a feasibility level design for works in the base of gullies, the works associated with the unsuitable material fill site and works associated with the earth embankment structures should be provided to the Panel prior to granting resource consent for the project so that the potential effects of the works can be fully understood.

[116] PCC Section 53 Comments, dated 31 July 2026
[117] Section 53 comments – Technical Review, prepared by Tonkin & Taylor for PCC, dated 30 July 2026

[468] The Tonkin & Taylor review recommended amendment to wording of 12 draft conditions of consent.

[469] Tiaki Wai presented a comprehensive set of Comments on three waters issues in its document, *Comments on FTAA-2603-1181 Mt Welcome, Pukerua Bay, Porirua*[118]. The Tiaki Wai response stated concern about the constructability and potential instability of the earth embankments associated with the stormwater detention ponds.

[470] Tiaki Wai noted in paragraph 92 of its Comments that the stormwater approach relied on significant earthwork embankments (for the stormwater detention ponds). It expressed concern that the applicant had not considered the ecological, environmental or operational costs associated with system failure. Tiaki Wai agreed with GWRC that the design needed to consider failure modes and assess breach scenarios to identify the potential consequences of the structures under extreme conditions.

[471] The s53 response from GWRC[119] raised concern that a potential overtopping or failure of an earth embankment at a stormwater detention pond could result in adverse environmental effects downstream. GWRC considered that it is industry best practice to consider failure modes when designing flood protection structures, and hence assessment of a breach and over-design event scenarios should be provided to identify the potential consequences of these structures under extreme conditions.

<u>Applicant's Response to Section 53 Comments</u>

[472] The applicant's response was supported by a memorandum prepared by Envelope[120]. Section 5 of the Envelope response responded to the concerns raised by GWRC and Tiaki Wai regarding the potential consequences of a

[118] Tiaki Wai s53 Response, dated 31 July 2026.
[119] GWRC Section 53 Comments, dated 28 July 2026
[120] Response to Section 53 Comments, prepared by Envelope, dated 7 August 2026

failure of an earth embankment structure associated with a stormwater detention pond. Envelope stated that the embankments are not comparable to large flood protection or water storage structures that would typically warrant complex breach-failure assessments. It considered the structures were relatively modest in scale and that detailed design processes would confirm embankment stability, spillway performance and operational resilience in conjunction with the geotechnical engineer.

[473] The applicant's response was also supported by a memorandum prepared by ENGEO[121]. The ENGEO memorandum set out its view on the appropriate wording of geotechnical related conditions as an alternative to the wording proposed by Tonkin & Taylor's s53 Comments document.

Findings

[474] The key issues in contention were:

(a) the level of detail, in relation to the assessment of liquefaction risk (and associated consequences) in the base of the gullies and at the unsuitable material fill site and for the earth embankment structures at the stormwater detention ponds required for appropriate consideration of potential adverse effects prior to granting of consents for the project;

(b) appropriate wording of conditions relating to geotechnical matters; and

(c) the need for (or otherwise) a condition of consent requiring an assessment of a breach and over-design event scenarios as part of detailed design of the earth embankment structures associated with the stormwater detention ponds.

[121] Response to Section 53 Comments, prepared by ENGEO, dated 5 August 2026

[475] Tonkin & Taylor considered that a feasibility level design for works in the base of gullies and the works associated with the unsuitable material fill site and the earth detention embankments in the base of the gullies was needed to fully understand the potential adverse effects associated with these areas of the site prior to granting of consent. ENGEO's position was that the development does not propose residential lots in the gully areas and, although two of the proposed earth embankments structures and the proposed unsuitable material fill structure are within a gully with potentially liquefiable soils, all fill embankments in potentially liquefiable soils will be founded on rock or keyed in below any liquifiable material. ENGEO concluded that given that the consequences of embankment failure is negligible, with no loss of use, no building repairs required and no injuries, the risk is low for every likelihood level. ENGEO considered that these matters could be managed at detailed design, with the input of a geotechnical engineer.

[476] The Panel is satisfied that these matters can be managed with appropriate professional input at detailed design, combined with appropriate consent conditions. The s53 Comments on behalf of PCC, from Tonkin & Taylor, contained its recommended conditions D29 and 30 for management of liquefaction and specific geotechnical design aspects of the project. The applicant proposed a much narrower condition dealing with geotechnical matters[122], condition D30 in the Minute 29 recommended district conditions.

[477] The Panel notes that the applicant's proposed condition D30 has no specific requirements to deal with assessment of possible failure modes of the earth embankment structures associated with stormwater detention, has no threshold for soil displacement under seismic conditions, and has no requirement to demonstrate (through the design report) that the earth

[122] Condition 30 – Appendix A – District Conditions – Minute 29 version

embankment structures will not adversely affect SH59 and infrastructure within it.

[478] While the earth embankment structures might not reach the category of a 'classifiable dam', the Panel considers them to be sufficiently large, with respect to detained water depth and volume, that the potential adverse effects from a failure of them could be significant due to the environmental and cultural sensitivities of the downstream receiving environment, and the presence of SH59.

[479] The Panel has therefore adopted an appropriate precautionary approach to the management of the risk of failure of a detention embankment and included requirements in a revised condition D31 to require assessment of a breach and over-design event scenarios as part of detailed design of these embankments in accordance with condition D31(n).

[480] The Panel has considered the preferred wording of conditions for geotechnical matters raised by the applicant and PCC's advisor. The Panel notes a lack of agreement between the parties on the wording of several conditions and has accordingly made amendments we consider appropriate to manage these matters. Condition D15A has been amended to specify several additional matters that must be included in the Earthworks Construction Management Plan, including condition D15A(e) that requires the ECMP to include a description of how the matters identified by the geotechnical assessment are incorporated into the ECMP. The Panel has considered conditions D29, D30, D31, D65, D93, D94 and D95, which we understand were not agreed between the applicant and PCC, and has adopted the condition wording provided by the applicant for these conditions at this point in the absence of a clear explanation for PCC's position.

[481] The Panel considers the anticipated detailed design process, in conjunction with the requirements of the conditions of consent we have imposed, will provide the required level of control of geotechnical risks to ensure the development will result in only minor adverse effects on the site and the downstream receiving environment.

Contamination Effects

The Application

[482] The Application was supported by a Preliminary Site Investigation Report[123] (**PSI**), authored by PDPL. The PSI was carried out to identify any potential Hazardous Activities and Industries List (**HAIL**) activities or sources of contamination that might be present on the site. Section 5.6 of the Application described the general findings of the PSI as being:

(a) Potential sheep dip/spray race operations.

(b) Several buildings are or were present within the development area. Buildings constructed prior to 2000 could be a source of asbestos contamination to surrounding soils. Buildings constructed prior to 1980 could be a source of lead to surrounding soils from lead-based paint. If asbestos and lead was present in these soils at concentrations sufficient to constitute a risk to human health or the environment, the affected soils would be a Category 1 HAIL area.

[483] The PSI considered that parts of the site where actual or potential HAIL activities have been identified would require further investigation to assess the potential contamination risk of residual contamination to the relevant human health guidelines or landfill waste acceptance criteria depending on

[123] Preliminary Site Investigation – Mt Welcome Development, prepared by PDPL, dated 17 November 2025

the soil fate. The PSI also recommended that, given the age of some of the structures on the site, it was likely that an asbestos survey would be required prior to demolition. These buildings may require shallow soil testing to identify potential lead and asbestos within the halo of the building.

[484] The PSI recommended a detailed site investigation be carried out, before the commencement of earthworks within the identified potential HAIL/sources areas to determine the presence of potential contamination and to determine whether the NESCS would be triggered for soil disturbance and/or subdivision.

[485] The PSI stated that a contaminated site management plan (**CSMP**) would be required for the duration of the development works to address the risk of accidental discovery of contamination within the area. It also stated that any soils which were to be removed and disposed of during the development would require testing prior to disposal against the relevant facilities soil disposal acceptance criteria.

[486] The Application was also supported by a draft CSMP[124] for the disturbance, handling and disposal of soil in the lower terrace. The CSMP would be used during construction to manage testing and management of contaminated soils and building materials.

[487] Section 15.10.5 of the Application concluded that the potential adverse effects on human health from contaminated soil would be less than minor if appropriate conditions requiring a detailed site investigation and a CSMP process were in place prior to earthworks, and a site validation report completed immediately after completion of the works.

