

TOLLEMACHE CONSULTANTS LTD.

To: Knight Investments Limited

From: Tollemache Consultants Ltd

Date: 12 November 2025

Subject: Planning Memorandum in relation to a referral application for a fast track by Knight Investments Limited.

1.0 INTRODUCTION

1.1 This report has been prepared in relation to a fast-track referral application by Knight Investments Limited for the proposed *Orawaahi - A Complete Community Project* ('the Project').

1.2 The Project Area is legally described as Lot 3 DP 337204 and Lot 1 DP 337204, known as 156 Clarks Beach Road and the adjacent lot which has no street address.

1.3 In addition, works are proposed on:

(a) 115 Clarks Beach Road (Lot 1020 DP 578599, Lot 1012 DP 573987, Lot 1018 DP 573987, Lot 1001 DP 560664, Lot 1003 DP 560664, Lot 801 DP 526153, Lot 200 DP 567326, 9/14 SH Lot 300 DP 526153, 4/23 SH Lot 100 DP 560664), for works associated with required infrastructure/roading upgrades.

(b) Lot 4 DP 116708 held as Local Purpose Reserve (Esplanade), located at the southern edge of the site, adjacent to the Coastal Marine Area ("CMA").

(c) A portion of land which is vested as legal road, as per GeoMaps (but unformed), which is located between the subject site and the CMA.

(d) Clarks Beach Road.

1.4 The Project may include:

(a) Water supply, infrastructure works and ecological offsetting on Lot 11 DP 492623 (which has no street address).

- (b) Water supply and infrastructure works on 50 Sydney Owen Road (Lot 7 DP492607).
 - (c) Works on McKenzie Road, Waiau Pa Road and Sydney Owen Road for works associated with required infrastructure.
- 1.5 The Project is a master planned development designed to provide multigenerational living, local employment and community services. It will be integrated with the existing Clarks Beach settlement and provide for its logical extension.
- 1.6 The Project seeks to establish:
 - (a) Residential lots to accommodate approximately 700-800 dwellings;
 - (b) A retirement village of approximately 220 units/villas;
 - (c) A neighbourhood centre (likely to include activities such as a supermarket, retail, a community hub, commercial offices, food and beverage premises, childcare and/or fitness/wellness facilities);
 - (d) A service / light industrial area (likely to include workshops, storage and warehouse facilities, associated retail and business premises);
 - (e) A multi-functional green / blue network across the site's stream and wetland features, with enhancements of the coastal edge. This will include neighbourhood parks, recreational walkways, and pedestrian/cycle connections throughout the site.
- 1.7 All of the above activities necessitate land modification works and infrastructure to enable the proposal.
- 1.8 We have been asked to provide a planning summary in relation to the proposal for the Orawaahi Coastal Village Project referral application for a Fast Track, in respect of the relevant planning documents.
- 1.9 This document provides a summary of the following matters:
 - (a) Overview of the application site, its surrounds and zoning context;
 - (b) Summary of potentially applicable resource consent requirements, under relevant statutory documents.
 - (c) An Assessment of Environmental Effects ("AEE"); and
 - (d) Consideration of the most relevant National planning documents.
- 1.10 A summary of our experience is provided in **Attachment A**.

2.0 SITE DESCRIPTION

- 2.1 The primary application site comprises two existing properties.
- 2.2 One is referred to as “Clarks Beach Road, Pukekohe Auckland 2676” in Council's GeoMaps, with the legal description Lot 3 DP 337204. The second property is located at 156 Clarks Beach Road (Lot 1 DP 337204). The sites are 73.0ha and 1.79ha respectively, equating to a total site area of approximately 75.8ha. The site is shown as indicated on the images below. Copies of the Certificate of Titles are included as **Attachment 8** to the Referral Application.



Figure: Aerial Image of the application site

- 2.3 The majority of the site is currently used for general farming purposes, predominantly for either production of arable uses and/or stock grazing. One residential dwelling is present within the site (near the front boundary at Clarks Beach Road). There are a large number of accessory buildings present, associated with the farming use of the site. It appears the two properties are operated as one unit, with no clear boundaries differentiating the two.

- 2.4 The site is transected by a network of both permanent and intermittent streams, which incorporate several natural wetland features. Ecological Solutions Ltd were engaged to define these within the project site. A permanent stream flows in a south-west direction discharging to the Taihiki River estuary at the south-western corner of the site. Wetlands were indicatively identified primarily along the tributaries of the main stream channel.
- 2.5 Ecological Solutions indicated that there is an overall lack of indigenous vegetation, and that watercourses and wetlands are of a modified and degraded nature, reflective of the site's current and historic use for farming purposes.
- 2.6 The site is located to the north of the Manukau Harbour, and separated from the coastal marine area by a narrow stretch of land that is unformed legal road. A similarly narrow portion of land to the east of this area of legal road is land vested as esplanade reserve. The AUP identifies that both these areas of land, and a portion of the southern area of the site, are subject to coastal inundation and instability.
- 2.7 The site is one of only a few large rural land holdings in the broader Clarks Beach area, as depicted by the image below. A number of smaller rural lifestyle-type sites are present in the area surrounding the site. It is located to the immediate south (over Clarks Beach Road) from the currently establishing Clarks Beach Estate development, and southeast of the existing, established community of Clarks Beach and Future Urban zoned area. Waiiau Beach is located a short distance to the site's west.

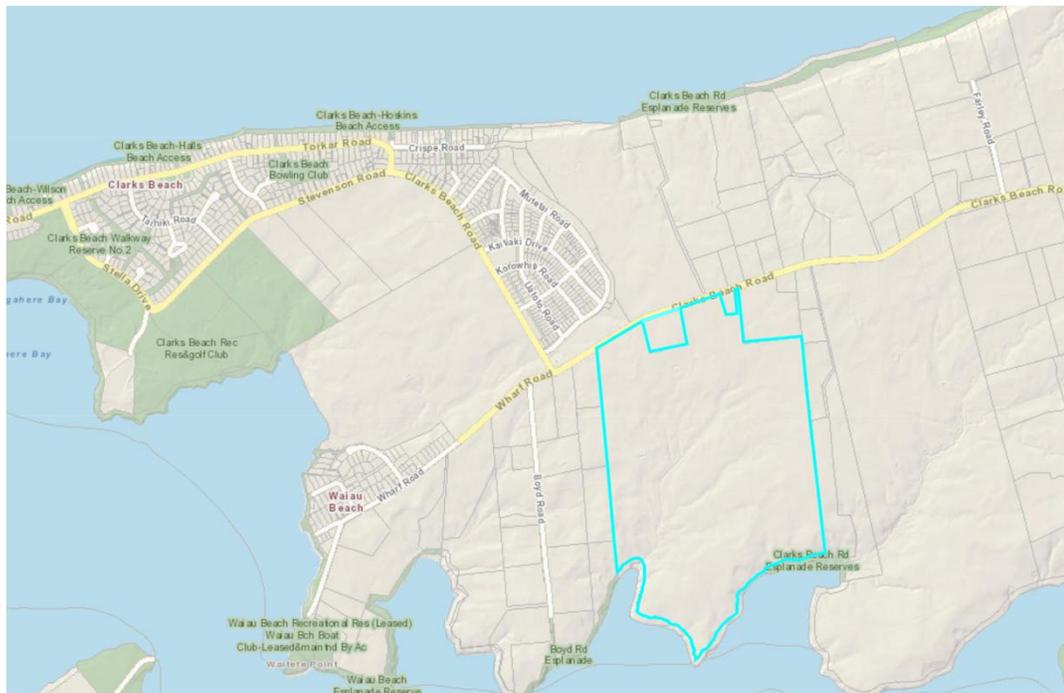


Figure: Site and its immediate surrounds

- 2.8 Based on our review of the concept plans, works would also be required on:
- (a) 115 Clarks Beach Road (Lot 1020 DP 578599, Lot 1012 DP 573987, Lot 1018 DP 573987, Lot 1001 DP 560664, Lot 1003 DP 560664, Lot 801 DP 526153, Lot 200 DP 567326, 9/14 SH Lot 300 DP 526153, 4/23 SH Lot 100 DP 560664), for works associated with required infrastructure/roading upgrades.
 - (b) Lot 4 DP 116708 held as Local Purpose Reserve (Esplanade), located at southern edge of the site, adjacent to the Coastal Marine Area ("CMA").
 - (c) A portion of land which is vested as legal road, as per GeoMaps (but unformed), which is located between the subject site and the CMA.
 - (d) Clarks Beach Road.
- 2.9 The Project may also include:
- (a) Water supply, infrastructure works and ecological offsetting on Lot 11 DP 492623 (which has no street address).
 - (b) Water supply and infrastructure works on 50 Sydney Owen Road (Lot 7 DP492607).
 - (c) Works on McKenzie Road, Waiiau Pa Road and Sydney Owen Road for works associated with required infrastructure.

