



Brymer Farms

Fast-track Approvals Act 2024 Substantive
Application

Hamilton, Waikato

Assessment of Environmental Effects and Statutory Analysis

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B&A

Urban & Environmental

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Prepared by:



Alisa Neal

Senior Associate, Barker & Associates Limited

Reviewed by:



Fraser McNutt

Partner, Barker & Associates Limited

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Glossary of Terms

Term	Explanation
AEE	Assessment of Environmental Effects
CIA	Cultural Impact Assessment
DSI	Detailed Site Investigation
EIA	Economic Impact Assessment
EcIA	Ecological Impact Assessment
EPA	Environmental Protection Authority
FTAA	Fast-track Approvals Act 2024
FTE	Full-time Equivalent
HAIL	Hazardous Activities and Industries List
WDC	Waikato District Council
ODP	Waikato Operative District Plan
ODPIP	Waikato Operative District Plan In Part
NES	National Environmental Standard
NES-AQ	Resource Management (National Environment Standard for Air Quality) Regulations 2004
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
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 for Indigenous Biodiversity 2023
NPS-UD	National Policy Statement on Urban Development 2020
RITS	Waikato's Regional Infrastructure Technical Standards
RMA	Resource Management Act 1991
WORPS	Waikato Operative Regional Policy Statement
WRC	Waikato Regional Council
WPRPS	Waikato Proposed Regional Policy Statement
WRP	Waikato Operative Regional Plan

1.0 Executive Summary

1.1 Overview

This Assessment of Environmental Effects (AEE) has been prepared in support of an application by Brymer Farms Limited (the Applicant) to the Environmental Protection Authority (EPA) for the approvals required to authorise the Brymer development (the Project).

This Assessment of Environmental Effects (AEE) has been prepared on behalf of Brymer Farms Limited (the Applicant) in support of a substantive application to the Environmental Protection Authority (EPA) for the approvals required to authorise the Brymer development (the Project).

The Project is a comprehensively planned, multi-staged urban development on approximately 81 hectares adjoining Hamilton's western urban edge. The Site extends between the existing Hamilton urban area to the east and north-east, O'Brien Road to the west and State Highway 23 to the south. It comprises Lot 1 DPS 87291, Part Lot 2 DP 18355, Lot 3 DP 385271, Lot 22 DPS 79526 and Allotment 365 Parish of Pukete.

The Project was referred under the Fast-track Approvals Act 2024 (FTAA) by a Notice of Decision issued by the Minister on 4 September 2025. The application seeks the land-use, subdivision, regional and infrastructure approvals necessary to enable the coordinated and progressive urbanisation of the Site.

The Project will provide approximately 1,043 residential units, including approximately 248 apartments, across a range of housing typologies, lot sizes and densities. The proposed housing includes apartments, terraced and duplex dwellings, detached dwellings on conventional, compact, irregular and sloping lots, and eight larger rural-residential lots. Higher-intensity housing is concentrated around the neighbourhood centre, public open spaces and principal movement routes, with lower-intensity development and landscape treatment providing transitions at sensitive residential, rural and rural-residential interfaces.

Two mixed-use sites will provide approximately 2,184 m² of commercial gross floor area, approximately 552 m² of office gross floor area and residential apartments. Together, these sites will establish a neighbourhood-scale focus for local services, employment and community activity.

The proposed urban structure and land-use pattern are shown on the Masterplan in **Appendix 6** and assessed in the Urban Design Assessment in **Appendix 10**. Detailed architectural plans for the apartment and mixed-use buildings are provided in **Appendix 8**. Development of the fee-simple residential lots will be managed through the approved masterplan and subdivision scheme plans, the residential typology plans in **Appendix 7**, and the Residential Design Guidelines in **Appendix 9**. Together, these documents establish an integrated framework for managing building scale and placement, residential amenity, streetscape relationships, access, parking, landscaping, architectural quality and interfaces with streets, open spaces and adjoining properties.

Except for the separate Stage 1 and Stage 1A areas, the internal transport network is structured around collector roads that will ultimately connect Grandview Road with State Highway 23. Stage 1 will be accessed from Harrogate Place and limited to 118 dwellings, while Stage 1A will be accessed from O'Brien Road and contain eight rural-residential dwellings. Neither stage will have a through-vehicle connection to the integrated road network.

Grandview Road will provide the initial access to the integrated development area for up to approximately 200 dwellings. The permanent State Highway 23 connection will be constructed and operational before that threshold is exceeded. The completed network will provide collector and local roads, access lots and rear lanes, footpaths, a bi-directional cycleway along the collector roads, provision for future public transport, and pedestrian and cycling connections to adjoining neighbourhoods, reserves and Te Kootii Park. The proposed transport infrastructure is shown in **Appendix 15** and assessed in the Integrated Transport Assessment in **Appendix 16**.