[124] Draft Contaminated Site Management Plan – Response to RFI, prepared by PDPL, dated 14 November 2025

Section 53 Comments

[488] The s53 Comments from PCC[125] were supported by a Contaminated Land Assessment[126] prepared by SLR Ltd. The assessment considered that the PSI prepared for the application was suitable for use as a supporting specialist technical report for the application. The SLR assessment noted the potential for asbestos identified in the PSI and recommended that the requirement for asbestos surveys of buildings I Lot 1 DP 534864 be included in the CSMP.

[489] The assessment by SLR queried why groundwater was not being specifically targeted given that the PSI stated that groundwater is possibly shallow in this area of the site and contamination from sheep dips has the potential to contaminate groundwater. SLR recommended that a requirement for a Sampling and Analysis Quality Plan covering the detailed site investigation process be submitted for review and certification prior to the detailed site investigation works commencing.

Applicant's Response to s53 Comments

[490] A Technical Memorandum[127] prepared by PDPL on behalf of the applicant set out its views on the s53 Comments prepared by SLR. Section 3 of the memorandum stated that it was in general agreement with the issues raised by SLR and supported the requirement to have a Sampling and Analysis Quality Plan process and this is advanced in draft conditions.

[491] The Technical Memorandum also stated that groundwater contamination was expected to be a risk due to the depth of the groundwater. However, it acknowledged that the matter needed to be kept in view and considered a staged approach, embedded in conditions, would manage the risk

[125] Draft Contaminated Site Management Plan – Response to RFI, prepared by PDPL, dated 14 November 2025
[125] PCC Section 53 Comments, dated 31 July 2026
[126] Section 53 Comments – Contaminated Land Assessment, prepared by SLR for PCC, dated 12 June 2026
[127] Applicant's Response to Section 53 Comments, Technical Memorandum prepared by PDPL dated 6 August 2026

appropriately. It set out suggested amendments to some conditions dealing with these matters.

Findings

[492] The Panel is satisfied that sufficient investigative work and reporting has been provided to allow reasonable assessment of the issue. The PSI has identified potential sources of contamination on the site. The proposed management strategy for dealing with contamination matters that has evolved from the application and subsequent interaction between the applicant and PCC, including revised conditions involves the following:

(a) A proposed Sampling and Analysis Quality Plan preparation to inform the detailed site investigation;

(b) Management of onsite activities relating to contamination through a CSMP;

(c) Carrying out detailed site investigation to confirm if contaminated soils and/or materials are present on site;

(d) If contaminated soils or materials are found to be present, preparation of a remedial action plan that controls what, where and how the contaminated materials are to be dealt with; and

(e) On completion, preparation of a site validation report that records what work was carried out and confirmation that it was completed in accordance with the remedial action plan.

[493] The Panel has amended condition D36B to provide a 40-day period prior to construction commencing for the DSI work so that an appropriate period is available to prepare the CSMP required under condition D36C and the RAP (if required) in accordance with condition D36D. The Panel is satisfied that the proposed strategy and associated conditions of consent will ensure that

contamination matters can be managed to achieve a no more than minor risk to human health.

Landscape and Visual Effects

The Application

[494] The applicant provided an expert Landscape and Visual Effects Assessment with its substantive application[128].

[495] This assessment acknowledged the notable change the Project would have on the site's currently rural character but expressed the view that such changes would not be inconsistent with the intent behind the Structure Plan and the District Plan to change the rural landscape to an extension of the Pukerua Bay residential area.

[496] The assessment found that adverse visual and landscape effects – primarily from earthworks, vegetation clearance, subsequent development, and visual impacts from key public viewpoints will generally be of a Very Low to Low-Moderate magnitude. Based on New Zealand Institute of Landscape Architects Guidelines[129], the assessment found that such effects could be considered no more than minor in RMA terms[130].

Section 53 Comments

[497] In the substantive Comments of PCC, Mr Andrew Gray, a qualified Landscape Architect, provided feedback on the applicant's Landscape and Visual Assessment. Mr Gray agreed with the main findings of the

[128] Landscape and Visual Effects Assessment, 422A and 422B State Highway 59, Pukerua Bay, Porirua, Wellington, Blac Limited, 20 November 2025.
[129] NZILA, Te Tangi a te Manu, Version 01, 2022.
[130] Landscape & Visual Assessment at page 3

assessment and the conclusions. In particular, Mr Gray considered that the proposed development would balance a reasonable level of development with protection of aspects of the natural character of the sites landform given the Medium Density Residential Zone which applies. He also agreed that over time, the retained open space landscapes would transform from grass pasture to a woody vegetation cover, which, in his view, would have higher natural character vegetation values compared to at present.

[498] Mr Gray identified, however, an information gap in the application due to the absence of any assessment of the impact of earthworks required for the formation of the entrance to the development on State Highway 59. He noted that the latter involved the removal and the loss of existing native vegetation and tall cut faces orientated towards the State Highway.

[499] The only other Comments raising landscape issues that we identified were those from Ms Megan D'Oliviera and TRoTR. Ms D'Oliviera suggested that the relationship of the development to existing residences, including effects on privacy, visual impacts, landscape change and the Pukerua Bay character needed to be considered. TRoTR highlighted wider cultural landscape issues that we discuss separately.

Applicant's Response to s53 Comments

[500] In the applicant's response to Comments received on 7 August 2026, it provided an addendum assessment from Blac Limited addressing the gap in assessment Mr Gray had identified. The author accepted that the proposed works at the entrance to the site on State Highway 59, including the proposed roundabout, associated earthworks, cut batters, drainage infrastructure and road formation, would result in changes to the landscape character and visual amenity of the State Highway 59 corridor. The author, however, considered that such changes were appropriate within the context of the existing

transport environment and were not unexpected features within the State Highway corridor.

[501] The author recommended an additional draft consent condition to address the identified effects

Findings

[502] As regards the assessment of the effects of the development on the landscape and visual amenity of the Mt Welcome Block and surrounds, we concur with the applicant's assessment that such effects are likely to be no more than minor.

[503] The Blac Limited assessment confirmed the impression that we had formed during our site visit as that the site is not highly visible from surrounding locations.

[504] We also consider that Blac Limited was right to focus on the effects of earthworks, but we concur with its assessment (and the peer review comment of Mr Gray) that such effects will likely vary from very low – negligible to low-moderate depending on the viewpoint. Such effects qualify in RMA terms as no more than minor.

[505] As regards the Blac Limited assessment of the effects of development once complete, we consider that, if anything, the author gave insufficient weight to the provisions of the PDP, which make all the built elements of the project permitted activities[131].

[131] We note in this regard Mr Dobson's view (at 6.78 of the Blac Limited assessment report) that lighting is proposed to be aligned with the permitted zoning pattern, and planned to minimise spill and glare. Proposed condition D34A provides for a Street Lighting Plan to ensure that lighting accords with relevant roading standards.

[506] Applying a Permitted Baseline approach, consistent with the application of Section 104(2), any adverse effects on landscape and visual amenity values might be disregarded entirely.

[507] We consider that this is an appropriate case for exercising the discretion in Section 104(2) of the RMA, but even if this were not the case, we agree that the effects might be appropriately characterised as no more than minor based on the Blac Limited assessment and Mr Gray's concurrence with that.

[508] We agree with Mr Gray's assessment also that the failure to consider the landscape and visual amenity effects of proposed works within the Section 59 road corridor was a gap in the substantive application assessment. However, that has now been remedied with the Blac Limited addendum report. We concur with the conclusions in that addendum and consider that with the imposition of the recommended condition quoted above, effects might be considered no more than minor.

[509] In terms of the concern expressed by Ms D'Oliviera, we had no evidence that the proposed development could give rise to any loss of privacy to off-site residents (noting for this purpose that the owner of 422 State Highway 59 has provided an affected party approval).

Urban Design

The Application

[510] In this section we address inter-related matters concerned with urban design, the internal roading network and external connectivity with neighbouring future development blocks. We deal with specific issues relating to the proposed staging, form and design of the site's external connection with SH59 under the Traffic topic.

[511] The applicant submitted an expert Masterplan and Landscape Urban Design Strategy (the **MLUDS**) as part of its substantive application[132]. The applicant also provided an expert Integrated Transport Assessment (**ITA**) with its application[133].