AUP Zonings, Overlays, Precincts etc

- 2.10 The site and the esplanade reserve/road are zoned as follows, and depicted on the image following:
- (a) Lot 1 DP 337204: Rural – Mixed Rural Zone (*brown and grey*)
 - (b) Lot 3 DP 337204: Rural – Mixed Rural Zone (*brown and grey*) and Rural - Rural Coastal Zone (*brown*)
 - (c) Lot 4 DP 116708: Open Space – Conservation Zone (*green*)
 - (d) Land vested as legal road (unformed) (between the subject site and the CMA) – Road Zone (*white*)
 - (e) Clarks Beach Road - Road Zone (*white*)
 - (f) 115 Clarks Beach Road – Residential Mixed Housing Suburban over that portion of the site where works would occur – the wider site is subject to other zonings (*light orange*)
 - (g) Lot 11 DP 492623* – Rural – Mixed Rural Zone (*brown and grey*)

- (h) 50 Sydney Owen Road* – Rural – Mixed Rural Zone (brown and grey)
- (i) McKenzie Road, Waiiau Pa Road and Sydney Owen Road* - Road Zone (white)

* Not shown on map below



Figure: Zoning of the site

- 2.11 The sites are subject to the following overlays/controls:
 - (a) Natural Resources: Significant Ecological Areas Overlay - SEA_T_521 (applies to Lot 3 and the unformed vested road – located at southern edge of site).
 - (b) Coastal Inundation 1 per cent AEP Plus 1m Control – 1m sea level rise (located at southern edge of site).
 - (c) Macroinvertebrate Community Index – Rural.
- 2.12 The following are also relevant for the immediate environment:
 - (d) Natural Resources: Significant Ecological Areas Overlay – SEA M2-31 (within the CMA).
- 2.13 The location of the above noted overlays are shown on the map below, all present at the southern coastal edge of the site.

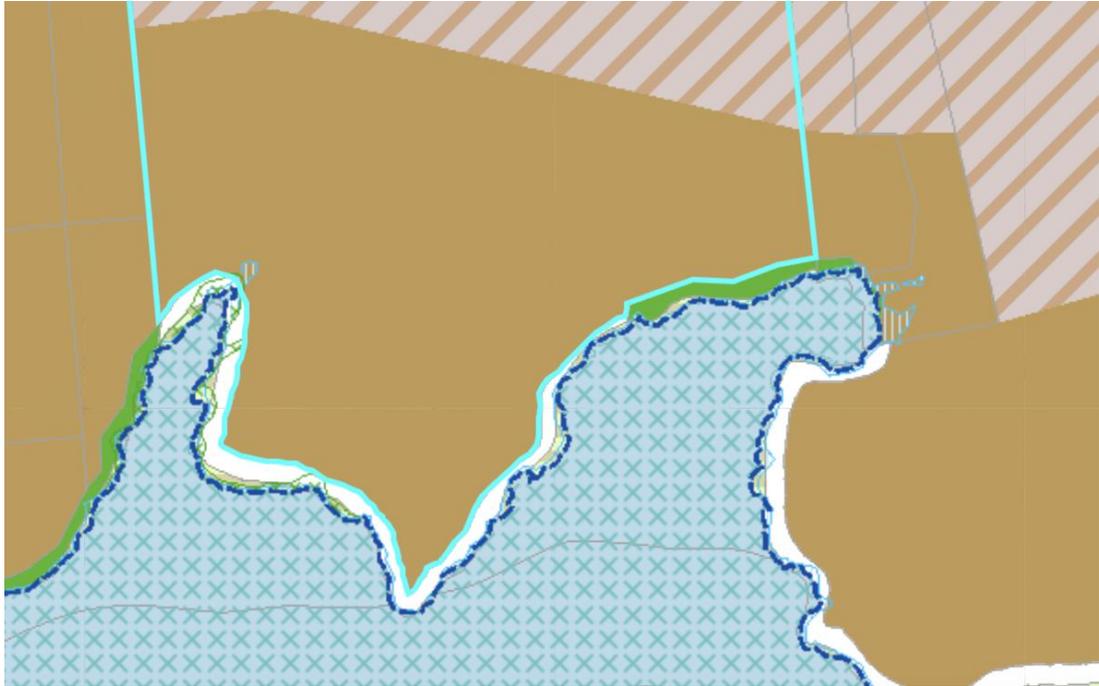


Figure: Overlays and controls relevant to the site

- 2.14 Land at 115 Clarks Beach Road is also subject to the Clarks Beach Precinct.
- 2.15 Land associated with the water supply and infrastructure works are not subject to any overlays/controls etc that are of relevance to the Project.

Plan Change 120

- 2.16 PC120 was notified on 3 November 2025. It aims to manage development in response to recent flooding events and legislative changes. With regard to natural hazards, PC120 introduces stricter controls in flood-prone and hazard-exposed areas. It also introduces a new risk-based framework based on development's sensitivity to natural hazards.
- 2.17 The hazards provisions in PC120 have immediate legal effect.
- 2.18 PC120 identifies the site as being subject to the following qualifying matters:
- Significant Ecological Areas – Terrestrial
 - Flood Plains
 - Coastal Erosion
 - Coastal Inundation