The Project will be serviced by progressively constructed water-supply, wastewater, stormwater and utility infrastructure. Except for the eight Stage 1A rural-residential lots, which will use on-site wastewater systems, the development will connect to the IAWAI reticulated water-supply and wastewater networks. Water supply will be provided through Hamilton City Council's IAWAI network under an authorised Waikato River take of up to 1,323 m³ per day.

The stormwater system will combine source controls, soakage and groundwater-recharge measures, piped conveyance, sediment forebays, artificial wetlands, treatment devices, modified channels, culverts, outlets and defined overland-flow paths. The system has been designed to manage stormwater quality and quantity, maintain groundwater recharge where practicable and manage downstream flood risk, including under future climate-change conditions. The proposed infrastructure is described in the Infrastructure Report in **Appendix 13**, the Stormwater Management Plan in **Appendix 14**, the Civil Engineering Drawings in **Appendix 15** and the Hydrology and Groundwater Assessment in **Appendix 20**.

Development will involve substantial earthworks, including approximately 70.1 hectares of soil disturbance, approximately 603,252 m³ of cut and approximately 899,962 m³ of fill. Approximately 296,710 m³ of engineered fill will be imported. The works also include retaining, preloading, temporary dewatering, erosion and sediment controls, and the formation of building platforms, roads, infrastructure corridors, stormwater facilities and reserves. Existing electricity lines within the Applicant's land will be undergrounded.

The masterplan integrates the urban development with a substantial blue-green and open-space network comprising retained and restored wetlands, new wetland habitat, watercourses, stormwater reserves, ecological restoration and compensation areas, parks, landscaped corridors and pedestrian connections. The ecological proposals include the retention and protection of approximately 1.52 hectares of kānuka treeland and approximately 26.7 hectares of ecological, landscape and stormwater-related restoration and planting. The ecological effects and proposed management measures are addressed in the Ecological Impact Assessment and associated fauna-management plans in **Appendix 23**. Landscape and visual effects are assessed in **Appendix 12**, with the proposed landscape works shown in **Appendix 11**.

The Project will be delivered through a multi-staged consenting and development framework so that subdivision, land use and infrastructure works can proceed progressively, subject to stage-specific servicing, access, environmental-management and implementation requirements. The staging framework is shown in **Appendix 4**.

Resource consents are required under the Waikato District Plan – Operative in Part, the remaining applicable provisions of the former Operative Waikato District Plan, the Hamilton City District Plan and the Waikato Regional Plan. The approvals sought include subdivision and land-use consents for residential, office and commercial activities; urban development within the applicable rural zoning; infringements of bulk, location and development standards; earthworks; water diversion

and take; works in and around wetlands and watercourses; road construction and vesting; and discharges to land, water and air.

Approvals are also required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).

The Applicant and its representatives have consulted with Waikato District Council, Hamilton City Council, Waikato Regional Council, the EPA, New Zealand Transport Agency Waka Kotahi, Heritage New Zealand Pouhere Taonga, the Department of Conservation and relevant iwi authorities, including Waikato-Tainui and Ngāti Māhanga. The engagement undertaken, feedback received and Project responses are recorded in the Engagement and Consultation Summary Report in **Attachment 2**.

This AEE forms **Volume 2** of the application and should be read together with the Planning Overview Report in **Volume 1**, the proposed conditions, and the supporting plans and technical assessments. It has been prepared in accordance with sections 43 and 44 and clauses 5–8 of Schedule 5 of the FTAA. It describes the existing environment and the Project, assesses the actual and potential effects on the environment, and identifies the measures proposed to avoid, remedy or mitigate adverse effects and, where appropriate, provide environmental offsets or compensation.

1.2 Assessment of Effects and Statutory Framework

The Project's actual and potential effects have been assessed through a comprehensive suite of technical investigations addressing construction, transport, infrastructure, stormwater, flooding, groundwater, geotechnical matters, contamination, ecology, landscape and visual amenity, urban design, noise, cultural values and archaeology. Those assessments identify the design responses, mitigation, ecological compensation, management plans, monitoring and consent conditions required to manage the Project's effects. The principal measures are consolidated in the Summary of Mitigations in **Attachment 6** and reflected in the proposed conditions in **Attachment 10**.

Construction effects have the potential to arise from large-scale earthworks, vegetation clearance, filling, preloading, temporary dewatering, construction traffic, noise, vibration, dust and the installation of infrastructure. Temporary construction dewatering may reach approximately 1,500 m³ per day. These effects will be managed through the staged delivery of works, erosion and sediment controls, dust suppression, construction traffic and noise controls, contaminated-land procedures, geotechnical supervision, groundwater and settlement monitoring, and the relevant construction and environmental management plans. The geotechnical, groundwater and contaminated-land assessments are contained in **Appendices 17–22**.