[512] Aside from supporting the application, the MLUDS is also intended to inform the preparation of private lot landscape design guidelines. Essentially, it represents a practical expression of the Structure Plan for the Northern Growth Development Area. Of relevance to this topic, and taking account of topographical, ecological and other constraints, the MLUDS seeks to:

(a) provide dispersed parks, open spaces and tracks integrated with the natural landform;

(b) provide internal and external connections for vehicular and active modes to reinforce cohesion and integration where logical and practicable;

(c) apply landscape treatments and built form controls to ensure development is consistent with planned character; and

(d) deliver an integrated neighbourhood centre.

[513] In practice, those topographical, ecological and other constraints mean that a limited amount of connectivity is achievable where the internal roading network is concerned. As their name suggests, proposed Connector Roads (Types A, B and C) provide a level of cross-connectivity, whereas proposed local roads tend to take the form of crescents or terminate as cul-de-sacs. A comprehensive trail network then provides a degree of connectivity for

[132] Mt Welcome Masterplan + Landscape Urban Design Strategy, Blac Ltd, 13 March 2006
[133] Mt Welcome Residential Subdivision, Integrated Transport Assessment, Stantec New Zealand, 18 December 2025

active modes between roadheads and development lobes, in positions where through-road connections are not feasible.

[514] The ITA indicated that the internal roading network is designed to accommodate service and emergency vehicles and future bus services in line with the intent of the Structure Plan. Where non-compliances with District Plan transport provisions arise as a result of topographical constraints, mitigations in the form of additional active mode connections of the type described above and consent conditions to control design outcomes are volunteered. Provision is made for links to future growth areas to the north (Muri Block) and south (Skaiffe Block) with a focus on active mode permeability.

[515] At this point, we observe that there are no consent conditions in the set proffered by the applicant that relate explicitly to urban design or related roading design matters, aside from a requirement to undertake road safety audits at three points in the site's design and development (Condition D34). That is not unexpected though, given that it is via general conditions requiring subdivision and land development to be undertaken in general accordance with scheme plans, roading plans and like that consent holders are held to the documentation supplied at application (such as Conditions G1, D27 and D33).

[516] The ITA concluded that the proposed access and purposefully designed internal movement network, with a focus on sustainable transport modes, supports the district's growth objectives and will deliver a subdivision that appropriately responds to the specific topographical and ecological constraints on the site.

Section 53 Comments and Applicant's Response

[517] Aspects relating to urban design, internal and external connectivity and related matters were the subject of commentary from invited parties. These can be grouped into the following six themes:

(a) the adequacy of **external linkages** with neighbouring future development blocks;

(b) the appropriateness of **internal road types and internal linkages**;

(c) the **distribution of reserves**;

(d) the level of direction with respect to the development of the **neighbourhood centre**;

(e) the level of direction with respect to **design and appearance**; and

(f) the capacity of **services infrastructure** to support medium-density residential development.

[518] For each of the matters above we now:

(a) summarise the perspectives of parties that were invited to Comment, noting that these Comments were received in late July, and that PCC's Comments were accompanied by a planning report[134], urban design review by Mr Matthew Wenden[135], and traffic review by Mr Karthik Aale[136];

[134] Planning Report on behalf of Porirua City Council, 31 July 2026
[135] Dated 9 July 2026. We note that Mr Wenden's memo was wide-ranging in scope, raising as it did a number of matters falling within the purview of other experts, including traffic. As such we are obliged to return it at several points under this topic.
[136] Dated 30 July 2026

(b) summarise the applicant's responses, which were initially provided in early August 2026[137], inclusive of its responses on urban design and traffic matters prepared by Mr Jamie Whittaker (Stantec) and Mr Brad Dobson (Blac Ltd), respectively[138];

(c) where relevant, outline the requests for further information or clarification from the applicant that we set out in Minutes 22 and 27[139]; and

(d) summarise the applicant's replies to those requests which were supplied in October and November 2026, respectively[140].

[519] Our findings in relation to these matters are then set out under a separate sub-heading.

[520] With respect to **external linkages**, it was the view of GWRC that active mode links with the Muri Block and Pukerua Bay (including its rail station) to the north should be future-proofed[141].

[521] While PCC's planning report acknowledged the proposal's positive urban design aspects, it drew on Mr Wenden's recommendations that certain internal roads be designed to enable future connections to the Skaiffe Block, a means to secure the delivery of the eastern-most track connection to the Muri Block be identified, and that an additional active mode connection through to that Block be provided.

[522] Ms Davis and Mr Burchell and the Pukerua Bay Residents Association[142] were concerned about the suitability of Muri Road to act as a post-development collector road given its physical limitations, whereas the

[137] In Comments dated 7 August 2026
[138] Dated 7 August and undated, respectively
[139] Issued on 14 and 29 October, respectively
[140] Dated 21 October 2026 and 3 November 2026, respectively
[141] In Comments dated 28 July 2026
[142] In undated Comments

Plimmerton Residents Association was similarly concerned about Grays Road serving construction traffic during that phase[143].

[523] In response to GWRC's Comments, Mr Whittaker noted that the development plans included the provision of two collector road connections with the Muri Block to the north, including shared path links. In its response to Mr Wenden's Comments and our requests for clarification in Minute 22 and 27, the applicant replied that:

(a) making provision for additional future road connections to the Skaiffe Block is impractical given topographical and ecological constraints and would unreasonably reduce development yield;

(b) the identification in the MLUDS of an indicative location for a trail head associated with the eastern-most track's connection to the Muri Block provides sufficient assurance, subject to its actual provision by PCC; and

(c) the provision of an additional active mode connection to the Muri Block is appropriately provided for via a shared pathway alongside Roads 07 and 05.

[524] We did take the opportunity to test the applicant's assertions on aspects of the constraints referred to in (a) above during conferencing on engineering and other matters on 3 September 2026. There, Mr Kyle Durse, civil engineering adviser for the applicant, indicated that an additional southern link at the upper level terrace (Lucas Block) would necessitate cuts of up to 20 metres in height and in his opinion were not practicable given the inability to undertake mass earthworks over the boundary with the southern property.

[525] With respect to the remaining Comments from invited parties, the applicant has taken the general position with reference to the ITA that it is confident

[143] Both in Comments dated 31 July 2026

that the application appropriately manages transport effects associated with the development.

[526] Turning now to **internal road types and internal linkages**, it was GWRC's broad desire to ensure the site's development does not preclude provision for public bus services and that the proposed central north-south collector road (Road 02) should be reclassified as Type A or B to facilitate the highest level of cycling service provision possible.

[527] Broadly, Messrs Aale and Wenden, for PCC, were concerned with what they perceived were elements of misalignment with the Structure Plan in relation to transport connectivity including for active modes, disconnected cul-de-sacs, lack of provision for dedicated cycle facilities and inadequacies regarding the trial network. More specifically, Mr Wenden recommended:

(a) that – similar to GWRC's request – the road type for Road 02 should be amended to align with Collector Road Types A to C to better reflect the intent of the Structure Plan;

(b) that lot and open space arrangements at the heads of Roads 21 and 25 be designed to preserve the ability to deliver future road connections without reducing open space reserves or requiring land acquisition;

(c) that Roads 12 and 15 be extended to form a connected crescent loop, and Road 04 be connected to Road 01 to improve network connectivity; and

(d) that additional pedestrian or road connections be considered between Roads 02 and 03, and Roads 26 and 28, to improve permeability across large blocks.

[528] In response, as regards the provision for future public bus services, Mr Whittaker noted that the proposal includes a collector road designed to

accommodate buses entering the site from SH59, providing a loop through the Muri Block to the north, and a connection to Skaiffe block to the south. Further, he noted that collector routes have been designed with appropriate carriageway widths and geometry to accommodate bus manoeuvring, and appropriate grades, thus satisfying the intent of the Structure Plan.

[529] Partly in response to the queries we set out in Minute 22, and with respect to the matters summarised in (a) to (d) above:

(a) The applicant indicated it was resistant to changing the status of Road 02 to a Collector Road Type A, B or C, from Type D and E. Its position (relying on traffic as opposed to urban design evidence) was that cyclists would be adequately catered for in the carriageway and adjacent shared path and that the road typology was appropriately designed for anticipated traffic volumes.

(b) The applicant proposed two conditions (D120A and D120B) that would impose consent notices on the title of Lot 5003 so that in a situation where Lots 1318 and 3100 are required to form connections between Roads 21 and 25, the function of those lots in terms of raingarden and parks space is able to be transferred to Lot 5003.

