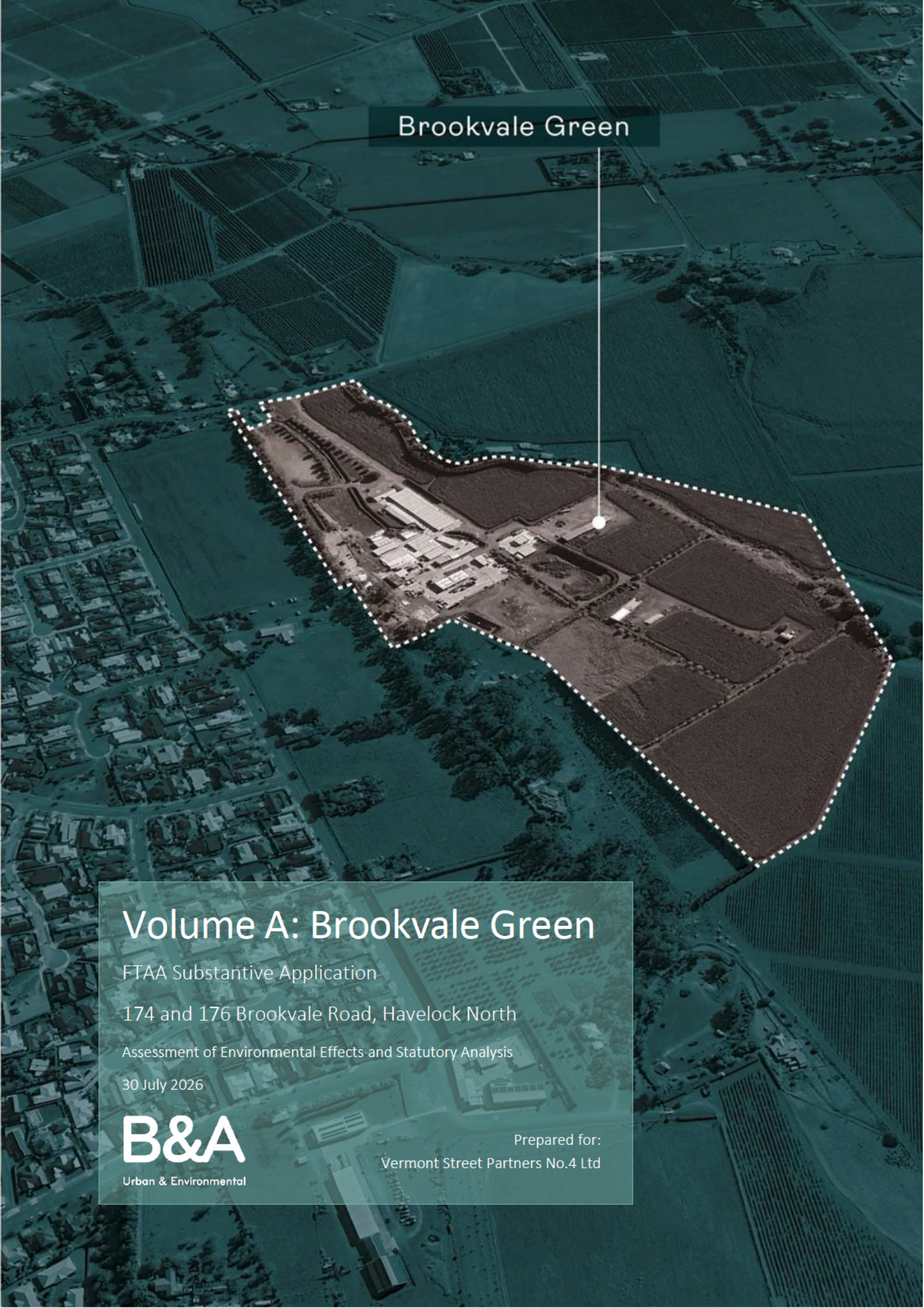




Brookvale Green

Volume A: Brookvale Green

FTAA Substantive Application

174 and 176 Brookvale Road, Havelock North

Assessment of Environmental Effects and Statutory Analysis

30 July 2026

B&A

Urban & Environmental

Prepared for:
Vermont Street Partners No.4 Ltd

B&A Reference:

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Prepared by:



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Acronyms Table

Term	Explanation
AEE	Assessment of Environmental Effects
Application	Substantive Application under Section 42 of the Fast-Track Approvals Act 2024
B&A	Barker & Associates Limited
CEMP	Construction Environmental Management Plan
ChTMP	Chemical Treatment Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
DOC	Department of Conservation
DMP	Dust Management Plan
DSI	Detailed Site Investigation
EA	Engineering Approval
ECC	East Cape Consulting Limited
EMP	Ecological Management Plan
ESCP	Erosion and Sediment Control Plan
EPA	Environmental Protection Authority
EWMP	Earthworks Management Plan
FDS	Napier Hastings Future Development Strategy 2025-2054
FMP	Fauna Management Plan
FTAA	Fast-Track Approvals Act 2024
GCR	Geotechnical Completion Report
GAR	Geotechnical Assessment Report
GPA	Groundwater Protection Assessment
GRZ	Havelock North General Residential Zone
HAIL	Hazardous Activities and Industries List
HBRC	Hawke's Bay Regional Council
HDC	Heretaunga Hastings District Council
HDC ECoP	Hastings District Council Engineering Code of Practice 2020
HDP	Heretaunga Hastings District Plan
HNZPT	Heritage New Zealand Pouhere Taonga
LA4	LA4 Landscape Architects Limited
LINZ	Land Information New Zealand
LMP	Landscape Maintenance Plan
Maven	Maven Associates Limited
MDRZ	Medium Density Residential Zone
NES-CS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

Term	Explanation
NES-F	Resource Management (National Environmental Standard for Freshwater) Regulations 2020
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-IB	National Policy Statement on Indigenous Biodiversity 2023
NPS-NH	National Policy Statement for Natural Hazards 2025
NPS-UD	National Policy Statement on Urban Development 2020
Reserves Act	Reserves Act 1977
RMA	Resource Management Act 1991
RPS	Hawke's Bay Regional Policy Statement
RRMP	Hawke's Bay Regional Resource Management Plan
Site	174 and 176 Brookvale Road, Havelock North
SMP	Stormwater Management Plan
SMMP	Stormwater Maintenance and Management Plan
SWPP	Source Water Protection Plan
SWMP	Stormwater Monitoring Plan
SPMP	Spill Management Plan
SQEP	Suitably Qualified and Experienced Person
Stantec	Stantec New Zealand
TPW	Tamatea Pōkai Whenua
Wildlife Act	Wildlife Act 1953
Wild Ecology	Wild Ecology Limited

Executive Summary

This Planning Report is submitted for Vermont Street Partners No.4 Limited's ("VSP" or "the Applicant") application to the Environmental Protection Authority ("EPA") to authorise the substantive application of the proposed Brookvale Green Project.



Figure 1: Brookvale Green Masterplan (Source: B&A Urban Design Assessment, Appendix 7)

The Proposal

Brookvale Green (the "Project") is a masterplanned residential neighbourhood proposed on approximately 24ha of land at 174 and 176 Brookvale Road, Havelock North ("Site"). The Project will provide 203 residential lots together with associated transport, three waters, and stormwater infrastructure, and ecological restoration and landscaping. The development has been designed as a logical extension of the existing Havelock North urban area, responding to the site's physical characteristics, including its stream corridors, wetlands, and rural interface, while making a significant contribution to housing supply and economic expenditure within Hastings District and wider region. The Project also delivers significant environmental benefits through stream restoration, wetland enhancement, indigenous planting and ecological management measures that will result in a net gain in ecological values across the Site.

FTAA Process

This report has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 ("FTAA"). The FTAA is intended to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. The legislation establishes an Expert Consenting Panel ("Panel") to determine applications for approvals ordinarily sought under a number of different statutes. The Panel replaces the role of local authorities under those

statutes. This proposal is a Referred Project, and the application is being made in accordance with Section 40 of the FTAA. This substantive application has been prepared in accordance with sections 43 and 44 of the FTAA and is presented in three volumes:

- **Volume A:** Substantive Planning Report, which addresses the overall Project, Resource Management Act 1991 ("RMA") resource consent approvals required under Schedule 5 of the FTAA, assessment of environmental effects, consultation, statutory planning assessment and proposed conditions;
- **Volume B:** Reserves Act concession, which addresses the Reserves Act 1977 approval sought under Schedule 6 of the FTAA for use of, and works within, the Arataki Local Purpose (Amenity) Reserve land; and
- **Volume C:** Wildlife Approval, which addresses the Wildlife Act approval sought under Schedule 7 of the FTAA for indigenous lizard salvage, handling, relocation and incidental killing.

The three volumes should be read together as the substantive application for the Project. To avoid duplication, this Volume A report summarises the Reserves Act and Wildlife Act approvals where relevant, with the detailed information requirements addressed in Volumes B and C respectively.

Approvals Required

The application seeks all resource consents necessary for the implementation and ongoing operation of the Project under the RMA including those required under relevant National Environmental Standards, but not by way of limitation, the list of consents set out in Section 7.2 of this report.

The Project requires non-complying activity resource consent under the Hastings District Plan ("HDP"), discretionary activity consent under the Hawke's Bay Regional Resource Management Plan ("RRMP"), and non-complying consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ("NES-F"). In addition, the application seeks a Reserves Act approval under Schedule 6 of the FTAA and a Wildlife Act approval under Schedule 7 of the FTAA.

Overall, the resource consent applications have been assessed on a bundled basis, with the Project assessed in its entirety as a non-complying activity.

Key Issues and Effects

The application provides a description of the Project together with an assessment of its actual and potential effects on the environment and the information required to enable the Panel to determine the approvals sought. A comprehensive suite of independent technical assessments appended to the application have been prepared for the Project and inform the assessment contained within this report.

During the preparation of this application, the Applicant and its representatives undertook consultation with all adjoining landowners; local authorities Heretaunga Hastings District Council ("HDC") and Hawke's Bay Regional Council ("HBRC"); the Department of Conservation ("DOC"); utility providers and mana whenua. The purpose of this consultation was to discuss the Project, identify any issues relating to the site, locality or development, and clarify the information

requirements for the application. Responses were considered and have informed the Project where appropriate.

Key matters and effects addressed through the application include:

- **Housing and urban form:** the Project will deliver 203 residential lots through a comprehensively master planned neighbourhood, including a mix of general residential lots, medium density lots and superlots for terraced housing with the development framework secured through consent notices in lieu of residential zoning. This approach will provide certainty regarding future housing form, density, urban design and neighbourhood character outcomes.
- **Rural interface and reverse sensitivity:** the Project includes no-build areas, buffer planting, shelterbelt planting, fencing, and consent notices to manage interfaces and potential reverse sensitivity effects where private residential lots adjoin rural land.
- **Arataki Reserve Land integration:** Works within the Arataki Reserve land are required to integrate Brookvale Green with the adjoining Arataki Extension development and provide a well-connected road and pedestrian network. The Reserves Act approval required for these works and use of Reserve land is addressed in **Volume B**. HDC has confirmed support in principle to the proposed works.
- **Water supply:** The proposed water supply strategy has been developed in close consultation with HDC and HBRC and is supported by both authorities in principle. The Project incorporates water-efficient urban design measures and is underpinned by a separate process to transfer existing groundwater allocation to HDC's municipal supply to provide a secure long-term potable water supply. HDC has formally confirmed its support for this approach in writing.
- **Groundwater and source water protection:** the Site is within the Hastings Source Protection Zone, and the Project includes a source water protection plan, bore decommissioning, hydrogeological oversight, impermeable liners, sediment and spill controls and conditions to manage groundwater infiltration and contamination risks.
- **Infrastructure and servicing:** the Project includes new internal roads, upgrades to Brookvale Road, three waters infrastructure, stormwater management devices, utility servicing and vesting arrangements to enable the staged development.
- **Stormwater discharge and water quality:** the Project incorporates a stormwater wetland, raingardens, a dry basin, conveyance channels, culvert upgrades, outfall protection, monitoring and long-term maintenance requirements to manage quantity and quality effects.
- **Flood Risk:** Existing flooding and drainage constraints affect parts of the Brookvale Road catchment. The Project includes upgrades that will improve the performance of the existing drainage network and deliver an overall improvement in flood management outcomes compared with the current environment.
- **Stream, wetland and ecological outcomes:** the Project includes Watercourse 1 realignment and enhancement, Watercourse 2 daylighting and enhancement, wetland disturbance and reinstatement, riparian planting, pest management and ecological monitoring to achieve net ecological gain.
- **Indigenous fauna management:** Potential effects on birds, bats, lizards and freshwater fish will be managed through the Fauna Management Plan ("FMP"), proposed consent conditions

and relevant regional consent requirements. A precautionary Wildlife Act approval is sought for indigenous lizard salvage, handling, relocation and incidental killing, as addressed in **Volume C**.

- **Construction effects:** construction traffic, earthworks, erosion and sediment control, dust, noise, vibration, chemical treatment, and spill management will be controlled through management plans and conditions.

In summary, the actual and potential adverse effects on the environment are considered to be appropriately avoided, remedied or mitigated to an acceptable level.

Statutory Assessment

The Project is considered to be consistent with the Treaty settlements and iwi planning documents relevant to the Site; and is generally consistent with, and not contrary to, the relevant objectives and policies under the Regional Policy Statement ("RPS"), RRMP, HDP and the suite of relevant National Policy Statements and National Environmental Standards. While the Project is not specifically identified for urban development within the Napier Hastings Future Development Strategy 2025-2054 ("FDS"), the Site adjoins the existing urban area of Havelock North, can be efficiently serviced by infrastructure, and will contribute to addressing housing demand within the region.

Summary

Overall, the Project achieves the purpose of the FTAA by facilitating the delivery of housing with significant regional benefits. The development will provide approximately 203 new residential lots and associated infrastructure, generating employment, investment and economic benefits for the Hastings District and the wider Hawke's Bay region.

1.0 Applicant and Property Details

To:	Environmental Protection Authority (“EPA”)
Site Address:	174 and 176 Brookvale Road, Havelock North
Applicant Name:	Vermont Street Partners No.4 Ltd
Address for Service:	Barker & Associates Ltd PO Box 1986, Shortland Street, Auckland 1140 Attention: David Badham and Joanne Sunde
Legal Descriptions:	Various (refer to Records of Title at Appendix 1)
Site Area:	Approximately 24ha
Site Owners:	See Table 3
District Plan:	Hastings District Plan (“HDP”)
Regional Plan:	Hawke’s Bay Regional Resource Management Plan (“RRMP”)
HDP Zoning:	Plains Production
HDP Overlays & Controls:	Scheduled Activities (S37 – Te Mata Mushrooms) Plains Strategic Management Area Designations – NA
HDC Additional Limitations:	Liquefaction (very low and low) Area of Interest Statutory Acknowledgement Area HPL: LUC 3 (Moderate limitations - restricted crop choice)
RRMP Overlays & Controls:	Flood Control Scheme Area Confined Aquifer Groundwater Management Zone TANK Surface Water Quality TANK Priority Catchment TANK Water Quantity
HBRC Additional Limitations:	Land Use Capability 3 Flood Risk Area – Low Medium liquefaction vulnerability

2.0 Introduction

This Substantive Application (“application”) has been made by VSP to the EPA for approvals relating to the Project at 174 and 176 Brookvale Road, Havelock North, as described in the application material. The Project comprises a comprehensively master planned residential community providing 203 dwellings together with associated supporting infrastructure and works.

This application is made in accordance with the requirements of Sections 42 and 43 of the FTAA, the applicable schedules, and the relevant provisions of the RMA. A completed FTAA Application Checklist, as provided by the EPA, is provided within **Appendix 2**.

This substantive application is presented in three volumes:

- **Volume A** is the main Planning AEE Report (this report) and addresses the overall Project description, resource consent approvals, assessment of environmental effects, consultation, statutory planning assessment and proposed conditions.
- **Volume B** provides the focused assessment for the Reserves Act approval sought under Schedule 6 of the FTAA for works within the Arataki Local Purpose (Amenity) Reserve land.
- **Volume C** provides the focused assessment for the Wildlife Act approval sought under Schedule 7 of the FTAA for indigenous lizard salvage, handling, relocation and incidental killing.

The three volumes should be read together as the substantive application for the Project. To avoid unnecessary duplication, Volume A summarises the Reserves Act and Wildlife Act approvals where relevant, with the detailed statutory information requirements, effects assessment, consultation response, decision-making assessment and proposed approval conditions addressed in Volumes B and C respectively.

These volumes describe the Project and the approvals sought, identifies and assesses the actual and potential environmental effects of the proposed activities, sets out consultation undertaken and how feedback has informed the project, and evaluates the Project against the relevant statutory and planning framework. The application includes a comprehensive suite of technical assessments appended to the application addressing the key environmental, economic, cultural and design matters relevant to the Project.

In accordance with Section 44 of the FTAA, the information contained within this application is provided at a level of detail that is commensurate with the scale and significance of the Project and sufficient to enable consideration of the approvals sought, including the assessment of actual and potential adverse effects and any proposed measures (including conditions) to avoid, remedy or mitigate those effects.

2.1 Statement of Qualifications and Experience

The following is a statement of the qualifications and experience of the Planners involved in preparing this substantive application. The qualifications and experience of the specialists involved are set out in their respective individual reports.

David Badham – Partner, Planner, Barker & Associates

I am a Partner at Barker & Associates where I have been employed since 2015. B&A is an independent planning, urban design, and landscape consultancy with offices throughout New Zealand, where I am the Whangārei Office Manager. I hold the qualifications of Bachelor of Planning (1st Class Hons) from the University of Auckland | Waipapa Taumata Rau, which I completed in 2010. I am a full member of the New Zealand Planning Institute and a Certified RMA Commissioner. I have 16 years experience as a planner across a number of fields including policy and plan development, land use and subdivision consenting, and iwi and hapū engagement. This has involved applying for and processing complex resource consent applications (including Fast-Track Applications), input into regional and district plan reviews on behalf of private clients and councils, preparing non-statutory strategies and documents, environmental monitoring and iwi and hapū engagement. I am the reviewer of this report and have been involved in the project since the outset, including the referral application, the planning strategy, stakeholder engagement, planning framework, briefing and review of technical reports, and coordination of the project team.

I confirm that, in my capacity as a reviewer of the substantive application, I have read and abide by the Environment Court of New Zealand’s Code of Conduct for Expert Witnesses Practice Note 2023.

Joanne Sunde – Senior Associate, Planner, Barker & Associates

I am a Senior Associate Planner at Barker & Associates (“B&A”) where I have been employed since April 2026. B&A is an independent planning, urban design, and landscape consultancy with offices throughout New Zealand. I hold the qualifications of Bachelor of Planning (Hons) from the University of Auckland | Waipapa Taumata Rau, which I completed in 2006. I am an intermediate member of the New Zealand Planning Institute. I have 15 years experience in the planning and property industry including as a planning consultant and a development manager. I have broad experience in the resource management field working on behalf of a range of clients including land developers, commercial entities, Councils, and iwi authorities. This has involved preparation of complex resource consent applications including the recent Arataki Project and Milldale Fast-track applications, private plan changes, policy and plan review submissions, and preparation / presentation of planning evidence at Council hearings. I am the co-author of this report and have been involved in the Project since April 2026, where my involvement has included establishment of the planning framework, review of technical reports and drawings, drafting the consultation report, preparation of the conditions suite, review of the consent matters, coordination of the expert team, and stakeholder engagement in the latter part of this application.

I confirm that, in my capacity as an author of the substantive application, I have read and abide by the Environment Court of New Zealand’s Code of Conduct for Expert Witnesses Practice Note 2023.

2.2 Introduction to the Applicant

The Applicant and authorised person under Section 42 of the FTAA for this resource consent application is Vermont Street Partners No.4 Limited (“VSP”). There is no other authorised person in relation to this application.

VSP is a New Zealand based property investment and development business involved in the acquisition, planning and delivery of residential developments throughout New Zealand¹. VSP has experience working with landowners, councils, infrastructure providers and specialist consultants to progress residential development projects through planning, consenting and delivery phases.

The Brookvale Green site is currently owned by Brookvale Limited and Brookvale Land Limited. VSP has entered into contractual arrangements to acquire the land and is leading the planning, consenting and development process for the proposed project. Brookvale Limited and Brookvale Land Limited has provided the necessary owner approvals to VSP to enable the lodging and processing of this substantive application.

2.3 Technical Reports

Technical reports have been prepared by independent experts for the Application. The technical reports provide detailed site assessments as relevant to their area of expertise, an assessment of the Project, and, where relevant, the provision of management plans and recommendations on matters to be addressed through conditions of consent.

The technical reports are included as Appendices to this report and are referenced throughout this report and **Volumes B and C**, and include:

- Legal Memorandum prepared by Berry Simons Environmental Law, included as **Appendix 3**;
- Engineering Plans prepared by Maven Associates Limited (“Maven”), included as **Appendix 4**;
- Scheme Plans prepared by Maven, included as **Appendix 4**;
- Masterplan prepared by Barker & Associates Limited (“B&A”), included as **Appendix 5**;
- Landscaping Package prepared by LA4 Landscape Architects (“LA4”), included as **Appendix 6**;
- Urban Design Assessment prepared by B&A, included as **Appendix 7**;
- Ecological Assessment Report prepared by Wild Ecology, included as **Appendix 8**;
- Infrastructure Report prepared by Maven, included as **Appendix 9**;
- Flood Modelling Report prepared by Maven included as **Appendix 10**;
- Geotechnical Report prepared by Hawke’s Bay Geotech Limited (“HB Geotech”), included as **Appendix 11**;
- Economics Assessment prepared by Insight Economics (“Insight”), included as **Appendix 12**;
- Landscape Visual Assessment prepared by LA4, included as **Appendix 13**;
- Substantive Transport Assessment prepared by East Cape Consulting Limited (“ECC”), included as **Appendix 14**;
- Acoustic Assessment prepared by Styles Group, included as **Appendix 15**;
- Contamination Assessment prepared by EAM NZ Limited (“EAM”), included as **Appendix 17**;
- Soils and Resource Report prepared by Ian Hanmore, included as **Appendix 18**;

¹ The Panel is directed to the VSP website link for further detail: <https://www.vermontstreetpartners.co.nz/>

- Hydrogeological Assessment and Source Water Protection Plan prepared by Land Water People (“LWP”), included as **Appendix 19 and 31**, respectively; and
- Reverse Sensitivity Assessment prepared by Fruition, included as **Appendix 30**.

Statements of experience for the authors and reviewers of the application technical reports and drawings are provided within each of the appended documents.

2.4 Scope

In accordance with Section 46 of the FTAA, this section confirms that the substantive application remains complete and within scope, including a minor modification to the Masterplan that does not affect the overall purpose, scale, or character of the Project as accepted for referral. The Project was accepted as a referred Project as described below (refer to **Appendix 22**):

“The project is described as being to subdivide and develop land to establish a residential community on approximately 24 hectares of land off Brookvale Road, located on the eastern edge of Havelock North’s urban residential boundary. The project will include works within the Brookvale Road reserve.

The project will include:

- *subdivision to create approximately 189-215 allotments and construction of approximately 189-215 residential units*
- *landscaping and ecological enhancement, including approximately 4.3 hectares of native planting and pest control, and integration with existing and proposed walking and cycling trails*
- *associated infrastructure, including for three waters services and transport (including external site works).*

The project will require the proposed approvals:

- *resource consents under the Resource Management Act 1991*
- *permits under the Wildlife Act 1953.”*

2.4.1 Changes to the Referral

Following acceptance of Brookvale Green as a referred project, VSP has undertaken further design development and technical assessment to finalise the substantive application. Changes represent refinements to the referred proposal and are considered to be within scope of the referred Project. The principal refinements are:

- Confirmation of 203 dwellings, within the range specified in the referral application (189-215).
- Finalisation of the scheme plan resulting in confirmation of lot configuration and sizing, road widths, reserve allocation, and vesting arrangements.
- Substantially more detailed engineering and servicing design, including refinement of the proposed stream realignment and stormwater infrastructure, and street cross sections.
- Confirmation of the proposed landform modification involving level changes, overland flow and flood hazard conveyance, batter and retaining structures.
- Confirmation of the rural interface buffer response including fencing types, building setbacks and landscaping treatment, including shelter belts.

- Correspondence from HDC regarding potential water capacity constraints for the district and confirming an option to secure an alternative water supply pathway through transfer of the Site's water allocation rights.
- Additional hydrogeological assessment, source water protection plan and development of construction management measures and conditions in response to matters raised through the referral application decision and HDC and HBRC regarding the source protection zone.
- Refinement of the planning framework implementation mechanisms, including consent notice provisions and design controls applying to future residential development of lots.

These refinements have been informed by detailed technical investigations and engagement with HDC, HBRC, mana whenua, and other stakeholders. They do not result in any material change to the scale, intensity, or character of the Project as accepted for referral.

2.4.2 Reserve Land Works

In addition to the refinements outlined above, advancement of the detailed design has identified the need for modifications to the proposed works within the Arataki Reserve land (Lots 3 and 4 DP 481968) and resulted in the need for a Reserves Act approval as outlined and assessed in **Volume B** of this application.

Following acceptance of the Project as a referred project, detailed engineering design (Drawings Nos. C301-1 to C301-4 of **Appendix 4**) of the Brookvale Road frontage and HDC service corridor interface with Arataki Reserve has been undertaken in consultation with HDC. Through this process, a revised road alignment and cross-section has been developed that is supported in principle by HDC officers in their letter dated 28 July 2026 (**Appendix 20**). During detailed design it became apparent that a direct pedestrian connection through the reserve, as initially contemplated, was constrained by the topography and grades within the Reserve land. To achieve a safe, accessible, and practical connection between the Project area and Brookvale Road, the pedestrian route has instead been integrated alongside the Brookvale Road and Road 3 corridors and Reserve interface. This design response has influenced the final road reserve configuration and necessitates the use of the adjoining Arataki Reserve land to accommodate the widened road reserve and associated pedestrian connection, retaining structures, batters, vegetation removal, and reinstatement works. The works will provide an integrated interface between the Project, Brookvale Road, Arataki Reserve, and the neighbouring CDL development.

Importantly, the Arataki Reserve land formed part of the Project area identified in the referral application and was included within the legal descriptions of the referred project (**Section 2.1, Appendix 23**). The referral application also expressly contemplated that approvals from HDC may be required in relation to the utilisation of this Reserve land (**Section 4.4, Appendix 23**). The proposed works therefore relate to land and activities that were within the scope of the referred project, with the detailed design process now confirming the extent and nature of the physical works required.

While the detailed design necessitates approvals associated with the Reserve land, including approvals under the Reserves Act 1977 (easement and works permit), these requirements arise from the refinement of the detailed design rather than any expansion of the Project footprint or change in the nature of the activities proposed. Rather, this represents a refinement of the referred project and does not result in any material change to the purpose, scale, extent, or character of the Project.

2.4.3 Summary

The benefits of the Project remain significant from a regional perspective for the reasons set out in Section 11.3 of this report and the appended material. Overall, the minor adjustments to the Project continue to align with the purpose of the FTAA and will continue to deliver regionally significant benefits in accordance with section 22(1)(a).

Accordingly, the Project is within scope under section 46(2) of the FTAA. The Project continues to fall within the parameters of section 46(2) of the FTAA, as the application encompasses all necessary approvals while maintaining the same overall purpose, scale, and character that formed the basis for acceptance as a referred Project.

3.0 Application Requirements

The FTAA sets out the requirements for Substantive Applications. This section provides an overview of those requirements and confirms how the Application has addressed these information requirements relating to:

- Section 21 – Referral Application Decision
- Section 30 – Preliminary Steps for Substantive Applications
- Section 42 – Authorised person may lodge substantive application for approval
- Section 43 – Requirements for substantive applications
- Section 43(1)(e)(i) – Requirements specified by the Minister
- Section 44 – Information specified in sufficient detail

3.1 Referral Application Decision

The Project is a Referred Project accepted under section 21(1)(c) of the FTAA on 16 December 2025, the Referral Decision is included as **Appendix 22**. The referral decision specifies the following details:

- **Authorised Person:** Vermont Street Partners No.4 Limited
- **Project Name:** Brookvale Green
- **Project Description:** Subdivide and develop land to establish a residential community on approximately 24 hectares of land off Brookvale Road, located on the eastern edge of Havelock North's urban residential boundary. The Project will include works within the Brookvale Road reserve.

For completeness, a copy of the Referral Application is included in **Appendix 23**.

3.2 Preliminary Steps for Substantive Applications

3.2.1 Section 30 - Existing Resource Consents for the Same Activity

Section 30 of the FTAA sets out the preliminary steps for substantive applications. This requires the relevant regional Council (HBRC) to advise the Applicant in writing whether there are any existing resource consents to which Section 124C(1)(c) or 165ZI of the RMA would apply if the approval were to be applied for as a resource consent under that Act. Or alternatively, that there are no existing resource consents of that kind.

In accordance with Clause 5(1)(l) of Schedule 5 of the FTAA, the Applicant has received a notice from HBRC, as the consent authority under section 30(3)(b). The notice was received within the time frame specified and confirms that there are no relevant consents (refer to **Appendix 20**).

3.3 Section 42 – Authorised Person May Lodge Substantive Application for Approvals

As a Referred Project, this Application has been made by VSP in accordance with Section 42 of the FTAA. Compliance with the relevant requirements is assessed in **Table 1** below.

Table 1: Section 42 FTAA Assessment Table

FTAA Section	FTAA Requirement	Application Assessment
Section 42(1)(a)	An authorised person may lodge with the EPA one substantive application for the project.	Only one substantive application is proposed.
Section 42(1)(b)	An authorised person may lodge with the EPA one substantive application for each stage of the project.	N/A. The Project is not being progressed through staged substantive applications.
Section 42(2)(a)	A substantive application must comply with Section 43.	The application meets the requirements of Section 43. Refer to Section 3.4 of this report.
Section 42(2)(b)	A substantive application must if there is more than 1 authorised person for the project, be lodged jointly by every authorised person who is the proposed holder of an approval.	N/A. There is only one authorised person (VSP) for the Project.
Section 42(3)(a)	For each approval sought under subsection (4) the applicant must be eligible to apply for any corresponding approval under a specified Act	VSP is the authorised person for the Project and is eligible to apply for the approvals sought.
Section 42(3)(b)	For each approval sought under subsection (4) if the substantive application is lodged by more than 1 authorised person, the authorised person who is proposed to hold the approval sought under subsection (4) must be a person who would be eligible to apply for any corresponding approval under a specified Act.	There is only one authorised person (VSP) for the Project.
Section 42(4)(a)	A substantive application may seek 1 or more of the following matters (the approvals): a resource consent that would otherwise be applied for under the RMA 1991 (but see subsection (5)).	A resource consent approval is required.
Section 42(4)(e)	A substantive application may seek 1 or more of the following matters (the approvals): a concession as defined in Clause 1 of Schedule 6	A concession approval is required (easement and works permit). Refer to Volume B .
Section 42(4)(h)	A substantive application may seek 1 or more of the following matters (the approvals): a wildlife approval as defined in Clause 1 of Schedule 7.	A wildlife approval is required. Refer to Volume C .
Section 42(4) (b-d, f-g, i-n)	All other approvals.	N/A – none sought.
Section 42(5)(a)	A substantive application that seeks an approval described in subsection (4)(a)	A prohibited activity approval is not required.

FTAA Section	FTAA Requirement	Application Assessment
	may seek that approval for an activity that is a prohibited activity under the RMA.	
Section 42(5)(b)	A substantive application that seeks an approval described in subsection (4)(a) must, if section 30(6) applies, be lodged within the time frame specified in that section.	The application does not trigger Section 30(6).
Section 42(6) – (13)	All other approvals.	N/A – none of these approvals apply.

Accordingly, the substantive application has been lodged by the authorised person for the referred project and seeks only those approvals contemplated by section 42(4) of the FTAA that are necessary to implement the Project. The requirements of section 42 are therefore satisfied.

3.4 Section 43 – Requirements for Substantive Applications

Section 43 of the FTAA sets out the information to be included in substantive applications. The information provided in this Application satisfies the relevant requirements of Section 43. The Application has been lodged with the EPA in the prescribed form and manner in accordance with Section 43(1)(a). With regard to specific provisions of Section 43, the following sub-sections make comments on these.

3.4.1 Consistency with the Purpose of the FTAA

Section 43(1)(b)(i) requires that a substantive application explain how the project to which the application relates is consistent with the purpose of the FTAA. Section 11.3 of this Report explains how the Project is consistent with the purpose of the FTAA.

3.4.2 Ineligible activities

Section 43(1)(c) of the FTAA requires that a substantive application must demonstrate that the Project does not involve any ineligible activities. Section 5 of the FTAA sets out the meaning of ineligible activity. The comments made in **Table 2** below confirm that the Project does not involve any ineligible activities.

Table 2: Ineligible Activities Assessment.

Ineligible Activity Definition (with reference to Section 5 of the FTAA)	Application Assessment (Section 43(c) FTAA)
(1)(a) an activity that— (i) would occur on identified Māori land; and (ii) has not been agreed to in writing by the owners of the land or been subject to a determination under section 23:	N/A – The Project is not occurring on identified Māori land. Refer to records of title in Appendix 1 .
(1)(b) an activity that— (i) would occur in a customary marine title area; and (ii) has not been agreed to in writing by the customary marine title group:	N/A – The Project is not occurring within customary marine title area.

Ineligible Activity Definition (with reference to Section 5 of the FTAA)	Application Assessment (Section 43(c) FTAA)
(1)(c) an activity that— (i) would occur in a protected customary rights area; and (ii) would have a more than minor adverse effect on the exercise of the protected customary right; and (iii) has not been agreed to in writing by the protected customary rights group	N/A – The Project is not occurring in a protected customary rights area.
(1)(d) an activity that would occur on either of the following classes of land: (i) Māori customary land; (ii) land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993:	N/A – The Project is not occurring on Māori customary land or land set apart as a Māori reservation. See records of title in Appendix 1 .
(1)(e) an aquaculture activity or an activity that is incompatible with aquaculture activities— (i) that would occur within an aquaculture settlement area declared under section 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty settlement for the aquaculture activities of a particular group; and (ii) for which the applicant who is proposed to hold an approval described in section 42(4)(a) (resource consent) is not authorised to apply for a coastal permit under the RMA:	N/A – The Project is not for an aquaculture activity.
(1)(f) an activity— (i) that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991; and (ii) that— (A) could not be granted an access arrangement because of section 61(1A) of that Act; or (B) would occur in an area for which a permit cannot be granted under that Act:	N/A – The Project does not require access arrangement under section 61 or 61B of the Crown Minerals Act 1991.
(1)(g) an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA:	N/A – The Project is not related to occupation of common marine and coastal area.
(1)(h) an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that— (i) would occur on land that is listed in Schedule 4; and (ii) has not been subject to a determination under section 24:	N/A – The Project is not located on land listed in Schedule 4 of the FTAA. See records of title in Appendix 1 .
(1)(i) an activity that— (i) would occur on a national reserve held under the Reserves Act 1977; and (ii) requires approval under that Act; and (iii) has not been subject to a determination under section 24:	N/A – The Project is not occurring on a national reserve held under the Reserves Act 1977. See records of title in Appendix 1 .

Ineligible Activity Definition (with reference to Section 5 of the FTAA)	Application Assessment (Section 43(c) FTAA)
(1)(j) an activity that— (i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and (ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:	N/A – The Project is not occurring on a reserve managed by others under the Reserves Act 1977. See records of title in Appendix 1 .
(1)(k) an activity that— (i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and (ii) has not been agreed to in writing by the person or persons responsible for managing it:	N/A – The Project is not occurring on a reserve managed by others held under the Reserves Act 1977. See records of title in Appendix 1 .
(1)(l) an activity that is— (i) a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; or (ii) an activity that is described in section 15B of the RMA and is a prohibited activity under that Act or regulations made under it; or (iii) an activity that is prohibited by section 15C of the RMA:	N/A as follows: • The Project is not for a prohibited activity as described under section 37 of the Exclusive Economic Zone and Continental Shelf Act 2012; • The Project is not for an activity related to ships or offshore installations under s15B of the RMA; and • The Project is not for activity related to radioactive waste under s15C of the RMA.
(1)(m) a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012):	N/A – The Project is not for a decommissioning-related activity associated with a marine consent.
(1)(n) an activity undertaken for the purposes of an offshore renewable energy project.	N/A – The Project is not for an offshore renewable energy project.

3.5 Specified Matters for Accepted Referral Application

Section 43(1)(e)(i) of the FTAA requires that a substantive application must demonstrate that the Project complies with any information requirements specified by the Minister under section 27(3)(b)(ii).

As shown in the Notice of Decision on application for referral of the Project under the FTAA (refer to **Appendix 22**) the Minister has specified under section 27(3)(b)(ii) that the following information must be submitted with the substantive application lodged for the Project:

- An assessment of the effects of the project, both during and post construction, on the underlying groundwater system and surface water, and the potential impacts to source water; and

- Information on any discussions held, and any agreements made, between the authorised person, HDC and HBRC, on any necessary measures required to ensure the protection of the region's drinking water source.

The substantive application addresses each of these specified matters. The potential effects of the Project on groundwater, surface water, and source water protection are assessed within this report (Section 8, specifically 8.15), the Hydrogeological Assessment (**Appendix 19**), Source Water Protection Plan ("SWPP") (**Appendix 31**), Infrastructure Report (**Appendix 9**), Engineering Drawings (**Appendix 4**) and Geotechnical Assessment Report (**Appendix 11**). This includes consideration of the proposed earthworks, stream realignment works, stormwater infrastructure, construction effects, and bore decommissioning works, having regard to the sensitivity of the groundwater resource and the findings of the Havelock North Drinking Water Inquiry.

In response to the Minister's direction, the Applicant has also undertaken extensive engagement with HDC and HBRC regarding water supply, source water protection, groundwater management, and construction-related risks. This engagement has included a series of workshops and technical meetings with Council officers and specialists, including a joint meeting with both Councils in attendance, resulting in refinement of the Project design and construction methodology, preparation of additional technical assessment, and development of additional management measures (including the SWPP at **Appendix 31**) through robust proposed consent conditions. Records of this engagement, including meeting outcomes and correspondence, are provided within the Consultation Report (**Appendix 20**).

Accordingly, the substantive application provides the information specified by the Minister under section 27(3)(b)(ii) of the FTAA and satisfies the requirements of section 43(1)(e)(i).

3.5.1 Priority Project

Section 43(1)(h) of the FTAA requires that an application must state whether it relates to a priority project. This Application does not relate to a priority project.

3.5.2 Deadline Notice

Section 43(1)(i) of the FTAA requires that an application is made within the specified in the notice under s28(3)(d). The Referral Decision sets out that the application must be made within three years from the date of the letter (refer to **Appendix 22**), which is the 16 December 2028. As such, the Application is within the specified deadline.

3.5.3 Schedule 5 – Approvals Relating to RMA

In accordance with Section 43(1)(e)(ii), this Application is for a resource consent that would otherwise be applied for under the RMA (s42(4)(a)). The consent holder will be VSP, and Section 7.2.1 below provides a detailed list of the resource consents the Application has sought.

For the purposes of Section 43(3)(a) of the FTAA, Schedule 5, Clauses 5 to 8 set out the information required to be included in an application. The Application has included:

- A description of the proposed activity (refer to Section 5 of this Report);
- A description and map of the site to which the activity is to occur (refer to Section 4);
- Confirmation that the consent complies with Section 46(2)(a),(b), and (d) of the FTAA (refer to Section 6 of this Report);

- The full name and addresses of each owner and occupier of the site and land adjacent to the site (refer to **Appendix 21**);
- A description of any other activities that are part of the proposal to which the application relates (refer to Section 7.6 of this Report);
- Any other approvals required for the Project (refer to Section 7.7 of this Report);
- An assessment of the Application against Sections 5, 6, and 7 of the RMA (refer to Section 7.8 of this Report);
- An assessment of the relevant statutory documents listed in sub Clause (2) of Clause 5 of the FTAA (refer to Section 99.0 of this Report);
- Information about any Treaty settlements that apply in the area (refer to Section 9.57.10 of this Report);
- A list of any relevant customary marine title groups (refer to Section 7.8 of this Report);
- The conditions that the Applicant proposes for the resource consent (refer to Section 12 and **Appendix 28**);
- Information relating to the Section 30 notice (refer to Section 3.2.1 of this report);
- An assessment of the activity's effects on the environment including the information required by Clause 6 and matters in Clause 7 (refer to Section 8 of this Report), including:
 - The actual and potential effects on the environment, including those matters outlined in Clause 7(a) to (g);
 - Identification of any persons who may be affected by the activity;
 - Description of proposed monitoring (refer to Section 7.13); and
- Information relating to associated permitted activities (refer to Section 7.2.7 of this Report).

For subdivision applications, Clause 8 of Schedule 5 sets out the additional information requirements to be provided. The information required under Clause 8(1)(a) to (g) has been provided within Section 5.35.3 of this report and the application Scheme Plans in **Appendix 4** including:

- The position of all new lot boundaries;
- The areas of all new allotments;
- The locations and areas of new reserves to be created; and
- The locations and areas of land to be set aside as new roads.

For the reclamation consent, the information required under Clause 8(2) of Schedule 5 is provided in Section 5.7, Section 9.1 of this Report and the Ecological Assessment Report at **Appendix 8**, including identification of the area of Watercourse 1 to be reclaimed.

3.5.4 Schedule 6 – Approvals Relating to Reserves Act Approvals

In accordance with Section 43(3)(e), this Application is for approvals (easement and works permit) that would otherwise be applied for under the Reserves Act (s42(4)(e)). The information required to be included in an application under Clause 2 of Schedule 6 is provided in **Volume B**.

3.5.5 Schedule 7 – Approvals Relating to Wildlife Approvals

In accordance with Section 43(1)(e)(ii), this Application is for a wildlife approval that would otherwise be applied for under the Wildlife Act (s42(4)(h)). The information required to be included in an application under Clause 2 of Schedule 7 is provided in **Volume C**.

3.6 Section 44 – Information Specified in Sufficient Detail

Section 44 of the FTAA states that the information required by Section 43 must be specified in sufficient detail to satisfy the purpose for which it is required.

The information provided in this Application is considered sufficient to meet the test of Section 43, and sufficient detail has been provided through this Planning Report and Appendices to enable the EPA to confirm that the Application is complete and within scope.

A completed Application Form has been submitted to the EPA as required (refer to **Appendix 2**).

4.0 Site Context

In accordance with Clause 5 of Schedule 5 of the FTAA, this section provides a description of the site and its surrounding context.