The transport network has been designed and staged to manage the effects of progressively increasing travel demand. Stage 1 and Stage 1A will remain separate from the integrated vehicle network. Up to approximately 200 dwellings within the integrated development area may rely on Grandview Road before the State Highway 23 connection is required to be operational. The completed collector-road network will then establish the principal connection between Grandview Road and State Highway 23. Detailed intersection design, safety auditing, active-mode facilities, parking and servicing controls, construction traffic management and provision for future bus services will address the transport effects identified in **Appendix 16**.

Stormwater and groundwater effects will be managed through an integrated treatment, attenuation, conveyance and recharge system designed in response to the Site's low-lying central area, wetlands, watercourses and shallow groundwater conditions. Ongoing groundwater interception associated with the stormwater wetlands is estimated at approximately 48 m³ per day. The proposed system and associated monitoring will manage peak flows and water quality, support retained wetland hydrology where required, maintain groundwater recharge where practicable and avoid unacceptable effects on adjoining land and downstream receiving environments.

The Project will result in the unavoidable removal of Wetlands K, L, M and N, comprising approximately 0.514 hectares of natural inland wetland, and approximately 133 metres of the modified ephemeral watercourse W2a. It will also affect freshwater margins and terrestrial habitat during site formation. The ecological response includes:

- Creating more than 0.75 hectares of new wetland habitat;
- Restoring and enhancing approximately 1.2 hectares of retained natural inland wetlands;
- Creating approximately 134 metres of new stream channel and restoring retained modified watercourses;
- Protecting approximately 1.52 hectares of kānuka treeland;
- Establishing approximately 26.7 hectares of ecological, landscape and stormwater-related restoration and planting; and
- Implementing indigenous planting, livestock exclusion, weed and animal-pest control, monitoring and species-specific fauna-management measures.

Bat, lizard, fish and native-bird management protocols will apply during vegetation clearance and works affecting aquatic habitat. The Ecological Impact Assessment in **Appendix 23** concludes that residual terrestrial effects will range from positive to low. Before ecological compensation, the residual effect of wetland loss is assessed as moderate and the residual effects of stream loss and culverting as low. Biodiversity compensation modelling predicts a 13.2% net gain in wetland habitat value and a 47.6% net gain in stream habitat value following implementation of the proposed restoration, habitat-creation and long-term management measures.

The proposed culverts will be designed and installed to provide for fish passage and will not create permanent barriers to fish movement. Installation of each culvert will take less than three months. The works are therefore not considered to constitute a complex freshwater fisheries activity requiring approval under Schedule 9 of the FTAA, and separate written approval under regulation 42 of the Freshwater Fisheries Regulations 1983 is not required.

Landscape and visual effects will arise from converting a modified pastoral landscape to an urban environment, altering landform and vegetation patterns and introducing buildings, roads and infrastructure. These effects are addressed through the distribution and scale of development, retention and enhancement of important landscape and ecological features, restoration planting, open-space corridors, urban-rural interface treatments, street and reserve planting, and controls applying to future dwellings. The Landscape and Visual Impact Assessment in **Appendix 12**, Landscape Plans in **Appendix 11**, Urban Design Assessment in **Appendix 10** and Residential Design Guidelines in **Appendix 9** establish the basis for these measures.

Potential effects on human health from contaminated soil will be managed in accordance with the Detailed Site Investigation in **Appendix 21** and the Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**. Cultural and archaeological effects are addressed through engagement with mana whenua, the Cultural Impact Assessment in **Appendix 24**, the Archaeological Assessment in **Appendix 25**, the archaeological site-management procedures in **Appendix 26**, cultural monitoring and accidental-discovery protocols.

The Project has been assessed under the decision-making framework applying to substantive applications under the FTAA. That assessment addresses the purpose of the FTAA, the relevant provisions of the Resource Management Act 1991, applicable national policy statements and national environmental standards, Te Ture Whaimana o Te Awa o Waikato, the Waikato Regional Policy Statement, the Waikato Regional Plan, the applicable Waikato and Hamilton district-plan provisions, Treaty-settlement legislation and relevant iwi planning documents. Detailed assessments are contained in **Attachment 7** (objectives and policies), **Attachment 8** (rules) and **Attachment 9** (Treaty settlements and iwi planning documents).