(c) The applicant confirmed that proposed Roads 12 and 15 are shown as connected in the plans via walkways as the result of a previously adopted recommendation from PCC and the initial urban design review. This connection is shown in the roading plans and in the scheme plans as road to vest Lot 2000 and Lot 2002. Mr Dobson (for the applicant) noted that the planned walkway connection between Road 04 and the Lower Terrace would provide some connectivity to the west of the site with the connecting street network[144].

[144] With reference to a response prepared by Mr Brad Dobson, Blac Ltd, itself undated, but attached to the applicant's response to Comments received, dated 7 August 2026

(d) Mr Dobson considered that the general level of proposed pedestrian connectivity was adequate and noted that the additional connections suggested by Mr Wenden between Roads 02 and 03 and Roads 26 and 28, even if they were to be provided, would not necessarily support access to the main destinations (i.e., parks or the neighbourhood centre) but connections between homes instead[145].

[530] Overall, the applicant considered that its proposed plans broadly align with the Structure Plan in terms of road types and roading connections and are otherwise constrained in their ability to do so due to topographical and ecological constraints. In its view, those constraints necessitate an extensive cul-de-sac pattern and make strict adherence to urban grid layout impracticable, while noting that the Structure Plan does not demand such an approach. Similar constraints apply where the active mode network is concerned; albeit that that network serves to pick up where the roading network leaves off in terms of providing a suitable level of internal connectivity.

[531] With respect to Mr Wenden's suggestion that the **distribution of reserves** within the development should be reconsidered, with specific reference to the Lucas Block parks, Mr Dobson responded that in his view the reserves would be appropriately sited within walking distance of surrounding neighbourhoods, would take advantage of prominent locations that provided broader outlooks across the landscape, would create a greater sense of openness and amenity, and would be framed by residential development that provides opportunities for passive surveillance.

[532] In his response, Mr Dobson referred to a 'mechanism' by which an 'equivalent' neighbourhood park would be provided in close proximity in the event that an indicative park location was ultimately required to accommodate transport connections within the Structure Plan. In Minute

[145] In Comments dated 21 October 2026

22, we asked the applicant to explain how this mechanism was intended to work and how it is expressed in the application documentation, including proffered consent conditions. In reply, the applicant referred us to Conditions D120A and D120B which, as explained above, impose a consent notice arrangement requiring an offset in Lot 5003 for raingarden and parks space where road connections are required in Lots 1318 and 3100.

[533] Mr Wenden also suggested that the indicative **neighbourhood centre** design in the MLUDS should be replaced with a higher-level precinct plan approach to provide stronger direction and control over key structural elements.

[534] On behalf of the applicant, Mr Dobson took the position that – beyond the indicative imagery in the MLUDS – the operative provisions of the District Plan provided a suitable basis for controlling the neighbourhood centre's form and functionality. To test that, in Minute 22, we asked the applicant to identify the specific District Plan controls referred to and explain how they would operate and provide a suitable level of control and/or discretion over key structural elements associated with the development of the centre.

[535] The applicant referred us to the provisions within the NCZ - Neighbourhood Centre Zone and suggested that Rules NCZ-R1 through NCZ-R27 provide a suitable framework for the development and use of the centre, consistent with the objectives and policies of that Zone.

[536] Mr Wenden further suggested that all guidelines and controls relating to **design and appearance** of the development referenced in the MLUDS and application package be provided, and their planning status be clearly defined to enable proper assessment. Additionally, he sought that a formal implementation mechanism be established to ensure any future design guidelines and controls are applied and enforceable through the consent framework.

[537] It was clear from the applicant's response that it was resistant to this suggestion. Mr Dobson explained that the on-lot design guidelines prepared to give effect to MLUDS were intended to be voluntary documents that would communicate the intended design vision and encourage a high standard of on-lot built form and landscaping outcomes throughout the development. Providing guidance on matters such as colour palettes, fencing, planting and other elements, these guidelines were not intended to impose additional regulatory requirements beyond those already contained within the District Plan, consent conditions and any applicable consent notices.

[538] In the context of Minute 22, we asked that the applicant provide an explanation of how such on-lot guidelines would be imposed on future lot developers and owners. The applicant replied that as part of its commercial agreements it regularly requires build partners to conform with guidelines to ensure high-quality developments. While the guidelines are noted in the MLUDS for context, the applicant does not consider a consent condition is required to compel this as it considers that the adverse effects associated with District Plan non-compliances are otherwise addressed through the proposal.

[539] Finally, Mr Wenden made a broad suggestion that **services infrastructure** should be designed with sufficient capacity to support future medium-density residential development within a reasonable walkable catchment of the neighbourhood centre. In response to a query from us, the applicant had proposed that lots be restricted to one unit per lot through a proposed consent notice in order to ensure infrastructure capacity is not exceeded (Condition D106 refers), noting that this approach is supported by Tiaki Wai.

Findings

[540] Our findings with respect to the six themes relating to urban design and internal and external connectivity and related matters arising from invited feedback are set out below.

[541] We conclude that the proposal as it stands provides an adequate series of vehicular and active mode **external linkages** with neighbouring future development blocks, to the extent that it practically can. The Structure Plan appears to anticipate up to three roading and three trail connections to the Skaiffe Block to the south, whereas the applicant's proposal provides for three trail connections but only one roading connection. The Structure Plan appears to indulge in somewhat wishful thinking in the latter respect as the connections are identified in isolation without being tied to any indicative internal road layout. Tasked with developing a practical roading layout, the applicant has been obliged to work within some challenging topographical and ecological constraints as well as the absence of available masterplanning for the Skaiffe Block.

[542] We observe that the applicant has located a park at the southern end of the upper terrace. That park will be vested in PCC, which means that if the Council considers it a priority, it could create an additional southern link via that lot.

[543] At the northern boundary with the Muri Block, the applicant proposes two roading connections (per the Structure Plan), has provided a shared pathway connection, and has identified a potential trail head for an eastern-most track connection illustrated on the Structure Plan, subject to PCC's provision of the same.

[544] In our view, the level of designed permeability and inter-block connection is appropriate and represents a reasonable outcome, taking into account the practical constraints faced (and addressed) by the applicant.

[545] With respect to the concerns of other parties over the safe operation of Grays and Muri Roads during the construction and post-development phases respectively, we noted earlier that the applicant has proffered a requirement on its part to undertake road safety audits at three points in the site's design and development (Condition D34). We anticipate that these audits will include within their scope impacts on to broader roading network outside the site, inclusive of Grays and Muri Roads. That provides us with an assurance that any effects of concern are accounted for.

[546] We further conclude, with particular reference to Mr Whittaker's evidence, that **internal road types and internal linkages** are appropriately assigned and identified, respectively.

[547] We find that the proposed road layout will appropriately serve future bus services and we further observe that Conditions D33 and D34A as proffered by the applicant require details of bus stop locations and shelters and temporary turning heads suitable for bus manoeuvring, respectively, to be provided to PCC.

[548] With respect to the matters raised by Mr Wenden:

(a) We note that in the applicant's ITA, three groupings of Collector Road typologies are assigned to components of the internal road network: Types A and B, Type C and Types D and E. An A and B typology is assigned to the northern section of Road 02, while a D and E typology is assigned to the southern section. The applicant's traffic adviser acknowledged that this deviates from the relevant District Plan rule, but we take assurance from his confirmation that the width of the latter section is nevertheless designed to accommodate a future bus route and cycle users, in accordance with the principles set out in NZS4404:2010 Land Development and Subdivision Infrastructure.

(b) In our view, the wording of Conditions D120A and D120B, as proffered by the applicant, provide a suitably worded means of ensuring that the park and raingarden functions of certain lots required for active mode connections are appropriately transferred.

(c) We conclude that the proposed active mode network is well designed, including its role in effectively standing instead of roading connections where these are not feasible due to topographical and ecological constraints.

[549] With respect to the proposal's general level of internal connectivity, we make the more general observation that it provides for a pragmatic expression of the intent of the Structure Plan. In our view, where the proposal, inclusive of the MLUDS, diverts from the indicative detail of the Structure Plan, this is by and large a reflection of the practical constraints referred to above, and the level of non-alignment with the Structure Plan in these instances is not material.

[550] With respect to the **distribution of** the Lucas Block **reserves**, we have no evidence to counter Mr Dobson's position that the reserves are appropriately sited within the proposed development. We observe that the degree to which the neighbourhood reserves are dispersed across the development site resembles the indicative distribution shown on the Structure Plan. We concur with Mr Dobson that the proposed reserves are suitably positioned within their residential catchments.