4.1 Site Map & Location

The Site (**Figure 2**) is located at 174 and 176 Brookvale Road, Hawke's Bay, located on the north-eastern periphery of the Havelock North's urban edge. The site is positioned approximately 3.5km from the centre of Havelock North's village which contains a range of commercial, retail and community amenities. The site comprises approximately 24 hectares and has an irregular shape. It narrows towards Brookvale Road at its north-western end and widens through the central portion of the site.



Figure 2: Aerial Photo of the Site (Source: CoreLogic EMap)

4.2 Records of Title and Interests

The Project extends across six titles under both private and public ownership. The majority of the site is owned by Brookvale Limited and Brookvale Land Limited. However, the Project also incorporates a small number of adjoining land parcels owned by HDC, including the existing water asset corridor (Lot 2 DP 28543 & Lot 1 DP 529421) and the Arataki Reserve land (Lots 3 & 4 DP 481968). These HDC-owned parcels² are required to facilitate access, infrastructure connections, road improvements, reserve interface works, and associated landscape treatment forming part of

² The HDC letter dated 28 July 2026 provides support in principle for the use of its land for access and interface works – refer to Attachment 3 of **Appendix 20** Consultation Report.

the Project, but will ultimately remain in public ownership as part of the Local Purposes (Amenity) Reserve (see Volume B).

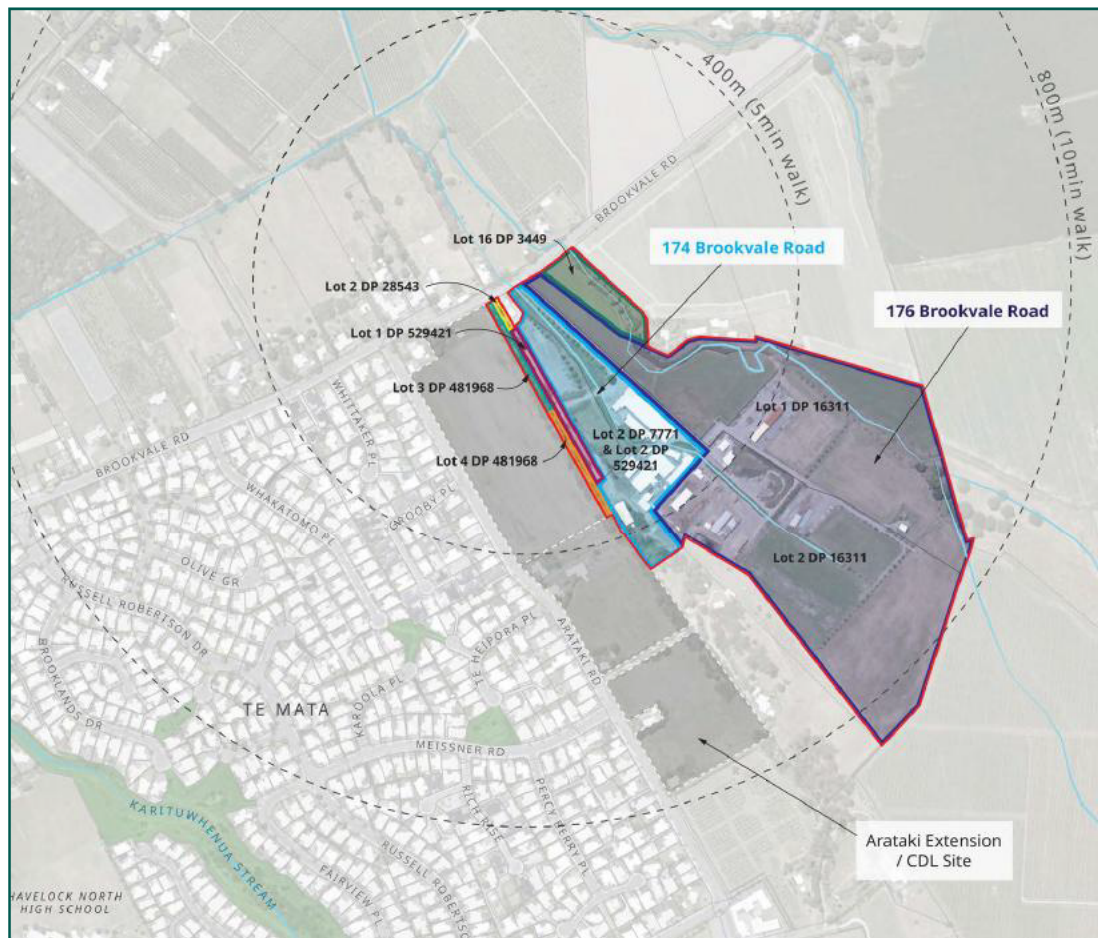


Figure 3: Title Boundary Arrangements

The Records of Title for the site and associated interests are provided in **Appendix 1**. Together, the land parcels comprise an area of approximately 24 hectares. **Table 3** summarises the legal descriptions, ownership, and relevant registered interests affecting each parcel.

Table 3: Record of Title Summary

Legal Description	Title Area	Owner	Interests
174 Brookvale Road			
Lot 2 DP 7771 and Lot 2 DP 529421	4.1271 ha	Brookvale Land Limited	- Instrument 13151178.3 - Land Covenant - Easement Instrument 13151178.2 - Right of way and a right to convey water, electricity and telecommunications, and drain water and sewage. - Easement Instrument 11395322.4 - Right of way is subject to Section 243(a) RMA - Easement Instrument 9218697.6 - Land Covenant - Easement Instrument 9218697.5 - Land Covenant

Legal Description	Title Area	Owner	Interests
			• Transfer 11395322.2 Fencing Covenant • Subject to Section 241(2) RMA
Lot 16 DP 3449 (Lot 1 of Approved Subdivision RMA20260076)	0.8723 ha	Brookvale Limited	• Lot 1 to be amalgamated with Brookvale Limited title Lot 1 DP 16311 as part of subdivision consent RMA20260076 approved on 14 April 2026. Awaiting issue of title from LINZ.
176 Brookvale Road			
Lot 1 DP 16311	8.9161 ha	Brookvale Limited	• Instrument 13151178.3 - Land Covenant • Easement Instrument 13151178.2 - Right of way and a right to convey water, electricity and telecommunications, and drain water and sewage. • Covenant Instrument 12766001.1 - In favour of HDC
Lot 2 DP 16311	9.4833 ha	Brookvale Limited	
HDC Water Asset Access Corridor			
Lot 1 DP 529421	0.3389 ha	Hastings District Council	• Subject to Section 241(2) RMA • Easement Instrument 11395322.4 - Right of way is subject to Section 243(a) RMA
Lot 2 DP 28543	0.0546ha	Hastings District Council	• Subject to Section 241(2) RMA • Easement Instrument 11395322.4 - Right of way is subject to Section 243(a) RMA
Arataki Reserve Land			
Lot 3-4 DP 481968 (Local Purposes (Amenity) Reserve)	0.3624 ha	Hastings District Council	• Subject to the Reserves Act 1977 – Local Purpose Amenity Reserve • Subject to Section 168A Coal Mines Act 1925 • Subject to Section 241(2) RMA (affects DP 481968) • Subject to Section 8 Mining Act 1971

4.3 Zoning

4.3.1 District Plan

Under the HDP, the site (including the Arataki Reserve land) is zoned Plains Production. The following overlays, additional limitations or interests are identified in the HDP:

- The site is listed as a Scheduled Activity S37 Te Mata Mushroom which is a former Intensive Rural Production Activity;
- Plains Strategic Management Area;
- Brookvale Road is an Access Road; and
- The site is identified low flood and liquefaction risk areas on Hawke's Bay Hazard GIS Portal.

4.3.2 Regional Plan

Under the RRMP, the site is within the following mapped areas:

- Confined Aquifer System and Schedule IV Productive Aquifer Systems
- Groundwater Management Zone
- Schedule II Land Cover – Primary Pastoral
- Land Use Capability 3
- Flood Risk Area – Low
- Heretaunga Plains Contaminated Vulnerability category 5-6
- Catchment sensitive to animal effluent discharges
- Medium liquefaction vulnerability
- TANK Surface Water Quality
- TANK Priority Catchment
- TANK Water Quantity

4.4 Consenting History

A summary of the known resource consent history for the site is included in **Appendix 25**. The consent history reflects the site's long-standing use for rural production, mushroom growing, composting and associated industrial/commercial activities, together with later consents relating to earthworks, access, water storage and the temporary use of existing buildings.

4.4.1 District Consents

The site has an extensive consenting history associated with the former Te Mata Mushrooms operation. Mushroom growing and composting activities were progressively established and expanded across the site from the 1980s, including consents for mushroom growing buildings, composting areas, storage buildings and related production infrastructure. These activities formed the basis for the site's identification as Scheduled Activity S37 in the HDP.

The key historic district consents relate to the progressive establishment and expansion of the former Te Mata Mushrooms operation. These include a series of land use consents granted between 1983 and 1989 for mushroom growing buildings, composting areas, shed extensions and associated rural production activities, followed by later consents for additional buildings and storage facilities. More recent consents include RMA20130216 and RMA20180414, which authorised expansion of the Intensive Rural Production Activity across multiple titles and RMA20210509, which retrospectively authorised earthworks associated with the former operation.

Following the closure of the mushroom operation, parts of the former buildings and yard areas have been repurposed for small-scale industrial, commercial and storage activities. These activities are authorised by RMA20230222, granted by HDC in February 2024, which enables industrial and commercial activities on the site for a maximum period of four years to 2028.

More recent district consents relate to ancillary site works and access arrangements, including RMA20210557, granted in 2021, authorising a new vehicle crossing and associated earthworks at 174 and 176 Brookvale Road, and RMA20240333, granted in 2024, authorising a right of way.

Further, RMA20260076 was granted by HDC in April 2026 for a boundary adjustment subdivision involving Lot 16 DP 3449 at 184 Brookvale Road, transferring approximately 0.8723ha of land to Brookvale Green. In addition, RMA20130305 and RMA20180453 relate to the HDC-owned utility lot and access/easement arrangements associated with Lot 1 DP 529421.

4.4.2 Regional Consents

The former Te Mata Mushrooms operation also has an extensive regional consenting history associated with the discharge and water use requirements of mushroom growing and composting activities. This included regional approvals for site works, stormwater, wastewater and air discharges, together with groundwater take permits (see **Appendix 25**) associated with irrigation, mushroom production and general operational use.

The former mushroom growing and composting operation has now ceased and will not recommence as part of the Project. The development will disestablish the former intensive rural production use, buildings and infrastructure of the site and replace it with a comprehensively planned residential neighbourhood and urban infrastructure.

Existing regional discharge consents associated with the former Te Mata Mushrooms operation, including air discharge permit DP160229A and any associated stormwater and wastewater discharge permits no longer required for the site, will be surrendered following approval of the Project and prior to commencement of the relevant development works.

4.4.3 Regional Groundwater Take Consents

Four groundwater take consents were historically held for irrigation and mushroom production purposes. These consents authorised water takes from wells associated with the former Te Mata Mushrooms operation and were used for activities including irrigation, mushroom growing, washdown and general farm or commercial use.

The four groundwater take consents expired in May 2022. A replacement application, APP-127296, was lodged with HBRC seeking a single amalgamated replacement consent. The original four consents have continued under statutory continuation rights and have been extended, with expiry now aligned to 31 December 2027. The replacement application remains undetermined and is part of a wider group of groundwater take applications awaiting resolution in the context of the RRMP TANK Plan Change process.

In 2024, two interim water permits were granted by HBRC to split the historic water allocation between the relevant landholdings following changes in land ownership. These are:

- AUTH-131631-01, held by Brookvale Limited, authorising the take and use of water from well no. 1098 or well no. 1280 at 174 Brookvale Road for irrigation of pasture/nursery land and spray fill purposes; and
- AUTH-131633-01, held by Brookvale Land Limited, authorising the take and use of water from well no. 1129 at 176 Brookvale Road for irrigation of crops/pasture, mushroom growing, spray fill, washdown, building supply and associated commercial use.

The interim consents are expressly linked to the replacement application process for APP-127296 and are required to be surrendered once a decision is issued on that replacement application. They do not determine the final volume of water that may be allocated through the replacement process.

The site is located within the Heretaunga Plains Groundwater Quantity Area and is subject to the TANK Plan Change framework. The TANK provisions identify the Heretaunga Plains groundwater resource as over-allocated and provide for reallocation through an Actual and Reasonable Use approach.

The groundwater take consents are relevant to the Project for two reasons. First, the existing bores and groundwater infrastructure form part of the existing environment and will need to be appropriately managed or decommissioned as part of the Project. Secondly, through consultation with HDC and HBRC, an agreed pathway has been established to transfer approximately 60,000 m³ per annum of the existing groundwater allocation to HDC's municipal water supply consent to support the public water supply requirements of the development. HDC has formally confirmed its acceptance of the proposed transfer, subject to the necessary approval being obtained from HBRC. The transfer will be progressed through a separate statutory process and is discussed further in Section 8.7.1 of this report.

4.5 Current Land Use



Figure 4: Aerial of Site showing Land Uses (Source: CoreLogic EMap)

The site contains a range of existing rural, primary production, residential and light industrial activities associated with its historic and current use (**Figure 4**). The predominant feature of the site is the former Te Mata Mushroom operation, which ceased in 2022. As a result of this historic use, the site contains approximately 8,800m² of existing buildings and structures, together with

former composting and storage areas, hardstand surfaces, internal accessways and parking areas totalling approximately 13,300m². These facilities are primarily concentrated within the central part of the site and include former mushroom growing buildings, storage facilities, yard areas, old ponds and associated earthworked areas.

A single residential dwelling is located within the eastern part of the site and is accessed via a driveway extending through the central site area. The eastern and southern portions of the site are currently used for low-intensity cropping activities.

Following closure of the mushroom operation, a temporary resource consent has enabled parts of the former buildings and yard areas to be occupied by a number of light industrial and storage-based tenants known as the 'Brookvale Business Park' (RMA20230222 – expiry 2028).

The site also contains extensive drainage infrastructure associated with historic land development and primary production use, including artificial channels, culverts, piping, fords and other drainage works.

The existing HDC water asset corridor adjacent to the western site boundary is utilised as an accessway, with legal easements providing access rights to the Brookvale Land titles.

The Project site extent includes the adjoining Arataki Reserve land along the western boundary, being Lots 3 and 4 DP 481968. This land is owned and administered by HDC and is classified as Local Purpose (Amenity) Reserve under the Reserves Act 1977. The Reserve land is characterised by established gum trees and scrub vegetation. The Reserve is not actively used for recreation or public use and currently functions as a vegetated buffer between the established urban area to the west and rural land to the east. The Reserve land site context is addressed in detail in **Volume B**.

4.6 Topography

Existing ground levels range from approximately RL 10m along the northern portion of the site to around RL15 m in the south-eastern area. More pronounced topography occurs along the western boundary, where the land rises steeply by approximately 14m to an elevated alluvial terrace. Two ephemeral watercourses traverse the site, including a channel along the northern boundary and a second channel through the central portion of the site. These watercourses form local low points within the site and are generally incised 2 to 3m below the surrounding ground surface.

4.7 Geology & Groundwater

Details regarding the site's geological conditions, geotechnical characteristics and groundwater are provided in the Geotechnical Assessment Report prepared by Hawke's Bay Geotech and included in **Appendix 11**. The site is underlain by alluvial deposits associated with the Tukituki River system and surrounding Heretaunga Plains. Geotechnical investigations indicate the site generally comprises a surface layer of topsoil and localised areas of historic fill overlying very stiff to hard sandy silt and clayey silt soils. These soils are underlain by extensive dense to very dense gravel deposits which extend to significant depth across much of the site. Localised areas of uncertified fill and organic soils are present in former stream channels, historical pond areas and parts of the former mushroom-growing operation. Groundwater levels vary across the site but are generally encountered between approximately 2m and 4m below ground level.

The site is located within the Hastings Source Protection Zone and overlies the Heretaunga Plains aquifer system. Several existing bores are located on the site associated with the former mushroom-growing operation. The Brookvale Road municipal water supply bore is also located immediately adjacent western boundary of the site at 170 Brookvale Road.

4.8 Highly Productive Soils

A Soil and Resource Assessment prepared by Hanmore Land Management is included in **Appendix 18**. The assessment identifies portions of the site as New Zealand Land Resource Inventory ('NZLRI') Land Use Capability ('LUC') Class 3 soils, together with areas that have been substantially modified through historic development activities, including buildings, hardstand areas, accessways and former commercial operations. The assessment notes that the site's productive capacity is constrained by impeded drainage, stony soil profiles, compaction and degradation of soil structure, limiting the range of viable primary production activities.

The Hanmore assessment was prepared for the referral application prior to amendments to the National Policy Statement for Highly Productive Land ("NPS-HPL") that came into effect in January 2026. Those amendments, and specifically Clause 3.5(7)(b)(iii), provide that until a regional policy statement identifying Highly Productive Land by mapping becomes operative, LUC Class 3 land is excluded from the interim definition of Highly Productive Land where it is subject to a resource consent application for subdivision, use or development (other than rural lifestyle development) lodged at or after the commencement of the amendments. Accordingly, while the Site contains areas of LUC Class 3 soils, this substantive application will be lodged after the amendments took effect and the Site is therefore not identified as Highly Productive Land under the current NPS-HPL framework.

4.9 Contamination

The site has a history of mushroom production, horticultural activities, agrichemical storage, fuel storage, and industrial operations associated with the former Te Mata Mushroom facility. As a result, the site is identified as HAIL land and has been subject to a Preliminary Site Investigation and Detailed Site Investigation. Site investigations concluded that, notwithstanding a small localised diesel-stained area, the site soils are highly unlikely to pose a risk to human health and are suitable for the proposed residential land use. Further details are provided in the Preliminary & Detailed Site Investigation Report prepared by EAM Environmental Consultants (**Appendix 17**).

4.10 Transport Network

The site is accessed from Brookvale Road, which forms the primary connection between the site and the wider transport network. Brookvale Road is classified as an Access Road and currently exhibits a rural road character, with a sealed carriageway, grassed swales and no footpaths. The site is located near the transition between the rural 100km/h speed environment to the east and the urban 50km/h speed environment to the west. West of Arataki Road, Brookvale Road progressively transitions to a more urban environment and is classified as a Secondary Collector Road.

The wider roading network is structured around a hierarchy of access, collector and arterial routes. Arataki Road to the west provides a north-south connection between Brookvale Road and the established residential areas of Havelock North and is classified as an Access Road. Romanes Drive,

located further west, is a Primary Collector Road providing an important connection to the wider Havelock North and Hastings transport network. Te Mata Mangateretere Road, located to the east of the site, is classified as a Primary Collector Road and provides access to the rural area east of Havelock North. Higher-order connections are provided by Napier Road, Crosses Road and Te Mata Road.

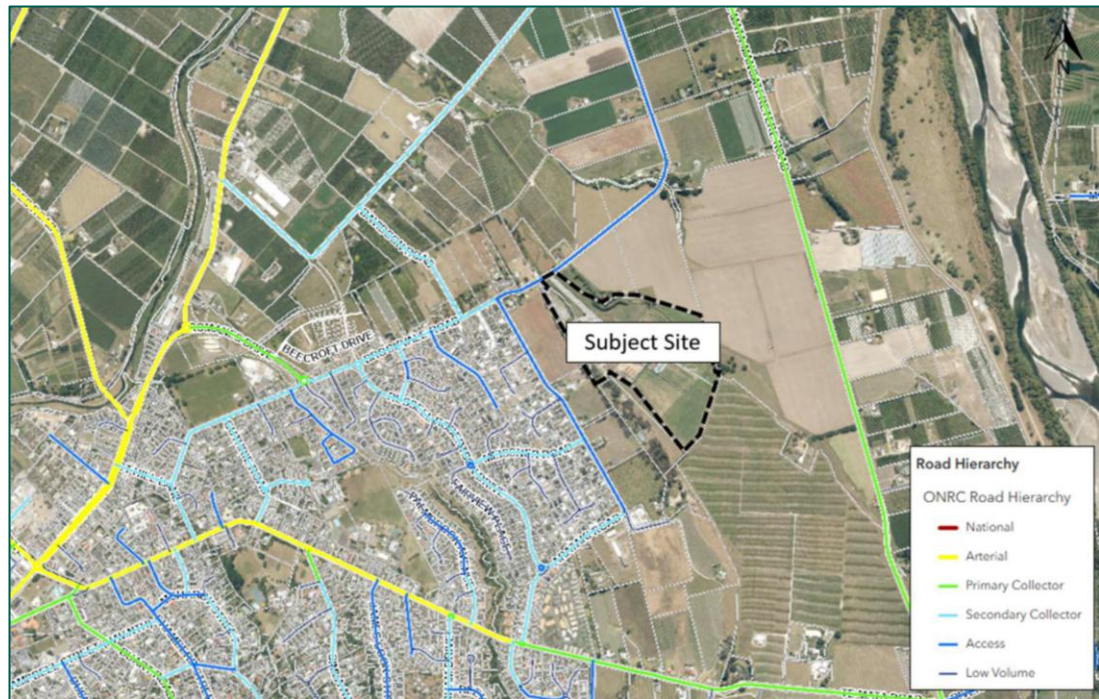


Figure 5: Road Hierarchy (Source: ECC Substantive Transport Report Appendix 14)

Nearby Arataki Road has been identified as a future public transport corridor associated with the planned urban development of the Brookvale Structure Plan area and adjoining Arataki Extension land. Bus stops are located within walking distance of the site, and future urban development within the area is expected to support enhanced public transport services and improved accessibility over time.

Further details regarding the existing transport environment, road hierarchy, public transport services and future transport network are provided in the Substantive Transport Assessment prepared by East Cape Consulting and included in **Appendix 14**.

4.11 Existing Infrastructure

The site is not currently connected to HDC public water supply, wastewater or stormwater reticulation networks.

Public infrastructure is available in close proximity to the site. Brookvale Road contains existing public water supply infrastructure, including 300mm and 375mm water mains, while the nearest public wastewater network is located within the Brookvale Road and Arataki Road corridor.

Stormwater within the existing urban area of Havelock North is managed through HDC's public stormwater network and associated regional global stormwater discharge consents. The extent of the existing public stormwater catchment currently terminates at Arataki Road and does not extend to the Brookvale Green site, which presently relies on natural watercourses and drainage channels for stormwater conveyance. HDC is currently progressing a replacement consent

application for its global public stormwater network with HBRC, with potential for the Brookvale Green stormwater system to be incorporated into the wider public network framework in the future, although this is not required to service the development.

Electricity and telecommunications networks are available within the surrounding road reserve and are capable of being extended to service future development. An existing electricity easement traverses part of the site and provides power supply to the adjoining Shaggy Range property at 104 Arataki Road.

Further details regarding the existing infrastructure environment and servicing capacity are provided in the Infrastructure Report prepared by Maven Associates and included in **Appendix 9**.

4.12 Flooding

A Flood Modelling Report prepared by Maven Associates is included in **Appendix 10**. The assessment identifies that the site forms part of the headwaters of the wider Karamū Stream catchment and contains two primary watercourse corridors that function as the principal overland flow paths through the site during significant rainfall events. These comprise Watercourse 1 along the north-eastern boundary and Watercourse 2 through the central part of the site. Both watercourses receive runoff from the wider upstream catchment and convey flows beneath Brookvale Road via existing culvert structures.

The site generally falls toward its northern boundary, with the watercourse corridors forming local low points and flood conveyance pathways. Flood modelling indicates that under existing conditions flooding is largely confined to these watercourse corridors and adjacent low-lying areas, although Brookvale Road overtops during larger rainfall events where the capacity of the existing culvert network is exceeded.

The site is not located within a HBRC mapped flood risk study area and no regional flood modelling is currently available for the site. Accordingly, a project-specific flood model has been developed to assess existing flood behaviour and inform the proposed stormwater and flood management strategy.

4.13 Ecology

An Ecological Assessment Report has been prepared by Wild Ecology and is provided in **Appendix 8**. The assessment includes detailed assessment and evaluation of terrestrial, freshwater, wetland and fauna values across the site. A summary of the existing ecological environment based on the Wild Ecology assessment is provided below, with further detail contained within the Wild Ecology Ecological Assessment Report.

4.13.1 Vegetation

The site is highly modified as a result of historic mushroom production, horticultural activities, and pastoral land use. Vegetation is predominantly exotic and includes pasture, orchards, shelterbelts, amenity planting, and exotic wetland vegetation. Indigenous vegetation is limited, with no naturally occurring indigenous vegetation identified on the site and only small areas of planted native species present (**Figure 6**).

A notable vegetation feature in the locality is a stand of mature exotic gum trees located within the adjoining Arataki Reserve along part of the site's western boundary (see **Volume B**). These

trees provide landscape amenity and contribute to the vegetated character of the reserve corridor whose historic function is as a rural buffer. Overall, terrestrial vegetation values across the site are assessed as very low.

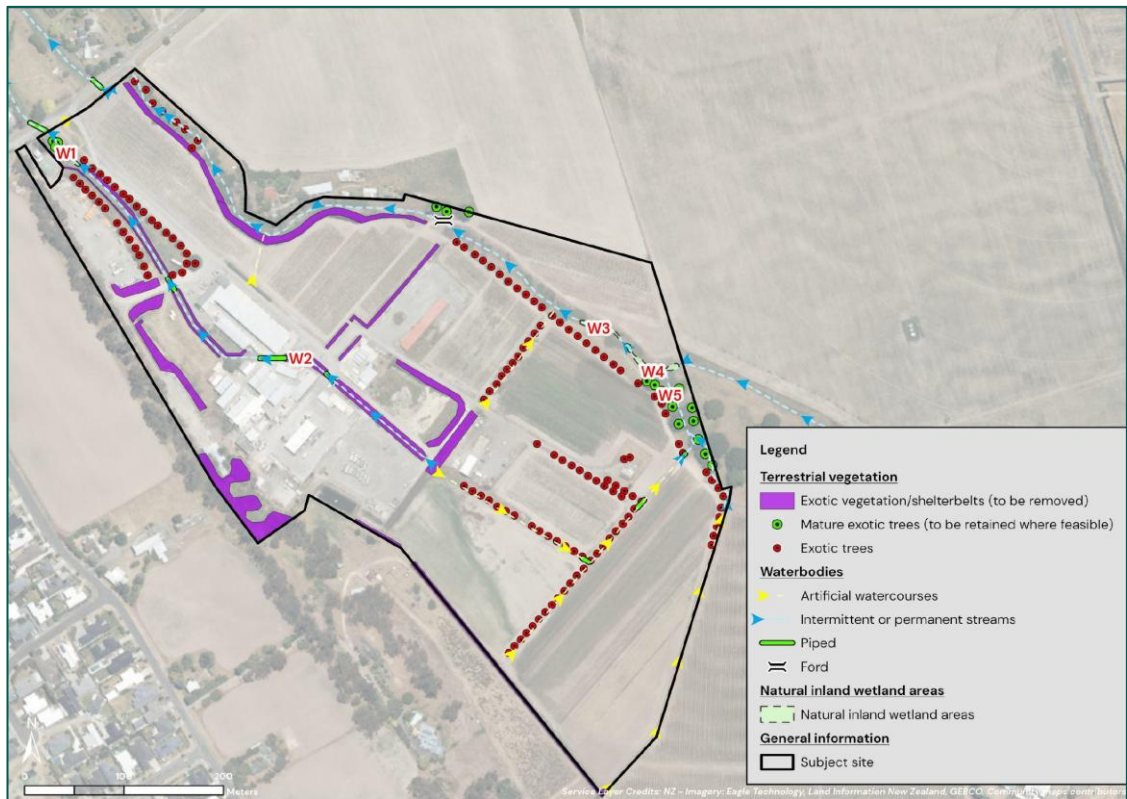


Figure 6: Existing Site Habitat & Hydrology Patterns (Source: Wild Ecology, Appendix 8)

4.13.2 Wetlands

Five natural inland wetlands (W1-W5) have been identified on the site. These wetlands are associated with the modified channels of Watercourses 1 and 2 and comprise a mixture of induced wetlands and ephemeral streambed wetlands. All wetlands are ephemeral or seasonal in nature, dominated by exotic hydrophytic species, and are assessed as having very low ecological value.

4.13.3 Streams and Freshwater Habitat

The site contains two watercourses (Watercourses 1 and 2), of which have been extensively modified through channelisation, straightening, culverting, and partial infilling. Watercourse 1 is classified as an intermittent stream but functions more as an ephemeral drainage channel, with no surface water observed during recent surveys. The watercourses generally exhibit limited riparian vegetation, low aquatic habitat diversity, and low ecological function. Overall freshwater habitat values are assessed as very low by Wild Ecology.

- Watercourse 1 is located along the northern boundary of the site and receives runoff from the wider rural catchment to the south before converging with Watercourse 2 north of Brookvale Road. It has been modified through historic drainage works and is characterised by predominantly exotic vegetation and limited aquatic habitat values, with no water observed in the channel during a site visit.

- Watercourse 2 traverses the central portion of the site and is classified as an intermittent stream. However, recent ecological investigations recorded no surface water within the channel and limited evidence of sustained flow. The channel is highly modified, with steep incised banks, limited riparian vegetation, and low habitat diversity.
- In addition to the main watercourses, the site contains a network of smaller drainage channels, including an eastern drainage channel associated with the site's modified agricultural and horticultural land uses. These channels are generally ephemeral in nature and provide drainage and stormwater functions across the site.

Overall, the freshwater environment is characterised by highly modified channels, limited riparian vegetation, low aquatic habitat diversity, and low ecological function.

4.13.4 Presence of Fauna

Fish habitat within the site's watercourses is limited by the highly modified nature of the drainage network and the absence of permanent flow. Surveys recorded only shortfin eel a disturbance-tolerant native species. No other fish species were identified, and overall fish habitat values are assessed as low.

Bird surveys recorded a limited range of common indigenous and introduced bird species typical of modified rural environments. Species observed included pūkeko, spur-winged plover, kingfisher, mallard, and paradise shelduck. No threatened or at-risk bird species were recorded, and avifauna values are assessed as low.

No indigenous lizards were recorded during surveys. The site provides limited habitat for native lizards due to historical vegetation clearance and ongoing horticultural and agricultural land use. Habitat suitability is generally low, although some potential habitat exists within shelterbelts and areas of denser vegetation. Overall herpetofauna values are assessed as very low.

No evidence of bat roosting or foraging activity was identified during surveys. While a small number of mature exotic trees may provide potential roosting opportunities, the nearest known bat records are located more than 10 km from the site. Bat habitat values are considered very low.

4.14 Heritage and Archaeology

No known historic heritage items, scheduled archaeological sites, or listed heritage buildings are located within the site.

4.15 Cultural Values

The site forms part of the wider Te Mata landscape, which has strong historical, ancestral and cultural associations with Ngāti Kahungunu hapū. The area has particular connections to Te Heipora, Te Hāpuku and their descendants, with parts of the wider locality historically associated with Karanema's Reserve and the former Te Mata land blocks.

A Cultural Impact Assessment ("CIA") (**Appendix 16**) prepared by Ngahiwi Tomoana on behalf of Waipatu Marae identifies a number of culturally significant sites, waterways and ancestral associations within the wider Te Mata and Heretaunga / Hastings area, including the Mangateretere Stream catchment and historic pā sites.

The CIA identifies particular interest in potential water quality contamination risks associated with the Mangateretere Stream and the Havelock North bores, reflecting the importance of groundwater and water quality issues within the wider cultural landscape.

4.16 Surrounding Environment

The site is situated on the western edge of Havelock North and forms part of the interface between the established urban area and the surrounding rural environment. Havelock North is one of the principal urban centres within the Hastings District. The site benefits from proximity to existing residential neighbourhoods to the west, local services and community facilities in the nearby Havelock North Village centre, while also maintaining a strong connection to the surrounding Heretaunga plains rural landscape with the backdrop of Te Mata Peak to the south and Tukituki River to the east.

The surrounding rural and rural residential land to the north, south and east range in size from approximately 7ha to 60ha and comprise a mix of open paddocks, vineyards, horticultural activities and lifestyle properties accessed from Brookvale Road (north), Te Mata Mangateretere Road (east) and Te Mata Road (south). To the west, the site adjoins the recently approved Arataki residential development, which will provide 171 residential dwellings extending the urban edge of Havelock North to the western boundary of the site.

4.17 Adjacent Properties

The key adjoining and nearby properties relevant to the existing environment and interface assessment are shown in **Figure 7** below and described in the following sections.



Figure 7: Map of Adjacent Properties

4.17.1 163 & 185 Brookvale Road (north)

163 and 185 Brookvale Road are two separately owned rural properties located immediately north of the site, located on either side of the stream corridors north of Brookvale Road. Both properties contain residential dwellings, associated outbuildings, paddocks and landscaping. Consultation with the owners has confirmed that parts of the properties experience existing flooding associated with the stream corridor during significant rainfall events.

4.17.2 184 Brookvale Road (east)

184 Brookvale Road is a rural property located immediately east of the site. The property contains an existing dwelling located approximately 18m from the shared boundary, together with farm buildings and land utilised for cropping and rural production activities, including maize and squash cultivation. The property also contains the "Boneshed" venue, which hosts occasional music and entertainment events.

A recent boundary adjustment subdivision (RMA20260076) approved by HDC transferred approximately 0.87ha of land from 184 Brookvale Road to the Brookvale Green site to facilitate an integrated stream enhancement outcome for the Project.

4.17.3 468 Te Mata Mangateretere Road (east)

468 Te Mata Mangateretere Road is a 60ha rural residential property located to the east of the site. The property is utilised for agricultural cropping and contains associated farm infrastructure such as irrigation systems and farm tracks. The existing dwelling is located approximately 360m southeast of the site boundary and is accessed from Te Mata Mangateretere Road. The property does not contain frost fans or permanent bird-scaring devices. In April 2026, the owner lodged a resource consent application to subdivide the property into four larger rural lots, with a decision currently pending.

4.17.4 Te Mata Road / Vinarchy Vineyard (south)

The Vinarchy vineyard adjoins the southern boundary of the site and forms part of the wider viticultural landscape associated with the Te Mata Special Character Zone. The property contains established vineyard blocks and associated rural infrastructure, including vineyard access tracks, frost protection fans and operational buildings. Vineyard operations include seasonal agrichemical application, including recycling air-blast sprayers between September and April. There are two established frost fans within the vineyard, with the closest frost fan located approximately 160m southeast of the shared boundary.

4.17.5 104 Arataki Road - Shaggy Range (southwest)

104 Arataki Road, also known as 'Shaggy Range', is a rural lifestyle property located on elevated land overlooking parts of the site. The property contains a substantial rural-residential dwelling located approximately 85m from the shared boundary, together with a range of rural and commercial activities, access and landscaping. This includes a Christmas tree plantation located adjacent to the shared boundary, a native plant nursery and the consented Shaggy Range dog day-care facility (RMA20170139). A mature she oak shelterbelt located on the Shaggy Range property extends along a significant portion of the shared western boundary.

4.17.6 86, 108 & 122 Arataki Road / CDL Arataki Extension Land (west)

86, 108 and 122 Arataki Road comprises the adjoining CDL Land New Zealand Limited ('CDL') holding, known as the Arataki Extension site. The 11ha property is an approved fast-track project for 171 residential lots with an average lot size of 450m² and is located between the site and the existing urban edge of Havelock North on the western side of Arataki Road.

4.18 Owner and Occupiers

In accordance with Clause 5(1)(d) of Schedule 5 of the FTAA, the full names and addresses of the following are provided at **Appendix 21**.

- (a) each owner of the site and of land adjacent to the site; and
- (b) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry.

5.0 Proposal

5.1 Overview

Brookvale Green is a comprehensive residential development proposed on approximately 24ha of land located at 174 and 176 Brookvale Road, Havelock North. The Project seeks approval to enable a master-planned residential neighbourhood comprising 203 residential lots, associated roads, reserves, stormwater management infrastructure, stream restoration works, services, and landscaping.

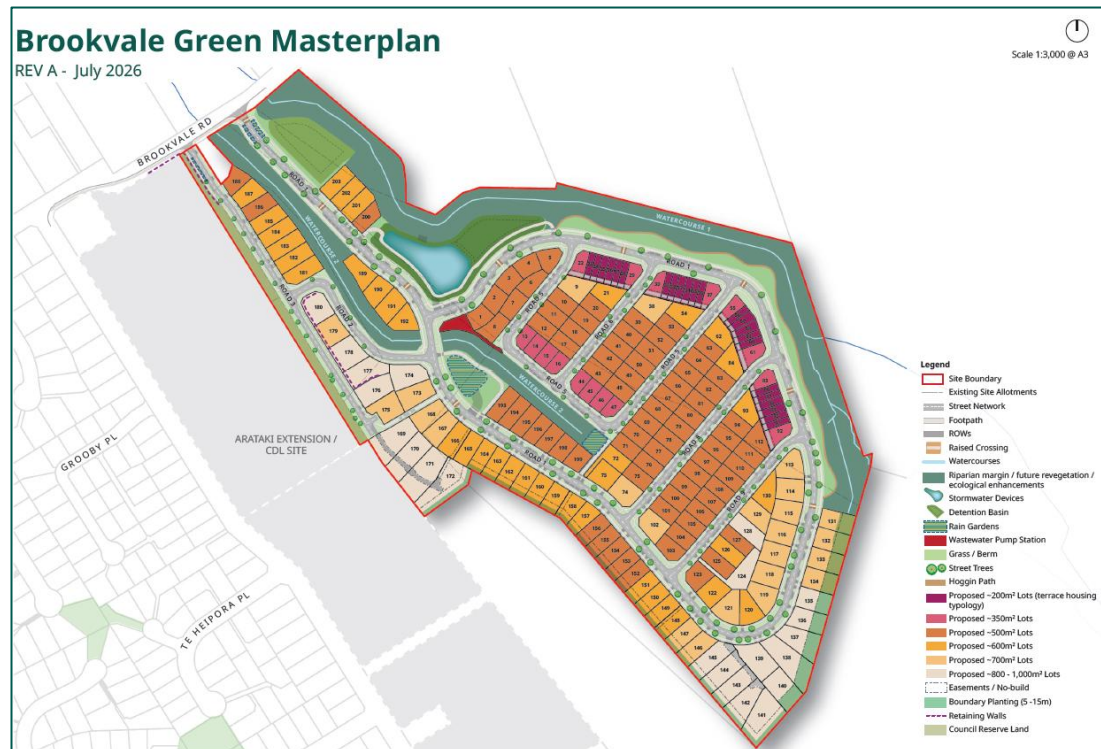


Figure 8: Brookvale Green Masterplan (Source: B&A Urban Design Assessment, Appendix 7)

The Project will be delivered in two phases:

- Phase 1** comprises subdivision of the site, bulk earthworks, stream realignment works, installation of three waters and transport infrastructure, reserve development, ecological restoration and landscaping. This phase will create 172 residential allotments and four superlots together with the roads, reserves, utility services and stormwater infrastructure required to support future development. It will also establish the residential development framework through consent notices.
- Phase 2** delivers the range of individual housing typologies and associated site works anticipated by the Brookvale Green residential planning framework. This phase includes the development of housing on the 172 residential lots created in Phase 1 and the future subdivision and development of the four superlots to create 31 additional residential lots for terraced housing, resulting in a total residential yield of 203 lots.

The development has been designed to integrate with the surrounding urban environment while responding to the site's physical characteristics, opportunities and constraints, including existing

waterways, wetlands, topography, and adjoining rural land uses. The Project incorporates significant ecological restoration, stormwater treatment and attenuation infrastructure, and streetscapes to facilitate a high-quality residential environment.

5.2 Housing and Integrated Residential Development

The Project will provide 203 residential lots capable of accommodating a range of housing typologies, household sizes and living arrangements.

The development has been planned as an integrated residential neighbourhood that will contribute to the supply of housing within Havelock North. Residential lots are arranged around a connected street network and supported by an extensive green network associated with the restored stream corridors, buffer planting and streetscape landscaping.

The subdivision layout has been developed having regard to urban design principles, site constraints and opportunities, infrastructure servicing requirements and the interface with adjoining rural land uses.

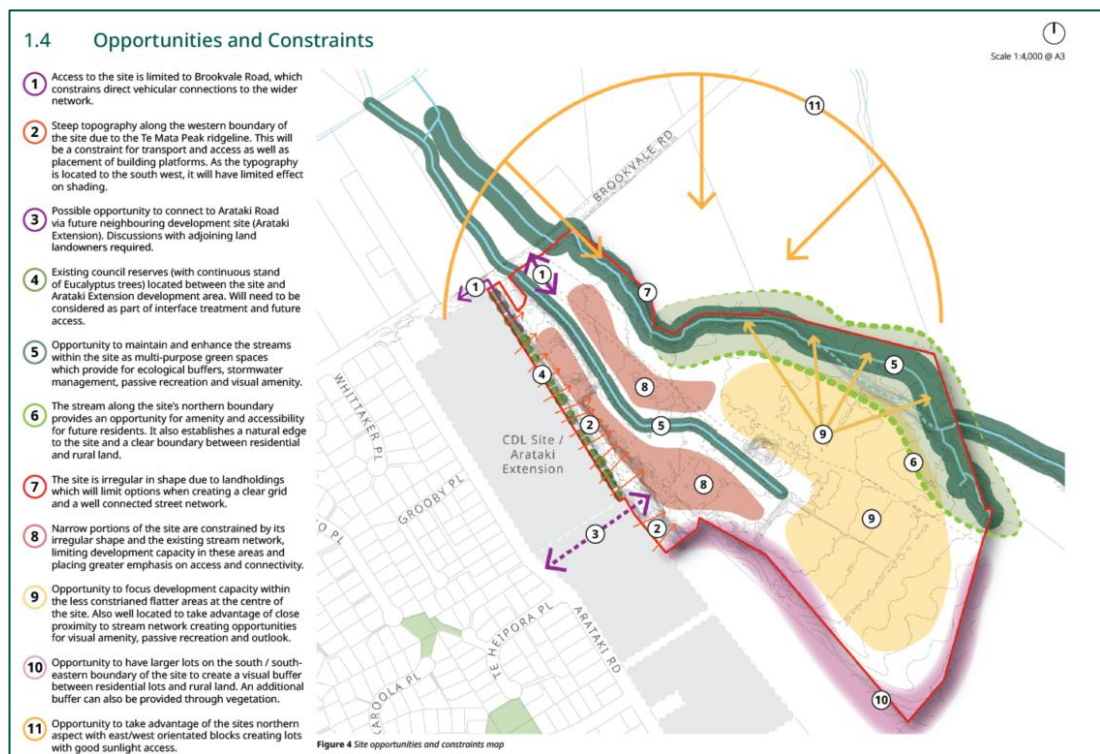


Figure 9: Site Opportunities and Constraints (Source: B&A Urban Design Assessment, Appendix 7)

Particular emphasis has been placed on creating a walkable neighbourhood, providing strong connections to the consented Arataki Extension development in the west, and ensuring that future housing is integrated with the reserve network and stream corridors that form the organising framework of the development. Further details regarding the design proposal are provided in the Urban Design Assessment prepared by Barker & Associates at **Appendix 7**.