The statutory assessment identifies areas of tension that require express consideration. In particular:

- The removal of natural inland wetland is classified as a prohibited activity under regulation 53 of the NES-F because the Site is currently rurally zoned and the works therefore do not qualify for the urban-development pathway in regulation 45C. The prohibited status arises from the Site's present zoning rather than from the nature or ecological merits of the proposed urban development. The FTAA nevertheless enables the Panel to consider and grant the required approval.
- The wetland loss creates tension with Policy 6 of the National Policy Statement for Freshwater Management 2020. The Project has therefore applied the effects management hierarchy and provides a substantial package of wetland retention, restoration, habitat creation, compensation, monitoring and permanent protection.
- Approximately 2.5 hectares, or 3.2% of the Site, comprises LUC 3 land. This land occurs in small and fragmented areas and has limited practical productive value, but its conversion creates some tension with the National Policy Statement for Highly Productive Land 2022 and the rural-land provisions of the applicable district plans.
- The Project is not wholly consistent with district-plan provisions seeking to avoid urban development within the Rural Zone. However, the Site directly adjoins Hamilton's established urban edge, is identified through the regional strategic framework as suitable for future urban expansion, can be efficiently serviced, and has been subject to the comprehensive masterplanning, infrastructure, environmental and technical investigations ordinarily expected through a structure-planning process.

When the relevant instruments are read as a whole, the Project is generally consistent with their broader outcomes for urban development, infrastructure integration, housing supply, freshwater management, indigenous biodiversity, natural hazards, transport, amenity and the relationship of mana whenua with natural and physical resources. The identified areas of inconsistency or tension are not, of themselves, grounds requiring the Panel to decline the application under the FTAA.

A Wildlife Act 1953 approval for the handling, capture and relocation of lizards, including provision for accidental killing or injury, and an archaeological authority under the Heritage New Zealand

Pouhere Taonga Act 2014 are being progressed separately and do not form part of this substantive application.

On the basis of the Project design, technical assessments, proposed management plans and conditions, the Project's adverse effects can be appropriately managed. Effects that cannot be fully avoided or mitigated, particularly the loss of natural inland wetlands and part of watercourse W2a, have been expressly recognised and are addressed through the proposed ecological compensation, restoration, monitoring and long-term protection package.

1.3 Benefits of the Proposal

The Project will deliver a large-scale and comprehensively planned urban development with The Project will deliver a large-scale, comprehensively planned and infrastructure-supported urban development with significant regional benefits. It is therefore consistent with the purpose of the FTAA to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The principal benefit is a substantial and progressively delivered contribution to housing supply. The Project will provide approximately 1,043 residential units in an area where the Economic Assessment in Appendix 30 identifies strong projected demand and a shortage of feasible greenfield development capacity. Although some early-stage uptake may displace housing that would otherwise be delivered elsewhere, approximately 380 dwellings are expected to represent a net addition to supply by the end of the medium term, with the full development representing a net addition over the longer term.

The mix of apartments, terraced houses, duplexes, detached dwellings and rural-residential lots will increase housing choice across a range of dwelling sizes, densities and anticipated price points. The Economic Assessment identifies the potential for up to approximately 24% of the dwellings—nearly 250 homes—to fall within the applicable Hamilton first-home-buyer affordability benchmark. This represents an anticipated market outcome arising from the proposed housing mix rather than a guaranteed affordable-housing commitment.

The Project will also generate substantial economic activity. The Economic Assessment estimates approximately \$552 million in development and construction expenditure over the anticipated 2028–2045 construction period, approximately \$278 million in discounted value added and approximately 4,736 job-years of employment. Once occupied, Project households are estimated to generate approximately \$2.4 billion in expenditure over 30 years and approximately \$475 million in occupation-related value added after allowing for displacement. The neighbourhood centre is expected to support an average of approximately 67 positions over its first 20 years of operation, in addition to providing conveniently located goods, services and community activity.

The connected movement network will provide wider accessibility and integration benefits. The staged collector-road connection between Grandview Road and State Highway 23 will establish a legible north–south route through the Site. The walking and cycling network will connect homes with the neighbourhood centre, parks, the blue-green network, Te Kootii Park and adjoining neighbourhoods. Provision for future bus operation will support longer-term public-transport accessibility as Hamilton's western urban area develops.

The Project will establish a coordinated blue-green and open-space network that performs ecological, stormwater, landscape, recreation and movement functions. Wetland creation and restoration, riparian and hillside planting, protection of the kānuka treeland, pest and weed

control, livestock exclusion and fauna-management measures will improve habitat quality and ecological connectivity across substantial parts of the Site. Public parks, landscaped corridors and pedestrian routes will provide amenity, outlook, recreation and everyday access to open space for the future community.

The comprehensive masterplanning and design framework will support a coherent and well-functioning urban environment. Locating higher-intensity housing near the neighbourhood centre, open spaces and principal movement routes will promote the efficient use of land, support local services and encourage walking and cycling. The approved development controls, residential typologies, Residential Design Guidelines and detailed designs for the apartment and mixed-use sites will promote residential amenity, safe and attractive streets, appropriate interfaces and a high-quality public realm.