[551] With respect to an appropriate level of direction where the development of the **neighbourhood centre** is concerned, the applicant's reply that the applicable District Plan provisions are sufficient only takes us so far. To inform a finding on this matter, we have undertaken our own assessment of those provisions.

[552] New buildings and structures are permitted under Rule NCZ-R1 subject to compliance with standards relating to height, height in relation to boundary, setback, active frontages and screening and landscaping requirements[146]. Where a proposed building is non-compliant with those standards, it defaults to a consent requirement as a restricted discretionary activity. Matters of discretion are then brought to bear that include consideration of 'location, design and appearance', visual dominance', 'screening, planting and landscaping', 'positive interfaces' and 'effects on the streetscape', for example.

[553] Another means of control is the activity Rule NCZ-R3, which makes retail activities and supermarket proposal with a gross floor area above 200 m^2 a restricted discretionary activity, with matters of discretion directing the reader to Policy NCZ-P4, which includes reference to the "activity [being] consistent with the planned urban environment … [of the Zone]."

[554] To our minds, this confirms the applicant's position that the District Plan affords a reasonable level of control over the layout, design and appearance of the neighbourhood centre during the consenting phase.

[555] With respect to the **design and appearance** of the broader development, we agree with the applicant that it is not uncommon or unreasonable for on-lot design guidelines to be imposed on build partners by land developers and that these do not (indeed should not) need to be enforced by way of consent conditions. We further agree **that t**he District Plan provisions provide a reasonable backstop in the events that non-compliances with those provisions arise.

[556] Finally, to the extent that Mr Wenden's Comments on the capacity of **services infrastructure** are relevant to urban design, we retain confidence that service capacity issues will not arise given the effective constraints on

[146] NCZ-S1, NCZ-S2, NCZ-S3, NCZ-S4 and NCZ-S7, respectively.

development density imposed by Conditions D106 and D107 in the first instance. Conditions D106 and D107 as proffered would have the effect of imposing consent notices on all residential lots created out of superlots 5001, 5002 and 5004 to constrain development density. We consider they are suitably clear about the need to demonstrate additional three waters infrastructure capacity as a basis for uplifting those restrictions. We note also Taiki Wai's support for this approach. Matters relating to **Potable water supply**, **Stormwater management** and **Wastewater management** are dealt with under respective topic headings in this decision.

[557] Before we leave this topic, we note that Mr Smeaton, planning adviser for PCC, was concerned that the conditions referred to above restricting development to one dwelling per lot were contrary to the Medium Density Residential Standards (**MDRS**) incorporated into the District Plan, that enable three residential units per lot. The Council saw these conditions as overriding the MDRS as incorporated into the PDP and representing an effective, and inappropriate, form of down-zoning[147].

[558] On this, the applicant observed in its response dated 7 August 2026 that the MDRS enables up to three units per site, but does not mandate three units per site, and that the Medium Density Residential Chapter does not set a minimum number of residential units per site; in fact, it sets a maximum of three units per site[148]. We concur with that interpretation, in identifying no source of conflict with the MRDS (and PDP) with respect to the conditions proffered.

[559] Overall, we are able to conclude that the proposal as it now stands encapsulates an appropriate response to urban design and internal and external connectivity and related matters and, in that respect, does not deviate from the intent of the Structure Plan in any material way, taking into

[147] Planning Report on behalf of Porirua City Council, 31 July 2026, Section 6.4.2
[148] MRZ-S1 refers.

account the very real topographical and ecological constraints associated with the development of this site for its intended purpose.

Noise and Vibration

The Application

[560] The substantive application was premised on construction noise complying with District Plan standards.[149]

[561] Nevertheless, the applicant proposed a condition of consent to require a Construction, Noise and Vibration Management Plan (**CNVMP**) which would, among other things, identify best practicable options for managing construction noise and vibration to avoid, remedy or mitigate adverse effects, define the procedures to be followed if District Plan standards cannot be achieved, ensure that property damage caused by vibration is identified and repaired and require engagement with affected receivers and timely management of complaints. The conditions require the CNVMP to be prepared by a suitably qualified expert and submitted to PCC for certification prior to construction commencing.

[562] As part of the additional material the applicant provided in response to the directions of the Panel Convenor, construction noise and vibration was the subject of detailed expert assessment[150].

[563] It appears that this assessment was prepared in recognition of the implication, as above, that District Plan standards might not, in fact be met.

[149] Section 15.14.1.
[150] Mt Welcome development, Construction Noise and Vibration Assessment, Marshall Day Acoustics, 29 May 2026.

[564] Marshall Day's assessment was that guideline noise limits would be complied with at all times at all nearby occupied dwellings during normal working working hours.[151]

[565] It identified the source of the worst-case noise exposure and identified that alternative modes of operation were available to mitigate noise.

[566] Vibration levels were assessed as not giving rise to any risk of cosmetic building damage for most receivers, but there was one building (not a dwelling) where amenity and cosmetic damage thresholds could be exceeded in particular worst-case assumptions. The assessment noted that the relevant risk was expected to be avoidable through equipment selection and work method controls.

[567] Overall, the assessment recorded that construction, noise and vibration effects were expected to be manageable with best practical measures including preparation of a targeted CNVMP before works began[152].

Section 53 Comments

[568] The Planning Report forming part of PCC's substantive Comment recorded that the Council had obtained external technical advice on Marshall Day's assessment that was largely in agreement with it and identified only relatively minor potential issues. PCC recommended, based on its technical advice that conditions should clearly state the relevant site-specific noise and vibration level limits and proposed conditions should be updated to properly reflect Marshall Day's assessment in relation to noise and vibration monitoring during the first use of high noise and/or vibration generating activities at each stage of construction.

[151] Ibid at page 3
[152] Ibid

[569] The only other Comment raising noise issues that we identified was that of Ms D'Oliviera who sought controls over noise and vibration management during construction.

Findings

[570] Noise and vibration effects have been the subject of expert assessment and there is a high degree of agreement from PCC based on the peer review it obtained. We have no contradicting evidence before us.

[571] We find that potential noise and construction issues have been appropriately assessed by the applicant and that with the condition amendments recommended by PCC[153], proposed conditions (including the CNVMP) will achieve an appropriate level of noise and vibration management during construction activities.

[572] This outcome also responds to Ms D'Oliviera's Comment.

Traffic

The Application

[573] In this section we address issues arising from the proposed staging, form and design of the site's external connection with SH59. Matters concerned with the internal roading network and external connectivity with neighbouring future development blocks are somewhat associated with urban design considerations and are dealt with under that topic heading.

[153] PCC Comments, Planning Report on behalf of Porirua City Council, Rory Seaton, 31 July 2026, section 6.14.2

[574] The applicant provided an expert ITA with its substantive application[154].

[575] The ITA proposed a staged access strategy where SH59 is concerned, with connection initially provided by way of an upgraded T-intersection and subsequently upgraded to a roundabout to support the fuller development of the site.

[576] In the resource consent condition set volunteered by the applicant:

(a) Condition D79 requires the applicant to complete the interim SH59 intersection prior to the s224(c) certification of the first stage of the development and provide evidence to PCC that it has done so in accordance with approved engineering design plans, certification as such by a CPEng, and confirmation that NZTA has accepted the intersection.

(b) Condition D80 requires that prior to the s224(c) certification for any allotment that would result in more than 110 residential allotments on the site, the applicant must complete the final intersection (roundabout) arrangement on a similar evidentiary basis.

[577] In relation to these proffered conditions, the ITA concluded that:

(a) the interim T-intersection arrangement would safely accommodate early development phase residential traffic; and

(b) the future roundabout proposal aligns with an NZTA Safe System approach and NZTA's direction on an acceptable design solution, given the inability to reduce the current SH59 speed limit due to its rural form and function.

[154] Mt Welcome Residential Subdivision, Integrated Transport Assessment, Stantec New Zealand, 18 December 2025

[578] In reaching these conclusions, the ITA also relied on the results of traffic modelling that demonstrated that SH59 and the new site access would operate at acceptable levels of service under all scenarios with no significant congestion or capacity issues arising, inclusive of additional growth arising from nearby consented developments.

[579] Overall, the ITA concluded that the Mt Welcome development can be delivered in a manner that safely and efficiently accommodates transport demands, with manageable effects on the surrounding network.