5.2.1 Residential Development Framework

Given the site's existing Plains Production zoning, the Project is required to provide a residential development framework that provides certainty regarding the future form and character of

development in lieu of residential zoning. To enable a diversity of housing outcomes to be achieved, it is proposed to implement three residential lot typologies across the site:

1. General Residential Lots
2. Medium Density Lots
3. Superlots

Figure 10 identifies the location of these typologies within the Brookvale Green masterplan.

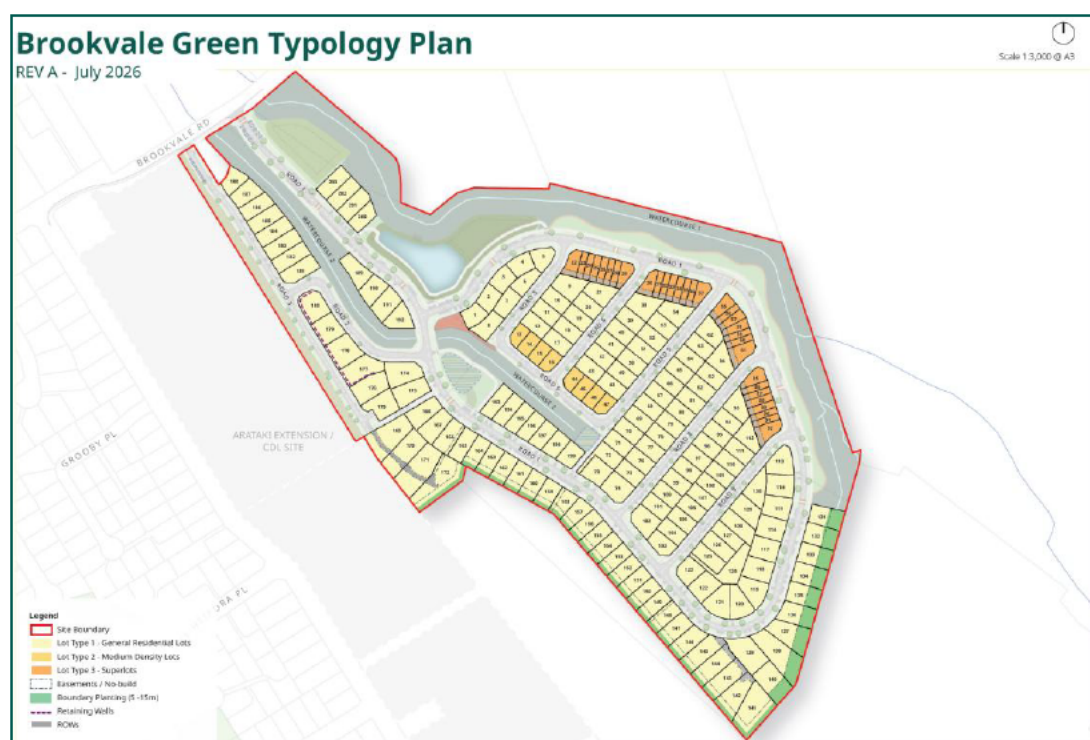


Figure 10: Lot Typology Plan (Source: B&A Urban Design Assessment, Appendix 7)

The proposed lot sizes and development standards have been specifically adopted to align with the tested outcomes of the relevant existing HDP residential zones. In this regard, the development framework for Brookvale Green is set out in Table 4 below.

Table 4: Brookvale Green Development Framework

Residential Typology	General Residential Lots (Lot Type 1)	Medium Density Lots (Lot Type 2)	Superlots
Applicable Lot Numbers	Lots 1-12, 17-21, 38-43, 48-54, 62-84 and 93-203	Lots 13-16 and 44-47	Parent Superlots 5001, 5002, 5003 & 5004 Future Lots 22-29, 30-37, 55-61 and 85-92
Number of Lots	164	8	4 superlots (comprised of 31 individual lots)

Residential Typology	General Residential Lots (Lot Type 1)	Medium Density Lots (Lot Type 2)	Superlots
Lot Size	Lots greater than 400m ²	Residential lots less than 400m ²	174m ² to 527m ²
Location	Throughout the neighbourhood, including all rural interfaces	Adjacent to Watercourse 2 stream corridor	Four superlots adjoining the Watercourse 1 stream corridor
Development Outcome	Standalone dwellings allowing a mix of single and two-storey built form	More compact housing forms and increased housing choice while maintaining residential amenity	Future terraced housing development adjacent to the Watercourse 1 stream corridor
Applicable HDP Zone	General Residential Zone	Medium Density Residential Zone	Medium Density Residential Zone
Applicable HDP Development Standards	Consent notices requiring compliance with General Residential Zone development standards	Consent notices requiring compliance with Medium Density Zone development standards	Consent notices requiring compliance with Medium Density Zone development standards
Applicable HDP District-wide Standards	Consent notices requiring compliance with district wide activities i.e. transportation, noise, earthworks applicable to the General Residential Zone	Consent notices requiring compliance with district wide activities i.e. transportation, noise, earthworks applicable to the Medium Density Zone	Consent notices requiring compliance with district wide activities i.e. transportation, noise, earthworks applicable to the Medium Density Zone
Bespoke Standards	Fencing Plan 10m Building Setbacks Landscape Buffers	Fencing Plan	Design Guidelines Fencing Plan
Design Guidelines	N/A	N/A	Will apply to future terraced housing development on the four superlots to ensure anticipated bulk, location and design outcomes are achieved.

The Urban Design Assessment at **Appendix 7** sets out the specific HDP provisions, Design Guidelines, fencing controls and other requirements that will apply to each residential lot type through the proposed consent notice regime. Together, these documents establish a comprehensive framework for the delivery of housing across the site.

Further detail regarding the proposed residential yield, urban design outcomes and integrated development approach is provided in the Urban Design Assessment, including lot testing which has been completed to ensure that the proposed development framework is sound.

Typology 1 & 2 – Detached Dwellings

Typologies 1 and 2 comprise detached dwellings on future residential lots. These lots will be subject to consent notices requiring future activities and development to comply with the relevant Havelock North General Residential Zone (“GRZ”) or Medium Density Residential Zone (“MDRZ”) standards, depending on the lot typology.

This framework will manage the scale, form and placement of future dwellings through standard residential controls, including yards, height in relation to boundary, maximum building height, building coverage, outdoor living space, outlook, fencing, access, parking and other relevant district-wide standards. This approach provides certainty that future residential development will be consistent with the built form and amenity outcomes anticipated for a residential environment, while avoiding the need to approve detailed house designs as part of this Application.

For Typology 1 lots, the GRZ framework will generally apply. For Typology 2 lots, the MDRZ framework will generally apply, reflecting their smaller lot size and more compact residential form. Any future development that does not comply with the applicable standards will require separate resource consent, unless otherwise authorised by the consent notice framework.

Typology 3 – Superlots

The subdivision includes four superlots intended to provide for future terraced housing comprising 31 lots in total. Approval is sought for a development envelope and associated development framework, rather than detailed building plans as part of this application.

Future development of the superlots will be managed through the bulk and location standards of the MDRZ supported by proposed Brookvale Green Design Guidelines which are secured via consent notices.³ These guidelines align with the assessment criteria anticipated by the MDRZ and the Havelock North Intensification Guidelines and include additional design expectations relating to privacy, street interface, and the like.

Rights of way are proposed to the rear of the superlots to enable parking and vehicle access to be located away from the primary street frontage. This will support a stronger public street interface and reduce the visual dominance of garages and driveways.

Future housing on the superlots is anticipated to be delivered through Stages 1A, 1B, 2A and 2B, in accordance with the approved development envelope, Design Guidelines and consent notice framework.

Implementation Framework

The residential development framework will be implemented through consent notices⁴ registered against future titles. These consent notices will identify the applicable HDP zone framework and associated development standards, fencing requirements, Design Guidelines and other design

³ Condition 88, Appendix 28

⁴ Conditions 86 – 88, Appendix 28

controls applying to each lot in accordance with their typology. Future owners will therefore have clear direction regarding the scale and form of development anticipated for their property.

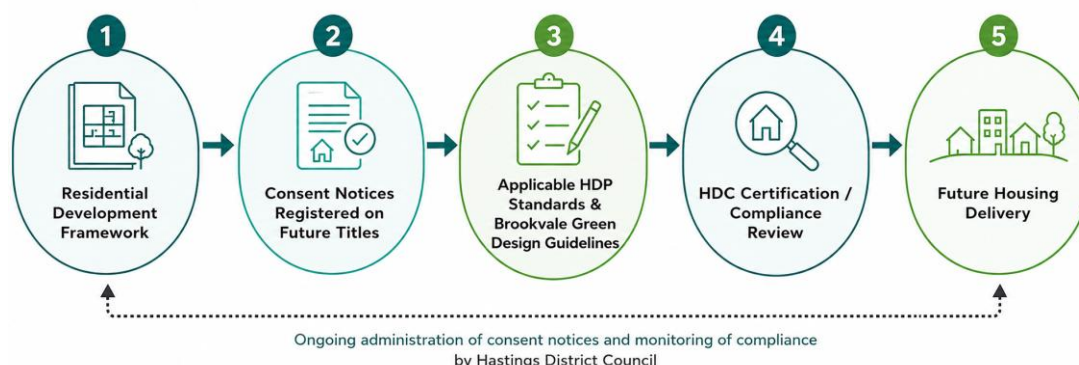


Figure 11: Future Development Implementation Process

HDC will retain an ongoing role in the implementation of the development framework through the administration of consent notices, building consent processes and certification requirements associated with the residential development (refer **Figure 11**). This will ensure that future development is undertaken in accordance with the approved Brookvale Green residential development framework and that the anticipated urban design, neighbourhood character and amenity outcomes are achieved over time.

Future dwellings that comply with the applicable consent notice requirements, including the relevant HDP residential zone standards and Brookvale Green Design Guidelines where applicable, will be able to proceed without further land use consent under this approval. Compliance will be confirmed through the relevant certification and building consent processes. Any future dwelling or activity that does not comply with the applicable consent notice framework will require separate resource consent, unless otherwise authorised by the operative district plan framework applying to the site at that time.

Private covenants will further complement this development framework by providing additional controls relating to onsite building design and articulation, landscaping, and neighbourhood presentation. This will be administered by VSP through the initial sales and purchase phase of the development and registered on each title in perpetuity. Together with the consent notice framework, these mechanisms provide a high degree of certainty regarding the future character and quality of development across the neighbourhood.

Overall, it is considered that the combination of the proposed consent notice regime, Design Guidelines, private covenants and HDC oversight provides a robust and transparent implementation framework that translates the Brookvale Green masterplan into a clear and predictable pattern of future development.

5.2.2 Residential Activities

Alongside the built form outcomes established through the Residential Development Framework, this Application seeks approval for a limited range of residential activities to be enabled on future residential lots. While these activities are generally consistent with the types of activities anticipated in a residential zone, consent is required because the site is currently zoned Plains Production. Including these activities within the scope of this Application provides certainty for

future lot owners and avoids the need for separate land use consents for standard residential occupation and development. The activities authorised on future residential lots comprise:

- residential activities
- residential buildings
- home occupations
- show homes
- earthworks associated with the establishment of residential buildings, access, services, landscaping, retaining and ancillary residential works.

Refer to the HDP Rules Assessment Table at **Appendix 27**.

5.2.3 Future Transition to Urban Zoning

As the site is currently zoned Plains Production, the approval framework needs to manage the transition from the existing rural zoning to the residential land use outcome authorised by this Application. To avoid an overlap between the approved residential development framework and the underlying rural zoning, a consent condition⁵ is proposed requiring that, once a section 224(c) certificate has been issued for any stage or combination of stages, the Consent Holder shall not undertake any activities within the relevant stage in reliance on the Plains Production Zone provisions, where those provisions remain in force at that time.

If FTAA approval is obtained, it is also acknowledged that the site may be rezoned in the future through an HDC plan review or plan change process to better reflect the approved urban land use. A consent notice⁶ is therefore proposed to enable the Brookvale Green residential development framework applying to the proposed housing typologies to be superseded by any future operative district plan zoning framework that applies to the site.

5.3 Subdivision Layout and Design

The proposed subdivision establishes a neighbourhood structure centred around an interconnected road network and green infrastructure corridors. The layout responds to the site's natural features, including existing watercourses and wetland areas, while providing efficient servicing and development outcomes.

Further detail regarding the proposed subdivision layout, lot configuration, vesting arrangements, reserve areas and legal boundaries is provided in the Scheme Plan prepared by Maven Associates appended to this application (**Appendix 4**) and should be read in conjunction with the summary below.

5.3.1 Subdivision Scheme Plan

The lots to be created through the subdivision are identified on the Scheme Plans in **Appendix 4** and summarised in **Table 5** below.

⁵ Condition 89, Appendix 28

⁶ Conditions 86 & 87, Appendix 28

Table 5: Lots to be Created by Subdivision

Lot Type	Lot Number	Lot Size	Ownership	Purpose
Residential Freehold*	Lots 1-203 ⁷	202m ² to 1,688m ²	Private	Subdivision to create vacant lots for residential development
Superlot Future Residential Freehold* (terraced housing)	Lots 5001, 5002, 5003 & 5004	1,960m ² to 2,142m ²	Private	Provide four superlots to be further subdivided for terraced housing
	Lots 13-16, 22-37, 44-47, 55-61 & 85-92.	202m ² to 493m ²	Private	Provide for terraced housing and associated individual titles on the superlots
Roads to Vest	Lots 2001, 2002, 2003, 2004 & 2005		Vest with HDC	Create public roads to service the development
Accessways	Lot 507	401m ²	Vest with HDC	Provide for public walking access through the development
Local Purpose Drainage Reserve (Stormwater)	Lots 1000, 1001, 1002 & 1003	2,538m ² to 46,799m ²	Vest with HDC	Provide for stormwater management the development
Local Purpose Drainage Reserve	Lot 600	543m ²	Vest with HDC	Provide for a wastewater pump station to service the development
Balance Lots	Lots 9002, 9003 & 9004		Private	Balance lots to facilitate staged subdivision

5.3.2 Subdivision Staging

The subdivision will be carried out in five stages as identified on the Scheme Plan (**Appendix 4**) and summarised in **Table 6** below. The staging has been developed having regard to the delivery of

⁷ Total of 203 includes 31 future residential freehold terraced housing units.

core infrastructure, earthworks requirements, stream realignment works, stormwater management infrastructure, roading connections and vesting requirements.

While stages may be delivered concurrently, the sequencing will be managed to ensure that all necessary infrastructure is in place to service each stage prior to the issue of titles. In particular, delivery of the stormwater network, stream realignment works, overland flow paths and road connections will need to be coordinated so that each stage is appropriately serviced and flood management outcomes are maintained throughout the development period. Conditions of consent⁸ are proposed to manage subdivision staging.

Table 6: Subdivision Staging

Stage	Lot Type	Applicable Lot Numbers
1	Residential Freehold	1-8, 9-21, 38-54, 189-192 & 200-203
	Superlot	5001 & 5002
	Local Purpose Drainage Reserve (Stormwater)	1000, 1001, 1002
	Local Purpose Drainage Reserve (Wastewater)	600
	Roads	2004, 2005
	Balance Lot	9002, 9003 & 9004
1A	Residential Freehold	22-29
1B	Residential Freehold	30-37
2	Residential Freehold	62-71, 76-84, 93-97, 109-112
	Superlot	5003 & 5004
	Roads	2001
2A	Residential Freehold	55-61
2B	Residential Freehold	85-92
3	Residential Freehold	173-180, 181-188
	Roads	2003
	Accessway	507
	Local Purpose Drainage Reserve (Stormwater)	1003
4	Residential Freehold	72-75, 98-108, 151-172 & 193-199
	Roads	2002
5	Residential Freehold	113-150
	Roads	2001

5.3.3 Title Limitations

A range of title limitations are proposed to be registered against the records of title for future residential lots to manage the effects of future development and ensure built form, servicing,

⁸ Condition 26, Appendix 28

access, interface and amenity outcomes are consistent with those assessed and authorised by this Application. These limitations will provide an ongoing framework for the development and use of the lots following subdivision, particularly while the site remains subject to the underlying Plains Production Zone.

In addition, some existing title limitations registered against the current records of title will be removed, varied, updated or replaced where required to reflect the proposed subdivision layout, vesting arrangements, infrastructure corridors, access arrangements and future residential use of the site.

The title limitations will be secured through consent notices, covenants and easements, with the proposed wording set out in the Conditions Suite at **Appendix 28**. **Table 7** below provides an overview of the key limitations proposed to be imposed.

Table 7: Proposed Title Limitations

Title Interest	Mechanism	Purpose	Affected Lots
Site-wide geotechnical	Consent Notice	To require future development to be undertaken in accordance with the recommendations of the Geotechnical Assessment Report and any Geotechnical Completion Report	All residential lots, with lot-specific notices where required by the GCR
Minimum freeboard	Consent notice	To require minimum freeboard above flood hazard levels	Specific lots where the final stormwater sign-off report advises that minimum freeboard should apply
Site-wide fencing	Consent Notice	To ensure fencing is designed, constructed and maintained in accordance with the approved fencing plan	Lots 1-203
Fencing adjoining reserves and accessways	Consent Notice	To manage fencing along public reserve, accessway and reserve link interfaces to manage public-private interface outcomes	Lots 71-73, 131, 168-169, 173, 175 and 181-203
Acoustic fencing	Consent Notice	To require an acoustically effective boundary fence adjoining the HDC water asset facility	Lot 188
Reverse sensitivity - Shaggy Range dog day-care activity	Consent Notice	To manage potential reverse sensitivity effects associated with the consented dog day-care activity on 104 Arataki Road	Lots 141-165 and Lot 172
Rural interface no-build area	Consent Notice	To maintain a building setback along the Shaggy Range and Vinarchy rural interfaces for reverse sensitivity outcomes	Lots 131-138, 140-163 and 172

Title Interest	Mechanism	Purpose	Affected Lots
Rural interface landscaping - Vinarchy	Consent Notice	To require buffer planting to be retained and maintained along the Vinarchy vineyard interface to assist with reverse sensitivity outcomes.	Lots 131-138 and 140
Rural interface landscaping - Shaggy Range Northern Interface	Consent Notice	To require buffer planting to be retained and maintained along the Shaggy Range interface to assist with reverse sensitivity outcomes.	Lots 157-164 and 172
Rural interface landscaping - Shaggy Range Southern Interface	Consent Notice	To require buffer planting to be retained and maintained along the Shaggy Range interface to assist with spray drift management, visual screening and rural-urban transition outcomes.	Lots 141-156
Rural interface landscaping - corner lot	Consent Notice	To require buffer planting on the corner lot adjoining both Vinarchy and Shaggy Range interfaces to be retained and maintained.	Lot 141
Rural interface fencing - Vinarchy	Consent Notice	To require boundary fencing along the Vinarchy interface to be implemented and maintained in accordance with the approved fencing plan	Lots 131-138 and 140
Rural interface fencing - Shaggy Range Northern interface	Consent Notice	To require boundary fencing along the Shaggy Range interface to be implemented and maintained in accordance with the approved fencing plan.	Lots 141-156
Rural interface fencing - Shaggy Range Southern interface	Consent Notice	To require boundary fencing along the Shaggy Range interface to be implemented and maintained in accordance with the approved fencing plan.	Lots 157-164 and 172
General Residential Zone development framework	Consent Notice	To require future activities and development on the relevant lots to comply with the GRZ rules, permitted activities and performance standards.	Lots 1-12, 17-21, 38-43, 48-54, 62-84 and 93-203
Medium Density Residential Zone development framework	Consent Notice	To require future activities and development on the relevant lots to comply with the MDRZ rules, permitted activities and performance standards.	Lots 13-16, 22-37, 44-47, 55-61 and 85-92

Title Interest	Mechanism	Purpose	Affected Lots
Brookvale Green Design Guidelines	Consent Notice	To require terraced housing development on the superlots to be designed and undertaken in accordance with the Brookvale Green Design Guidelines.	Phase 1 subdivision Lots 5001, 5002, 5003 & 5004. Phase 2 subdivision Lots 13-16, 22-37, 44-47, 55-61 & 85-92.
Approved residential activities	Consent Notice	To confirm the residential activities authorised on future lots, including residential activities, residential buildings, home occupations, show homes and associated earthworks.	Lots 1-203
Plains Production Zone restriction	Consent Notice	To prevent reliance on the underlying Plains Production Zone provisions within a completed stage once section 224(c) certification has issued.	Each relevant stage or combination of stages once section 224(c) has issued
Minimum floor levels	Consent Notice	To require any lot-specific minimum floor levels identified through engineering certification to be complied with for future buildings.	Individual lots identified by SQEP certification prior to section 224(c).
Easements for services and access	Easements	To provide legal rights for the construction, operation, maintenance and access to water, wastewater, stormwater, electricity, telecommunications, accessways and other infrastructure.	Refer to the Memorandum of Easements on the Scheme Plan (Appendix 4)
Easements to be surrendered or cancelled	Section 243(e) certificate / survey plan process	To remove redundant easements, rights of way and service rights that are no longer required as the subdivision layout and infrastructure network are implemented.	Existing easements affecting Lot 1 DP 529421 and any easements created by earlier stages that become redundant as later stages are completed. Refer to the Scheme Plan (Appendix 4).
Cancellation of amalgamation conditions	Section 241(3) certificate / survey plan process	To cancel existing amalgamation conditions where required to give effect to the approved subdivision layout, vesting arrangements and future residential titles.	Existing titles affected by amalgamation conditions, including Lot 2 DP 7771, Lot 2 DP 529421, Lot 2 DP 28543, Lot 1 and Lot 2 DP 28543, and the title associated with

Title Interest	Mechanism	Purpose	Affected Lots
			the recent boundary adjustment.

5.3.4 Arataki Reserve Land Easement

As set out in **Volume B**, a Reserves Act approval is sought to authorise an easement over approximately 275m² of the Arataki Local Purpose (Amenity) Reserve land. The easement is required to enable part of Road 3 and associated infrastructure to extend into the Reserve land, and to provide for ongoing access, use and maintenance associated with that public road connection.

The easement is proposed to be in favour of VSP, noting that HDC may separately progress future road legalisation, vesting or reserve reclassification processes if required in the future. Further detail regarding the easement, associated reserve works and Reserves Act approval is provided in **Volume B** and the Consultation Report at **Appendix 20, Attachment 3**.

5.4 Construction Site Works

Construction site works are required to prepare the site for residential development, establish the proposed landform, construct the required infrastructure, and implement the road, watercourse, stormwater, and landscape works.

The construction methodology is described in the Infrastructure Report, Earthworks Management Plan (EWMP), Construction Environmental Management Plan ('CEMP') and Chemical Treatment Management Plan ('ChTMP') included in **Appendix 9**, together with the Maven civil drawings at **Appendix 4**.

5.4.1 Site Clearance and Enabling Works

The initial construction phase will involve site clearance and enabling works. This will include removal of existing buildings, structures, hardstand areas, redundant accessways, private stormwater and wastewater infrastructure, vegetation and other site features that are not required to be retained as part of the development.

Existing services will be identified, protected, removed, altered or abandoned as required. This includes existing overhead power infrastructure, which will be altered to accommodate the future subdivision layout, and existing bores, which will be protected during the initial construction phase and decommissioned.

Prior to soil disturbance, erosion and sediment control measures will be installed and certified, including sediment retention ponds, decanting earth bunds, clean and dirty water diversion bunds, silt fencing and stabilised construction entrances.

5.4.2 Development Phasing

The development is proposed to be delivered in stages over an estimated construction period of approximately seven years. The construction programme is structured around two broad phases of works.

- **Phase 1** comprises bulk earthworks, including site clearance, Watercourse 1 realignment, formation of stormwater management areas, filling of future building platform areas,

excavation and shaping of the wetland, dry basin and conveyance channels, and progressive stabilisation. The EWMP⁹ identifies four broad bulk earthworks stages, noting that these are intended to provide a logical construction sequence rather than formal subdivision stages.

- **Phase 2** comprises secondary earthworks and infrastructure construction associated with the five proposed subdivision stages. These works include stormwater and wastewater networks, the wastewater pump station, Brookvale Road culvert upgrades, road construction, common service trenches, water supply, power, telecommunications, street lighting, raingardens, private service connections, footpaths and road sealing.

Each subdivision stage will be required to provide the infrastructure, access, stormwater management and servicing necessary to support that stage prior to section 224(c) certification¹⁰.

5.4.3 Bulk Earthworks

Bulk earthworks are required across the site to establish residential building platforms, roads, services, stormwater infrastructure, overland flow paths and stream restoration works. The earthworks area is approximately 24ha.

The earthworks will generally comprise:

- cut and fill earthworks to establish the proposed development landform
- excavation and filling to create residential building platforms
- construction of roads and accessways
- excavation for underground infrastructure services
- realignment and shaping of Watercourse 1
- enhancement works to Watercourse 1 and Watercourse 2
- excavation and formation of the stormwater wetland, dry basin, raingardens and conveyance channels
- Brookvale Road culvert and Watercourse 1 & 2 stormwater outfall works
- final landform shaping, topsoiling, grassing, planting and stabilisation.

The total bulk earthworks volume is estimated at approximately 95,000m³, comprising approximately 69,000m³ of cut-to-fill and approximately 26,000m³ of imported fill material. Topsoil stripping is estimated at approximately 48,000m³. Maximum cut and fill depths are expected to be approximately 3m.

The earthworks strategy seeks to balance cut and fill across the site where practicable and to re-use suitable site material. Imported material will primarily comprise pavement construction material and other fill required to achieve the proposed landform.

5.4.4 Arataki Reserve Land Works

The Project also includes works within the adjoining Arataki Local Purpose (Amenity) Reserve land which are supported in principle by HDC¹¹. These works include the extension of part of Road 3

⁹ Conditions 90 & 91, Appendix 28

¹⁰ Various SUB-XXX Conditions, Appendix 28

¹¹ Refer to HDC Letter dated 28 July 2026 in the Appendix 20 Consultation Report, Attachment 3.

into a small portion of the Reserve land, together with associated earthworks, retaining, batter slopes, infrastructure, vegetation clearance (including mature gum trees) and replacement planting across the wider Reserve corridor. The works are required to achieve an integrated and engineering compliant road connection to Brookvale Road and to appropriately tie the Reserve land into the Brookvale Green development. This also serves to provide an additional connection to Brookvale Road which improves connectivity and improves resilience for the access arrangement to the Brookvale Green site.

All vegetation disturbance and clearance will be undertaken in accordance with the approved FMP, including pre-clearance surveys, staged vegetation removal where appropriate, and the salvage, handling, relocation incidental killing of indigenous lizards where required.

Further detail is provided in **Volume B** and **Volume C**.

5.4.5 Erosion & Sediment Control

Earthworks will be undertaken in accordance with certified erosion and sediment control measures. These measures are designed to minimise sediment generation, manage construction-phase runoff and avoid off-site discharge of sediment-laden water.

The proposed erosion and sediment control measures include:

- sediment retention ponds;
- decanting earth bunds;
- clean and dirty water diversion bunds;
- silt fencing;
- stabilised construction entrances;
- progressive stabilisation of completed earthworks areas; and
- chemical treatment of sediment retention devices where required.

Up to five sediment retention ponds are proposed, with each pond servicing a catchment of no more than 5ha. A maximum earthworks area of 10ha is proposed to be open at any one time. Exposed areas will be progressively stabilised through topsoiling, grassing, hydroseeding, straw mulching, polymer stabilisation or erosion control matting as appropriate.

Chemical treatment will be used for sediment retention ponds and decanting earth bunds where required. The ChTMP¹² identifies Poly Aluminium Chloride as the preferred reagent, subject to contractor bench testing prior to topsoil stripping and confirmation of dosage. Treated water will only be discharged where the required water clarity and pH limits are achieved.

Dust will be managed through watering of exposed surfaces, stockpile management, limiting dust-generating works during strong winds, progressive stabilisation, vehicle speed controls and regular monitoring of site conditions, haul roads, access points and adjoining roads.

¹² Conditions 90, 94, 158 & 189, Appendix 28

5.4.6 Construction Management Methodology

Construction effects will be managed through a suite of management plans required by the proposed conditions¹³. These are expected to include:

- Construction Environmental Management Plan ('CEMP');
- Construction Traffic Management Plan ('CTMP');
- Construction Noise and Vibration Management Plan ('CNVMP');
- Dust Management Plan ('DMP');
- Earthworks Management Plan ('EWMP');
- Erosion and Sediment Control Plan ('ESCP');
- Chemical Treatment Management Plan ('ChTMP');
- Spill Management Plan ('SPMP');
- Fauna Management Plan ('FMP');
- Ecological Management Plan ('EMP'); and
- Accidental Discovery Protocols.

The CEMP prepared by Maven sets out the general methodology for site access, plant and equipment, complaints management, site roles and responsibilities, emergency procedures, construction traffic, noise, vibration, dust and rubbish management. The detailed construction methodology will be finalised by the appointed contractor prior to works commencing, subject to the requirements of the proposed conditions¹⁴.

Particular controls are proposed for works around Watercourse 1 and Watercourse 2, including staged earthworks, stabilisation before any water is directed into new channel sections, hydrogeologist supervision where required, and erosion and scour protection at outfalls and channel margins.

5.4.7 Geotechnical Considerations

Earthworks and construction will be undertaken in accordance with the recommendations of the Geotechnical Assessment Report prepared by Hawke's Bay Geotech Limited (**Appendix 11**) and subject to geotechnical observation and certification during construction.

The site has been assessed as suitable for residential development, subject to standard geotechnical design and construction controls. Key geotechnical matters include fill placement and compaction, settlement monitoring in areas of deeper fill, management of existing cut and fill slopes, stream bank stability, retaining wall design and lot-specific foundation requirements.

On completion of earthworks, a Geotechnical Completion Report ('GCR') will be prepared by the geotechnical engineer¹⁵. This will confirm the adequacy of the earthworks, identify any lot-specific

¹³ Various Conditions across all consents, Appendix 28

¹⁴ Conditions, 119, 141 & 160, Appendix 28

¹⁵ Conditions 54 & 115, Appendix 28

foundation or geotechnical requirements, and inform any consent notices¹⁶ required on future titles.

5.4.8 Groundwater Protection

The site is located within the Hastings Source Protection Zone and overlies the Heretaunga Plains aquifer system. Construction works have therefore been designed to manage potential risks to groundwater quality, including risks associated with groundwater infiltration, contaminant pathways and source water protection.

The referral decision (**Appendix 22**) for Brookvale Green specifically requires the substantive application to include an assessment of the effects of the Project, both during and post-construction, on the underlying groundwater system and surface water, and the potential impacts on source water. It also requires information on discussions held, and any agreements made, between the Applicant, HDC and HBRC regarding measures necessary to protect the region's drinking water source. These matters have informed the Project design, technical assessments and proposed conditions. A Hydrogeological Assessment prepared by Land Water People (**Appendix 19**) and Infrastructure Report (**Appendix 9**) should be read in conjunction with the below summary.

Groundwater protection measures include:

- A SWPP specifically developed for the site to provide a comprehensive construction phase methodology for works that may impact groundwater;
- protection and decommissioning of existing bores;
- inspection, testing and monitoring during higher risk works;
- installation of impermeable liners in the channel base and any other risk areas (i.e. basin) if recommended by the hydrogeologist;
- erosion and sediment control measures to manage construction-phase runoff;
- chemical treatment controls;
- spill management procedures for construction materials, fuels, flocculants and other contaminants; and
- stormwater treatment and attenuation measures to protect surface water and downstream receiving environments.

Existing bores will be capped or decommissioned in accordance with HBRC RRMP requirements and by a suitably qualified person to prevent contamination of groundwater or vertical movement between aquifer layers. The proposed stream and stormwater works will also be subject to geotechnical and hydrogeological input during detailed design and construction, particularly where works occur within or near Watercourse 1 and Watercourse 2.

A comprehensive set of proposed conditions¹⁷ has been adopted to manage risks associated with groundwater infiltration and contamination. These conditions require detailed design certification, hydrogeological oversight, erosion and sediment control, chemical treatment management, spill management, bore decommissioning, monitoring and reporting. Together, these measures

¹⁶ Condition 55, Appendix 28

¹⁷ Conditions 118, 119 & 141, Appendix 28

provide an appropriate framework to protect the Heretaunga Plains aquifer system and the Hastings drinking water source during construction and over the life of the development.

5.4.9 Retaining Walls

Retaining walls and batter slopes are proposed where required to manage level changes across the site and support the proposed road and lot layout. The majority of level changes will be addressed through batter slopes.

Larger retaining walls are proposed in limited locations, particularly near the western boundary where Road 3 and adjacent building platforms to the east require grade management up to 2.5m in height. Retaining is also required within the reserve land at the Brookvale Road corner of Road 3, where a wall of up to approximately 3m in height is proposed to achieve the road formation, footpath and boundary interface levels. Retaining associated with the proposed pedestrian connection between Road 3 and Road 1 will also be required. Final retaining wall design will be confirmed through detailed engineering design and geotechnical review.

All retaining walls and batter slopes will be designed and constructed in accordance with the recommendations of the geotechnical engineer and will be subject to detailed design certification through the Engineering Approval process.

5.5 Infrastructure

The Project includes the provision of all infrastructure required to service the development, including transport, stormwater, wastewater, water supply, power and telecommunications. Infrastructure has been designed to integrate with existing networks and to meet the requirements of the relevant asset owners and regulatory authorities.

Further detail regarding infrastructure servicing requirements and network design is provided in the Infrastructure Report, civil drawings and associated specialist infrastructure assessments appended to this application.

5.5.1 Roading and Access

Vehicle access to the development will be provided from Brookvale Road. The primary access will be via proposed Road 1, which connects to Brookvale Road and forms a loop road through the site. This loop road provides the principal movement spine for the development and distributes traffic to the surrounding local road network. A secondary connection to Brookvale Road is also proposed via Road 3, providing additional network resilience and access.

The internal transport network comprises a hierarchy of public and private roads designed to provide safe and efficient access for residents, visitors, service vehicles, emergency vehicles, cyclists and pedestrians. Roads 2 to 10 will function as lower-order local roads, providing direct access to residential lots within a low-speed residential environment. The internal network has been designed to provide legible circulation, minimise reliance on cul-de-sacs, and support permeability across the development.

The roading and access works include:

- new public roads to vest in HDC;
- private right of way accessways serving a limited number of lots;
- a new priority-controlled intersection between Road 1 and Brookvale Road;

- a secondary access connection between Road 3 and Brookvale Road;
- Brookvale Road frontage upgrades, including kerb and edge treatment, footpath provision and associated urbanisation works;
- a proposed gateway or threshold treatment on Brookvale Road, with the final location and form to be confirmed through detailed design with HDC;
- internal footpaths and shared user paths;
- pedestrian and cycle connections through the site and to the wider network;
- on-street parking, including indented parking bays;
- pedestrian crossing features and sightline management; and
- associated transport infrastructure including signage, lighting, street trees and landscaping.

The proposed Road 1 / Brookvale Road intersection will use the location of the existing site access and has been assessed as being able to achieve appropriate sight distance and operational performance. The internal road network has also been designed to accommodate service, waste and emergency vehicle movements.

Road 3 has been designed as a full public road along the western boundary to provide appropriate access, servicing and pedestrian connectivity. This requires works at the reserve interface, including localised retaining, batter slopes, footpath construction, vegetation removal and replacement planting to achieve safe grades and an integrated road corridor.

A footpath is proposed along the southern side of Brookvale Road between Road 3 and Arataki Road to provide a continuous pedestrian connection between the development and the existing urban area of Havelock North to the west. The development is also well positioned to integrate with any future extension of public transport services along Arataki and Brookvale Roads.

Further detail regarding the transport network, road design, access arrangements, parking provision and transport effects is provided in the Transportation Assessment (**Appendix 14**).

5.5.2 Stormwater

Stormwater generated by the development will be managed through an integrated stormwater management system incorporating collection, conveyance, treatment and attenuation measures.

The stormwater system includes a combination of piped infrastructure, treatment devices, attenuation facilities, wetlands and naturalised stream corridors. The system has been designed to manage stormwater quantity and quality effects while supporting ecological enhancement and flood management objectives.

Further detail regarding stormwater management, treatment, attenuation, flood management and water quality outcomes is provided in Section 5.6 of this report and the Flood Assessment Report and civil engineering drawings prepared by Maven Associates appended to this application (**Appendix 10** and **Appendix 4**).

5.5.3 Wastewater

Wastewater generated by the development will be collected and conveyed through a reticulated wastewater network connected to the existing HDC wastewater system. The Project includes

construction of a wastewater pump station centrally on the site (Lot 600) and associated reticulation infrastructure. The wastewater system has been designed to meet HDC ECoP.

5.5.4 Water Supply

The development will be serviced by connection to the HDC public water supply network.

Through consultation with HDC and HBRC, an agreed pathway has been established to service the development through a combination of the transfer of existing groundwater allocation associated with the Site to HDC's municipal water supply consent and the incorporation of water efficiency and low-impact demand management measures within the development. HDC has confirmed its support for this approach in writing (refer **Appendix 20**).

The Applicant is progressing a separate application with HBRC to transfer approximately 60,000m³ per annum of the existing groundwater allocation associated with the former Te Mata Mushrooms operation to HDC's municipal water supply consent. That application will be assessed separately under the RMA.

Water supply infrastructure will be installed throughout the subdivision as part of the civil works, including public water mains, lot connections, hydrants and associated infrastructure necessary to provide domestic water supply and firefighting capability. The internal network will connect to the existing HDC water supply infrastructure within Brookvale Road and will be designed and constructed in accordance with HDC's Engineering Code of Practice ("ECoP") and firefighting water supply requirements.

The Project includes conditions¹⁸ to ensure that no connection is made to the HDC water supply network, and no dwelling is occupied, until the water allocation transfer has been approved and HDC confirms that sufficient water supply capacity is available to service the development.

5.5.5 Power and Telecommunication

Electricity and telecommunications services will be provided to all allotments. Infrastructure will generally be installed underground within road corridors and service easements and will connect to existing networks located adjacent to the site in Brookvale Road. Power supply will be provided to neighbouring 104 Arataki Road as part of the required upgrades in accordance with easement requirements.

The detailed design and delivery of these services will be undertaken in consultation with the relevant network utility operators. Unison have confirmed that power supply can be made available to service the development (**Appendix 20**).

5.5.6 Lighting

Lighting plans have been prepared for the proposed public road network (refer to Civil Drawings **Appendix 4**). Street lighting will be provided in accordance with HDC ECoP requirements, with final detailed design to be confirmed through the Engineering Approval process.

¹⁸ Condition 71, Appendix 28

5.5.7 Waste Management

The road layout has been designed to accommodate kerbside waste and recycling collection by standard HDC collection vehicles. Bin collection areas will be available within road berms or lot frontages, with tracking undertaken to confirm service vehicle access through the development.

5.6 Stormwater Management

The proposed stormwater management approach is described in detail in the Infrastructure Report (**Appendix 9**) and Flood Modelling Report (**Appendix 10**) together with the Maven civil drawings (**Appendix 4**) and Conditions Suite (**Appendix 28**).

5.6.1 Proposed Stormwater System

The development will be serviced by a new stormwater management system (**Figure 15**) designed to manage both water quantity and water quality effects. The system has been designed around the existing Watercourse 1 and Watercourse 2 corridors and will integrate stormwater treatment, attenuation, flood conveyance and ecological enhancement functions.



Figure 12: Proposed Stormwater Management System (Source: Maven Civil Drawings, Appendix 4)

Stormwater from roofs, roads and hardstand areas will be conveyed through a combination of kerb and channel, piped reticulation, raingardens, a stormwater wetland, a dry detention basin, enlarged conveyance channels and overland flow paths. The site is divided into five stormwater catchments, each of which will discharge to a stormwater management device before flows are conveyed to Watercourse 1 or Watercourse 2. The proposed stormwater system includes:

- one stormwater wetland with extended detention;
- one dry detention basin;
- four raingardens;
- two enlarged conveyance channels;
- upgraded overland flow paths within road corridors;
- stormwater outfall structures and erosion protection; and
- upgrades to the culvert network beneath Brookvale Road.

The system has been designed to attenuate post-development flows to no greater than pre-development levels for the 2-year and 10-year ARI events, and to manage the 100-year event to up to 80% of pre-development flow, consistent with the design approach adopted for the wider catchment.

Stormwater treatment will be provided primarily through the wetland and raingardens, with attenuation provided through the wetland, dry basin, raingardens and conveyance channels. The wetland and raingardens will include impervious liners to avoid soakage and protect groundwater within the underlying aquifer. Overland flow paths have been incorporated into the road network and stream corridors to safely convey flows during larger rainfall events.

5.6.2 Brookvale Road Culvert Upgrade

The Project includes upgrades to the existing culverts beneath Brookvale Road to improve conveyance from Watercourse 1 and Watercourse 2 and to support the wider stormwater and flood management strategy for the site. The culvert upgrades are required because the existing culvert network constrains flows during significant rainfall events and contributes to ponding and overtopping of Brookvale Road.

The upgraded culvert network has been designed to convey larger storm events, maintain hydraulic connectivity beneath Brookvale Road, and integrate with the realigned and enhanced watercourse corridors. The culvert design will also provide for fish passage where required and will be subject to detailed design certification through the proposed conditions¹⁹.

The flood modelling identifies that the culvert upgrades may alter the distribution of flood flows downstream in localised areas. However, the overall stormwater and flood management strategy has been designed to ensure that there is no material increase in upstream or downstream flood risk and that the overall flood outcome is improved relative to the existing baseline.

5.6.3 Discharge Consent

A regional discharge consent is sought from HBRC to authorise the diversion and discharge of stormwater from the development to Watercourse 1, Watercourse 2 and the downstream receiving environment. The watercourses and stormwater management areas are currently within private ownership but are proposed to be vested in HDC as part of the subdivision, together with the associated stormwater infrastructure and drainage reserve areas.

The discharge consent is proposed to be held by VSP in the first instance. Following completion of the stormwater network, vesting of the relevant assets and completion of any required proving or

¹⁹ Conditions 118 & 148, Appendix 28

monitoring period, the consent will be transferred to HDC, subject to HDC's agreement and compliance with the relevant consent conditions.

HDC is also currently progressing a replacement global consent for its wider public stormwater network. The proposed conditions²⁰ provide for the Brookvale Green stormwater discharge consent to be surrendered in the future if the development's stormwater discharges are incorporated into HDC's wider global stormwater discharge consent framework.