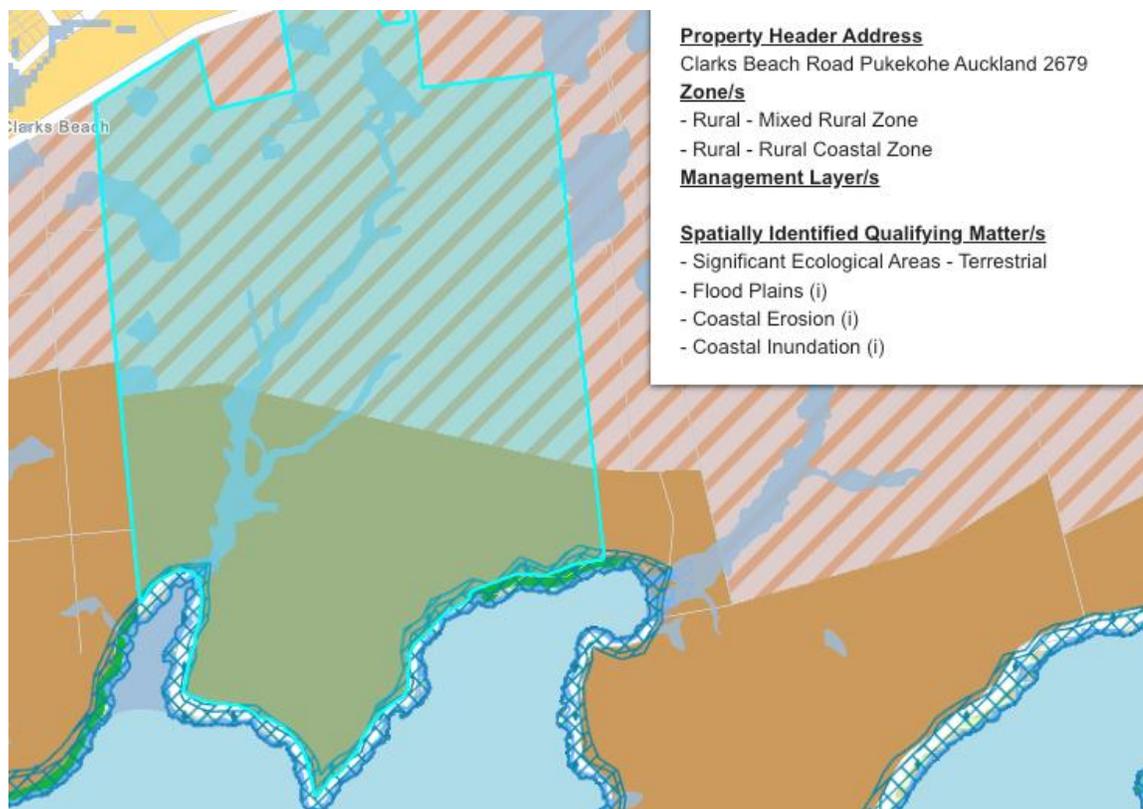


Figure: PC120 Qualifying Matters

3.0 **APPLICABLE RESOURCE CONSENTS**

- 3.1 Based on our review of the proposal, the Project works will or may trigger requirements for resource consents for the activities listed in **Attachment B**.
- 3.2 The Project may require a change of conditions to the existing water take consent WAT60315288 to align with any new consent for residential purposes from the same water bore, if required.
- 3.3 The substantive application will also address all aspects of the proposal that are considered to be Permitted Activities with respect to the above rules

Other Approvals

- 3.4 The FTAA also enables the following “other approvals” to be approved as part of an overall package. Of relevance for this application it would include:
- (a) Archaeological Authority and approval of a person to carry out an archaeological activity.

3.5 For the avoidance of doubt this Application does not seek:

- (a) A concession (Reserves Act approval) for use of, and works in, local purpose (esplanade) reserves. Any works on land owned by Auckland Council Parks relate to coastal edge enhancement and will be sought utilising the usual Landowner approval process. Should Auckland Council not provide landowner approval for works, edge enhancement and walkways will still occur on the applicant's land which is to be vested for esplanade reserve as part of the Project (i.e this does not affect the delivery of the Project).
- (b) Approvals under the Wildlife Act. If such permits are required through investigations undertaken as part of the substantive application permits, these will be sought separately.

4.0 ASSESSMENT OF EFFECTS

4.1 The Applicant has received advice as to the anticipated and known effects of the project on the environment from the technical experts referred to below. The relevant reports are attached to the application as:

- (a) Attachment 11 prepared by LDE addressing Geotechnical Engineering and Coastal Processes.
- (b) Attachment 12 prepared by CFG Heritage addressing Archaeology.
- (c) Attachment 13 prepared by CivilPlan addressing Stormwater.
- (d) Attachment 14 prepared by Transurban addressing landscape and natural character matters.
- (e) Attachment 15 prepared by CivilPlan addressing:
 - (i) Land Modification.
 - (ii) Wastewater and Potable Water.
- (f) Attachment 16 prepared by Flow addressing transportation matters.
- (g) Attachment 17 prepared by Transurban addressing urban design matters.
- (h) Attachment 18 prepared by Ecological Solutions addressing ecological matters.

4.2 The project is not considered to result in any significant adverse effects on the environment.

4.3 The key potential adverse effects are addressed in general below.

Earthworks

- 4.4 The memorandum from CivilPlan in **Attachment 15** confirms the approximate earthworks that will be required to facilitate the Project.
- 4.5 CivilPlan confirms that earthworks associated with the Project will be undertaken in accordance with best practice erosion and sediment control measures to ensure that any potential adverse effects are either avoided or minimised. The applicant acknowledges the need for high standards in this location proximate to the coastal marine area. Best practice measures that will be deployed include the rapid stabilisation of earthworked surfaces, sediment retention ponds, decanting earth bunds, stabilised construction entrances from main roads, silt fences, and clean and dirty water diversions.
- 4.6 These measures will be detailed in an erosion and sediment control plan that reflects the Auckland Council's GD05 requirements and their implementation will be regularly monitored by the contractor's project supervisor, site engineer, and Council representatives.
- 4.7 Any residual effects can and will be appropriately managed and mitigated through the implementation of a comprehensive Erosion and Sediment Control Plan.

Construction Effects

- 4.8 Construction is expected to result in temporary traffic effects, which include the potential for delays along adjoining transport corridors such as Clarks Beach Road, where those corridors are near the site. The memorandum from Flow in **Attachment 16** confirms that these construction-related traffic effects will be temporary and can be managed through a Construction Traffic Management Plan (CTMP). The CTMP will detail key measures including the anticipated number of daily truck movements, designated truck routes, and other mitigation strategies to ensure traffic impacts are appropriately addressed.
- 4.9 During construction, dust may be generated as a result of land disturbance. These effects can and will be appropriately mitigated and managed, through dust suppression, taking into account wind conditions and direction. A dust management plan will be prepared and will address dust management techniques.
- 4.10 Noise and vibration are anticipated during construction activities. These effects will be managed in accordance with NZS 6803:1999 *Acoustics – Construction Noise* and DIN 4150-3:1999 *Structural Vibration – Effects of Vibration on Structures*. A Construction Noise and Vibration Management Plan (CNVMP) will be implemented, outlining mitigation measures such as restricted hours for noisy works, engagement with neighbouring properties, and the use of quieter equipment to ensure potential effects are appropriately managed.

Stormwater Effects

- 4.11 The memorandum from CivilPlan in **Attachment 13** confirms that the Project will implement a comprehensive stormwater strategy consistent with GD01, TP108, and Auckland Council TR2013/018, including best-practice treatment, retention and extended detention for the 95th percentile storm, and climate change allowances.
- 4.12 Stormwater impacts will be managed through a catchment-based approach, with six drainage areas refined during detailed design to protect wetlands and avoid downstream flooding. Treatment will be provided via communal raingardens and lot-specific devices, with runoff discharged to streams or wetlands through piped outlets. Overland flow paths and reticulation systems will be designed for 10- and 100-year storm events, and floodplain management will ensure habitable buildings are located outside 1% AEP extents.
- 4.13 A range of devices, including tanks, raingardens, wetlands, permeable pavements, and detention basins, will be used to treat and attenuate runoff, with ownership arrangements to be confirmed as part of the substantive application and detailed design.
- 4.14 The Ecology Assessment in **Attachment 18** also identifies that effects from discharges of stormwater on ecology can be reduced through the stormwater design ensuring that specific devices are in place to treat stormwater to meet current best practice.

Water Servicing

- 4.15 **Attachment 15** identifies that there are feasible solutions to service the Project for potable water without creating significant environment effects. The solutions include either connection to public supply or a combination of piping private water supply from another of the Applicant's landholdings, a permitted activity water take from the aquifer, and/or on-lot tanks. These methods will also address suitable firefighting capacity.
- 4.16 All water that will be supplied by the bore will be suitably treated to avoid any adverse effects on community health. The water treatment plant can be constructed by the Applicant and is not reliant on third party timing or funding.
- 4.17 **Attachment 15** also identifies that rainwater tanks may have the potential to reduce groundwater recharge of the aquifer. Although rainwater tanks intercept roof runoff, rainwater tank overflows will be directed to either infiltration, if possible, or via the stormwater system to the natural wetlands within the site. In addition all other impervious surfaces will be captured in stormwater management devices which anticipate recharge as part of the device function.
- 4.18 As a result, the impact on groundwater recharge is anticipated to be minimal. There are no downgradient groundwater users who could be affected.