The Project will also provide coordinated three-waters, transport and utility infrastructure capable of supporting its staged delivery. Integrating infrastructure planning with land use, natural-hazard management, stormwater, ecological restoration and open space will improve the resilience of the development and avoid fragmented or ad hoc expansion at Hamilton's western edge.

The Project recognises Ngāti Māhanga as mana whenua and kaitiaki. Engagement and the Cultural Impact Assessment have informed the treatment of whenua, wai, wetlands, ecological restoration and cultural values. Ongoing mana whenua involvement is provided for through detailed design, cultural monitoring, ecological restoration and environmental management.

These benefits are most directly relevant to sections 22(2)(a)(iii), (iv) and (ix) of the FTAA. Collectively, the Project's contribution to housing supply and choice, economic activity and employment, local services, transport connectivity, infrastructure delivery, ecological restoration, cultural outcomes and integrated urban development will make a significant regional contribution to the Hamilton–Waikato urban environment.

None of the circumstances in section 85 of the FTAA that require the Panel to decline an approval apply. While the Project has adverse effects and identified areas of statutory tension, those matters have been expressly assessed and addressed through design, mitigation, ecological compensation, management plans, monitoring and proposed consent conditions. The remaining adverse impacts are not sufficiently significant to be out of proportion to the Project's regional benefits.

Accordingly, giving the greatest weight to the purpose of the FTAA and having regard to the other matters required by section 81 and Schedule 5, the resource-consent approvals sought can appropriately be granted subject to the proposed conditions in **Attachment 10**.

2.0 Introduction

This report comprises the Assessment of Environmental Effects (AEE) prepared in support of a substantive application by Brymer Farms Limited (the Applicant) under the Fast-track Approvals Act 2024 (FTAA) for the approvals required to authorise the Brymer development (the Project).

The Project is a comprehensively planned, multi-staged residential and mixed-use development on approximately 81 hectares adjoining Hamilton's western urban edge. The principal development site comprises Lot 1 DPS 87291, Part Lot 2 DP 18355, Lot 3 DP 385271, Lot 22 DPS 79526 and Allotment 365 Parish of Pukete (the Site). Existing access is available from Brymer Road,

O'Brien Road and 584 State Highway 23, Temple View. The Applicant has also acquired land at Harrogate Place and 234 Grandview Road to establish the proposed connection between the Site and Harrogate Place / Grandview Road respectively.

The Project will provide approximately 1,043 residential units, including approximately 248 apartments, across a range of housing typologies, lot sizes and densities. These include apartments, terraced and duplex dwellings, detached dwellings on conventional, compact, irregular and sloping lots, and eight larger rural-residential lots. Two mixed-use sites will form a neighbourhood-scale centre providing approximately 2,184m² of commercial gross floor area, together with office and residential activities. The centre will include a superette and other commercial tenancies intended to support residents' day-to-day needs.

The Masterplan in **Appendix 6** integrates the proposed development with a connected transport network, public open spaces, pedestrian and cycling routes, wetlands and watercourses, stormwater reserves, ecological restoration and compensation areas, and landscaped corridors. Except for the separate Stage 1 and Stage 1A areas, the transport network will be structured around collector roads that will ultimately connect Grandview Road with State Highway 23. The network will also connect the residential neighbourhoods with the mixed-use centre, parks, the central blue-green network, Te Kootii Park and surrounding neighbourhoods.

The Project will be supported by infrastructure constructed progressively with each development stage. This includes earthworks and retaining; public roads, jointly owned access lots and rear lanes; water-supply and wastewater connections to the IAWAI reticulated networks; internal reticulation, storage, pump stations and mains; an integrated stormwater-treatment, attenuation, conveyance and groundwater-recharge system; and power and telecommunications infrastructure. The eight rural-residential lots within Stage 1A will instead use on-site wastewater systems and separate non-potable and firefighting-water arrangements. Detailed servicing arrangements will be subject to infrastructure-provider requirements, detailed engineering design and the proposed conditions of consent.

The Project was accepted for referral under section 21(1)(a) of the FTAA by a Notice of Decision issued by the Minister on 4 September 2025. The Applicant is therefore authorised to lodge this substantive application for the land-use, subdivision, discharge and other resource consents required to enable the Project.

This substantive application and AEE have been prepared in accordance with sections 42–44 and clauses 5–8 of Schedule 5 of the FTAA, together with the relevant provisions of the Resource Management Act 1991. The application seeks resource-consent approvals under the applicable Waikato district and regional planning frameworks and national environmental standards.

A Wildlife Act 1953 approval for the handling, capture and relocation of lizards, including provision for accidental killing or injury, is being progressed separately and does not form part of this substantive application. An archaeological authority has also been sought separately from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014 and is being progressed outside the FTAA process.