5.6.4 Operation, Monitoring and Maintenance

The proposed conditions include detailed requirements for the ongoing operation, monitoring and maintenance of the stormwater management system. These requirements are important given the scale of the development, the discharge to watercourses, the need to maintain water quality treatment and attenuation performance.

A Stormwater Management and Maintenance Plan²¹ will be required to set out the inspection, maintenance, access, emergency response and record-keeping procedures for the stormwater network. A Water Quality Monitoring Programme²² will also be required to confirm monitoring locations, parameters, methods, trigger levels and reporting requirements.

All stormwater devices have been designed to be accessible for maintenance, with public road access, reserve access or dedicated maintenance access provided where required. The proposed conditions also require detailed design certification, as-built certification, maintenance inspections, monitoring records, remediation of erosion or scour, and reporting of any damage to critical stormwater components.

5.7 Stream & Wetland Works

The Project includes a comprehensive programme of stream, wetland and associated infrastructure works that have been designed to facilitate the development while delivering ecological, water quality, flood management and amenity improvements across the site (**Figure 16**). The works are focused on Watercourse 1 and Watercourse 2, which currently comprise modified watercourses with limited ecological value. The stream and wetland works include:

- Diversion and realignment of sections of Watercourse 1. An existing channel length of approximately 355m will be replaced by a proposed channel of approximately 356m, resulting in no net loss of stream length;
- Following establishment of the realigned Watercourse 1 channel, the redundant sections of the existing channel (355m) within the impacted reach will be decommissioned and filled to form permanent dry land. The reclamation is an integral component of the Watercourse 1 realignment rather than a permanent loss of the watercourse.
- Retention and enhancement of Watercourse 2;
- Construction of new or upgrade of existing culverts, stormwater outfalls and road crossings associated with Watercourse 1, Watercourse 2 and the Brookvale Road culvert network;

²⁰ Conditions 186 – 188, Appendix 28

²¹ Condition 163, Appendix 28

²² Condition 165, Appendix 28

- Stream bank stabilisation and erosion protection works, including riprap, outfall protection, stabilised channel margins and revegetation;
- Riparian restoration, indigenous planting and habitat enhancement across more than 4ha of stream margins and ecological planting areas;
- Wetland reclamation and reinstatement works, including disturbance of approximately 437m² of existing exotic-dominated wetland habitat and reinstatement of approximately 6,439m² of indigenous wetland margin planting, resulting in an estimated net wetland gain of approximately 6,002m²;
- Retention of existing wetlands W1, W2 and W5, with disturbance limited to wetlands W3 and W4 associated with the Watercourse 1 realignment;
- Fish passage provisions within new stream alignments, culverts and structures; and
- Integration of stream and wetland features with the wider stormwater management system and reserve network.

The proposed works will enable the development layout while improving the function and condition of the existing modified freshwater environment. Watercourse 1 will be realigned and enhanced to provide a more coherent green corridor along the northern and eastern parts of the site, while Watercourse 2 will be retained and enhanced as a central landscape and ecological feature. Together, these corridors will provide stormwater conveyance, flood storage, ecological habitat, amenity and pedestrian connectivity benefits.

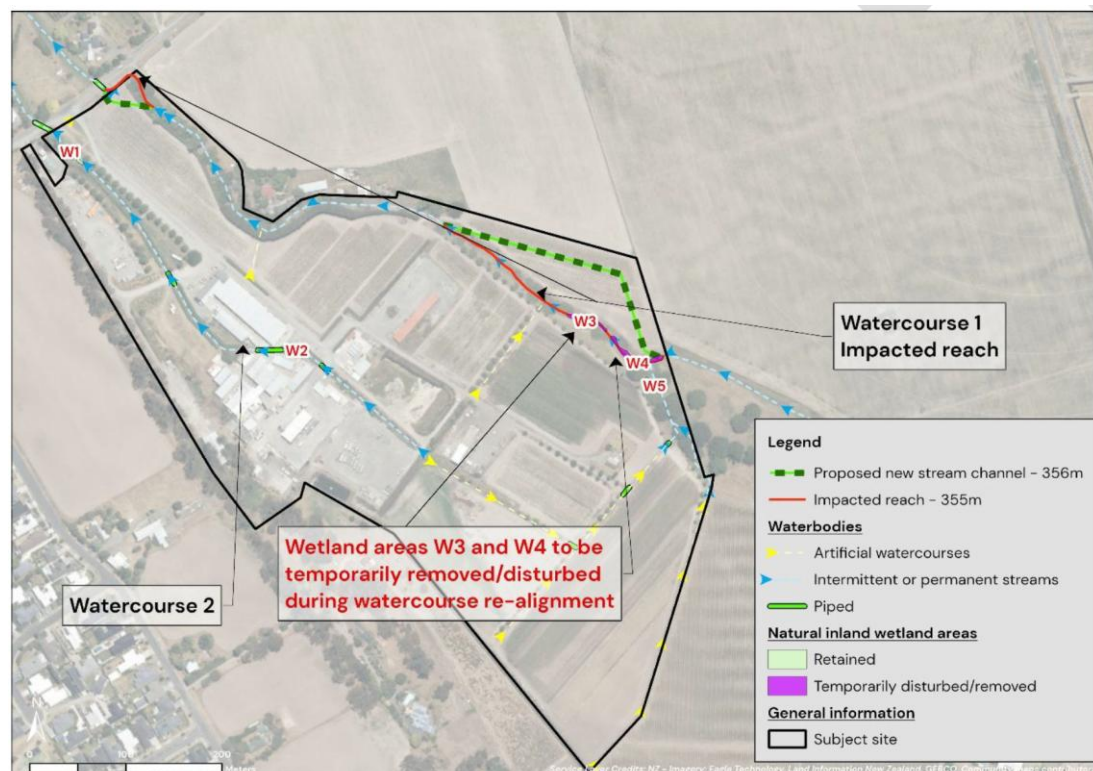


Figure 13: Proposed Stream Realignment & Wetland Disturbance (Source: Wild Ecology, Appendix 8)

The Project also includes wetland management measures comprising the reclamation of a small area of existing wetland habitat and the establishment of replacement and enhanced wetland environments. The wetland works are intended to achieve an overall improvement in ecological

values through increased indigenous planting, improved habitat quality and long-term management.

Stream and wetland works will be undertaken in conjunction with the broader earthworks and infrastructure programme and will be staged to minimise construction effects on water quality and aquatic habitat. Construction effects will be managed through the proposed conditions, including detailed design certification, erosion and sediment control, ecological management, fauna management, fish salvage where required, and post-construction monitoring.

Further detail regarding the proposed stream diversion, stream restoration works, wetland reclamation and reinstatement, fish passage, ecological mitigation and enhancement measures is provided in the Ecological Impact Assessment, Infrastructure Report, Stormwater Management Plan and associated plans appended to this application.

5.8 Indigenous Fauna Management

Potential effects on indigenous fauna will be managed through the Stantec FMP (**Appendix 29**) and the proposed conditions of consent²³. The FMP sets out the procedures to be followed before, during and after vegetation clearance, earthworks, stream works and construction activities to manage potential effects on indigenous fauna.

The fauna management measures address native birds, bats, lizards and freshwater fish. These include pre-clearance checks, nesting bird protocols, seasonal controls where required, bat roost habitat checks for trees with potential bat features, lizard salvage and relocation where required, and fish salvage and relocation prior to instream works where water is present.

A Wildlife Act approval is also sought to authorise the handling, salvage, relocation and incidental killing of indigenous lizards as outlined comprehensively in the FMP. The proposed conditions²⁴ will require the FMP to be implemented, with appropriate supervision, reporting and monitoring by suitably qualified specialists. Refer to **Volume C** for application detail relating to the Wildlife Approval.

The Applicant confirms that neither Vermont Street Partners No. 4 Limited, nor any of its directors, trustees, partners or other relevant persons associated with this application, has been convicted of an offence under the Wildlife Act 1953 or is currently subject to any criminal proceedings under that Act.

5.9 Landscaping Strategy

The proposed landscaping strategy is shown on the LA4 Landscape Development Plans included in **Appendix 6** and is assessed in the Landscape and Visual Effects Assessment at **Appendix 13**. The landscape strategy forms an integral part of the overall development and has been designed to support the site's transition from a modified rural production environment to a high-quality residential neighbourhood structured around an enhanced green network.

The proposed landscaping has several complementary functions. It will restore and enhance the stream and stormwater corridors, provide a high-quality public realm, assist with rural interface

²³ Conditions 98, 122, 144 & WA3, Appendix 28

²⁴ WA-XXX Conditions, Appendix 28

management, support ecological outcomes, and contribute to the long-term amenity and identity of Brookvale Green.

The LA4 Landscape Development Plans identify a series of landscape and planting typologies across the site, including:

- riparian stream bank planting along Watercourse 1 (**Figure 17**) and Watercourse 2;
- bank toe and water's edge planting associated with stream and wetland margins;
- bank face planting and upper stream bank planting;
- stormwater wetland planting;
- detention basin planting;
- raingarden planting;
- streetscape berm and build-out planting;
- street tree planting throughout the road network;
- buffer planting along the Shaggy Range and Vinarchy interfaces (see section 5.11 below);
- terrestrial buffer planting along the eastern rural interface;
- Arataki Reserve land planting along the western interface of the site; and
- amenity planting associated with pedestrian connections, reserves and open space areas.

The ecological enhancement areas comprise approximately 4.07ha of indigenous riparian and terrestrial buffer planting associated with Watercourse 1, Watercourse 2 and their margins. This includes wetland and riparian planting within the bank toe / water's edge zone, bank face planting, and upper stream bank and terrestrial planting. The planting approach has been developed to respond to moisture gradients, stream bank conditions and long-term ecological restoration objectives.

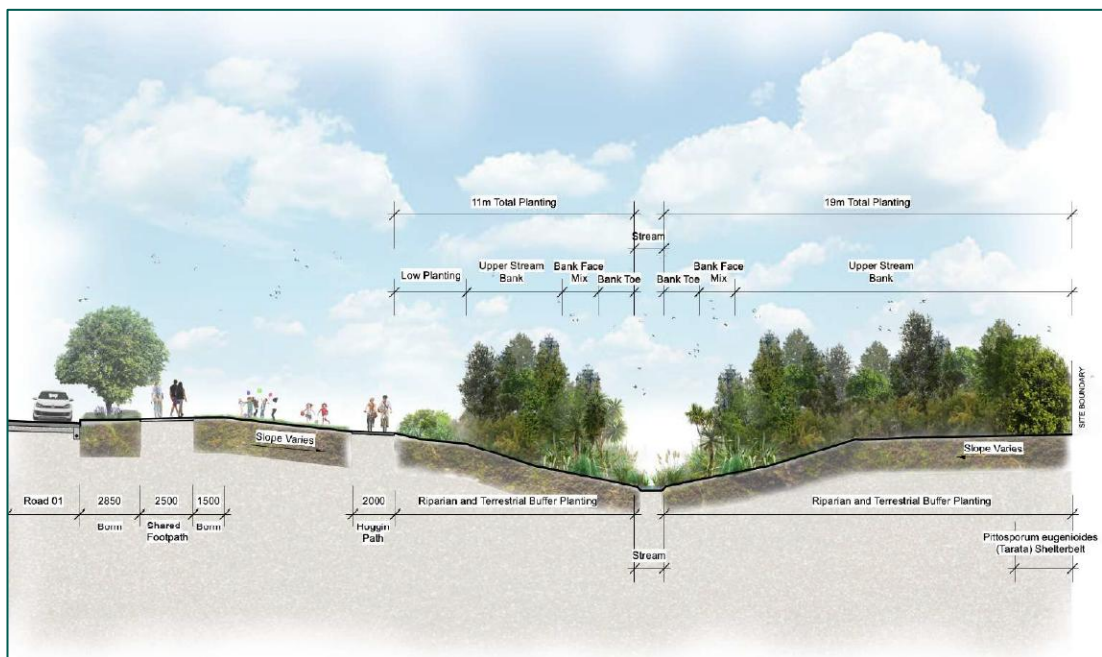


Figure 14: Proposed Watercourse 1 Landscape Cross Section (Source: LA4 Landscape Plans, Appendix 6)

The riparian, wetland and stormwater planting will provide ecological and water quality benefits, including improved habitat values, increased indigenous vegetation cover, stream bank stabilisation, shading, filtration of stormwater runoff and stronger ecological connectivity across the site (**Figure 18**). The planting will also assist in the restoration of highly modified watercourse and wetland margin environments, including areas where existing exotic-dominated wetland features are temporarily disturbed and reinstated as part of the Watercourse 1 realignment.

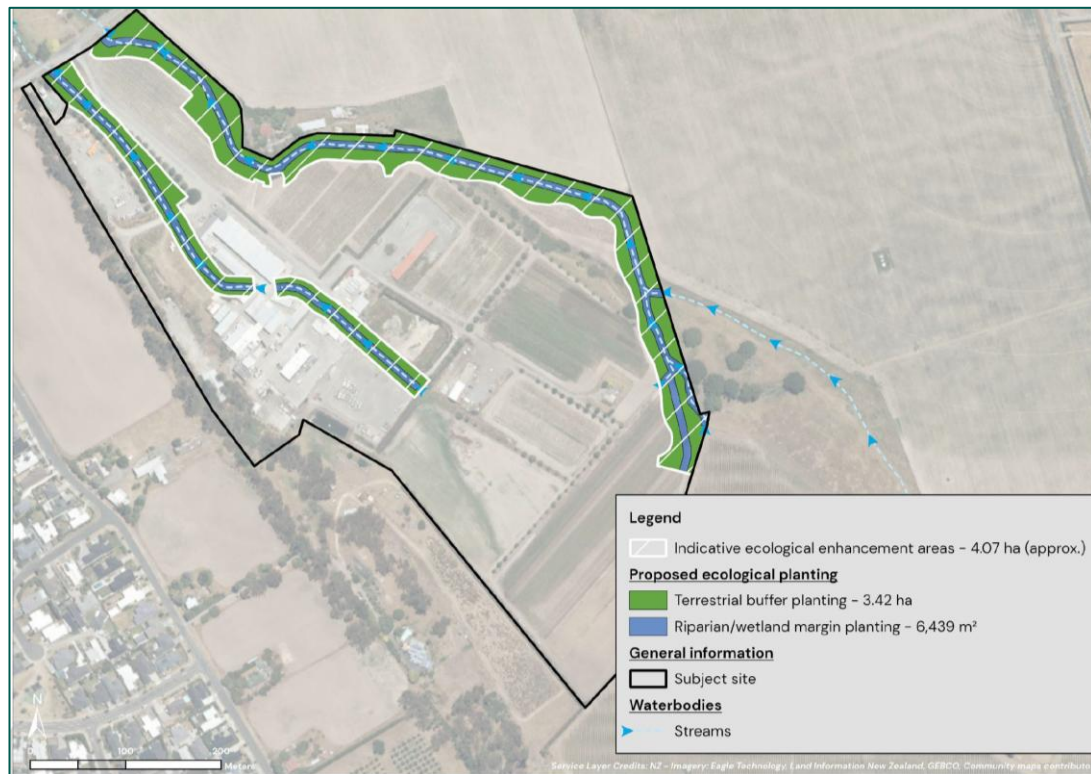


Figure 15: Ecological Enhancement Areas (Source: Wild Ecology, Appendix 8)

Within the public realm, street trees and amenity planting will be used to soften the built form, provide shade, reinforce street hierarchy and improve residential amenity. The LA4 plans include street tree planting throughout the development and landscape treatment of berms, road build-outs, pedestrian connections and reserves. These elements will contribute to a legible and attractive residential environment and support the intended green character of Brookvale Green.

Arataki Reserve land works are also proposed along the western boundary where Road 3 interfaces with existing reserve land. These works include removal of existing vegetation (predominantly large gum trees) to enable road formation, battering, retaining, footpath construction and infrastructure works. Refer to **Volume B**. Replacement indigenous planting will be undertaken in accordance with the LA4 Landscape Development Plans to reinstate a landscaped edge and integrate the Road 3 corridor with the adjoining reserve environment.

Site-wide vegetation removal is required to enable earthworks, infrastructure construction, stream works, road formation, stormwater management areas and reserve interface works. The existing vegetation to be removed is largely exotic shelterbelt, weed species, orchard planting or amenity vegetation associated with the rural and commercial use of the site.

The landscape strategy seeks to achieve environmental gains through habitat enhancement, improved water quality outcomes, increased indigenous vegetation cover, pest plant removal,

stronger ecological connectivity and enhanced visual amenity. It will also contribute to passive recreation, shade, neighbourhood identity and sense of place. Ongoing establishment, maintenance, pest plant control, pest animal control and monitoring requirements will be secured through proposed conditions, including requirements for a Landscape Maintenance Plan²⁵ and an EMP²⁶.

5.10 Public Open Space

A formal recreation reserve is not proposed as part of the Project. An area of recreation reserve was included in the earlier concept design but was removed in response to HDC's advice that a recreation reserve was not required within the development.

Instead, the Project provides an open space outcome through approximately 6.2ha of stormwater drainage reserve land to be vested in HDC. These areas will form part of the wider green network associated with the restored stream corridors, stormwater wetland, dry detention basin, overland flow paths and landscaped drainage areas. While the primary function of these areas is stormwater management, they will also provide public access, walking connections, passive open space, visual amenity and outlook for future residents.

5.11 Rural Interface

Brookvale Green adjoins several rural and rural lifestyle activities. A rural interface strategy has therefore been designed to respond to the specific activities and boundary conditions around the site, while managing the transition from future residential development to adjoining rural land. The key objectives are to provide appropriate separation, privacy, amenity, spray drift mitigation and address potential reverse sensitivity effects. **Table 8** sets out the interface response tailored to each adjoining rural site.

Table 8: Rural Interface Design Responses

Interface Location	Land Use	Adjacent Lots	No Build Area	Buffer landscaping	Fencing
North 163 & 185 Brookvale Road	Rural Residential lifestyle property	Lots 188 & 203	Dwellings set back minimum of 70m from the adjacent boundary and intervening HDC water asset lot and proposed stormwater management basin.		
Northeast 184 Brookvale Road	Residential House. Agricultural Cropping land. Boneyard Music Venue.	Lots 200-203	N/A	Minimum 40m wide stream corridor planting to be vested as HDC drainage reserve.	Existing rural fencing to remain
East	Residential House.	Road 1	N/A	Minimum 40m wide stream corridor planting	Existing rural fencing to remain

²⁵ Conditions 64, 66, 134 & 139, Appendix 28

²⁶ Condition 123, Appendix 28

Interface Location	Land Use	Adjacent Lots	No Build Area	Buffer landscaping	Fencing
468 Te Mata Mangateretere Road	Agricultural Cropping land. Agricultural spraying. Water irrigation infrastructure.			to be vested as HDC drainage reserve.	
South Vinarchy Vineyard Te Mata Road	Operational vineyard. Frost fans and productive land infrastructure. Agricultural spraying. Bird scarers.	Lots 131-138 & 140	10m	15-18m wide landscaping. Shelterbelt species on boundary	Existing rural fencing to remain
		Lot 141	10m	5m wide landscaping. Shelterbelt species on boundary	Existing rural fencing to remain
Southwest Shaggy Range 104 Arataki Road	Rural Residential lifestyle property. Dog Daycare Operation. Christmas tree plantation. Plant nursery.	Lots 141-156	10m	5m wide landscaping. Shelterbelt species on boundary (neighbour's existing shelterbelt species located right of boundary – Figure 19)	2m high close board acoustic & stock proof fencing
		Lots 157-164 & 172	10m	5m wide landscaping. Shelterbelt species planted 5m from boundary with lower order vegetation proposed between shelterbelt and shared boundary.	2m high close board acoustic & stock proof fencing
West Arataki Reserve Land	HDC managed open space reserve (rural buffer interface)	Lots 169 - 172	No specific interface treatment required. Due to proposed grades in this area, vegetated batter slope proposed on this boundary.		

In addition to the above measures, the Applicant will implement the landscape buffer planting as part of bulk earthworks phase of the development to enable early establishment of the planting²⁷.

²⁷ Condition 72, Appendix 28

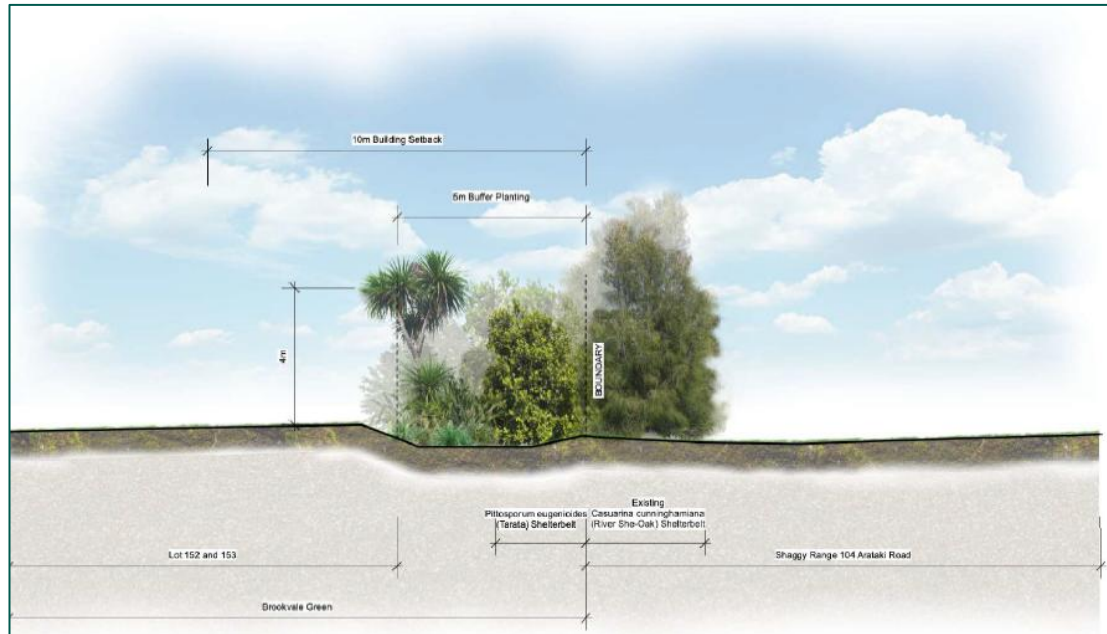


Figure 16: Southern Shaggy Range Buffer Interface Cross Section (Source: LA4 Landscape Plans, Appendix 6)

In summary, the proposed interface treatment measures are intended to manage potential reverse sensitivity and amenity effects associated with adjoining rural activities. The proposed measures will be secured through the consent notice²⁸ framework where ongoing private lot obligations are required. These instruments will ensure that the mitigation relied on in this Application is retained and maintained after titles are issued, providing long-term certainty for future residents, adjoining rural landowners and established neighbouring activities.

5.12 Fencing

A fencing plan (**Appendix 7**) has been prepared to manage boundary treatments across the development and ensure fencing contributes to the overall character, amenity and safety of Brookvale Green.

The fencing approach seeks to balance privacy for future residents with passive surveillance and a high-quality public-private interface. Attention has been given to lots adjoining streets, reserves, accessways, and rural interface boundaries.

Fencing requirements will be secured through consent notices²⁹ to ensure future fencing is designed, constructed and maintained in accordance with the approved fencing plan.

5.13 Consent Duration

The proposed lapse and expiry periods are set out in the Conditions Suite (**Appendix 28**). All consents are proposed to lapse five years after the date they commence, unless they have been given effect to before that date.

For the subdivision consent, the consent will lapse 10 years after the date it is granted unless a survey plan is submitted to HDC for approval under section 223 of the RMA before the consent

²⁸ Conditions 78 – 85, Appendix 28

²⁹ Conditions 75 – 77, Appendix 28

lapses and that plan is deposited within three years of approval in accordance with section 224 of the RMA, or an extension of lapse period is sought and granted under section 125 of the RMA.

The proposed expiry periods for the regional consents are as follows:

- Stream diversion and realignment consent: 35 years (for works inside the stream bed)
- Stormwater discharge consent: 35 years; and
- Temporary discharge of contaminants consent: 10 years.

No expiry date is proposed for the subdivision consent or land use consent once those consents have been given effect to.

5.14 Proposed Conditions of Consent

This section of the application is provided in accordance with Clause 5(1)(k) and Clause 18 of Schedule 5 of the FTAA. These clauses require that an application provides conditions for the resource consent.

The proposed conditions are contained in the Conditions Suite included as **Appendix 28**. The Conditions Suite has been structured to align with the separate approvals sought through this application, as follows:

- **LUC-XXX**: land use consent under section 9 of the RMA for the comprehensive residential development of the site, including the establishment of residential activities, residential buildings, earthworks and associated infrastructure on Plains Production zoned land;
- **SUB-XXX**: subdivision consent under section 11 of the RMA for the creation of residential lots, roads to vest, accessways, local purpose drainage reserves, easements, consent notices and associated legal instruments;
- **LUS-XXX**: regional land use consent under sections 9 and 13 of the RMA for stream, wetland and structure works, including culverts, crossings, stormwater outlet structures, works within or adjacent to stream beds, and wetland modification and reinstatement;
- **WAT-XXX**: water permit under section 14 of the RMA for the diversion and realignment of watercourses and associated activities required to establish and maintain the proposed stream and stormwater management network;
- **DIS-1XX**: discharge permit under section 15 of the RMA for the diversion and discharge of stormwater from the development to Watercourse 1, Watercourse 2 and downstream receiving environments, including the operation and maintenance of the proposed stormwater management system;
- **DIS-2XX**: discharge permit under section 15 of the RMA for the temporary discharge of contaminants associated with construction works, through the use of flocculants and chemically treated sediment retention devices;
- **WA-XXX**: Wildlife Approval under the Wildlife Act 1953 for the salvage, handling, relocation and incidental killing of indigenous lizards; and
- **RAC-XXX**: Reserve Act approval for an easement over Reserve land for public road access; and a works permit to construct part of a public road and undertake associated development

integration works, including vegetation clearance and replanting, earthworks, batter slopes and retaining structures.

The proposed conditions include general conditions applying across the approval package, together with activity-specific conditions for the above sought approvals.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing avoiding or mitigating adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5;
- Provide for monitoring as required by Clause 6(1)(g) of Schedule 5; and
- Give effect to those matters that the panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the FTAA and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

6.0 Consultation Undertaken

This section is provided in accordance with Clause 6(1)(e) and (f) of Schedule 5 of the FTAA. These provisions require the assessment of environmental effects to identify the persons affected by the proposed activity, any consultation undertaken, and any response to the views of persons consulted. They also require a summary of any consultation undertaken with iwi or hapū, including the reasons given where an iwi or hapū has chosen not to respond to consultation.

An overview of the consultation undertaken is provided below. Further details, including the matters raised, the Applicant's responses and relevant meeting records, are contained in the Consultation Report at **Appendix 20**.

By way of summary, the Applicant has taken a proactive and comprehensive approach to consultation prior to lodgement with the relevant parties outlined below. This has included a series of in person and virtual meetings, phone calls, written communication and opportunities to comment on and influence the design of the Project and the provision of advanced draft technical assessments for review and comment. This has resulted in a significant narrowing of issues in contention leading to the lodgement of the substantive application.

Persons or Group	Consultation Undertaken
Relevant local authorities	Hastings District Council Hawke's Bay Regional Council
Relevant iwi authorities, hapu and Treaty settlement entities, including: (i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and (ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws or regulations made under part 9 of the Fisheries Act 1996.	Post Settlement entity Tamatea Pōkai Whenua who sought direct engagement with: • Ruahāpia Marae (Ngāti Hāwea, Ngāti Hori) • Matahiwi Marae (Ngāti Hāwea, Ngāti Kautere) • Waipatu Marae (Ngāti Hāwea, Ngāti Hori, Ngāti Hinemoa) • Kohupātiki Marae (Ngāti Hinemoa, Ngāti Hori) • Te Taiwhenua o Heretaunga Tamatea Pōkai Whenua and Waipatu Marae (Ngāti Hāwea, Ngāti Hori, Ngāti Hinemoa) has engaged with the Project. Waipatu Marae has provided a Cultural Values Assessment. No other responses were received.
any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011.	N/A. The Project area does not relate to the marine or coastal area customary title.
Ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.	N/A. The Project area is not within or adjacent to, and would not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.
The relevant administering agencies.	Department of Conservation

Persons or Group	Consultation Undertaken
If the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in the land that is to be exchanged by the Crown.	N/A. No land exchange is proposed.

Clause 6(1)(e)-(f) of Schedule 5 of the FTAA requires that an assessment of environmental effects under the FTAA must include the following information:

- Identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal; and
- If iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision.

6.1 Hastings District Council

Extensive engagement with HDC has focused on the Arataki Reserve land integration, water supply, stormwater vesting, reverse sensitivity, and consent conditions associated with the Project. Key matters discussed have included (but are not limited to):

- water supply capacity constraints of the municipal water supply and the pathway for securing an appropriate water supply for the development;
- the use of, and interface with, the adjoining Arataki Reserve land;
- inconsistency with the future urban greenfield areas identified in the FDS;
- downstream flooding;
- roading arrangements and design in accordance with the HDC ECoP;
- reverse sensitivity matters; and
- urban design response and the proposed residential planning framework.

A key focus of engagement has been the proposed use of part of the HDC administered **Arataki Local Purpose (Amenity) Reserve land** to facilitate the road connection, earthworks, retaining, batter slopes, vegetation clearance and reinstatement planting required to integrate Brookvale Green with the adjoining western urban area. **Volume B** seeks a Reserve Act approval (easement and works permit) for the required reserve works and HDC has provided written support for the proposed Reserve land activities (**Appendix 20, Attachment 3**).

Water supply has also been a key matter discussed with HDC. As outlined in Section 5.5.4 above, the Applicant is progressing a separate water permit transfer process with HBRC to transfer existing groundwater allocation to HDC, along with incorporation of low impact design solutions to reduce water use within the development. This pathway is intended to provide sufficient existing water allocation to service the Project and align with the conditions of the HDC municipal supply consent. HDC has provided a written letter (**Appendix 20**) of support in principle for the transfer and low impact design measures, subject to the consenting pathway being approved by HBRC outside of this substantive process.

Discussions have also addressed the proposed **vesting of stormwater** drainage reserve areas and associated infrastructure, including future ownership, maintenance responsibilities, consent holder status and the relationship with HDC's wider global stormwater consent framework. This has included joint meetings and agreements reached with both HDC and HBRC regarding consenting, ownership and long term responsibilities of the stormwater management network for the Site.

While VSP have been open to, and supportive of, including recreational reserves and play areas throughout Brookvale Green, HDC has confirmed through consultation that it does not seek a separate playground or formal recreation reserve within the development. The primary basis for this position from HDC is due to the provision of existing recreational reserves and play areas in the vicinity and management of ongoing operational costs for the maintenance and upkeep of additional assets. This has informed the open space approach, which has instead focused on the stormwater drainage reserve network, public access and landscape amenity.

Further detail regarding engagement with HDC is provided in the Consultation Report in **Appendix 20**.

6.2 Hawke's Bay Regional Council

Engagement with HBRC has been thorough and focused on resolving the regional consenting matters, including stormwater diversion and discharge, stream works, wetland modification and reinstatement, earthworks, erosion and sediment control, construction-phase discharges, groundwater protection and source water risk. These matters are particularly relevant given the site's location within the Hastings Source Protection Zone and the proposed works within and around Watercourse 1, Watercourse 2 and associated wetland areas.

Key matters discussed included the design of the stormwater management system, flood effects, protection of the underlying aquifer, construction methodology, ecological enhancement, and the proposed management plan and conditions framework. Detailed discussions have also addressed consent holder status, the future ownership and management of watercourses and stormwater infrastructure, responsibility for ongoing stormwater discharges, and the separate water allocation transfer process being progressed in coordination with HDC.

Through this engagement, a number of key consenting and implementation matters have been clarified or agreed. In particular:

- The responsibility framework for the ongoing **stormwater discharge** consents has been confirmed including a coordination meeting with HDC.
- The robust **source water protection approach**, including the associated Hydrogeological Assessment, management plan and conditions framework, has been developed in collaboration with HBRC.
- An agreed pathway has been established for progressing the proposed **water allocation transfer** through a separate application process (subject to approval).
- Detailed input has been provided on the regional **consent conditions**.
- The **regional consenting requirements**, including the approvals required under the RMA and the overall consent structure, have been confirmed.

- **Technical feedback** has materially informed the technical assessments and management plans relating to stormwater, ecology, groundwater and source water protection, and construction environmental management.

As a result, the application reflects a coordinated regional consenting approach and incorporates the principal technical, statutory and implementation matters identified through consultation with HBRC. Further detail regarding engagement with HBRC is provided in the Consultation Report in **Appendix 20**.

6.3 Affected Persons

Extensive engagement has been undertaken with all adjoining landowners who may be affected by the activity throughout the development of the Project. These are outlined in more detail in Section 4.17 and **Figure 7** above, and include:

- HDC Water Asset Facility, 170 Brookvale Road;
- 163 Brookvale Road;
- 185 Brookvale Road;
- 184 Brookvale Road;
- 468 Te Mata Mangateretere Road;
- Vinarchy Vineyard, Te Mata Road;
- 104 Arataki Road; and
- CDL, 86, 108 and 122 Arataki Road.

This has included written and phone correspondence, face to face meetings and technical engagement on matters including site interfaces, stormwater management, reverse sensitivity, access and construction, and proposed mitigation. Letters of support for the Project have been received from most adjoining landowners, including the following:

- 163 Brookvale Road;
- 185 Brookvale Road;
- 184 Brookvale Road;
- 468 Te Mata Mangateretere Road;
- Vinarchy Vineyard, Te Mata Road; and
- HDC Water Asset Facility, 170 Brookvale Road (regarding the use of the asset corridor).

The owners of 104 Arataki Road remain concerned about the effects of the proposed residential development on their existing rural residential landholdings, dog daycare operation and reverse sensitivity concerns. Engagement with Shaggy Range to date has informed the proposed interface treatment, including fencing, landscaping, and building setback obligations. The matters raised by Shaggy Range are addressed further in the Consultation Report (**Appendix 20**) and relevant technical assessments.

CDL, the owners of the neighbouring Arataki Extension development, provided high level support for the urbanisation of the land through the referral application stage. No further formal comments have been received through the substantive application.

A full summary of consultation undertaken with these parties is provided in the Consultation Report (**Appendix 20**).

6.4 Mana Whenua

Engagement has also been undertaken with relevant iwi authorities, hapū and Treaty settlement entities with an interest in the Project area. The Applicant initially sought engagement through the post-settlement entities Tamatea Pōkai Whenua and Te Taiwhenua o Heretaunga. A response was received from Waipatu Marae, representing Ngāti Hāwea, Ngāti Hori and Ngāti Hinemoa, and a CIA was prepared for the referral application (refer **Appendix 16**). That assessment has informed the development of the substantive application, including the Project design, technical assessments and proposed mitigation measures.

Further engagement with mana whenua was sought as part of the pre-lodgement process for the substantive application. Despite further follow ups and the provision of technical assessments and information for comment and feedback, no further formal feedback has been received to date. The Applicant remains committed to implementing the relevant findings of the CIA, and continuing engagement with mana whenua as necessary throughout the Brookvale Green Fast-Track process.

6.5 Department of Conservation

Pre-lodgement engagement with DOC included the provision of the draft Ecological Assessment Report, FMP, and proposed wildlife approval conditions. A pre-lodgement meeting was held with DOC officers in May 2026, followed by further correspondence regarding the proposed ecological management framework and conditions of consent.

DOC's review primarily focused on the proposed Wildlife Act approval for indigenous lizards and also provided comments on freshwater ecological effects, fish passage, fauna, wetlands, draft conditions and the draft FMP. The substantive application has had regard to the matters raised by DOC and this assessment is provided in detail in **Volume C**.

In summary, it is considered that the application has had sufficient and appropriate regard to the consultation matters raised by DOC. In response to DOC's feedback, the application now includes a refined FMP, EMP, and updated conditions of consent.

6.6 Conclusion

Overall, the Applicant has taken a proactive and comprehensive approach to consultation with the relevant parties outlined below and the Applicant is grateful to all stakeholders who have meaningfully engaged prior to lodgement. Pre lodgement consultation with all stakeholders has been helpful to forming the scope of the substantive application, ironing out issues, improving environmental outcomes, refining technical reports, and addressing consenting matters. A summary of all consultation undertaken, correspondence received and how matters raised have been addressed is included in **Appendix 20**.

7.0 Planning Framework

7.1 Overview

This section of the application is provided in accordance with Schedule 5, Clause 5(1)(h) of the FTAA which requires an assessment of the activity be provided against relevant provisions of the following documents provided in Schedule 5, Clause 5(2) of the FTAA:

- (a) A national environmental standard.
- (b) Other regulations made under the RMA.
- (c) A national policy statement.
- (d) A New Zealand coastal policy statement.
- (e) A regional policy statement or proposed regional policy statement.
- (f) A plan or proposed plan.
- (g) A planning document recognised by a relevant iwi authority and lodged with a local authority.

The Project has been considered against the above documents in the following sections of this report as well as consideration of the Project against the items listed in Schedule 5, Clause 5(3)(a)-(c).

In summary, the Project requires non-complying activity consent overall under the HDP, discretionary activity consent overall under the RRMP, and non-complying activity consent under the NES-F. Overall, the Project is to be assessed as a non-complying activity. Detailed rules assessments against each of the applicable HDP and RRMP provisions are attached as **Appendix 27**.

Notwithstanding this, the application seeks all resource consents necessary for the staged implementation of the Project. The list of consents considered to be required is outlined below. For completeness, this application also seeks consent for any matters that are not listed below but which are subsequently identified as being necessary through the processing of this application. If such matters are identified, the Applicant will, as a matter of urgency, provide to the EPA an assessment of any relevant adverse effects that are different to, additional to, or cumulative upon those discussed in this report, which would be generated by the Project as a result of the additional matters.

7.2 RMA Approvals

7.2.1 Resource Management Act 1991

In accordance with section 42(4)(a) of the FTAA, the Project requires resource consents that would otherwise be applied for under the RMA. The approvals sought are summarised below.

7.2.2 Operative Hastings District Plan

The site is zoned Plains Production Zone under the HDP and contains the Scheduled Activity S37 Te Mata Mushroom. The Site is also subject to the Plains Strategic Management Area, contains

areas identified as having liquefaction susceptibility, and is partially located within an Area of Interest Statutory Acknowledgement Area. Resource consents required under the HDP are identified in the HDP Rules Assessment contained in **Appendix 27** and are summarised as follows:

Plains Production Zone – Section 6.2

- A **non-complying** activity consent under Rule 6.2.4 (PP38) for 203 **residential buildings** within the Plains Production Zone, where Rule 6.2.6B permits a maximum of one residential building per site.
- A **restricted discretionary** activity consent under Rule 6.2.4 (PP24) for residential development that does not comply with the Plains Production Zone **performance standards**, including:
 - Rule 6.2.5A (Building Height);
 - Rule 6.2.5B (Yards);
 - Rule 6.2.5H (Shading of Land, Buildings and Roads);
 - Rule 6.2.5J (Total Building Coverage); and
 - Rule 6.2.6B (Residential Buildings).
- A **non-complying** activity consent under Rule 6.2.4 (PP39) to enable **home occupations** as a permitted activity within future residential allotments, being an activity not otherwise provided for within the Plains Production Zone.
- A **non-complying** activity consent under Rule 6.2.4 (PP39) to enable **show homes** as a permitted activity within future residential allotments, being an activity not otherwise provided for within the Plains Production Zone.

Subdivision – Section 30.1

- A **non-complying** activity consent under Rule 30.1.5 (SLD25) for **subdivision** that does not comply with the subdivision site standards and terms in Section 30.1.6 and Section 30.1.7, including:
 - Rule 30.1.6A (Minimum Site Area).
 - Rule 30.1.7A (Building Platforms).

The overall HDP activity status is a **non-complying** activity.

7.2.3 Operative Hawke's Bay Regional Resource Management Plan

The Site is subject to a number of overlays and management areas under the RRMP, including a Flood Control Scheme Area, a Confined Aquifer, Groundwater Management Zone, Land Use Capability Class 3 land, a Flood Risk Area, and areas identified as having medium liquefaction vulnerability. Resource consents required under the RRMP are identified in the RRMP Rules Assessment contained in **Appendix 27** and are summarised as follows:

6.3 Land Use Activities

- A **restricted discretionary** activity consent under Rule 8 for **vegetation clearance** within 5m of the bed of a river or stream that does not comply with the permitted activity conditions of Rule 7.

6.6 Discharges to Land/Water

- A **discretionary** activity consent under Rule 52 for the **temporary discharge of contaminants** to land and water associated with earthworks and construction activities, including the discharge of treated water from sediment retention devices.

6.7 Water Takes, Uses & Diversions

- A **discretionary** activity consent under Rule 59 for the **diversion and realignment** of Stream 1 and the reclamation of artificial drainage channels that do not comply with the permitted activity standards of Rule 56.

6.8 Use of River & Lake Beds

- A **discretionary** activity consent under Rule 71 for activities **within 6m of the bed of a stream** in the flood control scheme area, including earthworks, land disturbance, stream reclamation, riparian planting, the placement of fill, structures and outfall structures, and associated stream corridor works.
- A **discretionary** activity consent under Rule 69 for the construction and upgrading of culverts, stream crossings and access **structures over or within stream beds** that do not comply with the standards of Rule 72.

Overall activity status under the RRMP is a **discretionary** activity.

7.2.4 TANK Plan Change 9

The RRMP is also subject to Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments) ("TANK Plan Change"). The TANK Plan Change establishes an integrated framework for the management of land use, water quantity, water quality, stormwater and freshwater values within the TANK catchments. The TANK Plan Change was made operative in part following decisions and a subsequent Consent Order issued by the Environment Court on 29 April 2026. The Site is located within the Karamū Catchment and is identified within the TANK Surface Water Quality Management Area, TANK Water Quantity Management Area and a TANK Priority Catchment. The following resource consents are required under the TANK Plan Change:

- A **restricted discretionary** activity consent under Rule TANK 22 for the **diversion and discharge of stormwater** associated with the proposed stormwater management network, where the Project does not comply with Rule TANK 21(a)(iv) due to localised increases in flooding effects on two downstream properties.
- A **restricted discretionary** activity consent under Rule 8 (as amended by TANK Plan Change 9) for **vegetation clearance and soil disturbance** within riparian margins that does not comply with the permitted activity conditions applying within the TANK catchment.

The overall activity status under the TANK Plan Change is a **restricted discretionary** activity.