Wastewater Servicing and Discharge

- 4.19 **Attachment 15** identifies that there are feasible solutions to service the Project for wastewater without creating significant environment effects. The solutions include either connection to a public network or an onsite private wastewater treatment plant and network.
- 4.20 Wastewater will be treated to a very high level and discharged via wetland/land contact prior to discharge into the freshwater environment and ultimately to the Manukau Harbour.
- 4.21 While E.coli concentrations will not be affected by the proposed discharge, viruses from the discharge will still need to be accounted for. Therefore, this matter will be addressed in more detail through the design process, including the use of available disinfection and viral removal techniques that can reduce pathogen counts to near undetectable levels.
- 4.22 The Ecology Assessment in **Attachment 18** also identifies that effects from the discharge of treated wastewater to freshwater environments will be carefully managed to ensure quality outputs align with the respective receiving environments. Specifically, the new technologies available for wastewater treatment plants enable the quality of treated wastewater to avoid adverse effects on water quality and aquatic ecology.
- 4.23 The wastewater treatment plant can be constructed by the Applicant and is not reliant on third party timing or funding.

Risk of Hazards

Flooding

- 4.24 The memorandum from CivilPlan in **Attachment 15** indicates that the flood potential across the site is manageable, with existing low-lying areas identified as prone to water accumulation due to limited soil permeability. The proposed stormwater design includes engineered overland flow paths and retention/detention systems to ensure that post-development flows do not exacerbate downstream flooding. All habitable buildings will be located outside of mapped flood extents.

Coastal / Land Stability

- 4.25 The memorandum from LDE in **Attachment 11** addresses the risk of geotechnical and coastal hazards.
- 4.26 Earthworks will be managed to minimise land stability risks. This includes adherence to the Auckland Code of Practice for Land Development and compliance with NZS4431:2022 compaction standards.

- 4.27 Where sensitive alluvial soils or elevated groundwater levels are encountered, they will be addressed through conventional drainage techniques, ground improvement methods (e.g. lime stabilisation, subgrade undercutting), and robust construction management practices to ensure stability of future building platforms and infrastructure.
- 4.28 Further ecological and geological assessments at the time of the substantive application will confirm whether additional attenuation measures are needed to mitigate stream erosion.
- 4.29 Coastal erosion has been preliminarily assessed using site-specific parameters. While Auckland Council hazard mapping identifies parts of the site as susceptible to erosion, LDE's analysis suggests that the proposed esplanade reserve provides a sufficient setback. Future sea level rise and erosion risks will be further evaluated during the substantive application, with all built development proposed to be located outside any identified coastal hazard area.

Traffic

- 4.30 The report provided by Flow Transportation Specialists in **Attachment 16** addresses the proposed access arrangements, integration with the existing transport network, and the internal design approach for the Orawaahi Project, including new roundabout connections and active mode corridors.
- 4.31 The application site is well connected to surrounding areas including Waiau Pā and future centres such as Paerata and Drury. While Clarks Beach currently lacks a primary school, the area is served by school bus routes and is expected to benefit from improved public transport and active mode infrastructure.
- 4.32 The Project will generate additional traffic, which can be accommodated within the existing road network, subject to upgrades proposed by the applicant such as the Clarks Beach Road/Waiau Pā/McKenzie Road intersection and the provision of shared paths. These upgrades will improve safety and support urban amenity without generating adverse transport effects.
- 4.33 A comprehensive Integrated Transport Assessment will be prepared as part of the substantive application. It will include site-specific transport modelling, a Construction Traffic Management Plan, and details of any necessary staged upgrades to roads and intersections based on updated traffic surveys.
- 4.34 All proposed upgrades, including intersection improvements and shared path connections, can be delivered by the Applicant and are not reliant on third-party land acquisition, timing, or funding.

Landscape and Character Effects

- 4.35 The assessment undertaken by Transurban in **Attachment 14** identifies that the Project will result in a clear transformation of the site's character from rural to urban, particularly as experienced from Clarks Beach Road and nearby properties. While this change will be evident, it is considered to be consistent with the evolving context of the area, including recent urbanisation at Kahawai Point and land to the immediate north of the site. Anticipated effects include the loss of open rural views, changes in amenity values, and increased visibility of built form. However, Transurban considers that these effects can be appropriately managed through the design and mitigation measures proposed.
- 4.36 The substantive application will incorporate a range of responses to address the effects of change where necessary:
- (a) vegetative buffers along site boundaries, early-stage planting and setbacks, and façade treatments with a coordinated colour palette;
 - (b) restoration of natural streams, wetlands, and the coastal edge to enhance ecological and visual values;
 - (c) public access to the esplanade and integration with green corridors to support landscape appreciation;
 - (d) avoiding large retaining structures; and
 - (e) managing tree removal to retain existing canopy where possible.
- 4.37 A comprehensive Landscape and Visual Assessment and detailed landscape and design plans will be submitted with the substantive application to ensure the development integrates sensitively with the surrounding landscape and delivers positive visual and environmental outcomes.

Amenity Effects

- 4.38 TransUrban Design has prepared an Urban Design Memorandum (**Attachment 17**) which assesses the potential urban design effects of the Project. As noted above, the Project will introduce a significant change to the site's current rural character, transitioning it into a well-integrated urban extension of the Clarks Beach settlement. Anticipated urban design effects include the need to manage the interface with neighbouring rural properties, ensure walkable access to open spaces and amenities, and provide a coherent and connected street and green space network. The proposal also needs to support a sufficient population base to enable local employment, retail, and community services, while avoiding issues such as poor connectivity, inactive street edges, and reverse sensitivity effects.

- 4.39 The substantive application will address these effects through a master-planned approach that incorporates urban design principles. This includes:
- (a) A mix of housing typologies, a centrally located neighbourhood centre, and a retirement village with direct access to services.
 - (b) A street network that will follow a north–south orientation where possible, integrating with natural landforms and stream corridors to support walkability and environmental responsiveness.
 - (c) Greenways and open spaces that will be distributed across the site, with connections to the wider Franklin Paths network.
 - (d) Interfaces with rural neighbours that will be managed through setbacks, planting, and open space buffers.
 - (e) Land set aside for a cultural centre and esplanade reserve, which will enhance public access to the coast and support cultural and recreational values.
 - (f) Design controls and a design guide which will ensure future built form contributes positively to the character and amenity of the area.
- 4.40 Overall, it is anticipated that the proposal will deliver a well-functioning urban environment that supports sustainable growth and improved quality of life for current and future residents.
- 4.41 A comprehensive Urban Design Assessment and detailed architectural and landscape plans and design guidelines will be submitted with the substantive application to ensure the development delivers a high-quality living environment, supports walkable access to open spaces and services, and enhances amenity for both future residents and the wider Clarks Beach community.

Ecology

- 4.42 The assessment by Ecological Solutions Ltd in **Attachment 18** describes that the Project has the potential to generate both positive and adverse ecological effects. Positive outcomes include riparian and wetland restoration, enhancement of coastal vegetation, improved fish passage, and increased habitat connectivity. Potential adverse effects relate to vegetation clearance, stream modification, sedimentation, and disturbance to native fauna, including fish, lizards, and birds. However, the masterplan avoids direct impacts on indicatively mapped wetlands, and most vegetation affected is exotic or degraded.

- 4.43 Potential adverse effects will be appropriately managed through a combination of avoidance, mitigation, and offsetting. This includes:
- (a) Management plans (e.g. for lizards, bats, fish and birds) with the timing of works adjusted to avoid sensitive periods.
 - (b) Best-practice erosion and sediment controls.
 - (c) Avoidance of stream and wetland loss where practicable, with offsetting or compensation if required.
 - (d) Stream works design following national guidelines with respect to fish passage.
 - (e) Restoration planting and weed/pest control.
 - (f) Discharges carefully managed to ensure quality outputs align with the respective receiving environments.
- 4.44 The substantive application will include:
- (a) Detailed ecological surveys and mapping.
 - (b) Application of the mitigation hierarchy.
 - (c) Site-specific ecological management plans covering restoration, enhancement, monitoring, and maintenance.
 - (d) Consideration of Wildlife Act Authority requirements for protected species which, if required, will be sought separately.
- 4.45 With appropriate design and management, the Project's ecological effects can be effectively mitigated. The substantive application will provide detailed assessments and plans to ensure ecological values are protected and enhanced, supporting a net-positive ecological outcome.