Section 53 Comments and the Applicant's Response

[580] The applicant's proposed approach to staging the upgrading of SH59 access to and from the site was the subject of attention by some of the parties from whom Comments were invited by the Panel. Both the Pukerua Bay and Plimmerton Residents Associations[155] expressed some concern about the intersection on safety grounds, particularly during the construction phase.

[581] In its Comments dated 30 July 2026, NZTA indicated its support in principle for the staged approach proposed by the applicant. However, it sought that the interim intersection be constructed prior to any enabling or construction works, and queried how the 110-lot threshold for the subsequent upgrading of the intersection had been determined.

[582] As part of the applicant's response dated 7 August 2026, its traffic adviser (Mr Whittaker, Stantec) disagreed with NZTA's request that the interim solution be put in place prior to works commencing on the basis that the 'modest' construction traffic volumes involved could be safely accommodated within the existing access configuration, with reference to temporary traffic management measures of the type contained within the required Construction Traffic Management Plan (Condition D22 refers). Mr

[155] In undated Comments and Comments dated 31 July 2026, respectively

Whittaker also provided further analysis to explain why the applicant's position that a 110-lot threshold for the permanent upgrade was in accordance with NZTA's Planning Policy Manual guidance and remained appropriate.

[583] Aside from matters relating to the operation and timing of upgrades to the intersection, the proposal also attracted Comments from invited parties concerned about the implications of providing upgraded access to the site, with respect to:

(a) The footprint of a roundabout solution requiring the reclamation and culverting of part of the Taupō stream, the effect of this on freshwater, cultural and biodiversity values and a consequential preference for a less 'land hungry' signalised intersection (as expressed by DoC, GWRC and TRoTR); and

(b) A need to provide safe pedestrian / cyclist access for the existing Ara Harakeke Pathway which traverses SH59, via a reduced speed limit and, again, an at-grade signalised intersection (as expressed by GWRC and PCC).

[584] In relation to the first matter above, and following our site visit on 24 June 2026, we issued Minute 4[156], wherein we observed the potential impact of culverting on fish passage and localised flooding. We requested that the applicant respond to a potential design alternative involving the realignment of the stream to the north and west.

[585] The applicant responded to that request on 17 July 2026, indicating that while it had considered the option of stream alignment, culverting remained its preference. This preference was based on advice from ecological and landscape experts, who were of the opinion that realignment would have

[156] Dated 6 July 2026

'knock on' effects requiring the removal of broadleaf forest within SNA027 and the creation of non-natural cut faces, respectively.

[586] In its response, the applicant also took the opportunity to illustrate how it had canvassed other options including alternative locations and alternative designs for the intersection (including signalisation) that might avoid reclamation, but that these options ultimately failed due to topographical / engineering and traffic safety grounds, respectively.

[587] The applicant indicated that canvassing of options had included TRoTR hosting a workshop on 17 December 2025 where the various positions of the parties were discussed. It was at that workshop that NZTA had explained how the design of the intersection was necessarily dictated by the rural form and function of SH59.

[588] In its Comments on the proposal, dated 30 July 2026, NZTA acknowledged the applicant's preference for a signalised intersection and indicated its willingness to work with it on design refinements. However, the rural form and function associated with SH59 had led NZTA to its position, as road controlling authority, that a dual lane roundabout was the only viable option where the eventual upgrade of the intersection is concerned.

[589] In response to GWRC's and PCC's position that the design of the SH59 / site intersection should accommodate a cross-connection to the Ara Harakeke Pathway, the applicant noted that NZTA's stated preference for a roundabout solution would practically frustrate this outcome although, outside the immediate window for the site's development, an alternative connection remains potentially feasible should the highway environment change in the future.

[590] Mr Whittaker, on the applicant's behalf, further noted that NZTA was working on a future transport strategy that might see the SH59 speed limit dropped as part of the transition of the broader area from a rural to an

urbanised environment, and that this could lend itself to alternative access arrangements in time. However, the applicant's traffic adviser considered that the outcomes of this initiative were too uncertain to be relied upon for the purposes of the site's more immediate development window.

[591] In Minute 22, issued on 14 October 2026, we indicated that we understood NZTA's position and stated requirement for a roundabout in preference to a signalised intersection and how this practically compromised the ability to provide a surface level connection for the Ara Harakeke shared path. Nevertheless, we asked the applicant to comment on whether it thought there might be some facility, via identification in the roading plans or otherwise, to provide for a future safe crossing facility (e.g., via an elevated walkway), or least not preclude its future provision, even if the timing, funding and responsibility for its provision remains to be determined.

[592] In its response[157] to the Panel's request, the applicant asserted that it was providing an active mode connection consistent with the Structure Plan to the boundary of its site with SH59, and while it did not propose to design or construct a crossing, it had demonstrated that a future connection across SH59 was not precluded.

[593] At that point, the applicant also reminded us that Mr Whittaker had also previously outlined a concept for a future at-grade crossing to the north of the site which could connect with the Ara Harakeke Pathway. In the applicant's view, this would be the most likely future crossing point rather than some form of elevated crossing which would be likely be overly expensive for NZTA/PCC to provide given space, ecological and engineering constraints associated with the corridor, bearing in mind that the concept would also rely on changes to the nature of the corridor including a reduced speed limit.

[157] Dated 21 October 2026, with reference to earlier responses dated 7 August and 7 September 2026

Findings

[594] As regards the applicant's proposed approach to staging the upgrade of the intersection and its tie into thresholds for first stage subdivision certification (for the interim arrangement) and certification beyond the 110th lot (for the permanent arrangement) we have no expert evidence before us to suggest that will lead to any adverse effects on traffic safety or efficiency that ought to be of concern to us. We note and endorse the conditions volunteered by the applicant that require the preparation and certification of a Construction Traffic Management Plan prior to works commencing and that, for both the interim and permanent intersection arrangements, make certification by PCC of those arrangements in part conditional on NZTA's acceptance of the final designs.

[595] We conclude, further, that no practical alternatives to a roundabout configuration currently exist once the trigger point of 110 lots is reached, given NZTA's requirement as the SH59 road controlling authority, and the continued rural form and function of the State Highway, which in turn determines the speed environment and posted limit during the window within which the site will be developed.

[596] Our conclusion that alternatives to a roundabout arrangement at the proposed location have been appropriately canvassed and exhausted provides a reference point for our consideration of the cultural and ecological effects of the proposal in the sections of Part E of this decision dealing with those issues.

[597] Having said that, the roundabout represents a 'permanent' solution only as long as SH59 retains a rural form and function. As the overall yield from the broader Northern Growth Development Area is realised, and NZTA finalises a future transport strategy for the area, potential reductions in speed limits associated with a transition to an urbanised form should mean that an

at-grade connection option for the Ara Harakeke Pathway is able to be implemented by the relevant authorities. Certainly, there is nothing in the applicant's plans that would preclude this from occurring, which is all we consider we can reasonably require from it at this time.

[598] Overall, we find that the applicant, within the ambit of its ability to address potentially adverse traffic effects arising from the provision of access to and from SH59, has suitably demonstrated that those effects will be no more than minor.

Herpetofauna Effects

The Application

[599] Herpetofauna are reptiles and amphibians. In this context, the relevant aspect of herpetology is the study of lizards and their habitat. While this is an aspect of terrestrial ecology, the applicant sought an approval under the Wildlife Act 1953 in respect of the relocation of native lizards and the killing or injury of lizards not caught or relocated from the site.

[600] There is an overlap between the RMA and the separate jurisdiction of the Wildlife Act. The Expert Panel has to consider potential effects on native lizards and their habitat resulting from the proposed development under the FTAA provisions governing both jurisdictions. For convenience, we maintain the separation of such effects from our consideration of effects on other aspects of terrestrial ecology. This section of our report is written with the intention that our findings set out below contribute to the decisions we need to make in relation to the applications for resource consents before us. However, we will refer to it in our separate discussion of the wildlife approval sought.

[601] The applications were supported by an expert report authored by Mr Tony Payne of Blueprint Ecology Limited dated 18 November 2025. It formed Appendix 17 to the substantive applications before us and addressed relevant issues in relation to the wildlife approval sought. It was supported by a draft Lizard Management Plan (**LMP**) also dated 18 November 2025.