7.2.5 National Environmental Standards for Freshwater

The Project includes activities regulated under the NES-F, including activities within and adjacent to natural inland wetlands. Resource consents required under the NES-F are summarised as follows:

- A **non-complying** activity consent under **Regulation 54** for:
 - **vegetation clearance** within, and within a 10m setback from, natural inland wetlands.
 - **earthworks** within, and within a 10m setback from, natural inland wetlands.
 - **diversion of water** within, and within a 100m setback from, natural inland wetlands, where those activities will modify the hydrological function of the wetlands.
 - **discharge of water** into water within, and within a 100m setback from, natural inland wetlands, where the discharge will enter the wetlands and modify their hydrological function.
- A **discretionary** activity consent under **Regulation 57** for the reclamation of the existing bed of Watercourse 1 associated with its diversion realignment. The reclamation comprises filling the redundant portions of the stream bed for a length of approximately 355m following realignment of the stream.

7.2.6 Other National Environmental Standards

The Project does not require resource consent under any of the other National Environmental Standards.

7.2.7 Permitted Activities

In accordance with Clause 5(5)(a) of Schedule 5 of the FTAA, the following permitted activities are part of the Project to which the consent application relates such that a resource consent is not required for the activities under section 87A of the RMA 1991.

Hawke's Bay Regional Resource Management Plan

- Decommissioning of the existing bores is a permitted activity under Rule 4, subject to compliance with the applicable standards.
- Diversion and discharge of stormwater associated with the residential stormwater network is otherwise provided for as a permitted activity under Rule 42.
- Removal of existing structures from watercourses, including the existing ford, culverts and piped structures, is permitted under Rule 66.
- Existing lawfully established culverts and pipe structures within watercourses may remain under Rules 63 and 64.
- Bore decommissioning within the Source Protection Zone is a permitted activity under the TANK provisions, subject to compliance with the applicable standards.

Hastings District Plan

- Earthworks undertaken as part of a subdivision are a permitted activity under Rule 27.1.5(a).

- Underground network utilities, including water supply, wastewater, stormwater, electricity and telecommunications infrastructure, are permitted under Rule 22.1.5.1.NU2.
- The proposed wastewater pump station and associated above-ground infrastructure are permitted under Rule 22.1.5.1.NU2(iii).
- Indigenous vegetation clearance outside areas identified in Appendix 56 is permitted under Rule 20.1.5.IN1.
- Parking and access associated with the Project are permitted under Rule 26.1.5.TP1 as the Site is zoned Plains Production Zone and complies with Rule 26.1.6A Access, Rule 26.1.6B Safe Sightlines and Rule 26.1.6D Parking.
- Future subdivision lots will be connected to reticulated water supply, wastewater, stormwater and electricity services in accordance with Rules 30.1.7B, 30.1.7C, 30.1.7D and 30.1.7G.
- Construction and future operational noise will comply with the relevant permitted activity standards of Chapter 25.1.
- Associated water management activities undertaken for the purpose of restoring and maintaining the ecological and hydrological function of retained wetlands.

7.3 Reserves Act Approvals

Under section 42(4)(e) of the FTAA, a Reserves Act **approval** is sought to permit works within the Arataki Reserve land for development integration and the construction of part of a public road and ongoing use through an easement. Refer to **Volume B** for details relating to this application for approval.

7.4 Wildlife Act Approvals

Under section 42(4)(h) of the FTAA, precautionary **Wildlife Act approval** is sought to authorise the salvage, handling, relocation and incidental killing of indigenous lizards. Refer to **Volume C** for details relating to this application for approval.

7.5 Overall Activity Status

Overall, the Project requires approval and assessment as a **non-complying activity**.

For completeness, the application seeks approval for all necessary consents for the Project under the RMA, the Wildlife Act and the Reserves Act including any matters that are not listed in Section 8.2 above, **Volume B** and **Volume C**, but which are subsequently identified as being necessary through the processing of this application.

If such matters are identified the Applicant will, as a matter of urgency, provide to the Panel an assessment of any relevant adverse effects that are different to, additional to, or cumulative upon those discussed in this report that would be generated by the Project as a consequence of the additional matters.

7.6 Any Other Activities

This section is provided in accordance with Clause 5(1)(e) of Schedule 5 of the FTAA. There are no other activities that are part of the Project to which the consent application relates.

7.7 Other Resource Management Act 1991 Approvals

This section is provided in accordance with Clause 5(1)(f) of Schedule 5 of the FTAA. Other than the resource consents identified in Section 8.2, no additional approvals under the RMA are required for the Project.

7.8 Sections 5, 6, and 7 of the Resource Management Act 1991

Clause 5(1)(g) requires an assessment of the activity against sections 5, 6, and 7 of the RMA. These sections are contained within Part 2 of the RMA. An assessment of the Project against Part 2 of the RMA is provided in Section 11.4.1 of this Report.

7.9 Assessment of the Proposal Against Relevant Statutory considerations

Clause 5(1)(h) requires an assessment against any relevant provisions in any of the documents listed in Section 5(2) of Schedule 5. An assessment of the Project against these relevant statutory considerations is provided in Section 9 of this Report.

7.10 Treaty Settlement Provisions and Redress

Clause 5(1)(i) of Schedule 5 of the FTAA requires the provision of information about any Treaty Settlements that apply in the project area, including:

- The identification of the relevant provisions in those Treaty settlements; and
- A summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area.

The relevant Treaty settlement legislation applying to the Project area comprises:

- Heretaunga Tamatea Claims Settlement Act 2018 ('HTCSA'); and
- Hawke's Bay Regional Planning Committee Act 2015 ('HBRPCA').

The relevant iwi authorities and Treaty settlement entities for the Project are Ngāti Kahungunu Iwi Incorporated, Tamatea Pōkai Whenua, Te Taiwhenua o Heretaunga, and the Hawke's Bay Regional Planning Committee. An assessment of the Project against these settlement provisions is provided in Section 10.5 of this Report.

7.11 Customary Marine Title Groups

Clause 5(1)(j) of Schedule 5 of the FTAA as it applies to the Project, requires a list of any relevant customary marine title groups, protected customary rights groups or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011.

Clause 5(5)(b) of Schedule 5 of the FTAA requires that if an activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant

prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document must be provided.

This does not apply because the Project is for a residential development on land and does not involve any activities within the coastal marine area.

7.12 Protected Customary Rights

Clause 6(1)(h) of Schedule 5 of the FTAA requires an application to include an assessment of any effects of the activity on the exercise of a protected customary right.

There are no protected customary rights that relate to the site and as such an assessment under Clause 6(1)(h) of Schedule 5 is not required.

7.13 Mitigation and Monitoring Measures

Clause 6(1)(d) of Schedule 5 of the FTAA requires that an assessment of an activity's effects on the environment must include a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity.

A comprehensive suite of monitoring and mitigation measures are proposed to ensure that the Project will comply with the permitted activity standards of the HDP and RRMP and to address actual and potential effects on the environment. These measures are secured through the proposed conditions of consent (**Appendix 28**) and management plans which require (but are not strictly limited to) detailed design certification requirements, construction monitoring, post-construction reporting, and title instruments to apply to future lots. The key monitoring and mitigation measures are summarised below.

- **Archaeology:** Accidental discovery protocol implemented during works, and reporting if discovery occurs;
- **Construction management:** Construction effects will be managed through a CEMP and associated management plans listed in Section 6.4.5 in this report. These plans will be finalised prior to works commencing and will provide the framework for managing construction methodology, staging, site access, environmental controls, complaints, monitoring and reporting;
- **Stormwater management and flooding:** Stormwater effects will be managed through an integrated stormwater management system comprising raingardens, a wetland, a dry detention basin, conveyance channels, outfall structures, overland flow paths and upgraded culverts. The system is designed to manage stormwater quality and quantity, attenuate flows, maintain overland flow paths, and avoid increasing flood risk to upstream or downstream properties. Detailed design certification, as-built certification, monitoring and a Stormwater Management and Maintenance Plan are proposed to secure long-term performance;
- **Water quality and discharge effects:** Stormwater treatment will be provided for the development through raingardens and a wetland prior to discharge to Watercourse 1 or Watercourse 2. Outlet structures, riprap and erosion protection will be used to avoid scour and erosion. Conditions also require ongoing inspection, maintenance, monitoring and

remediation if erosion, scour or adverse discharge effects are identified, including water quality monitoring;

- **Groundwater and source protection:** The Project includes measures to protect groundwater quality, reflecting the site's location within the Hastings Source Protection Zone. A SWPP has been prepared to manage construction and site works to avoid the risk of contamination of the aquifer. The wetland and raingardens are proposed to include impervious liners to prevent soakage, and stream diversion works will be subject to hydrogeological inspection and monitoring. Existing bores no longer required for the Project will be decommissioned by a suitably qualified person, with confirmation provided to HBRC;
- **Stream works and ecological enhancement:** Works within Watercourse 1 and Watercourse 2 will be managed through detailed design certification, an EMP and the FMP. Mitigation includes maintenance of fish passage, erosion and scour protection, riparian planting, wetland reinstatement, pest plant and animal control, and ecological monitoring for a minimum period following planting establishment;
- **Indigenous fauna management:** Potential effects on indigenous fauna will be managed through the FMP and Wildlife Approval. This includes pre-clearance checks, seasonal timing controls, nesting bird protocols, lizard salvage, handling and relocation where required, bat habitat checks, reporting, and post-translocation monitoring where trigger thresholds are met;
- **Geotechnical stability and building suitability:** Geotechnical effects will be managed through construction supervision, fill compaction standards, and preparation of a GCR. Consent notices will be registered on titles where site-wide or lot-specific geotechnical requirements need to be carried forward for future development;
- **Infrastructure delivery and certification:** Roads, wastewater, water supply, stormwater and utility infrastructure will be subject to Engineering Approval, construction certification, as-built plans, and completion documentation prior to section 224(c) certification. This will ensure infrastructure is appropriately designed, constructed and capable of vesting or ongoing operation;
- **Reverse sensitivity and rural interface management:** Long-term reverse sensitivity effects will be managed through a combination of no-build areas, buffer planting, and fencing requirements applying to rural interface lots. These measures are intended to provide separation, screening and ongoing recognition of adjoining rural production and dog day-care activities and will be secured by consent notices; and
- **Title instruments and ongoing controls:** Consent notices, easements, covenants and other title instruments will be used to secure ongoing requirements relating to geotechnical matters, fencing, landscaping, building standards, rural interface controls, minimum floor levels where required, services, access and infrastructure maintenance. These measures will ensure that the mitigation relied on in the assessment continues to apply beyond subdivision and into future residential development.

Clause 6(1)(g) of Schedule 5 of the FTAA also requires that if the scale and significance of the activity's effects are such that monitoring is required, an assessment of effects includes a description of how the effects will be monitored and by whom, if the activity is approved. The

monitoring that is proposed as part of the Project is also documented in the proposed draft consent conditions (**Appendix 28**) and technical assessments appended to this Report.

8.0 Assessment of Effects on the Environment

This section of the application is provided in accordance with Clauses 5(4), 6 and 7 of Schedule 5 of the FTAA. These provisions require an assessment of the actual or potential effects on the environment. Clause 6 of Schedule 5 sets out information required to assess environmental effects. Clause 7 of Schedule 5 sets out the matters to be covered in the assessment of the environment effects.

The actual and potential effects of these matters on people in the neighbourhood and, where relevant, the wider community, as well as on the environment more generally, are assessed below and in the technical reports submitted with this application. Having regard to the above, the scope of the application and consents required, it is considered that effects on the environment (including on the matters set out at Clause 7 of Schedule 5) in relation to the following matters are relevant:

- Positive effects;
- Loss of highly productive land;
- Reverse sensitivity;
- Landscape and visual;
- Neighbourhood character;
- Transportation;
- Infrastructure servicing;
- Acoustic;
- Ecological;
- Mana Whenua cultural values;
- Heritage;
- Stormwater and Flooding;
- Climate change and natural hazards;
- Geotechnical;
- Groundwater and aquifer;
- Contaminated land effects; and
- Economics effects.

These matters are set out and discussed below.

8.1 Positive Effects

The Project will generate a wide range of significant positive social, economic, environmental and infrastructure outcomes at both the local and regional level. The principal positive effects of the Project are summarised below:

- **Housing supply:** The Project will make a significant contribution to housing supply within the Hastings District by delivering approximately 203 new residential dwellings on land immediately adjoining the existing Havelock North urban area. The Economic Assessment (**Appendix 12**) concludes that the Project will make a meaningful contribution towards addressing the current shortage of greenfield residential land, respond to projected population growth and assist in creating a more responsive housing market. As a fully master-planned development that is capable of being delivered in the short term, Brookvale Green provides a high degree of certainty that additional housing supply can be realised in a timely manner;
- **Housing choice and affordability:** The Project provides a range of residential lot sizes and housing typologies, including conventional residential lots, smaller lots, and terrace housing. This diversity will provide greater housing choice for different household types and life stages while improving the responsiveness of the housing market. The average lot size is substantially smaller than the existing Havelock North housing stock, providing more attainable home ownership opportunities and contributing to improved housing affordability over time;
- **Well-functioning urban environment:** The Project establishes a comprehensively planned residential neighbourhood that integrates housing, transport, infrastructure, reserves and environmental restoration. The Site adjoins the existing Havelock North urban area and the approved Arataki development, enabling efficient expansion of the urban area while delivering a highly connected neighbourhood with walking and cycling links, public open space and integrated three waters infrastructure;
- **Economic benefits:** The Project will generate substantial regional economic benefits through significant private investment, employment generation and increased household expenditure. The Economic Assessment (**Appendix 12**) concludes that construction of the Project will generate approximately \$52.4 million in regional GDP, approximately 400 full-time equivalent (FTE) years of employment and approximately \$26 million in wages during construction. Once established, the development will also support ongoing household expenditure and economic activity throughout Havelock North and the wider Hastings District. Further assessment of the economic outcomes of the Project are addressed in Section 12.3 of this Report;
- **Ecological restoration:** The Project includes restoration of degraded waterways, extensive wetland enhancement, indigenous riparian planting, improved fish passage, long-term ecological management and significant increases in indigenous vegetation cover. Collectively, these measures will substantially improve ecological function, biodiversity values and landscape corridors across the Site;
- **Freshwater enhancement:** Watercourse 1 will be restored through a naturalised channel design and integrated with a minimum 40 m wide publicly owned drainage reserve, while Watercourse 2 and associated wetlands will be retained and enhanced. The Project will result in a net increase in intermittent stream habitat, enhanced riparian margins, and long-term protection of freshwater ecosystems compared with the existing environment;
- **Water quality outcomes:** The Project incorporates a best-practice stormwater management system including treatment wetlands, raingardens, proprietary treatment devices, detention storage and groundwater protection measures. Stormwater quality will be significantly

improved compared with existing conditions, while hydrogeological investigations have informed measures to protect the underlying Heretaunga Plains aquifer and Hastings Source Protection Zone;

- **Flood resilience:** The integrated stormwater management system, restored watercourses, upgraded Brookvale Road culverts and flood conveyance corridors will improve the management of stormwater and flood risk across the wider catchment. While there are some localised changes in flood behaviour, the Project delivers an overall improvement in flood management outcomes for surrounding properties and has been designed to accommodate future climate change through adoption of a 3.8°C climate change scenario;
- **Reserve network:** The Project establishes an extensive publicly owned stream corridor and reserve network that will provide long-term public amenity, ecological restoration and opportunities for passive recreation. New walking and cycling connections throughout the development will improve connectivity to the surrounding neighbourhood and provide public outlook and access to waterways that are currently located within private land;
- **Urban design and neighbourhood character:** The Project has been designed in accordance with urban design principles to achieve a high-quality residential environment. A coordinated approach to landscaping, streetscape design, building setbacks, fencing and public realm treatment will establish an attractive and cohesive neighbourhood that integrates successfully with the surrounding urban area; and
- **Social and community benefits:** In addition to increasing housing supply, the Project will provide new public infrastructure, reserves, ecological corridors and active transport connections that will contribute positively to community wellbeing. The creation of a new residential neighbourhood will strengthen Havelock North's housing market while providing long-term social, recreational and environmental benefits for future residents and the wider community.

Overall, the Project represents a significant opportunity to deliver integrated housing, infrastructure and environmental restoration within a comprehensively master-planned development. Collectively, these positive effects substantially outweigh the actual and potential adverse effects of the Project, which have been appropriately avoided, remedied or mitigated through the design of the Project and the proposed conditions of consent.

8.2 Loss of Highly Productive Land

The Project will result in the urban development of land zoned Plains Production Zone under the HDP. The Site is identified as containing LUC Class 3 land. However, following amendments to the NPS-HPL, LUC Class 3 land is no longer treated as highly productive land under the interim mapping framework. Accordingly, the restrictions and exemption tests applying to highly productive land are not engaged by the Project.

In any case, the Soil and Resource Report prepared by Hanmore Land Management in **Appendix 18** identifies that the productive potential of the Site is constrained by its former use as the Te Mata Mushrooms operation, existing buildings and hardstand, modified and filled ground, drainage limitations, soil compaction and fragmentation by watercourses.

The Project will therefore not result in the loss of land identified as highly productive land under the NPS-HPL. Any residual loss of rural productive potential is considered less than minor in the

context of the Site's existing modification, constrained productive capacity and location adjoining the Havelock North urban area.

8.3 Reverse Sensitivity Effects

The Project introduces a new residential neighbourhood adjacent to land currently used for, and zoned to enable, a range of rural production activities. Reverse sensitivity effects can arise where future residents are exposed to the effects of lawful rural activities and subsequently seek to constrain those activities through complaints or regulatory intervention.

The site immediately adjoins land within the Plains Production Zone and further to the south, the Te Mata Special Character Zone. It is located in proximity to a number of established rural production activities, including viticulture, cropping, plant nursery activities, a dog daycare operation and other rural land uses. A Rural Interface Assessment prepared by Fruition (**Appendix 30**) and an Acoustic Assessment prepared by Styles Group (**Appendix 15**) have been undertaken to assess potential discipline specific reverse sensitivity effects associated with the Project. The sections below draws on those reports together with the proposed subdivision layout, landscape framework, conditions and consent notice regime, and urban design response to provide a comprehensive reverse sensitivity effects assessment.

8.3.1 Existing and Anticipated Rural Activities

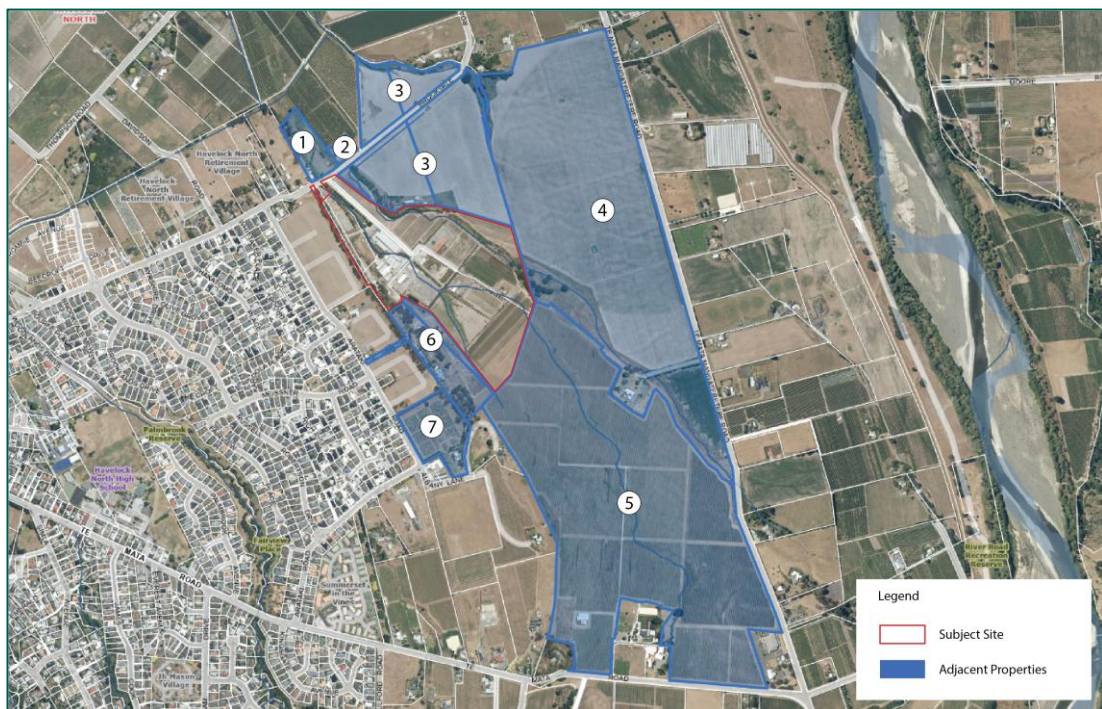


Figure 17: Adjacent Rural Landholdings

The key rural interfaces surrounding the site shown on **Figure 20** comprise:

- **1 & 2 – Brookvale Road properties:** 163 and 185 Brookvale Road located on the north side of Brookvale Road, rural-residential properties on smaller landholdings zoned Plains Production Zone; and
- **3 – 184 Brookvale Rd property:** located to the northeast of the site, the landholding is currently used for cropping and rural production activities and retain the ability to

accommodate a range of land-based primary production activities anticipated by the Plains Production Zone. Noted that the property includes a live music venue 'The Boneshed' near the shared boundary which operates under the temporary activity provisions of the Plains Production Zone. The venue does not have a specific resource consent for operation;

- **4 – 468 Te Mata Mangateretere Rd property:** located to the east of the site, and is currently used for cropping and rural production activities and retain the ability to accommodate a range of land-based primary production activities anticipated by the Plains Production Zone. Noted that the site has sought consent to subdivide into four 12ha landholdings. It is understood that this consent has been granted;
- **5 – Vinarchy Vineyard:** located to the southeast of the site and zoned Plains Production Zone and Te Mata Special Character Zone, which is used for viticulture activities including agrichemical application and frost protection fans;
- **6 – 104 Arataki Rd / Shaggy Range property:** located immediately southwest of the site, a private rural residential landholding zoned Plains Production Zone which contains a consented dog daycare operation³⁰, plant nursery activities, Christmas tree production and other general rural property maintenance activities;
- **7 – Olive Grove:** Whilst not adjacent, the acoustic assessment has considered potential reserve sensitivity effects associated with bird scarers located a small scale Olive Grove operation at 70 Arataki Road zoned Te Mata Special Character Zone.

In addition to the activities currently undertaken on adjoining and nearby land, the reverse sensitivity assessment has considered the reasonably foreseeable rural production and related activities anticipated by the Plains Production Zone framework, where relevant to the surrounding landholdings. These include:

- Land based primary production (Rule 6.2.4 PP1):
 - livestock rearing which is primarily reliant on the underlying land (excludes farming of mustelids);
 - horticulture (including, orcharding, cropping, commercial vegetable production, berry fruit growing, nurseries and greenhouses not falling within the definition of Intensive Rural Production, but not garden centres);
 - trees, plants and crops grown in the ground but under cover;
 - forestry;
 - viticulture; and
 - directly associated accessory buildings (i.e. rural buildings, packing, storage and processing activities), structures and activities (i.e. which may include frost fans, bird scaring devices, agrichemical spraying within specified limits of Section 25.1 Noise).
- Commercial activities subject to maximum GFA thresholds (Rule 6.2.4 PP5 & 6.2.6D)

³⁰ RMA20170139

- Industrial activities – Offsite processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce less than 2,500m² (Rule 6.2.4 PP6 & Rule 6.2.6F / Note 2)
- Temporary events at a maximum of 6 events annually (Rule 6.2.4 PP7 & 6.2.6H)
- Wineries subject to various maximum GFA thresholds (Rule 6.2.4 PP8 & 6.2.6I)
- Emission of noise from the use of vehicles, machinery or other mobile or portable equipment for Land Based Primary Production (Rule 25.1.6B(a)).

The Project has been specifically designed having regard to both the existing neighbouring land uses and the range of activities that could be reasonably anticipated by the Plains Production Zone of the adjoining properties, with the objective of minimising reverse sensitivity effects and maintaining the ongoing viability and operational flexibility of adjoining rural properties.

As outlined in Section 6.0 above, extensive engagement has been undertaken with adjoining rural landowners during the design development process. As a result, the Applicant has received letters of support from all adjoining landowners, with the exception of the CDL (no further comment since providing support at the referral application) and Shaggy Range properties.

8.3.2 Agrichemical Spray Drift

The Rural Interface Assessment (**Appendix 30**) identifies agrichemical spray drift as a primary potential reverse sensitivity issue associated with the introduction of residential activity adjacent to productive rural land. The assessment considers both existing land uses and the range of rural production activities reasonably anticipated by the current zoning framework.

The assessment concludes that agrichemical use is already regulated by the existing provisions of the RRMP and NZS 8409:2021 Management of Agrichemicals and reverse sensitivity effects associated with potential spray drift can be effectively managed through a combination of physical separation, shelterbelt planting and subdivision design responses.

To inform the subdivision layout, Fruition undertook a detailed assessment of the rural interfaces surrounding the Project. This assessment considered the specific activities currently occurring on neighbouring properties, including viticulture, plant nursery operations, dog daycare activities and general rural production, together with the range of activities that could reasonably establish in the future under the Plains Production Zone and Te Mata Special Character Zone planning framework.

The assessment concluded that the nature and scale of reverse sensitivity risk varies between property boundaries depending on the adjacent land use, existing vegetation, operational characteristics and potential non-fanciful future land use options. As a result, a tailored mitigation response has been incorporated into the masterplan rather than applying a uniform setback or buffer treatment across all boundaries. Therefore, in response to the recommendations of the Rural Interface Assessment, the Project incorporates:

- A minimum 10m building setback from all external rural boundaries, ensuring future dwellings are separated from adjoining productive land;
- In particular, a minimum 10m building setback has been adopted along the boundary adjoining Shaggy Range. While this setback exceeds that required to manage anticipated reverse sensitivity effects, it responds to feedback from the adjoining landowner and provides

additional separation, landscape planting opportunities and a softer transition between the future residential neighbourhood and adjoining rural activities;

- Extensive riparian planting and reserve corridors along the eastern and southeastern boundaries associated with Watercourse 1. These areas provide a minimum separation of approximately 15m along the southeastern boundary and 40m along the eastern boundary between future residential development and adjoining rural land providing a substantial planted buffer to the northeast, east and Vinarchy rural landholdings;
- Applicant-side shelterbelt planting species and associated landscape buffer planting of 5m to 15m width along the southern and southeastern boundaries adjoining the Vinarchy vineyard and 5m along the southwestern boundary adjoining Shaggy Range to address potential spray drift. These shelterbelt plantings will be protected and maintained through consent notice requirements;
- Landscape buffers exceed the minimum separation distances recommended by Fruition for spray drift purposes. For example, while a lesser separation distance was identified as sufficient for some interfaces, wider setbacks have been adopted to accommodate planting establishment, achieve a more effective landscape buffer and provide improved residential amenity outcomes;
- Larger residential lots and lower-intensity development along all adjoining rural interfaces to facilitate building setback, shelterbelt and landscaping design outcomes; and
- Consent notices requiring building setbacks and shelterbelts / landscaped buffers to be established and maintained in perpetuity.

These measures provide an appropriate transition between the future urban environment and surrounding productive rural land with regard to potential agrichemical spray drift effects. Further, the RRMP and NZS8409:2021 already regulate spray drift application across boundaries. The Rural Interface Assessment concludes that, with the proposed mitigation in place, reverse sensitivity effects associated with agrichemical spray drift can be effectively managed and will not constrain existing or foreseeable rural production activities on adjoining land.

8.3.3 Noise Effects from Rural Activities

An Acoustic Assessment (**Appendix 15**) has been undertaken by Styles Group to assess the potential for the Project to introduce noise-related reverse sensitivity effects. The assessment considered existing and potential future rural production activities, frost protection fans, bird scarers, the Shaggy Range dog daycare operation, the Boneshed music venue and other noise-generating activities in the surrounding environment.

In addition to existing activities, the assessment considered the range of non-fanciful rural production activities that could reasonably establish on adjoining land under the Plains Production Zone planning framework. This included activities such as viticulture, horticulture, cropping, rural processing, packhouses and associated operational activities. The assessment did not assume theoretical worst-case activity locations where these would be operationally impractical or inconsistent with normal rural production practices. For example, frost protection fans are typically located within production areas where they can operate efficiently and are unlikely to be positioned immediately adjacent to property boundaries. The assessment also recognised that the existing dwelling on the Brookvale Green site already establishes a notional residential boundary

in relation to many surrounding activities, meaning that some aspects of the receiving environment are not materially altered by the Project.

The assessment also recognises that reverse sensitivity effects can arise from residents' perceptions and expectations regarding rural noise, rather than from actual non-compliance with noise standards. Activities such as frost protection, bird scaring, machinery operation, harvesting and seasonal agricultural activities can be intermittent, occur at unusual times of day, or have characteristics that are more noticeable than typical urban noise sources.

The assessment concludes that the Project will not introduce any new noise-related constraints on existing lawful activities. In particular:

- General operational noise associated with primary production activities, including machinery operation, harvesting, cultivation, agrichemical application, vehicle movements and other rural activities, is anticipated and provided for within the Plains Production Zone and Te Mata Special Character Zone³¹. The Project will not constrain these activities;
- Frost protection fans operating within the neighbouring vineyard are able to comply with the relevant District Plan standards at all future notional boundaries proposed by the Project.
- Existing bird scaring devices are already constrained by existing and consented residential receivers located significantly closer than Brookvale Green;
- The Shaggy Range dog daycare operation is already required to comply with consented noise limits at existing and consented residential receivers located substantially closer than the Project site.
- The Boneshed operates under the temporary activity provisions of the HDP with events enabled six times per year. The introduction of new residential housing will not impede the ability of The Boneshed to continue their events on this basis; and
- The Project will not introduce any material constraints on future land-based primary production activities anticipated by the Plains Production Zone or Te Mata Special Character Zone.

The Acoustic Assessment concludes that the Project will be compatible with existing and permitted land use activities on adjoining sites and will not result in any material reverse sensitivity effects arising from noise.

8.3.4 Design Response and Mitigation

In addition to the specific mitigation measures identified in the technical assessments, the Project has been deliberately designed to manage the rural-urban interface and minimise the potential for reverse sensitivity effects. Key design responses include:

- The use of Watercourse 1 and its associated minimum 40 m wide landscaped drainage reserve corridor as the primary eastern and southeastern rural-urban interface. The realigned watercourse provides a permanent, publicly owned landscape corridor that establishes a clear physical separation between residential development and adjoining rural activities;

³¹ HDP 25.1.6B Exemptions From Maximum Noise Limits: (a) In any Zone, to the emission of noise from the use of vehicles, machinery or other mobile or portable equipment for Land Based Primary Production. Except where a Specific Performance Standard applies in 25.1.7, this exemption does not apply to any fixed or permanently installed plant.

- Larger and deeper residential lots and lower density development along the southern and southwestern boundaries, enabling generous building setbacks, landscape buffers and shelter planting to be secured through consent notices;
- A comprehensive landscape framework incorporating shelterbelt planting along rural interfaces to minimise the potential for spray drift effects from adjoining rural activities, while also providing visual screening and reinforcing the transition between the urban and rural environments. Planting has been designed using robust species that will establish a self-sustaining, low-maintenance landscape over time;
- A tailored fencing strategy responding to the characteristics of adjoining rural activities, including post and wire fencing, stock-proof fencing and acoustic fencing where appropriate; and

Collectively, these measures establish a clear, defensible and enduring urban edge that protects the ongoing operation of adjoining rural activities while providing an attractive and well-integrated transition between the proposed residential neighbourhood and the surrounding rural environment.

8.3.5 Conclusion

The Project has been assessed having regard to both the existing rural activities surrounding the Site and the reasonably foreseeable land use activities anticipated by the Plains Production Zone. The Rural Interface Assessment and Acoustic Assessment conclude that the Project will not give rise to material reverse sensitivity effects.

The subdivision has been deliberately designed to respond to the surrounding rural environment through the use of substantial public reserve corridors, generous setbacks, shelterbelt planting, tailored fencing, larger interface lots, consent notices and purchaser awareness mechanisms. These measures provide a permanent and robust interface between the proposed residential neighbourhood and adjoining rural land.

Accordingly, the Project will not unreasonably constrain the ongoing operation, maintenance or future development of adjoining rural properties. Existing lawful rural activities, together with those reasonably anticipated by the operative planning framework, can continue to operate as intended, while the Project establishes a logical and robust urban edge that appropriately manages the transition between urban and rural environments for the long term.

8.4 Landscape and Visual Effects

While there are no sensitive landscapes identified on the Site, a Landscape and Visual Assessment (LVA) has been prepared by LA4 (**Appendix 13**). The assessment considers the existing landscape character of the site and surrounding environment, the sensitivity of the receiving environment, the visual effects arising from the proposed development, and the effectiveness of the proposed design and mitigation measures.

8.4.1 Existing Environment

The Project site is located on the north-eastern edge of Havelock North and comprises land formerly occupied by the Te Mata Mushroom operations. The site contains a mix of disused industrial buildings, hardstand areas, shelterbelts, modified stream corridors, grazed paddocks and

areas of former horticultural use. The site is immediately adjacent to the consented Arataki Extension housing development to west and forms eastern edge of the Havelock North urban area.

Comprising a relatively flat landform, the site is traversed by two watercourses located centrally within the site and alongside the northeast boundary. These provide the primary landscape framework and natural features within the site. An elevated terrace (approx. 3-4m height) and associated vegetation with the HDC reserve land comprises a portion of the western boundary. Existing shelterbelts, mature trees and stream corridors contribute to local landscape character and have informed the design response.

8.4.2 Landscape Effects

The Project will result in a change from the site's existing rural and primary production character to a predominantly residential environment. However, this change must be considered in the context of the existing environment. The site is modified, containing a mix of former mushroom production buildings, hardstand areas, shelterbelts, modified watercourses and drainage, and agricultural land. It is also located immediately adjacent to the consented Arataki Extension development and forms part of the eastern edge of the Havelock North urban area.

The LVA concludes that the landscape values of the site are relatively low due to the highly modified nature of the site and the influence of existing and proposed urban development to the west. While the Project will introduce urban built form into the site, it has been designed to respond to and incorporate the site's defining landscape features and tie into the consented urban development to the west.

The masterplan adopts a landscape-led approach, with the two existing stream corridors forming the organising framework for the development. Residential development is generally set back from these features and integrated with extensive ecological restoration, riparian planting, public open space and pedestrian connections. Key landscape outcomes include:

- Establishment of a substantial vegetated edge along the eastern and southeastern boundaries (40m and 15m wide respectively) that creates a defensible and legible urban-rural interface associated with the Watercourse 1 stream corridor;
- Restoration and riparian enhancement of approximately 4.3ha of stream corridor and total vested stormwater management reserve areas of approximately 6.2ha (approximately 26% of the site area);
- A landscaped buffer and building setback along the southwest boundary to provide a vegetation transition to the neighbouring rural property (Shaggy Range);
- Retention of mature trees where practicable within the stream corridors and extensive new indigenous planting throughout stream corridors, reserves and roads; and
- Low maintenance / mass planting to avoid maintenance requirements and costs for future vested areas.

The proposed landscape framework will establish a strong green structure throughout the development and provide an appropriate transition between the urban environment and adjoining rural land. While the Project will result in the loss of existing rural character within the site itself, the LVA concludes that the resulting landscape effects are low and acceptable having regard to the site's modified character, strategic urban-edge location, and the significant landscape and ecological enhancements proposed as part of the development.

8.4.3 Visual Effects

Potential visual effects have been assessed from surrounding properties, public roads and the wider receiving environment in the LVA. The most noticeable visual effects will be experienced by adjoining landowners, whose outlook will change from a predominantly open rural and primary production landscape to a residential neighbourhood. However, the proposed development includes extensive landscape treatment, stream corridor planting, open space areas and setbacks that will soften the appearance of built form and assist integration over time.

Particular consideration has been given to the Shaggy Range property immediately southwest of the site. Due to its elevated position above the development area, the dwelling will retain views across much of the future residential neighbourhood and will experience a noticeable change in outlook from a predominantly rural / rural production landscape to an urban residential environment. While the outlook from parts of this property will change as a result of the introduction of residential development, the proposed landscape buffer, building setback, shelterbelt vegetation and density of development along this interface will assist in softening the transition between the two properties. While the change in outlook cannot be fully mitigated, the LVA concludes that the resulting visual effects are acceptable in the context of a site that adjoins the existing and consented urban edge of Havelock North and effects will reduce over time as landscape planting establishes.

Visual effects on surrounding road users are anticipated to be low. Views from Brookvale Road are generally transient and occur within a landscape influenced by a mix of rural, residential, and primary production activities. The proposed development will be viewed in the context of the consented Arataki Extension development and the existing Havelock North urban edge. While the development will initially be highly visible from sections of Brookvale Road, due to the flat landform, the riparian planting and wider landscape framework will soften and partially screen views over time as vegetation establishes.

At a wider landscape scale, visual effects are expected to be low. Visibility is constrained by existing vegetation, shelterbelts and intervening development. From the rural landholdings to the east and southeast, the proposed riparian and buffer planting will progressively soften and screen views of the development as vegetation matures over time. The Project will be viewed in the context of the existing Havelock North urban area and the consented Arataki Extension development and will appear as a logical extension of the urban edge rather than an isolated or incongruous development within the wider landscape.

The LVA concludes that visual effects will be most noticeable for adjoining landowners, where effects are expected to be moderate during the establishment period before reducing to low-moderate as landscape planting matures. Visual effects on road users are assessed as low, while effects on the wider landscape are assessed as low to very low. The LVA concludes that the Project can be accommodated with low adverse landscape effects and acceptable visual effects in the context of the site's modified character and its location adjoining the existing and consented urban edge of Havelock North.

8.4.4 Conclusion

The Project will result in the urbanisation of the site and a corresponding change in landscape character. However, the site is not an undeveloped rural landscape. It contains a range of existing buildings, hardstand areas and driveways associated with the former Te Mata Mushroom

operation and subsequent commercial activities and adjoins the existing and consented urban edge of Havelock North. Rather than seeking to screen the development through extensive buffering, the design approach has been to acknowledge this transition and create a high-quality residential neighbourhood founded on sound urban design and landscape principles.

The proposed landscape framework incorporates extensive ecological restoration, riparian planting, open space provision and landscape enhancement, creating a strong green structure and an appropriate transition to surrounding rural land. The LVA notes that the transition from the existing environment to the future urban neighbourhood will occur progressively over a number of development stages, reducing the perceived impact of change as development proceeds and landscape planting becomes established.

Overall, the LVA concludes that the Project will result in less than minor landscape character effects. Visual effects will be most noticeable for adjoining landowners, where effects are expected to be moderate during the establishment period before reducing to low as landscape planting matures. Visual effects on road users and the wider landscape are assessed as low. Accordingly, landscape and visual effects are considered to be appropriately avoided, remedied or mitigated.

8.5 Neighbourhood Character Effects

The Project provides for a comprehensively planned residential neighbourhood that will form a logical extension of the existing and consented urban area of Havelock North. The masterplan has been informed largely by the site's stream corridors, HDC reserve land, and surrounding land uses, creating a neighbourhood that responds to its urban-rural edge location while establishing a distinctive local identity.

The assessment of neighbourhood character effects focuses on:

- The integration of the Project with the existing Havelock North urban area and the consented Arataki Extension development to the west.
- The character of the future neighbourhood created within the Project site achieved through the application of existing urban residential zoning frameworks.
- The extent to which the proposed urban form and public realm contribute to neighbourhood connectivity, amenity and character.
- The use of design controls and Design Guidelines for future medium density development to ensure a coordinated and high-quality urban outcome.

The assessment draws on the Urban Design Assessment prepared by Barker & Associates (**Appendix 7**), which evaluates the proposed urban form, rural urban interface, neighbourhood structure, public realm, landscape framework and Design Guidelines, and considers the extent to which the Project will deliver a high-quality and integrated residential environment.

8.5.1 Integration with Existing Environment

The Project is located immediately adjacent to the existing Havelock North urban area and the consented Arataki Extension development. As such, the Project represents a logical expansion of the urban area rather than the creation of an isolated residential enclave.

The masterplan has been designed to integrate with the surrounding environment through the extension of the local road network and the provision of pedestrian and cycle connections linking

the Project to the adjoining urban area to the west. The overall neighbourhood structure is organised around the site's stream corridors and road network, which form the primary organising elements of the development and establish a clear transition between the urban area and surrounding rural land. The Urban Design Assessment concludes that the Project represents a logical extension of Havelock North's existing urban area rather than an isolated residential enclave. Although external road connections are constrained by surrounding land ownership and physical site characteristics, the Project maximises opportunities for integration through two Brookvale Road connections, a comprehensive internal movement network, shared pedestrian and cycle paths, and direct integration with the consented Arataki Extension development. The neighbourhood structure responds to the site's unique opportunities and constraints while establishing a connected and legible urban environment.

The Project has been designed to respond to the site's urban-rural edge location. Larger residential lots, building setbacks and substantial landscape planting are proposed along sensitive rural interfaces, particularly adjoining Shaggy Range and Vinarchy properties and along the eastern and southeastern boundaries via the stream corridors. These areas provide an appropriate transition between the future residential neighbourhood and adjoining rural land uses. Further assessment of the effectiveness of the buffer treatments at these interfaces is provided in Section 9.3 of this report.

The existing HDC Arataki Reserve has been incorporated into the overall neighbourhood structure and provides an opportunity to better integrate Brookvale Green with the consented Arataki Extension development. Rather than functioning as an isolated buffer strip, the reserve will be recontoured, stabilised, replanted with indigenous vegetation and integrated with the adjoining road corridor to create an attractive landscape transition between the two residential neighbourhoods. This will significantly improve the appearance and function of the reserve compared to its current condition, which is characterised by mature exotic gum trees and unmanaged scrub vegetation.

Existing stream corridors have also been retained and enhanced as defining landscape features. In the case of Watercourse 1, the stream alignment has been refined to create a more legible urban-rural edge and avoid isolated pockets of development, with the restored stream corridor and associated planting forming a clear landscape boundary to the eastern extent of the neighbourhood adjoining rural land. The Urban Design Assessment also concludes that the two stream corridors are not simply environmental constraints, but the primary organising elements of the masterplan. They structure the street network, define neighbourhood character, establish the urban-rural interface, provide visual amenity, support ecological restoration and integrate stormwater management with public open space.

Overall, the Project is considered to integrate effectively with the existing and consented urban environment while establishing a coherent and defensible urban edge.

8.5.2 Future Neighbourhood Character

The Project will establish a new residential neighbourhood that reflects the transition of the site from a former rural production and commercial environment to urban use. While this represents a change in character, the resulting neighbourhood will be consistent with the established residential form of Havelock North and the consented urban development to the west.