Cultural Effects

- 4.46 Mana Whenua have been, and are being, actively engaged throughout the planning and development of the project, with a commitment to ongoing collaboration as the project progresses. Their involvement ensures that cultural values, historical connections, and tikanga / kawa are meaningfully incorporated into the design and development process. This approach not only acknowledges the significance of Mana Whenua as kaitiaki of the land but also helps to embed cultural identity and heritage into the physical and social fabric of the development.

- 4.47 As part of this engagement, Ngaati Te Ata have gifted the name “Ōrawaahi” to the development. Orawaahi means “a place of wellbeing and vitality.” The use of this gifted name is a gesture of partnership and recognition.
- 4.48 Design elements, such as landscaping, public spaces, and interpretive features, will be informed by Mana Whenua input to ensure that cultural narratives are expressed in a way that is authentic and educational.

Loss of soils

- 4.49 The AUP GIS viewer indicates that the site contains class 2 soils. The Project earthworks and future development will prevent the use of the site for activities which would rely on the productive potential of the soils. The same scenario exists across Auckland on all land with class 2 soils and for which land uses transition and change from rural productive to “other uses” – e.g residential industrial, open space.
- 4.50 The “loss” of class 2 soils occasioned by the Orawaahi development equates to a 0.001% loss of that class type across the entire Auckland Region.¹ Any loss at this scale is neither a significant adverse effect, nor does it take any cumulative effect to any kind of tipping point.
- 4.51 The Project will implement measures to ensure that the productive potential for the soil can be retained and utilised through community gardens (proposed to be provided within the retirement village), planted landscape edges for the Project site and, where possible, by preserving the productive topsoil to be on-sold to local growers and for on-lot gardens.

Archaeology Effects

- 4.52 The AUP does not identify any archaeological sites, heritage items, or historic places within the sites. The Archaeological Assessment (refer to **Attachment 12**) identifies that there is an archaeological feature within the site and within the adjoining coastal area.
- 4.53 Effects on the archaeological sites can be appropriately mitigated through archaeological investigation and recording of the sites under an Authority under the HNZPT Act.

¹ Using the totals of each LUC class in Curran-Cournane, F., Vaughan, M., Memon, A., & Fredrickson, C. 2013. Auckland's elite and prime land: similar messages and continued trade-offs 54 years later. Auckland Council technical report, TR2013/050

5.0 RELEVANT PLANNING DOCUMENTS

- 5.1 The below assessment is provided pursuant to s 13(4)(y)(i) of the Fast Track Approvals Act 2024, and cl 2 of Sch 5 to that Act. A full statutory assessment of the proposal, including against the relevant objectives and policies of the Auckland Unitary Plan, will be provided with the substantive application if referred.

Relevant National Policy Statements

The New Zealand Coastal Policy Statement (NZCPS) 2010

- 5.2 The purpose of the NZCPS is *"to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand."*
- 5.3 The subject land is within the coastal environment. The surrounding land is also within the coastal environment, which includes the existing urban areas of Clarks Beach and Glenbrook (including the Kahawai Point residential development) on opposite side of the Taihiki River of the subject land.
- 5.4 The AUP is generally considered to give effect to the NZCPS,² and particularly where relevant to this proposal. The AUP does not identify the adjoining coastal areas as Outstanding Natural Landscapes, Outstanding Natural Features, or areas of Outstanding or High Natural Character. This has been confirmed by the applicant's Landscape Assessment.
- 5.5 All stormwater will be managed in accordance with best practice. The Project includes a centralised infrastructure solution for wastewater to unlock the development potential of this location, aligning with the proposed supply of significant development capacity. Wastewater discharges will be appropriately treated to protect the health of coastal environment, including its use for water recreation.
- 5.6 The Landscape Assessment confirms that the coastal edge in this location contains a mix of urban, rural and rural lifestyle activities. In this sense the area is already characterised by urban and lifestyle development around the subject land, and the proposal is contiguous with the existing Clarks beach settlement and is opposite the Kahawai Point residential development.
- 5.7 Enhancements such as the planting along the coastal edge will enhance natural and coastal character, and will also contribute to ecological values.
- 5.8 The proposal will enhance public open space and recreational opportunities for access to and along the coastal environment through creation of walkways along the coastal edge and a wider linkage to the northern coastal environment (i.e. coast to coast link). A particular feature will be the proposed reserve and cultural center at the southern tip of the site adjoining the esplanade area.

² *Panuku Development Ltd v Auckland Council* [2018] NZEnvC 179 at [521].

- 5.9 Natural hazards associated with the coastal environment have been addressed in the memorandum from LDE (refer to **Attachment 11**) which identifies that potential for future sea level rise and coastal erosion will be accounted for as part of the substantive application. However, the initial predications are that the esplanade reserve area would be a sufficient setback to ensure mitigation of any adverse effects.
- 5.10 Therefore, the proposed development is consistent with the objectives and policies of NZCPS.

National Policy Statement on Urban Development (“NPS-UD”)

- 5.11 With regard to Objective 1, Clarks Beach is currently constrained in its ability to become a well-functioning urban environment in its own right by a lack of available housing and employment opportunities to meet the threshold.³ Those constraints undermine the NPS's objective of achieving a well-functioning urban environment (across the Auckland Region). These constraints relate to:
- (a) Limited service and employment activities in Clarks Beach (and its immediate surrounds). The current urban zoned areas within Clarks Beach enable small scale neighbourhood centres (via zoning), open space and residential activities only. There is no zoning available for employment or wider services, for example through a light industrial area. The only neighbourhood centre which has developed for commercial uses comprises small sale convenience only. Residents need to leave Clarks Beach for almost all their daily needs, travelling to Papakura, Pukekohe or Waiuku – which, given the scale of Franklin, are large distances to travel to undertake daily activities.
 - (b) The current community is a commuter suburb of Auckland. Residents of this area have no option but to commute for work, retail and service opportunities. The area has a high reliance on private motor vehicle use and there are currently no public transport options. (A regular bus service will commence in 2026 between Clarks Beach and Papakura only).
- 5.12 Due to the severe lack of local employment options, education and community services the current community does not align with Objective 1 of the NPS-UD, which emphasises the importance of a well-functioning urban environment.
- 5.13 The proposal seeks to address some of the above, through the employment opportunities generated both during the construction and operation of the new neighbourhood centre and industrial park.

³ The definition of urban environment in the NPS-UD is any area of land...that is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.

- 5.14 Such employment opportunities will positively impact the local community, given that it would reduce the need to travel outside the Clarks Beach area and mitigate traffic volumes on arterial routes travelling towards Auckland. It would provide convenience in the provision of local services and amenities within this community, improving its wellbeing and sustainability.
- 5.15 It is also noted that Policy 6 of the NPS-UD highlights that planning decisions in urban environment should have particular regard to “(d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*”. In this regard, the proposal enables development capacity at Clarks Beach to be realised.
- 5.16 With regard to Objectives 1, 6 and 8, and Policies 1 and 2 the Project will:
- (a) Directly contribute approximately 1000 residential lots/dwellings which will enable a range of lifestyle choices to meet the needs of different households.
 - (b) Establish a retirement village to address an identified need for more care support living, driven by the increase in Auckland's ageing population over the coming decades, and in an area which is not particularly well-served by existing retirement villages. While there are facilities in neighbouring area, these are often a 30 minute drive from Clarks Beach. Residents of these local area currently do not have a choice to retire in their community.
 - (c) Provide a variety of sites/commercial lease opportunities that are suitable for different business sectors such as services and light industrial / service / trade supply activities. This provides for local needs and supports competition.
 - (d) Enable good accessibility between housing, jobs and community services through delivery of residential growth in locations logically aligned with existing development, with the internal development patterns also enabling good recreation, amenity and open spaces.
 - (e) Reduce vehicle kilometres travelled for local residents to access local services and local employment, reversing the trend to Clarks Beach operating as a commuter suburb. The Project also includes active transport modes to access open spaces and the local services/employment areas as well as linkages to the existing community.
 - (f) Supply land for residential housing and business opportunities which can take into account the future impacts of climate change (through siting of vulnerable activities outside of hazard areas and provision for climate change factors to building resilience into the design for stormwater infrastructure, overland flow paths and maintenance of floodplains).