The FTAA application form and statutory checklists are included in **Appendix 2**, and the Substantive Application Information Table is provided in **Attachment 1**.

Consistent with section 44 of the FTAA, the application contains information proportionate to the scale and significance of the matters to be assessed in determining whether to grant the approvals

sought. This includes an assessment of the Project's actual and potential adverse effects and the design measures, mitigation, offsetting, compensation, management plans, monitoring requirements and proposed consent conditions through which those effects will be managed.

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.

Alisa Neal, Senior Associate - Barker & Associates

I am a Senior Associate (Planner) with Barker and Associates. I am a qualified planner with a Bachelor of Urban Planning from the University of Auckland, and am an Intermediate Member of the New Zealand Planning Institute. I have over 12 years' experience as a Planner. I have been a planning consultant since 2019 with Barker and Associates, prior to that, I held a senior planner position at Hamilton City Council.

I have extensive planning experience in consenting, policy development consultation, including experience with statutory resource consent planning in the Northland, Auckland, Waikato and Bay of Plenty Regions, including an extensive range of work in the Whangārei, Kaipara and Rotorua Districts, as well as Wellington, Tauranga, Auckland and Hamilton City.

I have experience across plan-making and policy development under the Resource Management Act and preparing masterplans, and experience in preparing resource consents, including the assessment of complex and large-scale proposals. I have a thorough and practical understanding of the Resource Management Act 1991, Local Government Act 2002 and Building Act 2004.

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.

Fraser McNutt – Partner, Barker & Associates

I am a Partner and Planner at B&A. B&A is a planning, urban design and landscape consultancy with offices around New Zealand of which I manage the Waikato Regional Office. I have been employed at B&A since April 2019. I have a BSocSc Resources and Environmental Planning degree (REP) from Waikato University.

I am full member of the NZPI and RMLA. I have over 20 years Local Government Experience in Planning, Strategic Planning, Council Long Term and Ten-year Plan formulation. Experience and sound understanding of Local Government Act, Development Contributions, Property Rights. Experience and knowledge of the Resource Management Act, Plan/Place Making, Consenting and Building Act.

I have been involved in many large-scale Land use & Subdivision developments from both public and private perspectives including hotel developments, mixed use downtown development, apartment and terrace developments, commercial and industrial, roading and regional consents.

I have experience in preparing and navigating Fast Track Consents of regional significance. Have a unique understanding of Spatial Planning, Structure and Master Planning, Future Proof strategy and settlement patterns.

I confirm that, in my capacity as an author and 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.

2.2 Introduction to the applicant

The Applicant under section 42 of the Fast-track Approvals Act 2024 (FTAA) is Brymer Farms Limited (authorised person). The Project was accepted under section 21(1)(a) for referral by a Notice of Decision issued by the Minister on 4 September 2025.

Brymer Farms Limited is a land development company established specifically to undertake the Brymer development. It is jointly owned by entities associated with Pragma Property Group and The Ultimate Global Group and is led by Sanjil Mistry and Levin Da Costa. Through that ownership and delivery structure, the Applicant draws on local and international experience in land development, residential and commercial property, construction, project delivery, hospitality, tourism, agriculture and asset management.

Brymer Farms Limited is a relatively new entity and does not have an extensive consenting or development history in its own name. However, its shareholders and delivery partners bring experience across the property development lifecycle, including land acquisition, master planning, consenting, infrastructure coordination, construction and asset management. The Applicant's ownership structure, relevant experience, development approach and consenting history are described more fully in **Section 6** of the Planning Overview Report in **Volume 1**.

The Applicant's objective for the Project is to establish a comprehensively planned, connected and inclusive urban community that contributes to housing supply and choice while integrating local services, transport infrastructure, open space, stormwater management and ecological restoration. The Project's anticipated social, economic and environmental benefits are assessed in the relevant sections of this AEE and the Planning Overview Report.

2.3 Scope of Application

Section 46 of the Fast-track Approvals Act 2024 (FTAA) requires the Environmental Protection Authority (EPA), in consultation with the relevant administering agencies and consent authorities, to determine whether a substantive application is complete and within scope. Under section 46(2), a substantive application complies if:

- It complies with sections 42–44 of the FTAA;
- It relates solely to a listed or referred project;
- On the face of the application, the project does not appear to involve an ineligible activity; and
- Any applicable fee, charge or levy has been paid.

The Minister issued a Notice of Decision on 4 September 2025 accepting Brymer as a referred Project. The Project was described in that decision as follows:

The project is described as a master-planned residential and mixed-use development and involves the construction and operation of:

- a. approximately 1,650 residential units, including a 250-unit retirement village and a 0.3-hectare mixed-use neighbourhood centre with commercial properties (a café and superette)*
- b. open spaces including ecological restoration/offsetting, retention of natural wetlands and riparian revegetation*

c. transport infrastructure including local roads, cycle connections and pedestrian pathways
d. services infrastructure including a pump station, water discharge, takes and treatment areas, stormwater ponds and use of existing water bores.