In lieu of an urban residential zoning framework, the future neighbourhood will be developed under the following development framework:

- **General Residential Lots (Lot Type 1):** The majority of the site will comprise residential lots developed in accordance with the GRZ provisions of the HDP. This will result in a predominantly suburban residential character comprising standalone dwellings, with a mix of single and two-storey built form, building coverage, setbacks and amenity outcomes consistent with established residential areas of Havelock North.
- **Medium Density Lots (Lot Type 2):** A smaller number of lots, located adjacent to sections of the stream corridors, will provide opportunities for more compact housing forms in line with the Medium Density Zone provisions of the HDP. These areas have been deliberately located where medium density development can benefit from direct access to open space and where amenity and interface effects can be appropriately managed. Particular emphasis is placed on the interface with streets, reserves, stream corridors and public open spaces to ensure high-quality urban design outcomes and strong passive surveillance of public areas.
- **Superlots (Lot Type 3):** Four superlots are proposed adjacent to the Watercourse 1 stream corridor to provide for future terraced housing development. The Medium Density Zone provisions of the HDP will apply to these sites, with future development required to comply with detailed Design Guidelines. The Design Guidelines place particular emphasis on achieving high-quality streetscape outcomes, attractive interfaces with public spaces, and good on-site amenity for future residents.
- **General Controls:** All residential development will be required to comply with the relevant district-wide provisions of the HDP, ensuring appropriate outcomes in relation to transport and access, lighting, noise, earthworks and other activities. A bespoke site-wide fencing plan is also proposed to achieve high-quality neighbourhood amenity outcomes, including passive surveillance, privacy, reverse sensitivity and attractive interfaces with streets, reserves and rural boundaries.
- **Private Covenants:** In addition to the development framework outlined above, private covenants will apply across the residential neighbourhood to assist in achieving a coordinated and high-quality built environment.

The residential zoning provisions, Design Guidelines, fencing controls and other urban design outcomes will be secured and implemented through consent notices³² registered against future titles, ensuring these requirements are carried through to subsequent development stages and individual lot owners.

A significant advantage of the proposed development framework is that it largely adopts the existing residential zoning provisions of the HDP. These provisions have been subject to extensive public consultation, testing and evaluation through statutory plan-making processes and are well understood by landowners, developers, Council and the wider community. The proposed lot sizes have been designed to align with the anticipated development outcomes of the relevant residential zones, providing certainty as to the scale and form of future development. This approach establishes a clear and predictable framework for future land use while ensuring that the neighbourhood develops in a manner consistent with the character and amenity outcomes anticipated by the HDP. The proposed residential typologies have also been deliberately

³² SUB-XXX Consent Notice conditions, Appendix 28

distributed throughout the neighbourhood. General Residential Lots establish the predominant suburban character, while the Medium Density Lots and Superlots are strategically located adjoining stream corridors where higher density housing can benefit from outlook, open space access and strong pedestrian connections, while appropriately managing effects on adjoining properties. This creates housing diversity without compromising neighbourhood amenity.

Importantly, the medium density lots and superlots have not been distributed uniformly across the site. Instead, they have been strategically located adjacent to stream corridors where good residential amenity outcomes can be achieved and potential effects on neighbouring properties can be appropriately managed. This assists in integrating higher-density housing into the neighbourhood while maintaining overall amenity and character outcomes.

The Urban Design Assessment concludes that the future neighbourhood will derive its identity from the site's natural features rather than conventional suburban form alone. The integrated stream corridors, landscape framework, stormwater reserves, varied lot pattern and carefully managed rural interfaces will create a distinctive residential environment that responds to the site's landscape setting while remaining consistent with the established character of Havelock North.

Overall, the future neighbourhood is expected to provide a high-quality residential environment with a distinct character derived from its landscape setting, stream corridors and rural interface adjacency, while remaining complementary to the established urban form of Havelock North and supporting the more compact urban development outcomes anticipated by the NPS-UD.

8.5.3 Urban Form & Public Realm

The proposed urban form is primarily structured around the site's stream corridors and the rural-urban interface. These elements form the primary organising framework for the neighbourhood and contribute to legibility, amenity, character and rural interface outcomes.

The Project incorporates an interconnected network of roads, reserves, walkways and public spaces designed to support accessibility and community interaction. Significant areas of land are proposed as stormwater reserve and associated ecological restoration areas, creating opportunities for passive recreation and visual amenity throughout the development.

The public realm has been designed to achieve an attractive and functional neighbourhood environment through the integration of landscaping, street tree planting, pedestrian connections and active reserve frontages. The public realm reflects a landscape-led approach, with stream corridors, riparian planting and stormwater infrastructure integrated as defining neighbourhood features rather than engineering infrastructure. This creates a network of publicly accessible landscape corridors that contribute simultaneously to ecological restoration, passive recreation, neighbourhood identity and visual amenity.

A defining feature of the neighbourhood is the integration of approximately 6.2 hectares of stormwater reserve land, together with restored stream corridors and ecological planting. These areas provide visual relief within the urban environment, support walking and cycling connections, create opportunities for passive recreation, and establish a strong landscape framework that distinguishes Brookvale Green from a conventional residential subdivision.

The Project also integrates the existing Arataki Reserve into the overall neighbourhood structure through coordinated road design, landscape treatment and replanting outlined in **Volume B**. Together with the new stream reserve corridors, this establishes a cohesive public land ownership

framework (with no net loss of public land) that links Brookvale Green with the adjoining Arataki Extension neighbourhood while providing attractive public spaces for future residents.

The Urban Design Assessment concludes that the subdivision achieves good passive surveillance through street-fronted development, active reserve edges, limited use of rights-of-way, low and visually permeable fencing to public spaces, raised pedestrian crossings and development controls requiring dwellings to address streets and reserves. Collectively these measures contribute to safe, legible and attractive public spaces.

Overall, the proposed urban form and public realm are anticipated to make a positive contribution to neighbourhood amenity and character.

8.5.4 Superlot Development

The Project includes four superlots intended to accommodate future medium density residential development in the form of terraced housing. While the detailed design of these blocks will occur at a later stage, the Project includes Design Guidelines and associated controls to guide future development outcomes (**Appendix 7**).

The superlots have been deliberately located adjacent to the Watercourse 1 stream corridor. These locations provide opportunities for future residents to benefit from outlook, amenity and direct access to open space, while also ensuring potential effects on adjoining properties can be appropriately managed. The superlots are located well away from existing rural residential neighbours and have been positioned to avoid adverse internal interface effects on surrounding residential lots.

The Design Guidelines are intended to ensure that future development responds appropriately to its context and contributes positively to neighbourhood character. The Design Guidelines address building orientation, frontage design, building articulation, façade composition, outdoor living areas, landscaping, garage dominance, parking layout, service areas, passive surveillance, privacy and streetscape relationships. Together with the MDRZ development controls, these requirements provide a comprehensive framework to ensure future terrace housing achieves a coordinated architectural response while maintaining high levels of residential amenity and positively contributing to the public realm. Lot testing undertaken as part of the Urban Design Assessment confirms that the proposed development framework can readily accommodate the intended built form while achieving appropriate sunlight access, privacy, outlook and outdoor living. Lot testing has also been undertaken to confirm feasibility.

The purpose of these controls is to provide confidence that future development within the superlots will achieve a coordinated and high-quality urban design outcome while maintaining consistency with the overall vision and character of the Project. Future development will be limited to the building envelope controls of the Medium Density Zone provisions and will be required to comply with the Design Guidelines through consent notices registered against future titles³³. Compliance with the Design Guidelines will be subject to HDC review and approval as part of future development proposals.

The combination of the superlot locations, Medium Density Zone development controls and Design Guidelines provides confidence that future medium density development can be

³³ Condition 88, Appendix 28

successfully integrated into the neighbourhood while maintaining high levels of residential amenity and urban design quality.

8.5.5 Conclusion

The Project will establish a well-connected residential neighbourhood that integrates effectively with the existing and consented urban area of Havelock North while creating a distinctive neighbourhood identity derived from its stream corridors, landscape framework and rural-edge setting. The Urban Design Assessment concludes that the masterplan responds appropriately to the site's opportunities and constraints, establishing a logical street network, integrated public realm, diverse housing typologies and a robust development framework capable of delivering high-quality built form over time. While the Project will result in a change in neighbourhood character from a former rural production landscape to an urban residential environment, that change is considered appropriate and will contribute positively to Havelock North through the creation of an attractive, functional and enduring residential community.

8.6 Transportation Effects

A Substantive Transport Assessment (STA) prepared by East Cape Consulting (ECC) is attached as **Appendix 14**. The STA assesses the transportation effects associated with the proposed subdivision, including traffic generation, network capacity, intersection performance, site access arrangements, active transport connectivity and construction traffic effects and the assessment below draws on the STA conclusions. The STA has been undertaken with close engagement with HDC's Roding Department as indicated in the Consultation Summary in **Appendix 20**. This has resulted in what is understood to be a largely supportive position from HDC as it relates to the roading and access and overall transportation effects of the Project.

8.6.1 Existing and Future Transport Environment

Brookvale Road currently provides a transition between the established urban environment to the west and rural land to the east. The wider transport network has been the subject of extensive assessment through the Brookvale Structure Plan, the Arataki Fast-track Project and Private Plan Change 9 transport investigations.

The STA confirms that the Brookvale Structure Plan transport modelling anticipated urbanisation of the wider Brookvale growth area and demonstrated that the surrounding transport network is capable of accommodating future growth, subject to planned upgrades and urbanisation works. More recent assessments undertaken for the Arataki Project and PC9 confirm that traffic volumes remain consistent with those anticipated through the original structure planning process.

8.6.2 Traffic Generation and Network Effects

The STA estimates that the completed development will generate approximately 2,169 vehicle movements per day, including approximately 239 peak hour vehicle movements. These traffic volumes are consistent with those anticipated through previous transport assessments undertaken for the Brookvale growth area.

The assessment concludes that the additional traffic generated by the Project represents a modest increase when considered against the planned urbanisation of the area and can be accommodated within the surrounding road network. SIDRA modelling undertaken for key intersections confirms

that all assessed intersections continue to operate within capacity and at acceptable levels of service, including under cumulative development scenarios that include the Arataki Project.

8.6.3 Site Access and Internal Road Network

Access to the development is provided via two connections to Brookvale Road. The primary access (Road 1) has been assessed as operating safely and efficiently and achieves the required sight distance standards. The secondary access (Road 3) provides additional network resilience via the western part of the site.

Opportunities to provide a direct road connection through to Arataki Road via adjoining land to the west were explored during the master planning process. However, such a connection was not feasible due to the elevated terrace along the western boundary, significant topographical constraints and the absence of legal access rights across third-party land. In response, the Project has been designed to utilise a portion of the adjoining HDC reserve land together with the existing HDC water asset corridor to establish a compliant road corridor and associated infrastructure connections. This approach makes efficient use of existing public land, minimises fragmentation of development land, and assists in integrating the Project with the adjoining urban environment while maintaining access to public infrastructure and ultimately HDC ownership. The Project also provides pedestrian connectivity towards the existing urban area and integrates with the surrounding transport network through the proposed Brookvale Road connections.

The internal road network has been designed in accordance with HDC engineering standards and provides a connected and permeable street layout with appropriate provision for pedestrians, cyclists, service vehicles and emergency access. The proposed road hierarchy, parking arrangements and traffic calming features are considered appropriate for a residential neighbourhood of this scale.

8.6.4 Walking, Cycling and Public Transport

The Project incorporates a comprehensive internal pedestrian network together with walking and cycling connections to the surrounding urban area. In particular, a new footpath connection is proposed along Brookvale Road between the development and Arataki Road, improving connectivity to the existing Havelock North urban area. With the site, a full shared path is proposed alongside Road 1 to service the residents of the development.

While public transport accessibility is currently limited, the site is located within reasonable proximity of existing bus services and is capable of integrating with future public transport extensions as urban development continues within the Brookvale growth area.

8.6.5 Construction Traffic

Construction traffic effects will be managed through implementation of a Construction Traffic Management Plan (CTMP). Given the scale of the Project and its anticipated staged delivery over approximately seven years, construction traffic, construction vehicle movements, temporary delays and changes to the local traffic environment will be experienced by surrounding residents and road users from time to time. However, these effects are temporary in nature and will vary throughout the construction programme. The proposed CTMP will provide for the management of heavy vehicle movements, site access arrangements, traffic safety, road maintenance, communication with affected parties and monitoring of construction traffic effects. Subject to

these measures, construction traffic effects are considered to be acceptable in the context of a development of this scale.

8.6.6 Future Residential Transport Framework

The site is currently zoned Plains Production Zone and therefore the residential transport standards within the HDP do not directly apply to the proposed development in all cases. Notwithstanding this, the Project proposes to adopt the relevant transport provisions and standards from the HDP GRZ and MDRZ as part of the Brookvale Green residential development framework.

These standards will be implemented through consent notices registered against future titles and will apply to subsequent residential development within the site. Matters addressed include all HDP Section 26.1 transportation rules relating to vehicle access design, parking provision, manoeuvring requirements and sight distance standards. This approach ensures future residential development will be subject to the same transport framework that applies within equivalent residential areas elsewhere in Havelock North.

8.6.7 Conclusion

The STA concludes that the proposed subdivision can be accommodated within the surrounding transport network without resulting in significant adverse transportation effects. The Project will integrate with the planned transport network for the area and will provide safe and efficient access arrangements for all transport modes.

Overall, transportation effects are considered to be appropriately avoided, remedied or mitigated and will be less than minor.

8.7 Infrastructure Servicing Effects

The Project has been designed to be fully serviced by reticulated infrastructure, including water supply, wastewater, stormwater, power and telecommunications. Detailed engineering design has been undertaken by Maven Associates and demonstrates that the proposed development can be serviced in an efficient and integrated manner.

The proposed infrastructure has been designed generally in accordance with HDC ECoP requirements and is intended to become part of the wider public infrastructure network following completion of construction and any required proving periods. Detailed information regarding the proposed servicing strategy is contained within the Infrastructure Report (**Appendix 9**) and engineering plans (**Appendix 4**) prepared by Maven Associates.

8.7.1 Water Supply

Potable water supply is proposed to be provided through connection to the HDC reticulated water supply network. Detailed servicing investigations undertaken by Maven Associates confirm that a reticulated network can be extended into the site and designed to meet both potable water supply and firefighting requirements. The proposed water supply network is shown on the engineering drawings contained in **Appendix 4**. The majority of the infrastructure will be located underground within proposed road corridors.

The Applicant has engaged extensively with both HDC and HBRC to establish an appropriate and enduring water supply pathway for the Project. Through that consultation, the Applicant, HDC and

HBRC have agreed that a transfer of existing groundwater allocation to HDC's municipal water supply consent will be progressed through a separate water permit process.

The Site contains existing groundwater take consents associated with the former Te Mata Mushrooms operation. The Applicant is progressing the transfer of approximately 60,000 m³ per annum of that existing allocation to HDC. The volume proposed to be transferred is sufficient to meet the forecast potable water demand of the Project and provides a practical means of servicing the development from within the existing allocation framework, without seeking any new groundwater allocation.

HDC has formally confirmed, by letter dated 2 July 2026 in Appendix 20, that it accepts the proposed transfer of water allocation to its municipal water supply consent, subject to the necessary approval being obtained from HBRC. HBRC has also confirmed that the transfer application can be progressed through a separate consenting process and will be assessed against the provisions of the RRMP and TANK once lodged.

The agreed pathway directly responds to the water resource constraints identified by HDC in its letter dated 10 June 2026. It also reflects a coordinated servicing approach under which an existing private allocation is proposed to be transferred into the municipal supply system for the benefit of the Project.

The transfer pathway will be supplemented by a low-impact water design response within the development to reduce potable water demand. The proposed measures are outlined in the Infrastructure Report prepared by Maven Associates in **Appendix 9** and will form part of a hybrid water supply response comprising:

- the transfer of existing groundwater allocation to HDC's municipal water supply consent; and
- on-site water-efficiency and demand-reduction measures.

The detailed design of those measures will be confirmed through the engineering approval and final servicing design processes.

Accordingly, a clear, agreed and feasible pathway has been established for the long-term potable water supply of the Project. That pathway has been developed through consultation with both HDC and HBRC, has been formally accepted by HDC, and is now being progressed through the separate HBRC water permit transfer process.

8.7.2 Wastewater Servicing

Wastewater generated by the development will be collected through a new reticulated gravity wastewater network and conveyed to a new wastewater pump station located within the development. The pump station will transfer wastewater via a new public rising main to the existing HDC wastewater network near the Brookvale Road / Arataki Road intersection. Detailed wastewater servicing plans are provided in **Appendix 4**.

The wastewater network has been designed to service the anticipated residential yield of approximately 203 lots. Maven Associates estimate a peak wet weather flow of approximately 7.71 litres per second and confirm that the proposed pipe network and pump station will be sized to accommodate the expected demand.

The proposed wastewater infrastructure will be largely located underground and is intended to become part of the public wastewater network following completion of construction and any

required proving period. Discussions with HDC have confirmed that no wastewater network capacity constraints have been identified in relation to the proposed development.

8.7.3 Utilities

The development will be serviced by reticulated electricity, telecommunications and other utility services. Utility infrastructure has been incorporated into the subdivision design and will generally be located underground within road corridors and service easements.

Unison (**Appendix 20**) has confirmed that the electricity network can be extended to accommodate the proposed residential yield. Existing overhead electricity infrastructure traversing the site will be undergrounded as part of the development.

Particular consideration has been given to maintaining existing electricity supply arrangements to neighbouring properties, including the 104 Arataki Road (Shaggy Range) landholding. Existing services supplying adjoining properties will be protected, relocated or replaced as necessary in consultation with the relevant network utility operators to ensure continuity of supply is maintained throughout construction and following completion of the development.

Detailed utility design will be undertaken in consultation with the relevant network operators as part of the engineering approval process.

8.7.4 Conclusion

The Infrastructure Report prepared by Maven Associates confirms that the Project can be appropriately serviced by water supply, wastewater and utility infrastructure. The proposed infrastructure has been designed to integrate with existing public networks and to meet HDC engineering requirements. Subject to the implementation of the proposed servicing strategy and associated approvals, there are no infrastructure servicing constraints that would prevent the development of the Project.

8.8 Acoustic Effects

A detailed Acoustic Assessment has been prepared by Styles Group and is included in **Appendix 15**. The assessment considers both operational noise effects and potential reverse sensitivity effects associated with the introduction of residential activities adjacent to existing rural production activities and other established activities in the locality.

Potential reverse sensitivity effects associated with surrounding rural activities, including the Shaggy Range Dog Day Care facility, are addressed separately in Section 8.3 of this Report.

The Project itself is not anticipated to generate significant operational noise effects. Following completion of the subdivision works, the primary noise sources will comprise normal residential activities and local traffic movements associated with the development. These activities are typical of a residential environment.

Construction activities will generate temporary noise associated with earthworks, civil works, infrastructure installation and building construction. These effects are typical of large-scale subdivision developments and will be managed through the CEMP³⁴ and implementation of industry-standard construction practices. Given the staged nature and duration of the Project, the

³⁴ Condition 90, 119, 141 & 160, Appendix 28

proposed conditions³⁵ require advance notification of neighbouring property owners and occupiers prior to the commencement of each stage, ensuring affected parties are kept informed throughout the construction period. Construction noise will be temporary in duration and will comply with the relevant requirements of NZS 6803:1999 Acoustics - Construction Noise and hours of operation limitations as required by conditions³⁶ of consent.

Overall, subject to the proposed mitigation measures and conditions of consent, adverse acoustic effects associated with the Project are considered to be appropriately avoided, remedied or mitigated such that they are less than minor.

8.9 Ecological Effects

Ecological effects have been assessed by Wild Ecology through the Ecological Assessment Report (**Appendix 8**) and FMP (**Appendix 29**) prepared by Stantec. These assessments identify that the site comprises a highly modified rural environment containing artificial drainage channels, wetlands, exotic vegetation and areas of former rural production activity. This report draws on the assessment and conclusions of the Ecological Assessment Report and FMP in the sections below.

8.9.1 Existing Ecological Environment

The ecological values of the site have been comprehensively assessed by Wild Ecology. The site comprises a highly modified rural environment containing a mixture of former mushroom production facilities, orchards, grazed pasture, shelterbelts, drainage channels and scattered exotic trees.

Two highly modified watercourses traverse the site and flow to the Mangateretere receiving environment in the north. The site also includes a network of artificial drainage channels associated with historic agricultural and horticultural land uses which have been extensively modified through historic channelisation, culverting, piping, and land drainage activities. Both watercourses exhibit ephemeral flow characteristics, with water typically only present following rainfall events and during periods of elevated catchment runoff.

The site has been subject to extensive modification over many decades. Indigenous vegetation is limited and vegetation is generally confined to small planted areas associated with shelterbelts and drainage corridors. As a consequence, the site has relatively low levels of ecological diversity and ecological function compared with natural environments.

Notwithstanding the modified nature of the site, ecological investigations identified a range of freshwater, wetland and terrestrial values that have been considered in the design of the Project and addressed through a comprehensive suite of avoidance, mitigation, restoration and management measures.

8.9.2 Freshwater Ecology and Stream Environment

Watercourse 1 and Watercourse 2 comprise the principal freshwater features within the site. Watercourse 1 is located along the northeastern part of the site and is proposed to be realigned to establish the primary stream corridor and urban-rural edge for the development. Watercourse 2 is located within the central part of the site and will generally be retained in its existing alignment.

³⁵ Condition 90, Appendix 28

³⁶ Conditions 40, 101-103, Appendix 28

Both watercourses discharge to culverts beneath Brookvale Road, which are proposed to be upgraded as part of the Project.

Both watercourses have been extensively modified through historic drainage and land development activities and exhibit ephemeral flow characteristics. Ecological investigations undertaken by Wild Ecology recorded no surface water within Watercourse 1 during surveys undertaken in January 2025 and identified little evidence of sustained flow. The channel bed is predominantly vegetated with terrestrial grasses, blackberry and exotic wetland species, with only isolated areas of exposed sediment indicating occasional flow events. Watercourse 1 has a very low Stream Ecological Valuation (SEV) score of 0.31, reflecting its limited ecological values and modified condition.

Watercourse 2 is also modified and exhibits low ecological values. However, together with Watercourse 1, it provides the primary ecological framework for the site. Both corridors will be enhanced through riparian planting, stream margin restoration and integration with the wider open space and stormwater management network.

Fish habitat values across both watercourses are limited. The only fish species identified within the wider investigation area was shortfin eel, a disturbance-tolerant indigenous species. No significant aquatic habitat features, permanent wetted habitat or high-value fish habitat were identified.

The Project requires realignment of a section of Watercourse 1 including reclamation of the redundant portions of the existing channel bed to facilitate an efficient subdivision layout and integrated stormwater management system. The proposed realignment has been designed having regard to the existing ecological baseline and seeks to maintain an open watercourse corridor rather than piping the channel. The proposed channel length is effectively unchanged from the existing alignment (355m existing compared with 356m proposed), retaining connectivity through the site while providing opportunities for ecological enhancement through riparian and wetland planting.

Following establishment of the realigned Watercourse 1 channel, the redundant sections of the existing channel within the impacted reach will be decommissioned and filled. To the extent that this involves filling the existing stream bed to form permanent dry land, these works constitute reclamation under Regulation 57 of the NES-F. The reclamation forms an integral part of the Watercourse 1 realignment and will not result in a net loss of watercourse extent, with the replacement open channel being approximately 356m in length compared with approximately 355m of existing impacted reach.

Given the ephemeral nature of the watercourse and the absence of a sustained flow regime, the Project does not propose construction of artificial in-stream habitat features such as engineered pool-riffle sequences, woody debris structures or low-flow channels. Instead, the ecological enhancement strategy focuses on establishment of a densely planted wetland and riparian corridor that will provide shading, habitat complexity, connectivity and ecological resilience over time. Natural sediment sorting and vegetation succession processes are expected to progressively increase habitat diversity where hydrological conditions allow.

The Ecological Assessment Report concludes that the realignment and associated reclamation will not result in a loss of stream ecological values or stream length. The indicative SEV score is predicted to increase from 0.31 for the existing impacted reach to 0.62 for the proposed realigned channel over time, principally as a result of improved riparian vegetation, bank stability, shading, floodplain connectivity and ecological function.

Temporary construction-related effects include vegetation clearance, channel excavation, stream diversion works, sediment generation and disturbance of aquatic habitat. These effects are addressed through the proposed EMP, EWMP, CEMP, ChTMP and associated consent conditions. Measures include erosion and sediment controls, maintenance of fish passage, ecological supervision of works and post-construction monitoring. These measures are considered sufficient to avoid, remedy or mitigate adverse ecological effects associated with the stream works.

Following construction, both watercourses will form part of the proposed stormwater management network for the development and will receive treated stormwater via permanent discharge structures. The stormwater management system incorporates a treatment train approach, including water quality treatment, detention and flow attenuation measures designed to replicate existing hydrological conditions and protect stream values. The discharge structures have been designed with energy dissipation and scour protection measures to avoid erosion of stream beds and banks, and monitoring, inspection and maintenance of stormwater assets will be conditioned. These requirements are secured through the proposed stormwater discharge consent and associated conditions³⁷.

Overall, while the Project will modify a section of an existing drainage channel, the affected environment is of low ecological value and the proposed restoration planting and habitat enhancement measures are expected to result in a substantial net improvement in ecological function over time.

8.9.3 Wetlands

Five small wetland areas (W1-W5) were identified within the site. These wetlands are not independent natural wetland systems but are associated with the modified drainage channels and areas of ephemeral ponding. Ecological investigations found that the wetlands are predominantly exotic-dominated and generally exhibit low ecological values. Referring to **Figure 16**, W1 and W2 are associated with historic culvert crossings while W3, W4 and W5 occur within or adjacent to the modified channel bed.

The Project will result in disturbance of two wetland areas (W3 and W4), comprising approximately 437m² of low-value exotic wetland habitat. The remaining wetland areas will be retained.

The wetland effects assessment has been undertaken having regard to the requirements of the NES-F. Consistent with the effects management hierarchy, the Project has sought to avoid wetland disturbance where practicable and to offset unavoidable effects through extensive wetland restoration and enhancement.

The proposed design includes approximately 6,439m² of indigenous wetland planting and habitat creation associated with the stream corridor and stormwater management areas. This equates to a net gain of approximately 6,002m² of wetland habitat and an enhancement ratio of approximately 14:1 relative to the wetland area affected.

Given the low ecological value of the affected wetlands and the substantial restoration proposed, the Project is considered to achieve no net loss of wetland extent or ecological function and is expected to generate a significant overall improvement in wetland values across the site.

³⁷ DIS-1XX Conditions, Appendix 28

8.9.4 Terrestrial Ecology

The terrestrial environment is dominated by exotic pasture, orchard plantings, shelterbelts, scattered mature exotic trees and modified rural land. Indigenous vegetation is limited and generally confined to small planted areas.

Development of the site will require removal of exotic pasture, orchard vegetation, shelterbelts and a number of exotic trees, including exotic vegetation within the Arataki Reserve interface area. The majority of vegetation proposed to be removed is exotic and of low ecological significance.

While vegetation removal will result in a reduction in existing vegetation cover, the Project incorporates a comprehensive landscape and ecological planting programme. Significant areas of indigenous riparian, wetland, stormwater reserve and streetscape planting are proposed throughout the development. These planting initiatives will substantially increase the extent, diversity and ecological quality of indigenous vegetation within the site compared with the existing environment.

Fauna investigations identified potential habitat for indigenous birds, lizards and bats, although habitat quality is generally limited by the modified nature of the site. No significant populations of threatened species were identified. Nevertheless, a precautionary approach has been adopted.

The proposed FMP³⁸ includes specific measures for nesting birds, lizards, bats and freshwater fauna. These measures include pre-construction surveys, seasonal timing restrictions where appropriate, ecological supervision of vegetation clearance, lizard salvage and relocation procedures, bird nest protection measures, bat habitat inspections and fish salvage protocols associated with stream works. DOC has identified that a Wildlife Act Authority³⁹ should be obtained on a precautionary basis in relation to lizard salvage and relocation activities (and incidental killing) and this approval is sought through this application.

Subject to implementation of the FMP and associated consent conditions, adverse effects on terrestrial fauna are expected to be less than minor.

8.9.5 Ecological Management and Mitigation

Potential effects on indigenous fauna, including birds, lizards, bats and freshwater fish, will be managed through implementation of the FMP⁴⁰. The FMP establishes species-specific avoidance, mitigation, salvage and monitoring measures and is underpinned by proposed consent conditions. A Wildlife Act Authority will also be obtained for lizard salvage and relocation activities (and incidental killing) on a precautionary basis.

In addition, an EMP⁴¹ is proposed as a condition of consent for the stream works. The EMP will guide stream restoration, riparian planting, wetland establishment and ecological monitoring associated with the stream works. Subject to implementation of the FMP, EMP and associated consent conditions, adverse ecological effects are expected to be less than minor.

³⁸ Conditions 98, 122, 144 & WA3, Appendix 28

³⁹ WA-XXX Conditions, Appendix 28

⁴⁰ Conditions 98, 122, 144 & WA3, Appendix 28

⁴¹ Condition 123, Appendix 28

8.9.6 Ecological Restoration

A key outcome of the Project is the substantial ecological restoration and enhancement of a site that is currently dominated by modified drainage channels, exotic vegetation, grazed pasture, shelterbelts and former rural production activities.

While the Project will result in limited localised adverse effects associated with stream realignment, wetland disturbance and vegetation removal, these effects must be considered in the context of the extensive ecological enhancement proposed throughout the development. In particular, the Project provides for:

- Restoration and enhancement of the stream corridor through indigenous riparian planting and habitat creation.
- Creation of approximately 6,439m² of wetland habitat, resulting in a net gain of approximately 6,002m² of wetland area compared with the existing environment.
- Replacement of exotic-dominated vegetation with extensive indigenous planting throughout stream corridors, stormwater management areas and public open spaces.
- Improved ecological connectivity across the site through the establishment of continuous riparian and wetland corridors.
- Long-term protection and management of ecological areas through vesting of stormwater management reserves with HDC.
- A significant increase in the ecological function and habitat values of Watercourse 1, with modelling indicating the potential for the Stream Ecological Valuation (SEV) score to increase from 0.31 to 0.62 following implementation of the proposed enhancement measures.

The Ecological Assessment Report concludes that, while the existing site has relatively low ecological values due to its highly modified nature, the proposed restoration programme will result in a significant improvement in ecological condition over time. Accordingly, the Project is anticipated to achieve a net ecological gain and a significantly improved freshwater, wetland and terrestrial environment compared with the existing baseline.

8.9.7 Conclusion

The Project is located within a highly modified rural environment characterised by low ecological values, modified low value streams, artificial drainage systems and predominantly exotic vegetation. While the Project will result in modification of existing streams, wetlands and vegetation, these effects have been avoided where practicable and otherwise addressed through comprehensive mitigation, restoration and management measures.

The proposed stream corridor restoration, extensive indigenous wetland planting, riparian enhancement and fauna management measures are expected to result in a net gain in ecological values compared with the existing environment. Subject to the proposed conditions of consent and implementation of the FMP and EMP, adverse ecological effects are considered to be less than minor, and overall the Project will actually have a significant positive ecological effect when viewed holistically.

8.10 Mana Whenua Cultural Considerations

The CIA (**Appendix 16**) prepared by Ngahiwi Tomoana on behalf of Waipatu Marae has been prepared for the Project. Site visits, research and verification were conducted between July and August 2025. In addition, the Applicant has engaged with the Post Settlement Governance Entity, Tamatea Pōkai Whenua, throughout 2026 to provide updates on the Project and provide opportunities for further engagement.

The CIA confirms that there are no areas or sites of significance located within the project area. The assessment considers cultural effects from the perspective of Ngāti Hinemoa, Ngāti Hori and Ngāti Hawea and concludes:

- *“Positive effects are possible if local waterways (Te Karituwhenua, Mangateretere, Herehere and others) are enhanced and not degraded.*
- *No significant cultural barriers are identified, provided environmental and heritage values are protected.*
- *Opportunities exist for mana whenua visibility through street and place naming after tīpuna associated with original Te Mata ownership. “*

Recommendations of the CIA include:

1. *“Waterways Protection & Enhancement – Implement riparian planting, water quality monitoring, and erosion control for all affected streams.*
2. *Cultural Naming – Adopt street and public space names reflecting original landowners and tīpuna.*
3. *Ongoing Engagement – Maintain partnership approach with Waipatu and other mana whenua marae for design input and environmental oversight.*
4. *Recognition of Wāhine Mana – Where possible, acknowledge the leadership roles of wāhine ancestors in interpretive signage or development narratives. “*

The Applicant is happy to adhere to these recommendations and has committed to continuing engagement with mana whenua to ensure that cultural values are appropriately recognised and incorporated into the design, delivery, and future management of the site. The CIA concludes:

“Based on the information reviewed, Waipatu does not identify any insurmountable cultural barriers to the Brookvale development, provided that:

- *Waterways are enhanced rather than degraded.*
- *Mana whenua values are embedded in the project.*
- *Commitments to cultural recognition and environmental protection are honoured.*

This assessment is submitted on behalf of Waipatu Marae to ensure mana whenua voices remain central in decision-making. Fast-track legislation risks relegating hapū and iwi to “related party” status rather than Treaty partners; this report asserts Waipatu’s role as a Treaty partner with direct cultural interests in the Brookvale area.”

The Applicant has sought engagement with mana whenua throughout preparation of the substantive application and has continued to provide project updates to Tamatea Pōkai Whenua. The recommendations of the CIA have informed the design and assessment of the Project,

particularly in relation to waterway enhancement, ecological restoration and opportunities for cultural recognition within the future neighbourhood.

Overall, the CIA concludes that there are no cultural barriers to the Project, provided that waterways are enhanced, mana whenua values are recognised, and commitments to environmental protection are implemented. Having regard to the findings of the CIA, the proposed restoration and enhancement of the site's waterways, and the Applicant's commitment to ongoing engagement, cultural effects are considered to be appropriately recognised and provided for through the Project.

8.11 Heritage Effects

There are no sites or areas of historic heritage, including sites of significance to Māori identified on Council's GIS system within the project area. No archaeological sites are registered within or in proximity to the project area. As a precautionary measure, accidental discovery protocol conditions⁴² are proposed to manage any previously unidentified archaeological material that may be encountered during construction.

8.12 Stormwater & Flooding Effects

The Project incorporates a comprehensive and integrated stormwater management system that has been designed alongside the subdivision layout, stream restoration works, road network, and development framework. The approach recognises the site's existing hydrological characteristics and seeks to manage stormwater to avoid or mitigate adverse flooding, stream erosion, water quality, and upstream and downstream effects.

The stormwater system has been developed in accordance with best practice stormwater design principles and has been informed by detailed modelling undertaken by Maven Associates (**Appendix 10**) and these reports should be read in conjunction with this section. The proposed network includes a combination of stormwater conveyance infrastructure, treatment devices, attenuation storage, overland flow paths, restored stream corridors, wetlands, and discharge points that collectively function as an integrated stormwater management system.

8.12.1 Construction Phase Effects

Earthworks and infrastructure installation have the potential to generate temporary stormwater and sediment-related effects during construction. Potential effects include increased sediment discharges, temporary changes to runoff patterns, erosion of exposed surfaces, and adverse effects on downstream watercourses if not appropriately managed.

Construction-related stormwater and sediment effects will be managed through the implementation of a certified⁴³ CEMP, ESCP and associated management plans. These plans will include measures such as staged earthworks, progressive stabilisation of exposed surfaces, sediment retention and treatment devices, clean water diversions, erosion and sediment controls, monitoring and maintenance requirements, and contingency measures for significant rainfall events.

⁴² Condition 13, Appendix 28

⁴³ Conditions 90, 119, 141 & 160, Appendix 28

Subject to implementation of these measures, construction-related stormwater and sediment effects will be temporary and readily managed through good construction practices and the construction related conditions imposed by this consent.

8.12.2 Operational Stormwater Effects

The proposed stormwater management system has been designed to ensure that runoff generated by the developed catchment is appropriately collected, conveyed, treated, detained, and discharged. The system incorporates a range of treatment and attenuation measures, including wetlands, rain gardens, restored stream corridors and detention infrastructure, which are designed to manage both stormwater quality and quantity effects.

While the development will increase impervious surface coverage compared with the existing environment, the technical assessments confirm that the proposed stormwater management system has sufficient capacity to accommodate runoff generated by the development and avoid or appropriately mitigate adverse effects on downstream receiving environments.

The Applicant will initially be responsible for the operation, maintenance and monitoring of the stormwater network. Following a proving period and satisfaction of the relevant vesting requirements, responsibility for the stormwater infrastructure will transfer to HDC as part of their wider local authority-managed stormwater network⁴⁴. All stormwater infrastructure has been designed in accordance with the HDC ECoP standards and guidelines to facilitate future vesting and long-term management.

The proposed conditions⁴⁵ require the ongoing operation, maintenance and monitoring of the stormwater network, including treatment devices, wetlands, stream corridors, discharge structures and associated scour protection measures. Subject to these requirements, operational stormwater effects are assessed as less than minor.

8.12.3 Flooding Effects

A detailed assessment of flooding and stormwater effects has been undertaken by Maven Associates and is provided in the Infrastructure Report (**Appendix 9**) and Flood Modelling Report (**Appendix 10**).

Flood risk has been a key consideration throughout the design of the Project. The development layout, stream corridors, stormwater infrastructure and discharge locations have been informed by detailed hydrological and hydraulic modelling of existing and future flood conditions, together with consultation undertaken with HDC, HBRC and neighbouring landowners.

The site currently contains two streams and a highly modified drainage network associated with historic land use activities. The existing watercourses, drainage channels, pipes and culverts provide flood conveyance functions across and downstream of the site. The Project includes the realignment of a section of Watercourse 1, restoration of Watercourse 1 and 2, replacement and upgrading of existing culvert structures, installation of new culverts beneath Brookvale Road, construction of a new road over Watercourse 2, construction of stormwater wetlands and detention areas, new discharge locations into Watercourse 1 and 2, and associated infrastructure.

⁴⁴ Condition 187, Appendix 28

⁴⁵ DIS-1XX Conditions, Appendix 28

Flood-prone areas and key drainage corridors have generally been incorporated into reserve areas, stream corridors and open space networks, preserving flood storage and conveyance functions while creating ecological and amenity benefits. The Maven assessments demonstrate that the proposed stormwater system has sufficient capacity to manage design storm events, including climate change allowances, with floodwaters generally confined to stream corridors and, during larger storm events, sections of the road network intentionally designed to provide overland flow conveyance.

The hydraulic modelling demonstrates that the proposed works will alter flood behaviour in some locations compared to existing conditions. In particular, there are areas where floodwater is redistributed across portions of immediately adjoining neighbouring properties at 163 and 185 Brookvale Road (north of Brookvale Road). However, the modelling confirms that these changes result in an overall improvement in flood outcomes, with floodwater directed away from existing habitable buildings and areas of greatest sensitivity identified by the owners of these properties. As a result, while there are localised changes in flood extent, the overall flood risk profile for these properties is improved. Importantly, the design process has involved ongoing engagement with the affected downstream landowners, who have reviewed the proposed flood management approach and provided letters of support⁴⁶ for the Project.

Following updated hydraulic modelling requested by HDC during the consultation process, there will be a localised increase in flood extent within the stream channel on the adjoining property at 468 Te Mata Mangateretere Road. This occurs where water backs up within the existing channel. The additional flood extent is contained within the channel and does not extend onto usable agricultural land, access tracks or other sensitive areas of the neighbouring property. On that basis, the effect is considered acceptable. This matter has also been discussed with the neighbouring landowner and they have provided confirmation that this outcome is acceptable (**Appendix 20**).

Overall, the proposed stormwater and flood management framework represents a significant improvement over the existing environment. The combination of stream restoration, upgraded culvert infrastructure, enhanced conveyance capacity, stormwater attenuation and integrated management approach provides a more resilient and improved functioning drainage system than currently exists. Subject to the proposed conditions of consent, adverse flooding and stormwater effects are considered to be less than minor.

8.12.4 Water Quality Effects

The Project is expected to result in an overall improvement in stormwater quality outcomes compared with the existing environment. Existing land uses provide no stormwater treatment prior to runoff entering receiving environments. In contrast, the proposed development incorporates a comprehensive treatment train approach that includes source controls, treatment devices, wetlands, and vegetated stream corridors.

The proposed conditions require the ongoing operation, maintenance and monitoring (WQMP)⁴⁷ of stormwater treatment devices, wetlands and stream corridors to ensure the long-term performance of the stormwater management system. Subject to these requirements, operational water quality effects are assessed as less than minor.

⁴⁶ Appendix 20 Consultation Report, Attachments 7A & 7B

⁴⁷ Condition 165, Appendix 28

8.12.5 Conclusion

Overall, it is considered that stormwater and flooding effects associated with the Project will be appropriately managed through the proposed design and conditions of consent. The Project delivers a comprehensive stormwater management framework incorporating attenuation, treatment, flood management, stream restoration and wetland enhancement. This represents a significant improvement on the existing situation. While localised changes to flood behaviour are anticipated on neighbouring downstream properties, hydraulic modelling demonstrates an overall improvement in flood outcomes and effects are assessed as less than minor. The impacted landowners have provided written support for the Project.

8.13 Climate Change and Natural Hazard Effects

The Project has been assessed having regard to the potential effects of climate change and natural hazards, including flooding, liquefaction, land instability and groundwater-related hazards. Specialist investigations undertaken by Maven Associates (**Appendix 9**), Hawke's Bay Geotech (**Appendix 11**) and Land Water People (**Appendix 19**) have informed the engineering design of the Project.

Climate change considerations have been incorporated into the design of the Project through adoption of a 3.8°C climate change scenario, consistent with the assumptions adopted by HDC and HBRC for long-term infrastructure planning. This has informed the design of the stormwater management system, flood conveyance network and associated infrastructure. The Project also incorporates extensive green infrastructure, including wetlands, raingardens and restored watercourses, which contribute to stormwater management, flood resilience and climate adaptation.

Flooding and stormwater effects are addressed in Section 9.12 of this AEE. As outlined in that assessment, flood-prone areas and key drainage corridors have generally been retained within the site's watercourses and the proposed stormwater management system has been designed to manage both existing and future rainfall events.

A detailed geotechnical assessment has confirmed that the site is suitable for the proposed development, subject to implementation of the recommended engineering and construction measures. Potential liquefaction and ground-related hazards have been assessed and can be appropriately managed through detailed design, earthworks controls, geotechnical certification and site-specific foundation requirements where necessary. Given the generally flat nature of the site, the risk of land instability is considered low.

Overall, the Project has been planned and designed to respond appropriately to current and future natural hazard risks. Subject to implementation of the proposed mitigation measures and consent conditions, actual and potential effects associated with climate change and natural hazards are assessed as less than minor.