- 5.17 Objective 6 refers to integration for infrastructure planning through public and private solutions. The Project specifically includes provision for either public or private infrastructure solutions.
- 5.18 The project also provides additional infrastructure, including public open space and community infrastructure (through provision of green corridor walkways and coastal walkways and the coastal park) and social infrastructure (through provision of activities as part of the neighbourhood centre and the land set aside for the proposed cultural centre). The proposal will also support existing local infrastructure, such as the golf course, bowling club, yacht club and local areas schools.
- 5.19 With regard to Objective 4 and Policy 6, it is acknowledged that the Project will involve a change to the amenity and character of the area, from rural to urban. While this change will be noticeable, it is considered to be consistent with the evolving context of the area and effects can be appropriately managed through the design and mitigation measures that will be included in the substantive application.
- 5.20 Direct engagement with Ngaati Te Ata, who gifted the name "Orawaahi" has also identified a desire for a cultural centre to be established on-site, which has been shown on the concept plan, to support kaitiakitanga and storytelling. This is consistent with Policy 1(a)(ii) of the NPS-UD and the requirement to enable Māori to express their cultural traditions and norms.
- 5.21 For these reasons, the Project is consistent with the NPS-UD.

National Policy Statement for Highly Productive Land

- 5.22 The Project site generally is classified as having a Land Use Capability (LUC) Class 2 by Auckland Council and accordingly the NPS-HPL is relevant.
- 5.23 The NPS-HPL has a single objective, and nine policies – not all of which are directed at particular developments or applications of this nature.
- 5.24 The NPS-HPL also includes a number of prescriptive implementation provisions, which direct local authorities to do particular things to give effect to the objective and policies. The implementation provisions impose obligations on territorial authorities when amending their land use plans. These are not of direct import to any resource consent application, and so are not considered here.

- 5.25 Where a referral application includes activities requiring resource consent, the proposal must be assessed against the NPS-HPL. However, as confirmed by the Courts in several decisions since the NPS-HPL came into effect, in the resource consent context, it is only one of a number of matters to which regard must be had.⁴
- 5.26 Given the focus of the FTAA on (relevantly) facilitating the delivery of development projects with significant regional benefits, it is important not to ascribe too much weight to national policy statements,⁵ particularly at the referral stage.
- 5.27 In addition, it is important not to lose sight of the correlation with the NPS UD, in the context of this particular Project. This includes:
- (a) The benefits in contributing towards provision of housing and business land to meet require targets in a manner which is not just theoretical planned capacity – the Project will deliver housing and business land to meet current demand.
 - (b) The ability of the project to continue to a well functioning urban environment (as described at length above under the NPS-UD);
- 5.28 Reliance on future urban zoned land is neither a reasonably practicable nor feasible option for providing at least sufficient development capacity within the same locality and market – given the many variables that exist to potentially militate against the development of that land (including landbanking, landowner capacity constraints, and Council policy). The Project ensures delivery of development capacity.
- 5.29 In addition, the context of demand for living in Franklin is important to the consideration of the NPS-HPL and the manner in which this Project provides solutions to the long-term issues facing rural Franklin. There has typically been high demand for rural living in Franklin. People want to experience the amenity and lifestyle of living here, being part of smaller communities while having the bustle of urban Auckland close by.
- 5.30 A key issue for the wider Franklin area is the large number of vacant rural titles (generally approximately 4 ha in size) created through earlier subdivision schemes promoted by past legislation. This latent capacity is the most significant contributor to the ongoing loss of highly productive land. While the titles may appear as forming part of wider rural production activities these titles are “landbanked” and developed for rural lifestyle living, rather than being utilised for productive purposes.

⁴ See eg *Gray v Dunedin City Council* [2023] NZEnvC 45 at [199]-[201]. See also *Barbican Securities Ltd v Auckland Council* [2023] NZEnvC 174 at [55], and *Gibbston Vines Ltd v Queenstown Lakes District Council* [2023] NZEnvC 265.

⁵ With the exception of the NPS-UD, which is specifically referenced in s 22(2)(iii) of the FTAA.

- 5.31 Historically the former Franklin District Council recognised that the latent capacity was a significant issue and identified that there was a need to manage rural land carefully. One direct response to alleviate this issue was to enable growth in and as expansions to towns and villages as the most efficient means to provide for residential demand (whilst protecting highly productive soils from further fragmentation via rural lifestyle living).
- 5.32 This 'substitution' approach provided a variety of housing opportunities within compact and contained settlements.
- 5.33 That same approach has been adopted through this Project and its extension of Clarks Beach in efficiently providing for compact living opportunities in a way with minimal impact on extensive valuable soil resources.
- 5.34 Looking at these issues and the sole objective of the NPS-HPL, a better outcome than accepting the use of latent capacity for countryside living is to therefore provide alternatives for housing within Franklin and slow down the market demand for countryside living using vacant lots on productive land.
- 5.35 For example, a 75.8 hectares area of land could provide 18 countryside living type lots (at a traditional 4 hectares per lot arrangement). This same area of land under this Project would yield approximately 1,000 dwellings at a range of lifestyle options and local employment opportunities. Thus the Project would use land more efficiently and deliver a boarder range of housing product that in turn assists with with housing affordability issues instead of rural lifestyle (which is not rural production).
- 5.36 Rural and coastal towns and villages provide a substitute for countryside living demand and therefore provide people with a more sustainable lifestyle option.
- 5.37 Urban development in Auckland does not provide that substitute – it is an entirely different form of housing and living for those people who live, work or are educated in Franklin.
- 5.38 Fundamentally, the consistency or otherwise of this proposal with the NPS-HPL, and in particular, the sole Objective and Policies 7 to 9, must take into account (when determining what might be considered appropriate use and development, or subdivision), the following matters:
- (a) Significant economic investment in the Auckland region over the proposed 8-year development period, which has been estimated to be in the order of \$806 million. This will stimulate economic activity and employment across multiple sectors.

- (b) Social and economic benefits, through delivery of a special front line heroes ownership scheme to assist essential service workers into home ownership in the Orawaahi community. This will help embed essential service workers in the South Auckland communities that they serve. As outlined in the Economic Impact Assessment in **Attachment 10**, the average time for first home buyers to save for a deposit is 10 years. The Project will be structured so as to help bridge the gap between what front-line heroes can borrow and the reality of Auckland's housing prices, enabling them to purchase locally rather than being priced out of the communities they serve.
- (c) Multigenerational living opportunities, including retirement and residential allotments to represents an increase in the overall residential capacity for the local and broader regional market and contributes to accommodating anticipated population growth and thus social, economic and cultural benefits.
- (d) The project includes a light industrial and employment area, which will in turn enable a partnership between the applicant, Pacific Coast Technical Institute, and mana whenua to train rangatahi in modern construction methods while delivering live construction projects on site. This will assist to tackle the regional and national issues associated with skilled workforce shortages and create social economic and cultural benefits.
- (e) Environmental, social and cultural benefits through delivery of a blue green network incorporating restored waterways will link to an accessible Coastal Discovery Park, Cultural Centre, and environmental sustainability features.
- (f) Provision of local employment for approximately 6,985 Full Time Equivalent ("FTE") employees during construction, and approximately 825 FTEs employed upon completion of the development. This is a significant economic social and potential for cultural benefits based on the consultation undertaken to date.
- (g) Immediate leverage off existing roads and community facilities. Clarks Beach has a range of existing infrastructure and recreational facilities which will support a growing population.
- (h) The provision of a local centre will address existing and future demand.
- (i) Better accessibility to jobs, goods and services, and recreation opportunities, and reduced VKT.
- (j) Opportunities to create a sense of place for a community.
- (k) Health benefits through walking and cycling to access local goods and services.