[602] In his report, Mr Payne advised that a survey to determine habitat quality and the likelihood of the presence or absence of all potential lizard species had confirmed 20 separate areas of habitat totalling 0.83 hectares. 19 of those areas (totalling 0.65 hectares) consisted of small, fragmented, low value habitat predominantly for Not-Threatened northern grass skink, and to a lesser extent At Risk copper skink. There was also one area of seral (young) native broadleaf forest identified totalling 0.18 hectares adjacent to State Highway 59. Mr Payne doubted that lizards were actually present in the latter area but noted that a precautionary approach had been adopted and management for arboreal geckos was provided for in the LMP.

[603] Mr Payne's report contained the Figure below which identifies areas of potential lizard habitat and five suggested locations for release of northern grass skinks on the site. He proposed that any arboreal lizards found be released to Karehana Scenic Bay Reserve on the northern margins of Plimmerton.



Figure 6: Potential lizard habitat (shown in red), northern grass skink release sites (shown in yellow), native forest planting (shown in green), earthworks footprint (shown in white)[158]

[604] Mr Payne described the LMP as seeking to result in an improvement to lizard values by protecting and enhancing a 0.67 hectare area for northern grass skink and another 0.18 hectares of native forest planting.

[605] He noted that the LMP included provision for deploying artificial cover objects (**ACO**s) and pitfall traps within the best habitats for territorial lizards and checking these a minimum of three times, undertaking spotlight searching and supervised tree felling for arboreal geckoes, releasing northern grass skink on site with enhanced and protected habitat, releasing forest-dwelling lizards into suitable habitat at Karehana Scenic Bay Reserve and providing funding of $2,000 to Pest Free Plimmerton, enhancing 0.67 hectares of grazed pasture and retiring and protecting the area in perpetuity, creating log stacks and undertaking native planting to provide habitat for

[158] Source: Lizard Management Plan, Blueprint Ecology dated 18 November 2025, figure 2

territorial lizards, undertaking predator control, and undertaking 0.18 hectares of native planting adjacent to existing forest to provide habitat for arboreal lizards in the long term.

[606] Mr Payne considered that this management approach would ensure that the vast majority of lizards are relocated and the Project will have a net gain in lizard habitat quality. He characterised any residual effect associated with habitat loss or lizard injury/death during construction of development as negligible.

[607] Mr Payne described the likelihood of any native lizard species classified as At Risk being present as low "but not entirely implausible".

[608] Mr Payne provided details as to how relocation would be undertaken so as to minimise stress on lizards.

[609] The At Risk species most likely to be present (but still categorised as a low likelihood) was copper skink whose habitat was identified as seral broad-leaved forest, the edges of scrub and rank grassland/wetland. Table 1 in Mr Payne's report suggested that five copper skink were likely present on the site and one individual was likely to be impacted.

[610] As part of the package of materials the Applicant supplied pursuant to the directions of the Panel Convenor before the applications were handed over to the Expert Panel, Mr Payne supplied a Memorandum dated 5 May 2026 detailing the results of the lizard survey he had undertaken.

[611] Mr Payne's Memorandum identified where ACOs had been deployed: some 110 ACOs in areas of potential habitat where lizard encounters were considered most likely. The lizard survey was undertaken over a three-day period in early April 2026 and recorded a total of 14 northern grass skinks and three copper skinks. One copper skink had been recaptured on a subsequent day.

[612] Mr Payne advised that the results indicated that lizards were present in ornamental gardens around the existing driveway and an existing dwelling, and on rough pastoral wetland within the farm where it is not subject to regular or intensive grazing.

[613] The areas Mr Payne identified as lizard habitat are shown in Figure 7 below.



Figure 7: Lizard habitat (shown as green) and project footprint (shown as white)[159]

[614] He concluded that northern grass and copper skink are present within those habitats and potentially the area also shown on the western side of SH59. He described the populations recorded as existing in small discrete areas in relatively low abundance and not regionally or locally significant. However, he confirmed also that the number of lizards and the lizard sign he had found indicates that there are permanent and self-sustaining populations at the site.

[615] Following issue of this survey information, Mr Payne provided a revised assessment of effects on lizards dated 8 July 2026. This identified the lizard

[159] Source: Pukerua Bay Lizard survey results, Blueprint Ecology Ltd, dated 5 May 2026, figure 3

habitat as per Figure 7 above and summarised the April 2026 survey data together with other surveys that Mr Payne had undertaken. This involved an estimated six hours of manual searching outside of the formal based ACO-based survey, with no lizards or lizard sign detected on any occasion. In his view, this reflected the low density of lizard populations and did not indicate additional habitat within the site beyond that already assessed in the LMP.

[616] He noted that separately, targeted surveys were currently underway on the adjacent property subject to QEII National Trust covenants (and we note, District Plan identification as a significant natural area (SNA029)).

[617] Mr Payne advised that the total area of lizard habitat within the development's footprint confirmed by the April 2026 survey is 3,484m^2. This reflected a reduction of approximately 0.5 hectares from the habitat identified as affected in the LMP, but there had been no change in the extent of lizard habitat protection enhancement measures proposed. In particular, the project is proposing protecting and enhancing 6,700m^2 of grassland across five areas for northern grass skink and copper skink and undertaking 1,880m^2 of native forest planting around the adjacent QEII forest (i.e. SNA029).

[618] In Mr Payne's view these measures would almost double the amount of habitat for skinks on site and protect those areas in perpetuity.

[619] The assessment specifically considered the potential for cat predation on forest dwelling lizards, including the confirmed copper skink population and any cryptic arboreal geckos within the adjacent QEII Kohekohe-Tawa Forest.

[620] It was noted that consent requirements were proposed that all domestic cats be desexed and microchipped, reducing the risk of stray or feral population establishment and enabling identification of straying animals, with a pest

animal control plan implemented within the QEII-protected land and a surrounding buffer targeting all feral and domestic animals straying into it and implemented for a minimum of ten years.

[621] The assessment noted that based on criteria for describing the level of effects set out in the Environmental Institute of Australia and New Zealand Inc (**EIANZ**) Guidelines, it classified the ecological value of copper skink as 'High' based on its At-Risk- Declining and Regionally Vulnerable status at national and regional levels respectively, low magnitude of effect based on the small discrete population which would be salvaged and relocated under the LMP, a moderate level of effect and a low level of effect after mitigation. By contrast, the northern grass skink was identified as having a low ecological value, a low magnitude of effect and a low level of effect and a very low-level effect after mitigation - if not positive over the long term.

[622] The assessment also considered the QEII Kohekohe-Tawa Forest adjacent by reason of the potential presence of forest dwelling/arboreal lizards. It classified the ecological value of the area as high due to its potential habitat for At Risk species that cannot be entirely excluded, a low-moderate magnitude of effect based on the additional loss of some lizards beyond existing predator pressure, a moderate high level of effect and a low level of effect after mitigation by reason of buffer planting and the proposed long-term control of cats on the site.

Section 53 Comments

[623] As part of their Comments on the applications, both PCC and DoC provided expert commentary on lizard issues.

[624] Dr Nyree Fea provided commentary on lizard issues for PCC as part of her broader consideration of terrestrial ecology. We drew the following relevant points from her feedback:

(a) The April 2026 survey, the results of which are summarised above, had overtaken the draft LMP which stated that no threatened lizard species were present at the site. She noted that copper skink is classified as nationally 'At Risk – Declining' and 'Regionally Vulnerable' on the Wellington mainland.

(b) Dr Fea considered that additional contingency options should be described in the LMP, including unexpectedly large numbers of lizards, unexpected species discovery and unexpected release site failures.

(c) Dr Fea queried the failure to search broad leaved species forest for safety reasons. Given the lack of surveying, it was not possible to conclude, in her view, that there is a very low likelihood of other lizard species being present on site. She also suggested that a minimum of three nights spotlighting surveying should be undertaken prior to salvage.

(d) She likewise considered that the period for lizard cover checks prior to construction suggested (three days) was insufficient. She recommended two weeks minimum.

(e) Dr Fea considered more work was required on assessing the appropriateness of receiving sites. She considered Mr Payne's expert judgement was insufficient.

(f) Proposed predator treatment at release sites was insufficient both as to duration and extent.

(g) Lizard-proof fencing was required at release sites to prevent lizards returning to salvage areas.

[625] Mr Chris Wedding supplied expert commentary on behalf of DoC. Mr Wedding identified four principal matters that he disputed:

(a) the spatial extent of terrestrial lizard habitat within the development footprint;

(b) the ecological value assigned to copper skink and to the habitat supporting that species;

(c) the magnitude and overall level of effect arising from the loss of occupied habitat and the potential loss of local populations;

(d) whether the proposed management was likely to achieve an equivalent or improved outcome for affected lizards, in particular copper skinks.