8.14 Geotechnical Effects

A Geotechnical Assessment Report prepared by Hawke's Bay Geotech is included at **Appendix 11**. The assessment considers ground conditions, groundwater, liquefaction, settlement, slope stability, channel bank stability and earthworks requirements associated with the proposed subdivision.

The report confirms that the site is geotechnically suitable for the proposed development, subject to implementation of the recommendations contained in the report. The key geotechnical matters identified include localised areas of uncertified fill and organic soils, settlement monitoring for areas of deeper fill, TC2 foundation requirements for identified lots, western slope stability works, subsoil drainage, and erosion protection associated with the realigned stream channel.

These matters have either been incorporated into the proposed design and construction methodology or are secured through the proposed consent conditions⁴⁸. In particular, conditions require geotechnical supervision during earthworks and preparation of a Geotechnical Completion Report prior to section 224(c) certification to confirm that the works have been completed in accordance with the approved geotechnical recommendations.

Earthworks are also proposed within the Arataki Reserve land to facilitate road, infrastructure and landscape integration with the wider development. The reserve margin includes an elevated terrace and steeper slopes, and the proposed works comprise recontouring, batter construction and a localised retaining structure required to achieve the road corridor width and geometry necessary for vesting. Hawke's Bay Geotech has assessed these works and confirmed they can be appropriately managed through detailed geotechnical design and accepted construction practices. Subject to implementation of the recommended design measures and construction controls, the works are not expected to create any significant geotechnical risks or instability effects.

Overall, subject to implementation of the proposed design measures, construction controls and consent conditions, geotechnical effects can be appropriately managed.

8.15 Groundwater / Aquifer Effects

The Project is located within the Hastings Source Protection Zone and overlies the Heretaunga Plains groundwater system. Potential effects on groundwater and drinking water supplies have therefore been considered as part of the Project design, particularly in relation to earthworks, stream realignment works, and the decommissioning of existing bores located within the site.

A groundwater assessment has been undertaken by Land Water People (**Appendix 19**). The assessment confirms that the Project does not involve groundwater abstraction and that the key groundwater risks relate to protecting source water quality during construction and avoiding the creation of potential contaminant pathways to the underlying aquifer.

Given the importance of the Hastings drinking water supply and the specified matters set out in the FTAA s27(3)(b)(ii) decision, the Applicant has also undertaken targeted consultation with both HDC and HBRC officers, including a specialist workshop involving Council and Applicant engineers, hydrogeologists and drinking water representatives⁴⁹. Following that process, HDC and HBRC jointly prepared a technical memorandum identifying potential source water risks, key issues and setting out their agreed position on the protection of the groundwater aquifer. The Councils also provided a comprehensive set of marked-up draft conditions, which have now been incorporated into the final proposed condition set submitted with the application. This process reflects a coordinated approach between the Applicant, HDC and HBRC, and the relevant technical experts, to develop a solution that responds to the actual nature and scale of the Project, appropriately

⁴⁸ Condition 55, Appendix 28

⁴⁹ Refer to the Appendix 20 Consultation Report, Attachments 2 & 3

manages identified risks, and safeguards both groundwater quality and the drinking water supply, particularly during the construction phase of the Project.

The Project incorporates a number of safeguards:

- In response to consultation with HDC and HBRC, a SWPP⁵⁰ has been prepared to manage construction-phase risks to groundwater quality, particularly in relation to potential contaminant pathways to **Well 4151**. The SWPP identifies the controls and procedures required during works to reduce the risk of contaminants entering the aquifer. The SWPP is provided at **Appendix 31**.
- The Project incorporates a range of engineering design measures to protect groundwater quality, including retention of low-permeability silt layers where practicable and the installation of engineered liners where required based on site-specific ground conditions. These measures will be verified during construction through hydrogeologist supervision, permeability testing and quality assurance procedures set out in the SWPP.
- Existing bores located within the site will be permanently decommissioned and sealed in accordance with HBRC requirements and industry best practice, removing potential pathways for contaminants to enter groundwater.
- Stream realignment works have been designed to maintain and improve surface water conveyance and ecological function while avoiding adverse effects on groundwater resources.
- Stormwater runoff will be managed through an integrated treatment train comprising wetlands, rain gardens, attenuation and treatment devices designed to protect both surface water and groundwater quality.
- Construction activities will be undertaken in accordance with a certified CEMP incorporating erosion and sediment controls, contaminant management procedures, spill response measures and monitoring requirements.
- A suitably qualified hydrogeologist will be engaged during detailed design and construction to provide oversight of groundwater-related matters, including bore decommissioning and any unexpected groundwater encounters.

The comprehensive technical conditions of consent⁵¹ require management plans, construction methodologies and monitoring that specifically address groundwater protection risks. These measures ensure that any potential effects associated with construction activities can be appropriately managed and that the integrity of the Heretaunga Plains groundwater system is maintained. Having regard to these measures, adverse effects on groundwater quality, source water protection values and the wider aquifer system are considered to be less than minor.

8.16 Contaminated Land Effects

A Preliminary Site Investigation and Detailed Site Investigation (**Appendix 17**) were undertaken by EAM NZ Ltd to assess potential contamination associated with historic activities undertaken on the site, including mushroom production, agrichemical use and fuel storage. The investigations confirmed that while the site is classified as HAIL land, all soil samples complied with the applicable

⁵⁰ Condition 141, Appendix 28

⁵¹ LUS-XXX and DIS-1XX Conditions, Appendix 28

residential soil contaminant standards under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NES-CS”), with no contaminants identified at concentrations that would pose an unacceptable risk to human health or the environment.

The Project does not trigger any contaminated land consent requirements under the NESCS or RRMP. Accordingly, contaminated land effects are considered to be negligible.

8.17 Economic Effects

An Economic Assessment prepared by Insight Economics is provided in **Appendix 12**. The assessment considers the economic effects of the Project relative to the continuation of existing rural production activities and concludes that the Project will deliver significant positive economic benefits to the Hawke's Bay region.

The assessment estimates that construction of the development will generate approximately 400 full-time equivalent (“FTE”) years of employment, contribute approximately \$52.4 million in regional GDP, and generate approximately \$26 million in wages over the construction period. After accounting for the loss of existing rural production, the Project is estimated to deliver a net increase of approximately 315 FTE years of employment, \$23.7 million in wages, and approximately \$47.9 million in regional GDP (net present value). The assessment concludes that the economic benefits of the Project substantially outweigh the relatively modest economic value of the existing rural activities on the site.

In addition to these quantified benefits, the Project will provide wider long-term economic benefits through the delivery of 203 new dwellings in a district experiencing constrained greenfield housing supply. The Economic Assessment concludes that the Project will increase housing choice, improve competition within the residential land market, assist in moderating future house price pressures over time, support approximately \$15 million in annual household expenditure once established, and represent a significant private investment in housing and supporting infrastructure.

Overall, the Economic Assessment concludes that the Project will deliver significant regional economic benefits through increased housing supply, employment, investment and economic activity, while the adverse economic effects associated with the loss of existing rural production are limited and are outweighed by the benefits of the development.

8.18 Summary of Effects

Overall, the Project will deliver substantial positive social, economic, environmental and infrastructure benefits while appropriately managing the actual and potential adverse effects associated with the proposed activities. The principal positive outcomes include:

- Delivery of approximately 203 new dwellings, increasing housing supply, housing choice and contributing to a well-functioning urban environment;
- Significant regional economic benefits through construction expenditure, employment generation and increased household expenditure;
- Provision of coordinated infrastructure, including transport, three waters and utilities;
- Restoration and enhancement of freshwater ecosystems through stream rehabilitation, wetland creation, indigenous planting and long-term ecological management;

- Improved stormwater management, water quality and flood resilience across the wider catchment;
- Creation of an extensive publicly accessible reserve and stream corridor network providing ecological, recreational and amenity benefits; and
- Remediation of a former Te Mata Mushroom site and establishment of a high-quality residential neighbourhood adjoining the existing Havelock North urban area.

Actual and potential adverse effects have been comprehensively assessed through the specialist technical reports accompanying this application. The assessment concludes that, through careful site selection, project design, avoidance of sensitive features where practicable, and the implementation of a comprehensive suite of mitigation measures secured by appropriately worded conditions of consent, the actual and potential adverse effects associated with the Project are appropriately avoided, remedied and mitigated such that they are less than minor and acceptable.

9.0 Assessment of Relevant Statutory Documents

This section of the application is provided in accordance with Clauses 5(1)(h), 5(2) and 5(3) of Schedule 5 of the Act. The FTAA requires that applications must include an assessment of the activity against the relevant provisions and requirements of those documents listed in Clause 5(2) being:

- (a) a national environmental standard;
- (b) other regulations made under the RMA;
- (c) a national policy statement;
- (d) a New Zealand coastal policy statement;
- (e) a regional policy statement or proposed regional policy statement;
- (f) a plan or proposed plan; and
- (g) a planning document recognised by a relevant iwi authority and lodged with a local authority.

9.1 National Environmental Standards

9.1.1 National Environmental Standards for Freshwater

The Project has been assessed against the NES-F. The Project requires non-complying activity consent under Regulation 54 for the temporary disturbance and removal of natural inland wetlands associated with the Watercourse 1 realignment works and discretionary activity consent under Regulation 57 for reclamation of the redundant portions of the existing Watercourse 1 channel bed following establishment of the realigned channel.

The NES-F establishes nationally consistent standards for activities affecting freshwater environments. Relevant to this Project, the regulations seek to protect natural inland wetlands, maintain freshwater ecosystem health and fish passage, and ensure activities affecting freshwater values are appropriately managed through the resource consent process.

Regulation 54: Natural Inland Wetlands

The Project involves vegetation clearance, earthworks, diversion and discharge activities within, or within the applicable setbacks from, natural inland wetlands. The affected wetlands comprise Wetlands W3 and W4, which are located within the existing Watercourse 1 stream bed and have a combined area of approximately 437m². The Ecological Assessment Report (**Appendix 8**) identifies these features as exotic-dominated, ephemeral streambed wetlands of very low ecological value. Wetlands W1, W2 and W5 will be retained.

While the Project is a non-complying activity under Regulation 54, the urban development assessment considerations contained in Regulation 56 provide a useful framework for evaluating the Project. In this regard:

- **Urban development benefits:** The Project will deliver 203 residential lots providing significant housing supply and economic benefits to the region while improving the existing freshwater

environment. As assessed elsewhere in this report, the Project will contribute to a well-functioning urban environment.

- **Functional need:** The realignment of Watercourse 1 and associated wetland disturbance is necessary to facilitate the integrated delivery of the Project. The existing alignment bisects the Site, creating an isolated eastern land parcel that would otherwise require additional road crossings, culverts and service crossings to provide access. Retaining the existing alignment would significantly reduce opportunities for stream restoration and riparian planting, result in a more fragmented stream conveyance and stormwater network, and compromise the efficient layout of roads, residential lots and utility infrastructure. The proposed realignment consolidates the stream corridor along the edge of the development, establishing a stronger rural-urban interface while integrating stormwater management, ecological restoration, open space and pedestrian connections into a continuous green corridor.
- **Alternative locations and design:** The subdivision layout, stream alignment and stormwater network have been refined through an iterative multidisciplinary design process involving engineers, ecologists, landscape architects and planners. Alternative layouts retaining the existing stream alignment were considered but would require additional culverts and stream crossings, reduce opportunities for ecological enhancement and riparian restoration, and provide a less efficient stormwater management system. Given the topography of the Site, stormwater infrastructure must be located within the lower-lying areas to collect, treat and convey runoff to the receiving environment. The adopted alignment achieves these engineering requirements while minimising wetland disturbance and maximising ecological restoration and landscape outcomes. No practicable alternative configuration has been identified through the multidisciplinary design process that would achieve the Project objectives while providing an equivalent overall subdivision, servicing, stormwater and ecological outcome.
- **Effects management hierarchy:** Effects have been avoided and minimised where practicable by retaining Watercourse 2 and Wetlands W1, W2 and W5 and incorporating these features into the development as enhanced ecological corridors. Disturbance is limited to Wetlands W3 and W4, which are associated with the Watercourse 1 realignment. Temporary construction effects will be managed through erosion and sediment controls, staged works, ecological supervision and fauna management measures. Residual effects will be remedied through establishment and ecological enhancement of the realigned channel and reinstatement of wetland habitat, including approximately 6,439 m² of indigenous wetland-margin habitat. The Ecological Assessment concludes that the proposal will achieve no net loss of wetland extent and a net gain in wetland ecological value.

Regulation 57: Reclamation of Watercourse 1

The realignment of Watercourse 1 also requires reclamation of redundant portions of the existing channel bed once the replacement channel has been established and is able to receive flows. This constitutes reclamation to the extent that the existing bed will be filled to form permanent dry land.

The reclamation forms an integral part of the Watercourse 1 realignment rather than a permanent removal of the watercourse. The existing impacted reach is approximately 355m in length and will be replaced by an approximately 356m long open channel. Accordingly, the works will not result in a net loss of stream length. The Ecological Assessment Report describes the existing affected

reach as a highly modified intermittent to ephemeral drainage channel of very low ecological value, with little evidence of sustained surface flow and limited aquatic habitat function.

Regulation 57(2) requires consideration of the functional need for the activity and application of the effects management hierarchy. These matters are assessed below, drawing on the Ecological Assessment Report and other technical assessments:

- **Functional need:** The permanent realignment of Watercourse 1, including reclamation of the redundant existing channel bed, is necessary to achieve an integrated subdivision, roading, servicing and stormwater outcome for the Site. The existing channel alignment bisects a corner of the Site and isolates a triangular area of land to the east. Retaining Watercourse 1 in its current alignment would require additional stream crossings, culverts and service crossings to access and service this area, resulting in a more fragmented development pattern and additional structures within the freshwater corridor. The proposed eastern alignment enables the watercourse to be incorporated within a broader and more coherent ecological and stormwater corridor, with greater space for indigenous riparian and wetland-margin planting than would be practicable if the stream remained centrally located. It also allows the corridor to perform a dual function as part of the rural-urban interface, providing separation and landscape buffering between future residential development and adjoining rural land. This avoids the need to provide separate land for stream and rural buffer functions, enables more efficient use of the Site for housing, and allows the stream corridor and associated planting to be vested in HDC as drainage reserve for long-term public ownership and management. The realignment also provides a more coherent stormwater conveyance pathway and better integrates the upstream and downstream drainage network.
- **Avoidance:** Adverse effects on Watercourse 1 have been avoided where practicable through retaining the watercourse as an open channel and providing a replacement alignment of approximately equivalent length to the existing impacted reach. The proposal avoids piping or permanent loss of stream connectivity and reduces the number of additional crossings, culverts and service structures that would otherwise be required if Watercourse 1 remained in its existing location. Further, the remaining stream extents within the site have been retained in their current alignment.
- **Minimisation:** Where adverse effects cannot be avoided, they have been minimised through limiting reclamation to those portions of the existing Watercourse 1 bed that become redundant following establishment of the replacement channel. The realigned channel is approximately 356m in length compared with approximately 355m of existing impacted reach, such that there is no net loss of stream length. Construction effects will be minimised through staged works, erosion and sediment controls, ecological supervision and fauna management measures, including fish salvage and relocation where required.
- **Remediation:** Effects associated with removal and filling of the existing channel will be remedied through establishment of the replacement open channel and associated substantial indigenous riparian and wetland-margin planting. The eastern alignment provides for a broader and more coherent riparian corridor than would be practicable if the stream remained centrally located, with improved opportunities for bank stabilisation, shading, habitat connectivity and long-term ecological function. The stream corridor and associated planting are also proposed to vest in HDC as drainage reserve, providing for their long-term protection and management in public ownership.

- **Offsetting:** Following avoidance, minimisation and remediation, the Ecological Assessment does not identify more than minor residual adverse effects on stream extent or ecological values that require aquatic offsetting. The replacement channel results in no net loss of stream length and is predicted to provide an improvement in ecological function over time, with the indicative SEV score increasing from 0.31 for the existing impacted reach to 0.62 for the realigned channel.

Overall, the Project appropriately applies the effects management hierarchy to the activities affecting natural inland wetlands and the reclamation of Watercourse 1. The works have been designed to minimise freshwater disturbance, maintain watercourse extent and connectivity, and deliver substantial ecological restoration and enhancement. The proposal is therefore considered consistent with the relevant requirements and intent of the NES-F.

9.1.2 Other National Environmental Standards

The Project does not require consideration under the following national environmental standards.

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011;
- National Environmental Standard for Air Quality 2004;
- National Environmental Standards for Sources of Drinking Water 2007;
- National Environmental Standard for Detached Minor Residential Units 2025;
- National Environmental Standards for Telecommunication Facilities 2016;
- National Environmental Standard for Storing Tyres Outdoors 2021;
- National Environmental Standards for Electricity Transmission Activities 2009;
- National Environmental Standard for Greenhouse Gas Emissions from Industrial Process Heat 2023;
- National Environmental Standards for Plantation Forestry 2017;
- National Environmental Standards for Marine Aquaculture 2020; and
- National Environmental Standards for Air Quality 2004.

9.2 National Policy Statements

9.2.1 National Policy Statement on Urban Development 2020 (NPS-UD)

The National Policy Statement on Urban Development 2020 (NPS-UD) provides national direction to enable well-functioning urban environments that meet the changing needs of communities. Hastings District is identified as a Tier 2 urban environment. The Project has been assessed against the relevant objectives and policies of the NPS-UD and is considered to be consistent with its direction. In particular:

- **Objective 1 and Policy 1** seek to achieve well-functioning urban environments that enable people and communities to provide for their social, economic and cultural wellbeing, while supporting a variety of homes, good accessibility, quality urban design, resilience and amenity. The Project will deliver a comprehensively master-planned residential neighbourhood incorporating 203 residential lots, an integrated street network, walking and

cycling connections, reserves, ecological corridors and supporting three waters infrastructure. The Project provides a range of residential lot sizes and includes four superlots to enable future medium-density terraced housing, supporting housing choice while delivering a high-quality urban environment. The site is located immediately adjacent to the existing urban area and is within 2.5km of the Havelock North village centre;

- **Objective 2 and Policy 2** require sufficient development capacity to meet expected housing demand over the short, medium and long term. The Project will make a meaningful contribution to housing supply within the Hastings District (Tier 2) by enabling approximately 203 new residential lots in a location immediately adjoining the existing Havelock North urban area. The Insight Economic Impact Assessment (**Appendix 12**) identifies that Hastings District currently has an estimated long-term shortfall of approximately 330 greenfield dwellings under the adopted FDS, together with latent housing demand of between 620 and 1,065 dwellings that is not fully reflected in population growth projections. In this context, Brookvale Green provides a timely and deliverable source of additional residential capacity that will materially improve the District's ability to respond to housing demand. The Project also broadens housing choice through a range of lot sizes and dwelling typologies, supports a more competitive land market, and will assist in moderating housing affordability pressures over time by increasing the supply of residential land;
- **Objective 4** recognises that New Zealand's urban environments should support a variety of homes that meet the needs of different households and future generations. The Project provides for a range of residential outcomes through conventional residential lots together with superlots that will facilitate future terrace housing in accordance with the Brookvale Green Design Guidelines. This approach provides flexibility for future housing delivery while ensuring a high standard of urban design;
- **Policy 5** seeks urban densities that reflect accessibility and housing demand. The Project includes a mix of medium density and terrace housing alongside the more traditional development pattern of detached housing. The smaller lots sizes provide a greater intensity of development than the surrounding suburban environment while remaining appropriate to its location. The Project is contiguous with the existing urban area, well connected to schools, open space, public transport and Havelock North village centre, and provides a greater diversity of housing options in response to demonstrated demand for additional housing within the Hastings District;
- **Policy 6** requires decision-makers to give particular regard to the planned urban built form, the benefits of urban development that are consistent with well-functioning urban environments, the contributions of developments to strategic and development capacity, and the likely current and future effects of climate change. The Site adjoins the existing urban edge of Havelock North and the approved Arataki development, representing a logical extension of the existing urban area. The Project has been designed as an integrated master-planned neighbourhood that efficiently coordinates transport, three waters infrastructure, stormwater management, reserves and ecological restoration. Significant investment in stream restoration, wetland enhancement, indigenous planting and green infrastructure has been integrated into the development, delivering environmental improvements alongside additional housing supply. Climate change has also been incorporated into the engineering design through adoption of a 3.8°C climate change scenario for flood modelling and stormwater infrastructure. While the Site is not identified for future urban growth in the FDS,

Policy 6 requires particular regard to be had to the benefits of urban development, the contribution to development capacity, and the likely current and future effects of climate change. The Site adjoins the existing urban edge of Havelock North, can be efficiently serviced by infrastructure, integrates with the approved Arataki development, and delivers significant housing and environmental benefits. These factors weigh strongly in favour of the Project notwithstanding its location outside the current FDS;

- **Policy 7** requires Tier 1 and Tier 2 local authorities to establish housing bottom lines representing the minimum level of development capacity required to meet anticipated demand. This recognises that housing bottom lines are minimum levels of development capacity rather than limits on future growth. The Project provides an additional 203 residential lots that will assist Hastings District in maintaining sufficient housing capacity to respond to forecast and latent demand identified in the Insight Economics Assessment. This is consistent with the enabling intent of the NPS-UD;
- **Objective 6 and Policy 8** requires local authority decision-making to be responsive to proposals that add significantly to development capacity and contribute to well-functioning urban environments, including where that capacity is unanticipated by existing planning documents or is out of sequence with planned land release. While Brookvale Green is not identified for urban development within the current FDS, it represents a logical extension of the Havelock North urban area that can be efficiently serviced by infrastructure, integrates with the consented Arataki development and existing urban area, and is proximate to the Havelock North village centre and amenities. The Project will deliver approximately 203 residential lots, making a significant contribution to housing supply. In this respect, the Project is consistent with the enabling intent of Policy 8 by providing significant additional development capacity in a location that achieves a well-functioning urban environment;
- **Policy 10** promotes integrated planning decisions that align land use with infrastructure. The Project has been planned alongside the provision of transport, water supply, wastewater and stormwater infrastructure and has been informed through extensive engagement with HDC, HBRC, utility providers and adjoining landowners; and
- **Objective 8** recognises that urban environments should support reductions in greenhouse gas emissions and be resilient to the current and future effects of climate change. The Project encourages active transport through connected pedestrian and cycling infrastructure, integrates substantial green infrastructure throughout the development, and incorporates climate-resilient stormwater and flood management systems. Restoration of Watercourse 1 and Watercourse 2, significant wetland reinstatement, indigenous planting and comprehensive stormwater treatment measures will improve the resilience of the Site while delivering long-term environmental benefits.

The remaining objectives and policies of the NPS-UD are principally directed at local authorities in undertaking strategic planning functions, including preparing planning documents, implementing intensification requirements for Tier 1 urban environments, and monitoring development capacity. These provisions are not directly applicable to the assessment of this application.

Overall, the Project will deliver a well-functioning urban environment that integrates housing, infrastructure, transport, reserves and ecological restoration. It provides a significant increase in residential development capacity within a logical urban expansion area, while incorporating high-quality urban design, housing choice, integrated infrastructure and substantial environmental

enhancement. Accordingly, the Project is considered to be strongly consistent with the relevant objectives and policies of the NPS-UD.

9.2.2 National Policy Statement on Freshwater 2020 (NPS-FW)

The National Policy Statement for Freshwater Management 2020 (NPS-FM) establishes the national framework for managing freshwater in a manner that gives effect to Te Mana o te Wai and protects the health and well-being of freshwater bodies and freshwater ecosystems.

The Project has been developed having regard to the objectives and policies of the NPS-FM and is considered to be generally consistent with its direction for the following reasons:

- **Te Mana o te Wai:** The Project adopts an integrated approach to freshwater management by restoring degraded stream corridors, enhancing wetland habitat, improving stormwater quality and protecting groundwater within the Hastings Source Protection Zone;
- **Freshwater ecosystem health:** The Project includes stream restoration, wetland enhancement, indigenous riparian planting and long-term ecological management that will improve freshwater habitat and ecological function relative to the existing environment as outlined in the Ecological Assessment Report (**Appendix 8**);
- **Integrated management:** Stormwater management, ecological restoration, urban design and infrastructure have been integrated through the master planning process to improve both environmental and urban outcomes;
- **Water quality:** A best-practice stormwater management system incorporating treatment wetlands, raingardens, attenuation devices and water quality treatment will improve the quality of stormwater discharged from the Site as outlined in the Infrastructure Report (**Appendix 9**) and implemented through the proposed Conditions Suite (**Appendix 28**);
- **Natural inland wetlands:** While the Project requires consent for activities affecting natural inland wetlands, the extent of disturbance has been minimised and is offset by significant wetland reinstatement and enhancement as part of the overall ecological restoration strategy; and
- **Fish passage:** The realigned stream and upgraded culverts have been designed to maintain fish passage and aquatic connectivity.

Overall, while the Project includes modification of an existing highly altered freshwater environment, it will deliver an overall improvement in stream condition, wetland function, water quality and ecological values compared with the existing environment. The Project is therefore considered to be generally consistent with the objectives and policies of the NPS-FM.

9.2.3 National Policy Statement on Highly Productive Land 2022 (NPS-HPL)

The purpose of the NPS-HPL is to protect highly productive land for use in land-based primary production.

The Hanmore Land Management Soil and Resource Assessment (**Appendix 18**) identifies portions of the site as comprising Land Use Capability ('LUC') Class 3 soils. The NPS-HPL was amended in January 2026 and in particular Clause 3.5(7)(b)(iii). Those amendments removed LUC Class 3 land from the scope of the NPS-HPL. Accordingly, although the site contains LUC Class 3 soils, it is no longer identified as highly productive land under the current NPS-HPL framework and the Project is not subject to the provisions of the NPS-HPL.

9.2.4 National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB)

The National Policy Statement on Indigenous Biodiversity 2023 ('NPS-IB') concerns "SNA or significant natural areas" and "indigenous biodiversity", both of which are defined terms under the NPS. The objective of the NPS-IB is to maintain indigenous biodiversity across New Zealand so that there is no overall loss. The policies seek to restore and enhance ecosystems and habitats where necessary, and avoid adverse effects to SNAs.

The Site does not contain any identified SNA. While the Project includes limited disturbance of wetland and scrub vegetation associated with the Watercourse 1 realignment, Watercourse 2 upgrades, and general site clearance, these effects are appropriately managed through the proposed ecological mitigation and enhancement measures.

The Project includes substantial ecological restoration comprising stream restoration, significant wetland reinstatement and enhancement, extensive indigenous riparian and ecological planting, removal of exotic vegetation (including the existing gum trees within the reserve area), improved fish passage, and long-term ecological management secured through the proposed conditions of consent. Collectively, these measures will establish a more extensive, connected and resilient ecological corridor than currently exists and will result in an overall net improvement in indigenous biodiversity values across the Site as confirmed in the Ecological Assessment Report (**Appendix 8**). Accordingly, the Project is considered to be consistent with the objective and relevant policies of the NPS-IB.

9.2.5 National Policy Statement for Natural Hazards 2026 (NPS-NH)

The National Policy Statement for Natural Hazards 2026 ('NPS-NH') requires natural hazard risk to people and property to be managed using a risk-based and proportionate approach.

The Project has been designed having regard to flooding, groundwater, liquefaction and geotechnical hazards, informed by specialist investigations undertaken by Maven Associates (**Appendix 9**), Hawke's Bay Geotech (**Appendix 11**) and Land Water People (**Appendix 19**). The following assessment is made:

- Climate change has been incorporated into the engineering design through adoption of a 3.8°C climate change scenario, informing the design of the stormwater management system, flood conveyance network and associated infrastructure;
- The Project incorporates a comprehensive stormwater management system, restored watercourses, wetlands, raingardens and flood conveyance corridors to appropriately manage existing and future flood risk;
- The Brookvale Road culvert upgrades will alter flood behaviour in some localised downstream areas. However, the overall flood modelling demonstrates a net reduction in flood risk across these properties, with flood mitigation measures developed in consultation with affected landowners who have provided support for the Project;
- Flood modelling identifies a localised increase in water levels within the existing diversion channel on the adjoining upstream property as a result of the fully vegetated stream corridor. This increase is fully contained within the existing stream channel, does not spill onto adjoining farmland, and does not affect any farm track or accessway. Overall, the proposed stream corridor provides a reduction in relative flood levels along adjoining property

boundaries and is assessed as resulting in a net improvement and affected landowners have provided support for the Project; and

- Geotechnical investigations confirm the site is suitable for the proposed development, subject to implementation of the recommended engineering measures and proposed consent conditions.

Overall, the Project adopts a risk-based approach to natural hazards that is consistent with the direction of the NPS-NH. The proposed mitigation measures and long-term management of flood and geotechnical risks will ensure that natural hazard risks are appropriately managed while enabling the delivery of a well-functioning urban environment.

9.2.6 Other National Policy Statements

For completeness, the Project does not require an assessment against the following National Policy Statements below for the reasons set out as follows:

- New Zealand Coastal Policy Statement ('NZCPS'): The site and proposal is not located in, adjacent, or proximity to the coastal environment, it is considered that the NZCPS is not directly relevant to consideration of this application;
- National Policy Statement for Infrastructure ('NPS-I'): The Project is not for nationally or regionally significant infrastructure of the type addressed by the NPS-I;
- National Policy Statement for Electricity Networks ('NPS-EN'): The Project does not involve the development, operation, maintenance or upgrading of the national electricity network;
- National Policy Statement for Renewable Electricity Generation ('NPS-REG'): The Project does not involve renewable electricity generation activities; and
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat ('NPS-GHG'): The Project does not involve industrial process heat or activities regulated by this National Policy Statement.

Accordingly, these National Policy Statements are not considered to be directly relevant to the assessment of the Project.

9.3 Regional Policy Statement, Regional Plan and District Plan

9.3.1 Hawke's Bay Regional Policy Statement

The Regional Policy Statement ('RPS') provisions are contained within Chapter 3 of the RRMP. These set out the regionally significant resource management issues and strategic direction for Hawke's Bay.

Not all objectives and policies are relevant to the Project. In particular, provisions relating to the coastal environment, organic material, large-scale agricultural discharges and activities unrelated to urban development have not been assessed. The key RPS provisions relevant to Brookvale Green relate to housing capacity, integrated land use and freshwater management, urban growth, rural land use, wetlands and indigenous biodiversity, conflicting land uses, groundwater quality and quantity, surface water resources, natural hazards, infrastructure and matters of significance to iwi/hapū.

Overall, the Project is considered to be broadly consistent with the relevant objectives and policies of the RPS for the following reasons:

- The Project contributes to the Napier-Hastings **housing bottom lines** (Objective 3.1AA.1) by delivering approximately 203 residential lots in Havelock North, assisting with housing capacity, housing choice and land market responsiveness;
- The Project is a planned and **comprehensively designed** urban extension consistent with Objectives UD1 and UD4. While the Site is not identified as a greenfield growth area in the current strategic planning framework, it is contiguous with the existing Havelock North urban area, integrates with the consented Arataki development, and provides a compact and connected urban form that can be serviced by infrastructure, rather than isolated rural residential development;
- The **subdivision** has been designed to **integrate** land use, infrastructure and transport, consistent with Objectives UD5 and UD6 and Policy UD1, including a connected road network, pedestrian and cycle connections, stormwater infrastructure, wastewater servicing, reserves and ecological corridors;
- Effects on **versatile rural land** have been considered in accordance with Objective UD1(d) and Policy UD1. The Site contains LUC Class 3 land, which is no longer identified as highly productive land under the current NPS-HPL framework, and its productive capacity is constrained by drainage limitations, stony soils, historic modification and existing rural-commercial activities associated with the former Te Mata Mushrooms operation;
- Policy UD4.2 sets out criteria for determining locations of **new greenfield growth areas**. For the reasons set out in Section 8 of this report, the Urban Design Assessment (**Appendix 7**) and the relevant technical reports, the Site is considered to meet the relevant criteria list and is a suitable location for residential development. In this regard, the Project is not contrary to Policy UD10.2 relating to ad hoc urban development;
- **Reverse sensitivity effects** have been specifically addressed through the location of a riparian stream corridor and individual lot setbacks, no-build areas, landscape buffers, fencing and consent notices, consistent with Objective UD1(b), Policy UD12(l) and the conflicting land use provisions of Chapter 3.5. These measures appropriately manage reverse sensitivity effects associated with adjoining rural production activities as set out in section 8.3 of this report;
- The Project gives effect to Objectives LW1 and LW2 and Policies LW1 and LW2 by integrating land use with **freshwater management**. Watercourse 2 is retained and enhanced, Watercourse 1 is realigned and restored, wetland habitat is reinstated and significantly expanded, fish passage is maintained, and stormwater treatment is integrated with ecological restoration and water quality is treated;
- The Project includes significant **wetland** reinstatement and indigenous planting, supporting Objective LW1 (particularly Clauses 1A, 4 and 13) and Policy LW1 by protecting and enhancing wetland values, freshwater habitat, ecological connectivity and natural character;
- **Groundwater quality** and the Heretaunga Plains aquifer have been addressed through hydrogeological assessment, bore decommissioning, impermeable liners beneath stormwater treatment devices and stream, construction management measures and consent conditions, consistent with Policy LW1(cA) recognising the need to protect aquifer recharge systems;

- **Surface water** quality and quantity effects will be managed through a comprehensive stormwater management system including wetlands, raingardens, detention, restored stream corridors, erosion and sediment controls, and long-term maintenance, consistent with Objectives LW1 and LW2 and Policy LW3. No water take is proposed as part of the application;
- **Natural hazard risk** has been assessed and appropriately managed in accordance with Objective UD1(e) and Objective 31. The Project incorporates updated flood modelling using a 3.8°C climate change scenario, upgraded Brookvale Road culverts, flood conveyance corridors and integrated stormwater infrastructure, resulting in improved flood management outcomes;
- The Project has been informed by **stakeholder engagement** with HBRC, HDC, mana whenua, adjoining landowners and infrastructure providers, consistent with Policy LW1(e) and Policy LW4, and proposed consent conditions secure detailed design certification, construction management, ecological management, monitoring and long-term maintenance; and
- The Project recognises **tangata whenua values** through engagement with mana whenua, freshwater restoration, wetland enhancement, indigenous planting and accidental discovery protocols during construction, consistent with Objective LW3.

Overall, while the Project is not specifically anticipated by the current regional planning framework for urban growth, it is considered to be consistent with the overall strategic direction of the RPS. The Project provides for additional housing capacity in the Hastings urban environment, integrates land use with infrastructure and freshwater management, appropriately manages natural hazards and reverse sensitivity effects, restores and enhances freshwater and ecological values, and delivers significant public and environmental benefits. Any inconsistencies with the existing rural land use framework are appropriately addressed through the comprehensive design of the Project, the proposed mitigation measures and consent conditions, and the positive outcomes achieved overall.

9.3.2 Hawke's Bay Regional Resource Management Plan

The Project has been assessed against the relevant objectives and policies of the RRMP. To complement the RPS assessment above in Section 9.3.1, this section focuses on those provisions relevant to the regional consents sought for the Project, including land disturbance, earthworks, stream diversion and works, wetland disturbance, stormwater discharges, groundwater protection and associated infrastructure works. A separate assessment of the Project against Plan Change 9 (TANK) is provided in Section 9.3.3 below.

Overall, the Project is considered to be consistent with the relevant objectives and policies of the RRMP for the following reasons:

- **Natural inland wetlands (Policy 66A):** The Project has been designed to avoid and minimise effects on natural inland wetlands where practicable through an iterative multidisciplinary design process. Watercourse 2 and its associated wetlands have been retained, while disturbance to Watercourse 1 is limited to that necessary to facilitate the integrated delivery of the Project. The Project has a clear functional need, applies the effects management hierarchy, and includes significant wetland reinstatement, stream restoration, indigenous planting and long-term management. Overall, while some wetland disturbance is required, the Project will deliver a substantial net improvement in freshwater and wetland values across the Site;

- Water discharges (Policy 66C):** The Project incorporates a comprehensive stormwater management system designed to avoid or minimise contamination of freshwater and protect the life-supporting capacity of downstream aquatic ecosystems. Stormwater runoff will be treated through a treatment train comprising raingardens, wetlands, proprietary treatment devices and detention systems before discharge to the restored stream network. The system has been designed to improve water quality, manage contaminant loads and maintain downstream hydrology, with long-term monitoring and maintenance secured through the proposed consent conditions. Construction discharges will be managed through erosion and sediment controls, chemical treatment where required, staged earthworks and certified management plans. Collectively, these measures provide an appropriate means of avoiding adverse effects on freshwater quality, aquatic ecosystems and the health of people and communities;
- Stream works (Policy 66D):** The proposed realignment and diversion of Watercourse 1 has been designed to maintain the life-supporting capacity of the freshwater environment while enabling the integrated delivery of the Project. The restored stream corridor will maintain stream connectivity and fish passage, improve riparian habitat, incorporate naturalised channel design and integrate with the stormwater management system. Potential adverse effects on freshwater values have been avoided or minimised where practicable and are further addressed through stream restoration, wetland enhancement, ecological management and the proposed consent conditions. Accordingly, the Project is considered to be consistent with the intent of Policy 66D;
- Sustainable management of the land resource (Objective 38; Policy 67):** The Site contains LUC 3 land but is not identified as Highly Productive Land under the operative NPS-HPL. The Project incorporates best practice earthworks, erosion and sediment controls, progressive stabilisation, groundwater protection measures and permanent stormwater treatment to maintain soil stability, minimise erosion and sediment runoff, and protect groundwater and surface water quality during construction and operation;
- Surface water quality (Objective 40; Policy 71 & 72):** The Project adopts a best practice stormwater management system comprising treatment wetlands, raingardens, proprietary treatment devices, detention storage, Watercourse 1 and 2 stream restoration and riparian enhancement to maintain and improve receiving water quality, sustain aquatic ecosystems and natural character, and manage stormwater discharges in a manner that supports groundwater recharge;
- Surface water quantity (Objective 41; Policy 73):** The Project maintains the hydrological function of the Site through restoration of Watercourse 1, retention of Watercourse 2, significant wetland enhancement and an integrated stormwater management system designed to attenuate runoff, maintain downstream flow regimes and address flood risk. The Project has been designed to manage both existing and future rainfall events while maintaining the life-supporting capacity of the receiving environment. No water take is proposed;
- Groundwater quality (Objectives 42 and 43; Policy 75):** The Project has been designed having regard to the sensitivity of the Heretaunga Plains aquifer system and Source Protection Zone. Best practice erosion and sediment controls, hydrogeologist oversight of key works,

groundwater protection measures through conditions, and bore decommissioning will avoid degradation of groundwater quality during construction and operation;

- **Groundwater quantity (Objective 44; Policy 77):** The Project does not involve the abstraction of groundwater. Accordingly, it will not affect groundwater allocation, existing groundwater users or groundwater-dependent surface water bodies. Proposed conditions of consent will ensure that appropriate construction methodology is followed to protective aquifer sensitivity during the works phases of the Project; and
- **Beds of rivers and lakes (Objective 45; Policy 79):** The Project has been designed to maintain and enhance the natural and physical resources, values and functions of river beds through the restoration and realignment of degraded watercourses, wetland enhancement, riparian planting and a comprehensive stormwater management system. Stream works have been designed to maintain hydraulic capacity, bed stability and natural flow regimes, provide for fish passage, minimise effects on aquatic habitat and spawning values, and avoid increased erosion, sedimentation and downstream flood risk. Temporary construction effects will be managed through best practice erosion and sediment controls, staged construction methodologies, ecological management measures and rehabilitation of disturbed areas. Overall, the Project will result in an enhancement of the ecological and physical functioning of the Site's waterways when compared with the existing environment.

Overall, the Project appropriately manages the actual and potential adverse effects associated with the regional activities for which consent is sought while delivering significant improvements to freshwater management, stream and wetland restoration, groundwater protection, ecological values, stormwater management, flood resilience and supporting infrastructure. Subject to the proposed conditions of consent, the Project is considered to be consistent with the relevant objectives and policies of the RRMP.

9.3.3 TANK Plan Change

RRMP Plan Change 9 (TANK) introduces a comprehensive framework for managing freshwater quality and quantity within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments. The Project is located within the Karamū Catchment and has therefore been assessed against the relevant TANK objectives and policies, with particular regard to stormwater management, protection of freshwater values and groundwater quality. Overall, the Project is considered to be consistent with the relevant objectives and policies of TANK for the following reasons:

- **Freshwater quality (Objectives TANK 1, 4 and 5; Policies TANK 2, 12 and 26):** The Project adopts an integrated stormwater management approach that seeks to protect and enhance freshwater quality through the use of water sensitive design principles and a treatment train comprising raingardens, treatment wetlands, proprietary treatment devices, detention storage and restored stream corridors. The Project has been designed to manage contaminant loads, maintain downstream water quality and contribute towards achieving the freshwater outcomes sought by TANK;
- **Stormwater management (Policies TANK 26, 27 and 29):** The Project incorporates best practice stormwater management consistent with the objectives of TANK, including low impact design, treatment prior to discharge, flood attenuation, stream restoration and long-term maintenance of stormwater infrastructure. The design responds to site-specific constraints, including the Hastings Source Protection Zone, and has been informed by climate

change allowances. Construction discharges will be managed through certified erosion and sediment control measures, staged earthworks and certified management plans;

- **Groundwater and source water protection (Policies TANK 8 and 26):** The Site is located within the Hastings Source Protection Zone. The Project incorporates a range of measures to protect groundwater quality, including the development of a SWPP, hydrogeologist oversight of key works, best practice erosion and sediment controls, appropriate decommissioning of existing bores, and conditions requiring the implementation of groundwater protection measures during construction. These measures minimise the risk of contaminants entering the Heretaunga aquifer and protect the quality of registered drinking water supplies; and
- **Integrated freshwater management:** The Project restores and enhances freshwater ecosystems through the realignment and enhancement of Watercourse 1, retention of Watercourse 2, wetland disturbance and significant enhancement, extensive riparian planting and ecological restoration. These works provide a significant improvement over the existing modified and degraded environment while integrating stormwater management, flood resilience and ecological outcomes.

Overall, the Project is consistent with the intent of TANK by adopting an integrated catchment management approach that protects freshwater quality, enhances aquatic ecosystems, manages stormwater using best practice water sensitive design principles, and safeguards groundwater resources within the Karamū Catchment. Subject to the proposed conditions of consent, the Project is considered to be consistent with the relevant objectives and policies of Plan Change 9 (TANK).

9.3.4 Hastings District Plan

The Project is not currently anticipated by the operative HDP zoning framework, with the Site currently zoned Plains Production. The purpose of the Plains Production Zone is to protect versatile rural land for primary production while managing fragmentation, reverse sensitivity and the efficient use of rural resources.