- 5.39 A full description of the significant regional environmental, social, economic and cultural benefits has been provided in the Referral Application **Attachment 1**. A more fine-grained analysis of the proposed activities against the relevant provisions of the NPS-HPL will be provided during the substantive application phase.

National Policy Statement for Freshwater Management (“NPS-FM”)

- 5.40 The Project is consistent with the relevant policies (1-9 and 15) for reasons that include:

- (a) The Project can minimise and mitigate its effects on ecosystems and waterbodies, through careful design and integration between engineering, ecology and planning practices. Specifically:
 - (i) The site contains degraded streams and indicative wetlands, many of which have been historically modified by farming and drainage. The project presents an opportunity to restore these features through native riparian and wetland planting, enhancing ecological connectivity and habitat quality.
 - (ii) Sediment discharge is minimised through the use of erosion and sediment control measures (consistent with Council guidelines);
 - (iii) Stormwater and wastewater discharges are appropriately treated to protect the health of freshwater environments;
- (b) Works in proximity to wetlands can be carefully designed to ensure that the potential risk for adverse effects are minimised as far as practicable. The effects management hierarchy will be followed for works associated with wetlands and streams.
- (c) Stormwater and wastewater systems will be designed to meet best-practice standards, including climate change allowances, supporting broader efforts to reduce environmental impacts.
- (d) The masterplan includes reserves, shared paths, and open space areas that offer significant potential for ecological restoration, enhancement, and offsetting, particularly within buffer zones and along watercourses.
- (e) The project seeks to retain and enhance existing vegetation within the esplanade reserve and other areas, contributing to site-wide ecological restoration and the provision of buffers to sensitive coastal environments.
- (f) A comprehensive ecological management plan will be developed as part of the substantive application, including monitoring programmes to ensure freshwater and wetland health is maintained and improved over time.

- (g) The ongoing involvement of iwi, through cultural design integration, restoration initiatives, and the establishment of a cultural centre, will continue to ensure that tangata whenua values and interests, are integrated in the development and reflected in the outcomes associated with freshwater management.

National Policy Statement for Indigenous Biodiversity (NPS-IB)

- 5.41 The Project is consistent with the Objective and the relevant NPS-IB policies (1-8 and 15) for reasons that include:
 - (a) Development will generally avoid development within mapped areas of SEA, and where works are necessary within an SEA (for example infrastructure) the effects management hierarchy will be followed.
 - (b) Ecological corridors will be enhanced through the planting of indigenous species within riparian margins.
 - (c) Potential loss of habitat for indigenous species (including lizards and roosting locations for highly mobile species such as native birds and bats) will be managed using the effects management hierarchy, as may include measures such as conditions on the timing of vegetation removal, and the implementation of management plans.
 - (d) Other measures such as stock exclusion and animal and weed pest control will also be able to be implemented by the applicant (and detailed at the substantive application stages) which will create additional benefits indigenous biodiversity species.
- 5.42 The substantive application would also include an assessment of habitat values in accordance with the Department of Conservation bat roost protocols (as a precautionary approach) to manage any effects on bats.
- 5.43 The opportunities for ecological enhancement and restoration are identified by Ecological Assessment (**Attachment 18**) are significant and provide multiple avenues for effectively managing the small scale of ecological impacts that may occur.
- 5.44 Involvement of iwi will continue to ensure opportunities to exercise kaitiakitanga for indigenous biodiversity in their rohe.
- 5.45 Overall, the Project will result in an increased amount of indigenous biodiversity and it is consistent with the NPS-IB.

Attachment A: Qualifications and Experience

Mark Tollemache, Director

M.Plan (Merit)

With 28 years' experience as a practicing planner, Mark has the knowledge and skills to move complex projects successfully through the resource consenting process. He has prepared numerous plan changes, structure plans, resource consent applications and evidence for Environment and High Court cases. Mark has also been involved in and prepared applications under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for large scale residential and industrial development.

Mark has worked in both public and private sector roles, and appreciates the need to collaborate with the client, technical specialists and stakeholders to ensure a project is successful.

Renee Fraser-Smith, Senior Planner

M.Plan.Prac (Hons)

With 18 years' experience as a practicing planner, Renee's strong analytical skills and attention to detail means clients can trust Renee to deliver high quality advice.

Renee has been the lead planner on many multi-disciplinary land development projects and has developed a particular depth of expertise in the preparation of complex subdivision, land use and regional resource consent applications. She has also been involved in a number of rezoning proposals for large greenfield development areas. Renee has also been involved in and prepared applications under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for large scale residential and industrial development as well as assisting decision making Panel's on several fast track projects.

Adelle Henderson, Planner

MRP (Hons)

With 10 years' experience as a practicing planner in the public sector prior to joining the team, Adelle assists with project delivery and providing feedback and advice on current and future projects.

Adelle has expertise in subdivision and resource consent planning for a range of predominantly residential and rural developments attaining an in-depth understanding of the Auckland Unitary Plan and the resource consent process.

Attachment B:

The substantive application will also address all aspects of the proposal that are considered to be permitted activities.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
National Environmental Standards				
Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2022	Reg 54	Earthworks, diversion of water and discharge of water into water outside, but within 100m setback, from a natural inland wetland	Non-complying	Areas within 100m of a natural wetland,
	Reg 45C (4) and (5)	Vegetation clearance within a 10m setback from a natural wetland; Earthworks within a 10m setback from a natural wetland; Earthworks outside a 10m, but within a 100m setback from a natural wetland; The diversion of water within a 100 metre setback of natural inland wetland; The discharge of water into water within a 100 metre setback of natural inland wetland.	Restricted Discretionary	Areas within 10 – 100m proximity to a natural wetland
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESC”)	Regulation 10	The disturbance of soil and subdivision and proposed change in land use	Restricted Discretionary	Entire site

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary Plan ("AUP")				
Chapter E38 – Subdivision (Urban)	E38.4.1 (A13)	Subdivision for a network utility not meeting the standards	Discretionary	115 Clarks Beach Road
Chapter E39 – Subdivision (Rural)	E39.4.1 (A5)	Subdivision establishing an esplanade reserve	Restricted Discretionary	Southern portion of the site
	E39.4.1 (A8)	Subdivision of land within a natural hazard area (1% AEP, coastal erosion hazard area; Coastal Inundation + sea level)	Restricted Discretionary	Across portions of entire site (flooding) South of site (coastal inundation/erosion hazard)
	E39.4.1 (A9)	Any subdivision listed in E39.4.1 not meeting standards in E36.6.1 (i.e. Specified Building Area)	Discretionary	Entire site
	E39.4.2(A11)	Subdivision for open spaces, reserves or road realignment	Discretionary	North and south of the site
	E39.4.2 (A13)	Subdivision in the <i>Rural-Mixed Rural</i> and <i>Rural – Rural Coastal Zones</i> not complying with Standard 39.6.5.1 (site area)	Non-complying	Entire site
	C1.9	Subdivision listed in E39.4.2 not meeting an applicable standard (i.e. E36.6.1.1)	Restricted Discretionary	Entire site
	Chapter H19 – Rural ¹ - Mixed Rural Zone; - Rural Coastal Zone	H19.8	The activity status of the activities applies to new buildings including accessory buildings that will accommodate or are needed to facilitate the activity	
H19.8.1(A36)		Restaurants and Cafes	Discretionary	