[626] More specifically, Mr Wedding disagreed with the suggestion in the revised effects assessment that only 3,484m^2 of lizard habitat would be affected and that the resulting magnitude of effect on copper skink is low.

[627] He described the figure of 3,484m^2 as referring to the areas where lizards had been detected rather than the full extent of habitat available to them potentially occupied by affected populations.

[628] He also disagreed with the valuation of copper skink as 'High'. In his view, as a regionally threatened species, copper skink should be assigned 'Very High' ecological value and that a proposal removing most of the habitat associated with the only known occurrence of the population within the site should be classified as having a 'Very High' magnitude of effect, rather than Low.

[629] In his critique of the survey information Mr Payne had provided, Mr Wedding recorded his view that while the survey provides reliable evidence that northern grass skink and copper skink occur within areas affected by the proposal, it does not provide confidence regarding population size or density, absence from adjoining or unsampled habitat, or the boundaries of the occupied population.

[630] Mr Wedding noted that the identified areas of lizard habitat largely corresponded to narrow edge locations and did not map the wider connected

vegetation. He considered that confirmed detections had been conflated with spatial extent of habitat.

[631] As regards the attribution of ecological value, Mr Wedding noted that Mr Payne's assessment had relied on the national status of copper skink (At Risk – Declining) but evaluated effects within an ecological district context. He referenced EIANZ Guidelines as recommending that ecological value and magnitude should generally be assessed at the same spatial scales. In his view, a scale-consistent application of the framework should therefore recognise the regional threatened classification and on this basis upgrade the assessed copper skink ecological value to 'Very High'.

[632] This could be compared with northern grass skink which might reasonably be assigned low species value.

[633] Mr Wedding critiqued the assessed value of specific habitats, identifying three areas where, in his opinion, a low habitat value for the areas and the adjoining vegetation had not been demonstrated. He considered that its value to lizards is likely to be at least moderate and potentially high.

[634] Mr Wedding's view was that putting aside mitigation in the form of salvage and relocation, the development would result in the permanent removal of almost all the connected vegetation associated with the only known copper skink population within the development site and therefore may remove a very high proportion of the habitat available to this population, resulting in turn in its complete loss from the site unless relocation succeeds. He categorised this as a very high ecological effect and certainly well above a more than minor threshold.

[635] Mr Wedding also critiqued the application of the effects management hierarchy, noting that the conclusion that avoidance was not practicable was reached before the presence of copper skink was confirmed.

[636] Mr Wedding noted the risk of cats roaming from adjacent subdivision sites into lizard habitat and killing lizards. In his view, the measures proposed would not address that risk. The likely increase of rats associated with residential zones had likewise not been assessed.

[637] Mr Wedding critiqued the Draft LMP, noting that it was prepared before copper skink presence had been confirmed and remains based on a substantially smaller habitat footprint, low expected capture numbers and an assumption that no threatened species would be affected.

[638] These conclusions fed into Mr Wedding's assessment based on the nine principles of the lizard salvage and transfer that DoC has published, demonstrating, in his view, the relevant principles had mostly been only partly met or not met at all.

[639] Mr Wedding also critiqued the absence of information about the adequacy and appropriateness of proposed relocation sites.

[640] DoC's Comments included a copy of the report it had provided under Section 51 of the FTAA on the Wildlife Act approval. That report relied on Mr Wedding's analysis which we have summarised above.

[641] DoC's view was that the principal ecological conclusions Mr Payne had presented remain unsupported with the affected terrestrial habitat likely to be more than three hectares rather than 3,484m^2.

[642] DoC was of the opinion that with the proposed lizard management, the Project will result in a residual significant effect on lizards, which the National Policy Statement for Indigenous Biodiversity (**NPSIB**) requires be offset. DoC noted that it was not aware of any offset having been proffered.

[643] We also note Comments from the Wellington Conservation Board to the effect that native lizards are one of the more significant unresolved ecological

issues. The Board considered that there had been insufficient survey effort and that lizard surveys, methodology, and the LMP remained incomplete.

[644] The Board also sought the strongest possible protection for Significant Natural Areas (**SNA**s) with double the offset planting around all of the SNAs, predator proof fencing around SNA029, and cat ownership restrictions across the whole subdivision. The Comments of Te Awarua o Porirua Harbour and Catchments Community Trust, Guardians of Pāuatahanui Inlet, and Friends of Taupō Swamp had a similar focus on SNA029 and similar requests for predator proof fencing and limits on cat ownership.

Applicant's Response to s53 Comments

[645] The applicant's response to Comments included a lengthy response from Mr Payne to the Comments that had been received on lizard issues.

[646] As regards the regional threat classification for copper skink, Mr Payne noted that it had been assessed as 'Regionally Threatened, Critical' (the highest possible threat classification) in 2020, and then revised down to 'Regionally Vulnerable' in 2023. His interpretation was that both the 2020 classification and its revision were the result of a single study in 2007 and, in his view, this was neither a stable nor reliable foundation for a very high effects classification in this context.

[647] He advised that in fact copper skink is widely distributed across the Wellington region, noting that he had been personally involved in a lizard salvage exercise on the Miramar Peninsula which recorded a high density of copper skink.

[648] He compared the information DoC had supplied as part of its Section 51 report showing copper skink as 'Least Concern, Stable' per the IUCN red list.

[649] Mr Payne similarly disagreed with Dr Fea's view that the LMP should be updated to treat copper skink as a threatened species.

[650] In summary, he disagreed with suggestions that a 'Very High' classification was warranted.

[651] He also disagreed with Mr Wedding's view that the pre-mitigation magnitude of effect on copper skink was greater than 'Low'. Mr Payne noted his assessment that the actual area of habitat directly affected by the development footprint totals 3,484m^2, comprising the confirmed copper skink habitat at Area 8 and the immediately adjoining pine forest edge within the works footprint. In his view, the great majority of the wider area Mr Wedding included in his three-hectare figure did not constitute lizard habitat and should not be included in any figure purporting to represent the extent of habitat affected. In particular, his view was that very steep, south facing slopes, a gravel road and the interior of a pine plantation do not provide a suitable habitat.

[652] Mr Payne also contradicted Mr Wedding's proposition that the project would remove almost all habitat associated with the only known copper skink population. In his view, the copper skink population he had identified in Area 8 was almost certainly derived from the adjacent QEII covenant forest (i.e. SNA029). The margin of that forest is being avoided by the project and is proposed to be enhanced not removed.

[653] He observed that copper skink has characteristics well suited to successful establishment following relocation, provided adequate extent and quality of habitat is available at the site. In his view, it was.

[654] Mr Payne considered that he had correctly applied EIANZ Guidelines regarding the scale of analysis, having assessed copper skinks' ecological value at the regional scale throughout, and independently confirmed at the national scale. It followed that the magnitude at that same regional and

national scale value is the appropriate scale at which to assess the magnitude of effect.

[655] By contrast, he considered that it was Mr Wedding who had used different scales, having stated that magnitude should not be assessed at an individual site level, and invoking the wider ecological district is the appropriate context, while assessing the magnitude of effect at the narrowest possible scale available, being the single small local population.

[656] Mr Payne also contradicted suggestions that his survey efforts had been inadequate and Mr Wedding's suggestion that the confirmed copper skink population at Area 8 provides a reasonable basis to treat the surrounding contiguous vegetation as potential habitat. He did not accept that contiguous vegetation should be treated as habitat of equivalent value simply because of its physical connection, observing that lizards occupy their preferred habitat and do not colonise adjacent areas of structurally inferior, sub-optimal habitat while suitable habitat remains available nearby. His opinion was that this was supported by his actual findings of copper skink only within the dense sunny grass fragment at Area 8 (and northern grass skink only within the dense sunny grass fragments of nearby locations at Areas 9 and 10).

[657] In his view, Area 8 (the location where copper skinks were found) is an isolated fragment of the grass of approximately 100m^2 and given its small size and the fact that it is hemmed in by a road, grazing pasture and a steep shaded pine margin, Mr Payne considered it provides a low habitat value which is not of a size to support a large population and is not an important habitat in the context of a species as a whole. Mr Payne also considered that it would neither be reasonable nor practicable to preserve a 100m^2 patch of grassland at the marginal road within an area zoned for residential development.