The FTAA establishes an alternative approval pathway for projects that deliver significant regional and national benefits, including increased housing supply. In that context, this application has been prepared on the basis that the existing zoning is not determinative of the appropriateness of the Project. Rather, the Project establishes a comprehensive planning framework that enables residential development while securing the urban design, infrastructure, environmental and amenity outcomes that would ordinarily be achieved through a residential zoning framework.

In the absence of an underlying residential zoning, the Project establishes that framework through the subdivision layout, Brookvale Green Design Guidelines, consent notices and proposed conditions. Together, these mechanisms apply residential development standards broadly consistent with the GRZ and MDRZ, while securing high-quality urban design, infrastructure, landscaping and environmental outcomes. The Project also incorporates comprehensive rural interface treatments, including setbacks, buffer planting, and fencing obligations where appropriate, to manage reverse sensitivity and provide a sensitive transition between the proposed urban environment and adjoining rural activities.

A detailed assessment of the Project against the relevant objectives and policies of the HDP is contained in **Appendix 26**. That assessment demonstrates that, notwithstanding the operative Plains Production zoning, the Project is consistent with the overall strategic direction and

outcomes sought by the HDP. In summary, expanding on the assessment of the RPS above, the Project is considered to be consistent with, and not contrary to, the relevant objectives and policies of the HDP for the following reasons:

- Section 2.4 Urban Strategy:** The Project delivers a comprehensively planned residential neighbourhood immediately adjoining the existing Havelock North urban area. While the Site remains zoned Plains Production, the Project represents a logical urban extension that efficiently integrates with the existing urban environment, provides significant additional housing supply, and incorporates high-quality transport, infrastructure, open space and environmental outcomes;
- Section 2.5 Transport Strategy and Section 26.1 Transport and Parking:** The Project provides a safe, connected and efficient transport network integrating with Brookvale Road and the adjoining Arataki development. It includes a hierarchy of public roads, footpaths, cycle connections, on-street parking and pedestrian links that promote active transport and provide a well-connected neighbourhood. The transportation assessment confirms that the surrounding network can appropriately accommodate the development, subject to the proposed mitigation works;
- Section 2.8 Rural Resource Strategy:** The Project recognises the importance of productive rural land while responding to the site's strategic location adjoining the existing urban boundary. Following the January 2026 amendments to the NPS-HPL, the Site is no longer identified as Highly Productive Land. The Hanmore assessment also confirms that the productive capacity of the Site is constrained by drainage limitations, stony soils and historic modification. Notwithstanding this, appropriate setbacks, landscape buffers, fencing and consent notices have been incorporated to manage reverse sensitivity and maintain appropriate interfaces with adjoining rural activities which do have active production land uses and operations;
- Section 3.1 Tangata Whenua and Mana Whenua:** The Project has been informed by engagement with mana whenua and relevant iwi authorities. The Project incorporates significant improvements to freshwater management, stream restoration, wetland enhancement, indigenous planting, cultural monitoring requirements and accidental discovery procedures that are consistent with the outcomes sought by relevant iwi planning documents;
- Section 15.1 Natural Hazards:** The Project has been informed by detailed flood modelling, geotechnical and hydrogeological investigations. Flood risk has been appropriately managed through an integrated stormwater management system, upgraded Brookvale Road culverts, restored watercourses, wetlands and flood conveyance corridors. Climate change has been incorporated into the engineering design through adoption of a 3.8°C climate change scenario. Although the Project results in some localised changes to flood behaviour on adjoining properties, the overall flood management strategy delivers a net improvement in flood outcomes across the wider catchment and reduces existing flood risk for the applicable neighbouring properties;
- Section 25.1 Noise:** Construction noise and vibration will be managed through consent conditions. Once established, residential activities will comply with the applicable residential noise standards. Rural interface treatments also assist in managing potential reverse sensitivity effects associated with adjoining rural activities;

- **Section 27.1 Earthworks:** Earthworks have been designed to establish development platforms, infrastructure, stormwater management areas and ecological restoration works. Construction effects will be appropriately managed through certified management plans, erosion and sediment controls, groundwater protection measures and comprehensive consent conditions; and
- **Section 30.1 Subdivision and Land Development:** The subdivision has been designed in accordance with contemporary urban design principles and the engineering code of practice to deliver a high-quality residential environment supported by transport, three waters infrastructure, reserves and ecological restoration. The Project provides an appropriate range of residential lot sizes and housing opportunities, integrates significant environmental enhancement into the subdivision design, and appropriately manages the interface with adjoining rural land.

In summary, the Project is considered to be consistent with the strategic direction, objectives and policies of the HDP by delivering a comprehensively planned residential neighbourhood supported by integrated infrastructure, transport, stormwater management and significant environmental restoration. While the Project is not anticipated by the operative Plains Production zoning, the comprehensive development framework established through this application, together with the proposed consent conditions and the significant housing, infrastructure and environmental benefits delivered by the Project, results in an outcome that is consistent with the overall purpose and intent of the HDP.

9.4 Planning Document Recognised by a Relevant Iwi Authority

Clauses 5(1)(h) and 5(2)(g) of Schedule 5 of the FTAA requires an application to provide an assessment against a planning document recognised by a relevant iwi authority and lodged with a local authority. The planning documents recognised by a relevant iwi authority and that have been lodged with the HDC and HBRC are discussed below.

9.4.1 Kahungunu ki Uta, Kahungunu ki Tai (Ngāti Kahungunu Iwi Inc)

Kahungunu ki Uta, Kahungunu ki Tai sets out the aspirations of Ngāti Kahungunu for the sustainable management of freshwater, coastal and marine resources. While the Plan has a strong focus on fisheries resources, it also promotes the protection and enhancement of water quality, aquatic ecosystems and the mauri of freshwater environments.

The Project aligns with these outcomes through the implementation of a best-practice stormwater management system incorporating treatment wetlands, raingardens, attenuation devices and water quality treatment measures designed to improve the quality of stormwater discharged from the Site. The Project also includes restoration of stream corridors, wetland enhancement, extensive indigenous riparian planting and long-term ecological management, resulting in an overall improvement in freshwater and ecological values compared with the existing environment.

9.4.2 Mana Ake - Ngā Hāpū o Heretaunga (Te Taiwhenua o Heretaunga)

Mana Ake - Ngā Hāpū o Heretaunga is a collective iwi management plan prepared by the hapū and marae of Heretaunga. It promotes the restoration of the mauri of freshwater, protection of wāhi taonga, recognition of mana whenua values, and meaningful participation by tangata whenua in the management of natural and physical resources.

The Project has been developed following engagement with Tamatea Pōkai Whenua and Waipatu Marae mana whenua representatives throughout both the referral and substantive application processes. Whilst no recent engagement has been forthcoming on the substantive application, a CIA was completed for the referral application which has informed several aspects of the final form of the Project, including groundwater protection measures, stormwater treatment and monitoring, ecological restoration, stream enhancement, native planting and long-term management of the freshwater environment.

9.4.3 Ngāti Hori Freshwater Resources Management Plan (Ngāti Hori)

The Ngāti Hori Freshwater Resources Management Plan seeks to protect and enhance freshwater resources within the Karamū catchment through improved water quality, riparian restoration, habitat protection and recognition of the cultural significance of freshwater.

The Project supports these outcomes through a best-practice stormwater management system, stream and wetland restoration, indigenous riparian planting, groundwater protection measures, and long-term monitoring and maintenance. Collectively, these measures will improve the quality and ecological function of water entering the wider Karamū catchment and support the restoration of freshwater values and mauri.

9.4.4 Tūtaekurī Awa Management and Enhancement Plan (Nga Hapu o Tutaekuri)

The Tūtaekurī Awa Management and Enhancement Plan is not considered directly relevant to the Project, as the Site is located within the Karamū catchment and does not discharge to the Tūtaekurī River.

9.5 Treaty Settlement Provisions and Redress

Clause 5(1)(i) of Schedule 5 of the FTAA requires the provision of information about any Treaty Settlements that apply in the project area, including:

- The identification of the relevant provisions in those Treaty settlements; and
- A summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area.

The relevant Treaty settlement legislation applying to the Project area comprises:

- Heretaunga Tamatea Claims Settlement Act 2018 ('HTCSA'); and
- Hawke's Bay Regional Planning Committee Act 2015 ('HBRPCA').

The relevant iwi authorities and Treaty settlement entities for the project are Ngāti Kahungunu Iwi Incorporated, Tamatea Pōkai Whenua, Te Taiwhenua o Heretaunga, and the Hawke's Bay Regional Planning Committee.

The Project has been developed having regard to these settlements. Engagement has been undertaken with the relevant iwi authorities and settlement entities in accordance with section 18(2) of the FTAA and summarised in Section 6.0 of this AEE and the Consultation Report at **Appendix 20**.

A CIA (**Appendix 16**) prepared by Ngahiwi Tomoana on behalf of Waipatu Marae has been prepared for the Project. The CIA confirms from a Ngāti Hinemoa, Ngāti Hori, and Ngāti Hawea perspective:

“Original claims to the land by Te Hapuku reflect deep whakapapa connections from Takapou to Te Hauke, Pakipaki, Waimārama, and Porangahau, with Ngāti Hawea links.

The Karanema Reserve was sold by Ngāti Hawea tīpuna. After Te Hapuku’s defeat at Whakatu and Puhara’s death at the Battle of Pakiaka, it is possible his mana over Te Heipora’s estate diminished. Did Te Hapuku’s defeat at Pakiaka result in the loss of the family’s rights to Karanema’s Reserve and, in any event, what part did he or could he properly have played in the sale?

Notably, wāhine such as Te Heipora, Hineipaketia, and Arihi Te Nahu held equal mana in te ao Māori, though colonial systems failed to recognise this.”

9.5.1 Heretaunga Tamatea Claims Settlement Act 2018

The HTCSA provides a range of cultural, commercial and statutory redress for Heretaunga Tamatea, including acknowledgements, deeds of recognition, cultural redress over specified sites, and provisions recognising the relationship of Heretaunga Tamatea with natural resources within the settlement area.

The HTCSA includes a statutory acknowledgement over the Karamū Stream and its tributaries. This is relevant to the Project because the site is located within the wider Karamū catchment and stormwater from the development will ultimately discharge to tributary watercourses within that catchment. The Project incorporates a best-practice stormwater management system, including treatment devices, attenuation, water quality controls and clean water discharge management. A suite of project conditions are proposed for the ongoing management, maintenance and monitoring of water quality. The Project also includes ecological enhancement of the on-site stream tributaries through stream realignment, riparian restoration, wetland reinstatement, indigenous planting and long-term ecological management. These measures will improve the quality and function of the tributaries relative to the existing environment and assist in protecting downstream freshwater values within the Karamū catchment.

9.5.2 Hawke's Bay Regional Planning Committee Act 2015

The Hawke's Bay Regional Planning Committee Act 2015 establishes the Hawke's Bay Regional Planning Committee and provides for tangata whenua participation in the preparation and review of the Hawke's Bay Regional Policy Statement. The Project has been developed having regard to the Hawke's Bay Regional Policy Statement and its objectives and policies, and the Applicant has engaged with HBRC throughout the development of the Project, including during pre-application consultation and refinement of the Project.

9.6 Other Plans

9.6.1 Napier Hastings Future Development Strategy 2025-2054

The FDS is a strategic planning document prepared under the NPS-UD. It provides a long-term framework for urban growth over the next 30 years, identifying preferred locations for future residential and business development, infrastructure investment, and growth management. The FDS seeks to achieve a compact urban form, provide sufficient development capacity, protect highly productive land, and ensure future growth occurs in well-functioning urban environments.

The Brookvale Green site is not identified as a future residential growth area within the adopted FDS. The Project therefore does not align with the preferred spatial pattern identified in the FDS.

for future greenfield residential development. HDC has relied on this point as a key basis for its strategic planning position on the Project.

By way of background, VSP engaged extensively in the FDS process, seeking that the Brookvale Green land be included in the Draft FDS. The Site scored highly through the FDS assessment process (noting that the HPL status at the time contributed to a lower score), and VSP made a submission seeking its inclusion as a future residential growth area. VSP also responded to requests for further information from the Reporting Officers and provided expert evidence to confirm the Site's suitability for urban development, including in relation to planning, servicing, infrastructure and other relevant constraints and opportunities. Despite VSP presenting a substantial body of technical and planning evidence to justify the inclusion of the site within the Draft FDS, it was not recommended for inclusion by the Hearing Panel. The Applicant understands that no contrary expert evidence or technical reporting was presented through the FDS process that directly refuted VSP's evidence regarding the Site's suitability for urban development. While the Site was ultimately not recommended for inclusion in the adopted FDS, the Applicant considers that this outcome should not be treated as a determinative finding that the Site is unsuitable for urban development. Rather, the Panel now has the benefit of a complete project-specific application package and technical reporting through which the specific effects of the Project can be assessed under the FTAA.

Notwithstanding this, it is relevant to recognise that the FDS is intended to guide future planning decisions and infrastructure investment rather than determine individual resource consent applications. The Project has been referred under the FTAA, which establishes a separate statutory approval pathway requiring the Panel to assess the Project on its individual merits, having regard to the purpose of the FTAA. In that regard, whether or not the Brookvale Green site is within the FDS, is not considered to be determinative for the approval of this application. This is particularly so where the adopted FDS does not identify sufficient feasible and reasonably expected-to-be-realised housing capacity to meet projected demand under the NPS-UD (refer to the Economics Assessment at **Appendix 12**). The FDS capacity shortfall reinforces the need for the Panel to consider the Project's contribution to housing supply, rather than treating the Site's exclusion from the FDS as determinative.

The Project is considered to advance a number of the broader outcomes sought by the FDS by:

- delivering approximately 203 new dwellings, contributing to regional housing supply and housing choice consistent with Objective 8 (sufficient land for housing);
- providing a range of housing typologies (Objective 4 housing choice) within a comprehensively master planned neighbourhood in the right location (Objective 2 compact urban form);
- creating a well-connected extension to the existing urban area immediately adjoining the consented Arataki development and within 2.5km of the Havelock North village, supporting Objective 7 (connected and accessible communities);
- integrating transport, three waters, reserves and ecological infrastructure through a coordinated development approach;
- restoration and significant enhancement of degraded stream corridors, wetlands and indigenous vegetation consistent with Objective 9 (protection and enhancement of the natural environment);

- incorporating climate resilience and comprehensive stormwater management approach supporting Objectives 3 (resilience to climate change and natural hazards); and
- Utilising land that is no longer identified as highly productive land under the NPS-HPL following the recent amendments. The Project therefore supports the intent of Objective 6 by providing suitable land for urban development rather than prime land that is recognised as highly productive under the current national planning framework.

Overall, while the Project is not located within an area identified for future residential growth under the FDS, the lack of inclusion is not considered determinative for the application, and Brookvale Green nevertheless achieves many of the FDS's broader objectives relating to housing supply, well-functioning urban environments, infrastructure integration, environmental enhancement and resilience. The significance of the site's exclusion from the FDS should therefore be considered alongside the Project's strategic urban location and housing supply capacity, the findings of the suite of technical reports, and the separate statutory framework established under the FTAA.

9.7 Planning Instrument Considerations Summary

Overall, the application is considered to be generally consistent with, and not contrary to, the applicable provisions of the NES-F, NES-AQ, NPS-FM, NPS-IB, FDS, HDP, RPS, RRMP, TANK and relevant iwi authority documents.

10.0 The FTAA Decision Making Framework

In considering whether to grant the approvals sought in this application, the Panel must meet the requirements of section 81 of the FTAA. This includes applying the relevant decision-making provisions in Schedule 5 for the resource consents sought under the RMA.

Decision making provisions relating to approvals sought through the Reserves Act 1977 under Schedule 6 are set out in **Volume B** and Wildlife approvals through the Wildlife Act 1953 under Schedule 7 are set out in **Volume C**.

10.1 Approvals Relating to the RMA 1991

Clause 17 of Schedule 5 outlines that when considering a resource consent application and setting conditions, the Panel must take into account the following:

- The purpose of the FTAA;
- The provisions of Parts 2, 3, 6 and 8 to 10 of the RMA that direct decision making on an application for a resource consent (but excluding s104D); and
- The relevant provisions of any other legislation that directs decision making under the RMA.

The Panel must give the greatest weight to the purpose of the FTAA.

The reference to Part 2 excludes Section 8 of the RMA and the reference to Part 6 excludes Section 104D. Any provision in Parts 2, 3, 6 and 8 to 10 that would require a decision-maker to decline an application for resource consent under the RMA, “but must not treat the provision as requiring the panel to decline the application”.

Consideration of Section 104(1)(c) of the RMA must include consideration of any mana whakahono a rohe or joint management agreements. This application has been prepared on the basis that Treaty settlements (as defined by the FTAA) and iwi planning documents lodged with the Council, would also be matters considered under this section.

Clause 18 of Schedule 5 outlines that Parts 6, 9 and 10 of the RMA relevant to setting conditions on a resource consent apply to the Panel.

10.2 Declining an Approval Under Section 85

The Panel must decline an approval if 1 or more of the situations in Section 85(1). The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights; and
- In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by Clause 17(5) Schedule 5 in an area.
- Matters relevant to the Wildlife Act and Reserve Act approvals are addressed in **Volume B** and **Volume C**, respectively.

The Panel may also decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the Applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

A Panel may not, however, form the view that an adverse impact meets the threshold for decline solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or relevant document that a Panel must take into account of otherwise consider in complying with section 81(2) (e.g. a national policy statement or district plan).

In subsections (3) and (4), adverse impact means any matter considered by the Panel under section 81(2) that weighs against granting the approval.

11.0 Assessment of the Proposal Against the FTAA Decision-making Framework

11.1 Information Considered

This planning report and appended information has been prepared considering the information referred to in s81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- The independent technical reports appended to the application;
- The analysis of Treaty settlement and iwi planning documents as prepared for the application. This was prepared with reference to the comments about these matters in MFE's feedback on the Referral application; and
- Feedback received from engagement with stakeholders.

11.2 Situations Where the Panel Must Decline an Approval

None of the situations where the Panel must decline an approval apply to the application:

- The application does not seek approval for an ineligible activity as defined in Section 5 of the FTAA;
- The detailed assessment of the Treaty settlements that apply to the site provided in Section 9.5 of this Report confirms that granting the approvals sought would be consistent with obligations arising under existing Treaty settlements and would therefore not breach section 7 of the FTAA; and
- Clause 17(5) Schedule 5 does not apply to the resource consent approvals sought because they do not include an application for a coastal permit for aquaculture activities.

Consequently, whether the approval is granted is a discretionary assessment of the Panel to be made in accordance with the provisions of the FTAA addressed below.

11.3 The Purpose of the Fast-track Approvals Act

Assessment of the proposal against the purpose of the FTAA is undertaken first because it is relevant to all of the approvals sought in this application, and is to be given the most weight by the Panel in its decision on all approvals.

The purpose of the FTAA is (Section 3 of the FTAA):

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

What constitutes a significant regional or national benefit is not defined in the FTAA. However, the considerations in Section 22(2)(a) have been used as a reference point for the purposes of this analysis. The Notice of Decision on the application for referral for Brookvale Green (**Appendix 22**) confirms the Minister is satisfied the project is an infrastructure or development project that would have significant regional or national benefits as it:

- (a) will increase the supply of housing through the construction of 189-215 residential units (s22(2)(a)(iii));*
- (b) will deliver significant economic benefits by providing approximately 81 full-time equivalent jobs and contributing approximately \$49 million in wages/salaries over a 7year delivery period, and contributing approximately \$81 million to GDP (s22(2)(a)(iv)).*

As outlined in this AEE and summarised below, the Project continues to demonstrate alignment with those relevant matters identified in section 22(2)(a) being increasing housing supply and significant economic benefits. This application remains consistent with the masterplan and analysis provided for the Referral Application (**Appendix 23**), and in our opinion, the Government’s assessment of the significance of the project’s regional benefits can be relied on. An updated assessment with respect to the substantive application is provided in the sections below.

11.3.1 The 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 NPS-UD) (s22(2)(a)(iii) FTAA)

Through the referral process, the Minister identified that the Project will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment as a key reason for referring the Project to the FTAA approvals process.

The Project will enable the development of 203 new dwellings in a comprehensively planned residential neighbourhood on the eastern edge of Havelock North. The development provides a range of housing typologies, including detached dwellings (including on smaller sites) and terrace housing, delivering a broader range of housing choice than is currently available within Havelock North. The average section size is approximately 500-600 m², which is substantially smaller than the existing average residential section size within Havelock North, providing more attainable housing opportunities for a wider range of households.

The accompanying Economic Assessment (**Appendix 12**) concludes that the Project will make a significant and timely contribution to housing supply within Hastings District. The assessment identifies that, based on HDC’s adopted FDS position, the District currently has an identified long-term shortfall of approximately 330 greenfield dwellings. It also notes that this shortfall is likely understated, as the FDS assumes a substantial proportion of future housing demand will be

accommodated through intensification, notwithstanding that the delivery of higher-density housing is inherently more sensitive to development feasibility, financing, market absorption and landowner behaviour. In addition, the Housing and Business Development Capacity Assessment identifies latent housing demand of between 620 and 1,065 dwellings that is not fully reflected in the headline demand projections. Against that background, the Project will provide approximately 203 additional dwellings, addressing more than 60 percent of the identified greenfield shortfall while providing a deliverable, master-planned development that is capable of responding to both current and future housing demand in a timely manner. The Economic Assessment also concludes that the additional housing supply will improve market responsiveness and assist in moderating future house price pressures relative to the status quo.

The Project has also been designed as an integrated extension of the existing Havelock North urban area. It adjoins established residential development to the west and the recently approved Arataki development, allowing the efficient extension of infrastructure, transport connections and reserve network. The master-planned nature of the development ensures that housing, infrastructure, ecological restoration and public access are delivered in a coordinated manner, consistent with the characteristics of a well-functioning urban environment anticipated by Policy 1 of the NPS-UD and addressed in Section 9.2.1 of this Report.

Overall, the Project will make a significant contribution towards meeting current and future housing demand while providing a well-connected, attractive and efficient urban environment.

11.3.2 The project will deliver significant economic benefits (s22(2)(a)(iv) FTAA)

The Minister also identified that the Project will deliver significant economic benefits as a basis for referral under the FTAA. The economic benefits of the Project have been assessed by Insight Economics. That assessment concludes that the Project will generate substantial regional economic benefits throughout both the construction and operational phases of the development.

Construction of the development is estimated to support approximately 400 full-time equivalent (FTE) years of employment, generating approximately \$52.4 million in regional GDP and \$26 million in wages over the construction period. After accounting for the loss of existing rural production, the Project is estimated to generate a net increase of approximately 315 FTE years of employment, \$23.7 million in wages and approximately \$47.9 million in regional GDP (net present value).

Beyond these quantified benefits, the Project will deliver a range of wider economic outcomes including:

- a substantial increase in housing supply that supports labour market growth and regional productivity;
- increased competition within the residential land market, encouraging more timely and efficient land release;
- approximately \$15 million of annual household expenditure once the development is fully established, supporting local businesses and centres throughout Havelock North, Hastings and Napier;
- significant private investment in housing and supporting infrastructure; and
- increased confidence in the region through the delivery of a major master-planned residential community.

The Economic Assessment concludes that these economic benefits significantly outweigh the relatively modest loss of existing rural production.

11.3.3 Summary

Overall, the Project meets the purpose of the FTAA by providing a significant increase in housing supply and substantial economic benefits to the Hawke's Bay region. The remaining matters in section 22(2)(a) are not relevant to the Project.

11.4 Resource Consent Approvals Sought

Clause 17(1)(b) requires the same assessment usually undertaken under Section 104 RMA subject to any amendments made by the FTAA including removing Sections 8 and 104D (Gateway test) from the assessment and adjusting provisions that would ordinarily require an application be declined, to being provisions to be taken into account.

The assessment below considers all of Parts 2,3,6, 8, and 10 applicable to a resource consent assessment, although given the above, the critical components are that relating to Part 6 which contains Section 104 and to Part 2 RMA which contains the purpose and principles.

Following this assessment, and in accordance with Clause 17(1) of Schedule 5, an overall assessment is then undertaken. This overall assessment must take into account the purpose of the FTAA (considering the extent of the benefits) as outlined above, and the relevant provisions of the RMA as summarised below, with the greatest weight being given to the FTAA's purpose.

11.4.1 Part 2 of the RMA

The following assessment is provided in accordance with Clauses 5(1)(g) and 17(1)(b) of Schedule 5 of the FTAA.

Part 2 of the RMA sets out the purpose and principles of the Act. Section 5 requires the sustainable management of natural and physical resources by enabling people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, while sustaining the potential of natural and physical resources for future generations, safeguarding the life-supporting capacity of air, water, soil and ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The Project is considered to be consistent with the purpose of section 5 because it delivers approximately 203 residential lots together with supporting transport, three waters and stormwater infrastructure, while incorporating significant stream restoration, wetland enhancement, indigenous planting and long-term ecological management. The Project responds to an identified need for additional housing within the Hastings District while integrating environmental enhancement and climate resilience into the design of the development.

The Project is also considered to be consistent with the relevant matters in sections 6 to 8 of the RMA because:

- **Efficient use:** Particular regard has been given to the efficient use and development of natural and physical resources through the comprehensive masterplanning of the Site, integration with existing urban development, efficient infrastructure provision and the delivery of additional housing supply;

- **Subdivision:** The Project has been designed to respond to the Site's existing natural features, including its streams, wetlands and drainage corridors. While the Project includes the a small section of realignment to Watercourse 1 and associated wetland disturbance where necessary to facilitate the integrated development, Watercourse 2 has been retained in its current location and existing wetland areas are to be significantly increased. The subdivision layout has been designed around these natural features, which form the basis of the stormwater management system, reserve network and ecological corridors. The Project also delivers significant stream restoration, wetland reinstatement and enhancement, indigenous riparian planting, improved fish passage and long-term ecological management, resulting in an overall net improvement in freshwater, wetland and indigenous biodiversity values. No outstanding natural features or landscapes, or areas of significant indigenous vegetation, are affected by the Project;
- **Protection of freshwater:** The Project recognises and provides for the protection and enhancement of freshwater values through restoration of Watercourse 1, retention and enhancement of Watercourse 2, significant wetland reinstatement, indigenous riparian planting, fish passage and best practice stormwater management;
- **Kaitiakitanga:** Particular regard has been given to kaitiakitanga through engagement with mana whenua and consideration of relevant iwi planning documents. The Project incorporates measures including stream and wetland restoration, water quality treatment and discharge, groundwater protection, an indigenous planting scheme and long term monitoring and maintenance of stormwater management systems;
- **Amenity values:** The Project maintains and enhances amenity values through a high-quality urban design response, significant landscape planting, reserves, ecological corridors and comprehensive rural interface treatments that provide an appropriate transition to adjoining rural land;
- **Public access:** The Project enhances public access to waterways by vesting both Watercourse 1 and 2 corridors in HDC and providing for public walkways through the Watercourse 1 corridor. This provides significantly greater public access and amenity than currently exists under private ownership;
- **Climate change & hazards:** The Project has been designed having regard to the effects of climate change and natural hazards through adoption of a 3.8°C climate change scenario, integrated stormwater management, flood modelling, upgraded culverts and flood conveyance corridors; and
- **Treaty of Waitangi:** The Applicant has had regard to the principles of the Treaty of Waitangi under section 8 through engagement with the relevant iwi authorities and Treaty settlement entities and by incorporating measures that recognise and protect the cultural and environmental values of the Site and the wider freshwater environment.

Overall, the Project is considered to achieve the sustainable management purpose of the RMA by delivering significant housing, infrastructure and economic benefits while appropriately avoiding, remedying and mitigating adverse environmental effects and providing substantial long-term ecological enhancement across the Site.

11.4.2 Part 3 of the RMA

Part 3 of the RMA sets out restrictions on the use of land, subdivision, activities in river and lake beds, water permits and discharges unless expressly authorised by a rule in a plan or a resource consent.

It is considered that the Project is consistent with the requirements of Part 3 of the RMA for the following reasons:

- **Section 9 - Restrictions on the use of land:** Resource consent is sought for all land use activities associated with the residential development, including earthworks, structures and associated works;
- **Section 11 - Restrictions on subdivision:** Resource consent is sought for the proposed subdivision of the Site to create residential lots, roads, reserves and associated infrastructure;
- **Section 13 - Restrictions relating to beds of lakes and rivers:** Resource consent is sought for all activities within the beds of rivers and streams, including stream realignment, wetland disturbance, culverts, stormwater outfalls, bank stabilisation and associated structures;
- **Section 14 - Restrictions relating to water:** Resource consent is sought for the diversion of Watercourse 1; and
- **Section 15 - Restrictions relating to discharges:** Resource consent is sought for the discharge of stormwater during both construction and operation of the Project.

In summary, all activities requiring authorisation under Part 3 of the RMA have been identified and form part of this Substantive Application. The Project has been designed to appropriately avoid, remedy or mitigate adverse environmental effects through an integrated design process informed by comprehensive technical investigations and managed through conditions of consent.

11.4.3 Part 6 of the RMA

Part 6 of the RMA relates to resource consents. It sets out how decisions on applications for resource consents are considered if applied for under the RMA. It is considered that the Project satisfies Part 6 because:

- **Section 87A - Classes of activity:** The application identifies the relevant activity status for each approval sought under the HDP, RRMP and NES-F. Overall, the Project is assessed as a non-complying activity;
- **Section 88 - Making an application:** This Application has been prepared in accordance with the requirements of the FTAA and includes the information that would ordinarily accompany a resource consent application under the RMA, including a comprehensive Assessment of Environmental Effects, technical reports and proposed conditions of consent. It includes all approvals required under the RMA;
- **Section 104D - Particular restrictions for non-complying activities:** While section 104D does not apply directly to the determination of applications under the FTAA, this AEE demonstrates that the actual and potential adverse effects of the Project can be appropriately avoided, remedied or mitigated and that the Project is supported by the relevant statutory planning framework;

- **Section 104G - Consideration of activities affecting drinking water supply source water:** The Site is located within the Hastings Source Protection Zone. The Project has been specifically designed to protect the quality of source water through hydrogeological assessment, a SWPP, impermeable liners, bore decommissioning, best practice erosion and sediment controls, construction management measures and ongoing monitoring. The proposed conditions of consent which have been developed in accordance with advice from HBRC ensure that activities will not give rise to significant adverse effects on the quality of water at the abstraction point for registered drinking water supplies, consistent with the requirements of section 104G;
- **Section 106 - Restrictions on granting subdivision consent:** The Project has been informed by detailed flood modelling, geotechnical and hydrogeological investigations. These assessments confirm that the subdivision can be developed without materially increasing natural hazard risk. The integrated stormwater management system, restored watercourses, upgraded Brookvale Road culverts, flood conveyance corridors and minimum floor level requirements ensure that future lots are suitable for residential development. While there are some localised changes in flood behaviour on adjoining properties, the Project delivers an overall improvement in flood management outcomes across the wider catchment. Further, geotechnical reporting confirms that the site is suitable to residential development, subject to conditions of consent being implemented;
- **Section 107 - Restrictions on grant of certain discharge permits:** The Project has been designed to ensure that stormwater discharges do not give rise to the adverse effects identified in section 107. Stormwater runoff will be treated through an integrated treatment train comprising raingardens, wetlands, proprietary treatment devices and detention systems prior to discharge to the restored stream network. Construction discharges will be managed through best practice erosion and sediment controls and certified management plans. Collectively, these measures ensure that the discharge will not result in significant adverse effects on the receiving environment and is consistent with the intent of section 107;
- **Section 123 - Duration of consent:** The proposed conditions provide for appropriate consent durations having regard to the nature of the activities authorised, including the ongoing operation and maintenance of permanent infrastructure; and
- **Section 137 - Transfer of discharge permits:** The proposed conditions⁵² enable transfer of relevant regional consents in accordance with the RMA when ownership or responsibility for infrastructure changes following vesting of assets to HDC.

Accordingly, the information provided enables the Panel to undertake the assessment required under the FTAA in place of the equivalent resource consent process under the RMA.

11.4.4 Part 8 of the RMA

Part 8 of the RMA relates to designations and heritage orders. No designations or heritage orders apply to the site or are proposed.

⁵² Conditions 186-188, Appendix 28

11.4.5 Part 9 of the RMA

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. These matters are not relevant to any of the RMA approvals sought.

11.4.6 Part 10 of the RMA

Part 10 of the RMA establishes the statutory framework for subdivision and reclamations, including the creation of new allotments, the provision of infrastructure, the vesting of roads and reserves, the protection of natural features, and the use of consent notices and easements to secure ongoing management of land. It is considered that the Project is consistent with the purpose and intent of Part 10 because:

- All proposed lots and boundaries are identified on the scheme plans. The subdivision layout, including roads, reserves, easements and land to vest, is shown on the scheme plans and is consistent with standard subdivision practice;
- Appropriate provision has been made for the vesting of public infrastructure, including roads and stormwater assets, ensuring their long-term ownership, operation and maintenance by HDC;
- Esplanade reserves or strips are not required, as the relevant waterbodies on site do not meet the statutory criteria that would trigger such requirements;
- Future development of the subdivision will be appropriately managed through proposed consent notices, the Brookvale Green Design Guidelines and conditions of consent, which collectively secure high quality urban design, appropriate building setbacks, landscaping, geotechnical requirements and reverse sensitivity measures. Consent notices provide an appropriate mechanism to secure long-term compliance by future landowners; and
- Appropriate easements, legal access arrangements and servicing rights will be established as part of the subdivision to ensure the efficient operation and maintenance of infrastructure and utilities.

On this basis, the subdivision component of the Project is considered to be consistent with the relevant provisions of Part 10 of the RMA.

11.4.7 Other Relevant Legislation

In accordance with Clause 17(1)(c) of Schedule 5 of the FTAA, it is considered that there are no other legislative provisions that direct decision-making under the RMA in relation to the resource consents sought.

Assessment of the legislation relating to the Reserve Act approvals and Wildlife Act approvals sought for the Project are addressed in **Volumes B** and **C** respectively.

11.4.8 Conclusion

Based on the analysis above, it is considered that the application is consistent with the parts of the RMA relevant to decision making under the FTAA, and the documents to which they refer.

11.5 Decision Whether to Grant the Approvals Sought in the Application

11.5.1 Resource Consent Approvals

Section 81 of the FTAA sets out the matters the Panel must consider when determining the approvals sought. Section 85 provides that an approval may only be declined where the Panel forms the view that the adverse impacts of the Project are sufficiently significant to be out of proportion to its regional or national benefits.

As demonstrated throughout this AEE, none of the circumstances requiring the Panel to decline the application arise in relation to the Project. Having regard to sections 81 and 85 of the FTAA, it is respectfully submitted that the approvals sought should be granted for the following reasons:

- The Project will deliver approximately 203 new dwellings, making a significant contribution to housing supply, housing choice and the delivery of a well-functioning urban environment within the Hastings District;
- The Project represents an investment of approximately \$151 million and will generate substantial regional economic benefits, including approximately \$48 million net regional GDP (NPV), approximately 400 FTE-years of construction employment, approximately 315 net FTE-years of employment and approximately \$23.7 million in net wages;
- The Project establishes a comprehensively planned urban extension immediately adjoining the existing Havelock North urban area, providing integrated transport, three waters and stormwater infrastructure together with high-quality public reserve and urban design outcomes;
- The Project has been designed around the site's existing natural features. While the Project includes the realignment of Watercourse 1 and limited wetland disturbance, it also delivers significant stream restoration, wetland reinstatement and enhancement, indigenous riparian planting, ecological connectivity and long-term environmental management, resulting in a substantial net improvement in freshwater and ecological values;
- The Project incorporates best practice stormwater management, groundwater protection measures and climate-resilient infrastructure, resulting in improved water quality, enhanced flood resilience and protection of the Hastings Source Protection Zone; and
- The Project has been informed by comprehensive technical investigations and an iterative multidisciplinary design process. Actual and potential adverse effects have been appropriately avoided, remedied or mitigated through the Project design and the proposed conditions of consent.

The Project has been assessed against the relevant statutory framework, including the FTAA, the RMA, national direction, the RPS, the RRMP, the HDP and relevant iwi planning documents. While the Project is not anticipated by the operative Plains Production Zone or identified within the adopted FDS, the Project establishes a comprehensive planning framework that delivers significant housing, infrastructure and environmental benefits consistent with the purpose of the FTAA.

In considering section 85(3) of the FTAA, the Applicant acknowledges that the Project will result in some adverse effects. These include urbanisation of the Site, realignment of Watercourse 1, disturbance of wetlands, changes in the visual character of the locality, localised changes to flood behaviour on adjoining properties, and temporary construction effects.

These adverse effects have been comprehensively assessed throughout this AEE and have informed the design of the Project. They have been avoided, remedied or mitigated through the proposed layout, engineering design, stream restoration, wetland reinstatement, ecological enhancement, landscape treatment, stormwater management system and the comprehensive suite of proposed consent conditions. Where residual effects remain, they are localised, appropriately managed and, in many cases, are accompanied by significant environmental enhancement.

Accordingly, the Applicant considers that the adverse impacts of the Project are not sufficiently significant to be out of proportion to its regional benefits. The Project will deliver enduring public benefits through increased housing supply, substantial private investment, employment, integrated infrastructure, improved freshwater management, ecological restoration, public access to restored waterways and a well-designed urban neighbourhood.

Overall, it is considered that the Project is consistent with the purpose of the FTAA and the relevant statutory framework. The Applicant respectfully requests that the Panel grant the approvals sought, subject to the proposed conditions of consent.

11.5.2 Reserve Act Approval

In determining the Reserves Act approvals, the Panel must consider the matters set out in section 81 of the FTAA and Clause 7 of Schedule 6. An assessment is provided in Section 8.0 of **Volume B**.

11.5.3 Wildlife Act Approval

In determining the Wildlife Act approval, the Panel must consider the matters set out in section 81 of the FTAA and Clause 5 of Schedule 7. An assessment is provided in Section 8.0 of **Volume C**.

12.0 Proposed Conditions

This section of the application is provided in accordance with Clause 5(1)(k) and Clause 18 of Schedule 5 (relating to the RMA approvals) of the FTAA. These clauses require that an application provides conditions for the resource consent. Refer to separate consideration of conditions proposed under Clause 8 of Schedule 6 relating to Reserves Act approvals (**Volume B**), and Clause 8 of Schedule 7 relating to the Wildlife Act approvals (**Volume C**).

The proposed conditions are contained in the Conditions Suite included as **Appendix 28**. The Conditions Suite has been structured to align with the separate approvals sought through this application, as follows:

- **LUC-XXX**: land use consent under section 9 of the RMA for the comprehensive residential development of the site, including the establishment of residential activities, residential buildings, earthworks and associated infrastructure on Plains Production zoned land;
- **SUB-XXX**: subdivision consent under section 11 of the RMA for the creation of residential lots, roads to vest, accessways, local purpose drainage reserves, easements, consent notices and associated legal instruments;
- **LUS-XXX**: regional land use consent under sections 9 and 13 of the RMA for stream, wetland and structure works, including culverts, crossings, stormwater outlet structures, works within or adjacent to stream beds, and wetland modification and reinstatement;

- **WAT-XXX:** water permit under section 14 of the RMA for the diversion and realignment of watercourses and associated activities required to establish and maintain the proposed stream and stormwater management network;
- **DIS-1XX:** discharge permit under section 15 of the RMA for the diversion and discharge of stormwater from the development to Watercourse 1, Watercourse 2 and downstream receiving environments, including the operation and maintenance of the proposed stormwater management system;
- **DIS-2XX:** discharge permit under section 15 of the RMA for the temporary discharge of contaminants associated with construction works, through the use of flocculants and chemically treated sediment retention devices; and
- **WA-XXX:** Wildlife Approval under the Wildlife Act for the salvage, handling, relocation and incidental killing of indigenous lizards. Refer to **Volume C**.
- **RAC-XXX:** Reserve Act approval for an easement over Reserve land for public road access; and a works permit to construct part of a public road and undertake associated development integration works, including vegetation clearance and replanting, earthworks, batter slopes and retaining structures. Refer to **Volume B**.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k) of Schedule 5 (RMA approvals) the conditions are proposed to:

- Have regard to the standard consent administration practices of HDC, HBRC and DOC;
- Provide a clear, practical and efficient framework for implementation, compliance and long-term management of the development by all users of the conditions including the Applicant, Councils, contractors and future lot owners;
- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects as set out in this report (principally Section 9) and appended application material;
- Provide for appropriate monitoring and reporting to demonstrate compliance with consent conditions, confirm the effectiveness of mitigation measures, and support the long-term management of environmental effects; and
- Give effect to those matters that the Panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the FTAA and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

13.0 Conclusion

The Project involves the development of a comprehensively planned residential community at 174 and 176 Brookvale Road, Havelock North, comprising 203 residential dwellings together with supporting transport, three waters and stormwater infrastructure, reserves, stream restoration, wetland enhancement and landscaping. Based on the assessments contained within the substantive application **Volumes A, B and C**, and the appended material, it is considered that:

- The Project achieves the purpose of the FTAA by facilitating the delivery of a project that will provide significant regional and district benefits through increased housing supply, substantial economic investment, employment, integrated infrastructure and environmental enhancement;
- The Project is considered to be consistent with the relevant provisions of Parts 2, 3, 6 and 10 of the RMA;
- Comprehensive consultation and engagement has been undertaken with HDC, HBRC, the DOC, mana whenua, neighbouring landowners and other key stakeholders, and that engagement has informed the evolution of the Project;
- Relevant planning documents prepared by iwi authorities and Treaty settlement legislation have been considered in the design and assessment of the Project;
- The Project has been informed by comprehensive technical investigations and an iterative multidisciplinary design process. Actual and potential adverse effects have been appropriately identified and, where practicable, avoided, remedied or mitigated through the Project design and the proposed conditions of consent;
- While the Project includes the realignment of Watercourse 1 and limited disturbance to existing wetlands, it will deliver significant environmental benefits through stream restoration, substantial wetland reinstatement and enhancement, indigenous riparian planting, groundwater protection and long-term ecological management, resulting in a net improvement in freshwater and ecological values across the Site;
- The Project is generally consistent with the relevant National Policy Statements, National Environmental Standards, the RPS, RRMP, HDP and relevant iwi planning documents;
- The Project satisfies the relevant assessment criteria Schedules under the RMA, Wildlife Act, Reserves Act and the FTAA; and
- The application includes all information required to enable the Panel to determine the resource consent, Reserves Act approvals, and Wildlife Act approvals sought.

Overall, the Project will deliver a well-designed residential neighbourhood that responds appropriately to the site's environmental characteristics while making a significant contribution to housing supply, economic growth, public infrastructure and environmental restoration within the Hastings District and wider Hawke's Bay Region.

For the reasons set out in this Report, it is considered that the Project satisfies the requirements of Section 81 of the FTAA and that the Panel is able to grant the approvals sought, subject to the proposed conditions of consent.