¹ All of the noted activities require the same consents under the provisions of each zone

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location proposed activity of
	H19.8.1(A40)	Storage and Lock up Facility (including boat storage and wash down facility)	Discretionary	village
	H19.8.1(A45)	Care centres for more than 10 people	Restricted Discretionary	
	H19.8.1(A42)	Veterinary clinic	Restricted Discretionary	
	H19.8.1(A46)	Community facilities	Discretionary	
	H19.8.1(A47)	Healthcare facilities	Discretionary	
	H19.8.1(A48)	Education facilities	Discretionary	
	H19.8.1(A48)	Emergency services	Restricted Discretionary	
	H19.8.1(A77)	Three or more dwellings per site where the site is less than 100ha	Non Complying	
	C1.7	Activities not provided for: - Retirement Village/Integrated Residential Development	Discretionary	
	C1.7	Activities not provided for: "Neighbourhood Centre activities" e.g - Supermarket - Retail, - Commercial activities, - Recreation facilities (i.e. gym/yoga studio). - Entertainment facilities - Food and beverage	Discretionary	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
	C1.7	<p>Activities not provided for:</p> <p><i>"Light Industry/Service Activities"</i></p> <p>e.g</p> <ul style="list-style-type: none"> - Industrial activities - Trader Supplier - Entertainment facilities - Automotive service/repairs; - Tyre shops; - Panel beaters; - Car detailing; - Light manufacturing / steel / engineering workshops; - rural/outdoor equipment sales; - Small warehousing / business premise. 	Discretionary	
	C1.8	Buildings not complying with the standards	Restricted Discretionary	Whole site
Chapter E7 – Taking, using, damming and diversion of water and drilling	E7.4.1(A26)	Water take not otherwise provided for	Discretionary	Lot 11 DP 492623
	E7.4.1(A26)	Water take not otherwise provided for	Discretionary	Whole site - should capacity in the aquifer become available.
Chapter E8 - Stormwater – Discharge and Diversion	E8.4.1(A10)	All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary	Whole site

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
E9 Stormwater Quality – HCGC and HUR	E9.4.1 (A6)	Development of a new HCGC greater than 5000m ²	Controlled	Neighbourhood centre and light industrial area
Chapter E11 – Land Disturbance Regional	E11.4.1 (A5)	Earthworks greater than 50,000m ² where land has a slope less than 10degrees outside the sediment control protection area in the Rural – Mixed Rural and Rural Coastal Zone	Restricted Discretionary	That parts of the site zoned as stated.
	E11.4.1 (A9)	Earthworks greater than 2,500m ² within the sediment control protection area in the Rural – Mixed Rural and Rural Coastal Zone	Restricted Discretionary	
Chapter E12 – Land Disturbance District	E12.4.1 (A6)&(A10)	Earthworks greater than 2,500m ² and 2,500m ³ in the Rural – Mixed Rural and Rural Coastal Zone, Open Space - Conservation Zone, Roads.	Restricted Discretionary	
Chapter E15 Vegetation Management	E15.4.1 (A16)	Vegetation Removal within 20m of a rural stream (in Rural Coastal Zone)	Restricted Discretionary	Areas within 20m of a stream on land in Rural Coastal Zone
	E15.4.1 (A17)	Vegetation Removal within 10m of a rural stream (in Mixed Rural Zone)	Restricted Discretionary	Areas within 10m of a stream on land in Mixed Rural Zone
	E15.4.1 (A16)	Vegetation Removal within 20m of a wetland	Restricted Discretionary	Areas within 20m of a wetland
	E15.4.2 (A43)	Any vegetation alteration or removal not otherwise provided for in the SEA	Discretionary	Areas within the mapped SEA
Chapter E16 Trees in Open Space Zones	E16.4.1 (A8)	Works within the protected root zone not complying with standards	Restricted Discretionary	Area zoned Open Space

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
	E16.4.1(A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	Restricted Discretionary	Area zoned Open Space
Chapter E17 Trees in Roads	E17.4.1 (A8)	Works within the protected root not complying with standards	Restricted Discretionary	Road zone
	E16.4.1(A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	Restricted Discretionary	Road zone
Chapter E23 Signs	E23.4.2(A53)	Comprehensive development signage	Restricted Discretionary	Applies to the areas shown for the neighbourhood centre, business activities, cultural centre and the retirement village
Chapter E25 Noise and Vibration	E25.4.1 (A2)	Activities that do not comply with the permitted standards for noise and/or vibration	Restricted Discretionary	Area subject to Neighbourhood Centre and Light Industry / Service activities. Potential for this to apply to construction activities also.
Chapter E26 Infrastructure	E26.2.3.1 (A55)	Stormwater detention/retention ponds/wetland	Controlled	Whole site
Chapter E27 Transport	E27.4.1 (A2)	Parking and access which is an accessory activity but does not comply with the standards.	Restricted Discretionary	Whole site

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
	E27.4.1 (A3)	Any activity or subdivision which exceeds the trip generation standards <i>(i.e. 100 dwellings; 5,000m2 GFA Offices; 1667m2 GFA retail activities; 10,000m2 GFA Industrial activities)</i>	Restricted Discretionary	Whole site
	E27.4.1 (A5) & (A6)	Construction, use and establishment of new activity where the vehicle crossing access restriction applies	Restricted Discretionary	Whole site
Chapter E33 – Industrial and Trade Activities	E33.4.2 (A18)	Discharge of contaminants from a new industrial or trade activity area listed as moderate risk in Table E33.4.3 where the permitted discharge standards are not met.	Controlled	Applies to the areas shown for the neighbourhood centre and business activities.
Chapter E36 – Natural Hazards*	E36.4.1 (A5)	Infrastructure on land in the coastal erosion hazard area	Restricted Discretionary	Localised areas across the whole site
	E36.4.1 (A37)	New structures and buildings in the 1% AEP	Restricted Discretionary	
	E36.4.1 (A41)	Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	Restricted Discretionary	
	E36.4.1 (A42)	Any buildings or other structures, including retaining walls located within or over an overland flow path	Restricted Discretionary	
C1	C1.9(2)	Various infringements to standards	Restricted Discretionary	Whole Site

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
<p>* It is acknowledged that PC120 has immediate legal effect which results in the potential for several additional consents being required under the updated provisions of <i>Chapter E36 – Natural Hazards</i>. The substantive application will address these, however, there is potential for the following consents to also be required:</p> <p>Coastal Hazard Areas</p> <ul style="list-style-type: none"> - E36.4.1A(A57) Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 in coastal hazard areas requires consent as a non-complying activity. - E36.4.1A(A77) All other buildings and structure, including retaining walls and earth bunds, in coastal hazard areas, requires consent as a discretionary activity. <p>Flood Hazard Areas</p> <ul style="list-style-type: none"> - E36.4.1A(A78) Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 in flood hazard areas requires consent as a non-complying activity. - E36.4.1A(A88) Construction of private roads, roads intended to be vested, and accessways in flood hazard areas, requires consent as a restricted discretionary activity. - E36.4.1A(A92) Construction of other land drainage works, stormwater management devices, or flood mitigation works in the 1% AEP floodplain requires consent as a restricted discretionary activity; - E36.4.1A(A98) All other structures and buildings (including retaining walls) in the 1% AEP flood plain requires consent as a restricted discretionary activity. - E36.4.1A(A101) Any buildings or other structures located within an overland flow path with a catchment greater than 4,000m² requires consent as a restricted discretionary activity. - E36.4.1A(A102) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path requires consent as a restricted discretionary activity. <p>Flood and Coastal Hazard Areas</p> <ul style="list-style-type: none"> - E36.4.1A(A104) All other infrastructure in flood and coastal hazard areas not otherwise provided for requires consent as a restricted discretionary activity. 				