The project will require the proposed approvals:

- *Resource consents under the Resource Management Act 1991*
- *Wildlife approvals under the Wildlife Act 1953.*

Following referral, the Project has been refined through masterplanning, technical assessment, consultation and infrastructure design. The principal differences between the referred Project and the substantive application are as follows:

- The residential yield has reduced from approximately 1,650 units to approximately 1,043 units, including approximately 248 apartments.
- The 250-unit retirement village has been removed. The relevant land has been incorporated into the wider residential masterplan and will accommodate a range of apartments, terraced and duplex dwellings and detached dwellings.
- The neighbourhood centre has increased from approximately 0.3 hectares to approximately 0.67 hectares. It has been developed into a more detailed mixed-use proposal providing approximately 2,184 m² of commercial gross floor area, together with office and residential activities. Its purpose remains neighbourhood-scale and principally directed towards meeting residents' day-to-day needs.
- The open-space and ecological proposals have been refined through detailed ecological, landscape, stormwater, hydrological and urban-design assessments. The substantive application retains and restores a number of wetlands and freshwater margins and provides ecological restoration, offsetting and compensation. It also proposes the removal of Wetlands K, L, M and N, comprising approximately 0.514 hectares, and approximately 133 metres of the modified ephemeral watercourse W2a. Those effects and the proposed response are addressed in the Ecological Impact Assessment and management plans in **Appendix 23**.
- The transport network has been developed in greater detail. Stage 1 and Stage 1A will have separate access arrangements, while the balance of the Project will be served by an integrated road network ultimately connecting Grandview Road with State Highway 23. The network continues to perform the referred Project's function of serving the development and connecting it with the surrounding urban and transport networks.
- The servicing strategy has been refined through engineering assessment and consultation with the relevant infrastructure providers. The principal urban development will connect to the IAWAI reticulated water-supply and wastewater networks. The eight Stage 1A rural-residential lots will use on-site wastewater systems and separate non-potable and firefighting-water arrangements. The Project will also include integrated stormwater treatment, attenuation, conveyance and groundwater-recharge measures.
- The substantive application seeks resource-consent approvals but does not include a Wildlife Act 1953 approval. The Wildlife Act approval associated with lizard handling, capture and relocation is being progressed separately. An archaeological authority is also being progressed separately under the Heritage New Zealand Pouhere Taonga Act 2014.

These changes represent design development and refinement of the referred Project rather than a change to its essential nature or purpose. The substantive application remains as a coordinated urbanisation of the Brymer land as a large-scale, master-planned residential and mixed-use

community supported by transport, three-waters and utility infrastructure and an integrated open-space and ecological network. The application does not introduce a materially different land use, project purpose or development site from that accepted and referred by the Minister.

The substantive application seeks only the resource-consent approvals required to authorise that Project. The separate progression of the Wildlife Act approval does not add any new activity or approval to the substantive application and does not alter the underlying Project for which resource consents are sought.

The Applicant considers that the substantive application complies with sections 42–44 of the FTAA, as demonstrated by the application documents and the FTAA application form and statutory checklists in **Appendix 2**. It relates solely to the referred Brymer Project and does not involve an ineligible activity.

The Project continues to provide significant regional benefits through its contribution to housing supply and choice, anticipated housing affordability and accessibility, construction and longer-term economic activity, neighbourhood services, transport connectivity, public open space and ecological restoration. Those benefits are assessed in Section 1.3 of this AEE, the Economic Assessment in **Appendix 30** and the Planning Overview Report in **Volume 1**.

Accordingly, the Applicant considers that, notwithstanding the design development and refinements that have occurred since referral, the substantive application relates solely to the referred Brymer Project and satisfies the completeness and scope requirements in section 46(2) of the FTAA.

2.4 Requirements for a Substantive Application

In accordance with Section 46 of the FTAA, the application complies with Section 42, Section 43 and Section 44. The application relates solely to a referred Project, and does not seek approval for an ineligible activity, as assessed in **Volume 1**.

2.5 Specified Matters for Accepted Referral Application

As shown in the Notice of Decision on application for referral of the Brymer Project under the Fast-track Approvals Act 2024 (**refer Attachment 3**) 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:

a. Brymer Farms Limited who lodged the referral application are specified as the persons authorised to lodge a substantive application for the project under section 27(2).

b. In relation to a substantive application for the project:

i. A deadline for lodging the application applies under section 27(3)(b)(i), the application must be lodged by two years from the date of issue of this letter.

c. The persons or groups from whom a panel must invite comments from in addition to any specified in section 53 (under section 27(3)(b)(iii)):

i. New Zealand Transport Agency.

Pursuant to section 16(2)(c), the Minister has directed any panel that considers a substantive application for this project to comply with the applicable requirements identified in the section

18 report with regard to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, namely to:

a. have particular regard to Te Ture Whaimana

b. give notice to the Waikato River Authority of the application (which may be fulfilled by an invitation to comment under section 53 of the Act)

c. consider the provisions for appointing hearing commissioners from the register maintained by the Waikato River Authority as they may be applied to the fast-track process

d. have regard to the Waikato-Tainui Environmental Plan, including how to provide for continued partnership between the applicant and Waikato-Tainui (as a consistent theme running through the plan); and

e. consider the detailed information-sharing provisions of the joint management agreement, as they may be applied to the fast-track process.

In response to these matters, we confirm that Brymer Farms Limited are specified as the persons authorised to lodge the substantive application for the project under section 27(2). The application lodgement date falls within the timeframe specified by the Minister (i.e. within two years from September 2025). **Attachment 2** sets out the engagement undertaken with the New Zealand Transport Agency and the Waikato River Authority, further, it is anticipated that the panel will invite comments from the New Zealand Transport Agency and the Waikato River Authority, in addition to persons specified in section 53.

Compliance with the applicable requirements identified in the section 18 report with regard to the Waikato-Tainui Raupatu Claims (Waikato River Settlement Act 2010) is set out in this AEE, including how the Project has particular regard to Te Ture Whamana and the Waikato Tainui Environmental Plan. It is anticipated that the panel will consider the provisions for appointing hearing commissioners from the register maintained by the Waikato River Authority as they may be applied to the fast-track process.

Although the procedures in the Joint Management Agreement were developed for resource-consent processes administered by Waikato Regional Council under the RMA, it is anticipated that their underlying information-sharing principles can be applied to the FTAA process. Accordingly, it is anticipated that Waikato-Tainui will be provided with the substantive application and relevant technical information, together with any material further information or amendments, and is given opportunities to identify outstanding matters and propose measures or conditions addressing effects on the Waikato River and its relationship with Waikato-Tainui. The Applicant's engagement with Waikato-Tainui set out in **Attachment 2**, including the Cultural Impact Assessment, subsequent responses and agreed ongoing engagement arrangements, assists in giving practical effect to these principles.

Accordingly, the Consultation summary report in **Attachment 2**, together with the discussion above demonstrates that the requirements of the Notice of Decision have been appropriately addressed.

3.0 Site Context

This section of the application is provided in accordance with Clause 5(1)(b) of Schedule 5 of the FTAA.

3.1 Site Locality

The Site comprises approximately 81.1 hectares of contiguous land situated on the western edge of Hamilton, within the Waikato District. Whatawhata Road / State Highway 23 adjoins the Site to the south, O'Brien Road forms part of its western edge, and Brymer Road adjoins part of its north-eastern edge. The Applicant also owns the adjoining property at 234 Grandview Road through which the proposed connection to Grandview Road will be established.

The Site is predominantly used for pastoral farming and associated rural activities. It contains open paddocks, farm tracks, stockyards, ancillary farm buildings, shelterbelts, scattered mature trees and areas of riparian and wetland vegetation. Historic drainage and agricultural use have substantially modified its freshwater environment.

The Site has varied topography. Its central portion is low-lying and gently sloping and is crossed by an extensive network of artificial drains and flow paths. To the north, the land rises into a more sloping and gully-incised landscape, with an elevated knoll and locally steeper slopes situated near State Highway 23 at the southern end of the Site. The Site forms part of the upper Ohote Stream catchment and contains natural inland wetlands, modified watercourses and artificial drains associated with its landform and historic drainage patterns.

The Site occupies a transitional peri-urban location where Hamilton's established western suburbs meet rural and rural-lifestyle land within the Waikato District. Grandview Heights and Western Heights adjoin much of the northern and eastern interface, while Nawton forms part of the wider urban context to the north-east. Te Kootii Park directly adjoins part of the Site and provides an established recreational and open-space edge. Rakautahi Park is also located nearby and forms part of the wider neighbourhood open-space network.

The northernmost part of the Site interfaces with rural-lifestyle properties, while land to the west and south remains predominantly rural or rural-lifestyle in character. O'Brien Road serves the rural properties along the western edge, and State Highway 23 forms a distinct southern boundary and the principal east–west connection between Hamilton and rural areas to the west. The Site therefore currently contributes to the open pastoral setting of Hamilton's western edge while also having a close physical and functional relationship with the adjoining urban area.

Figures 1–3 identify the overall Site and its northern and southern portions. **Figure 4** shows its broader location in relation to Hamilton, surrounding settlements and the principal transport network.

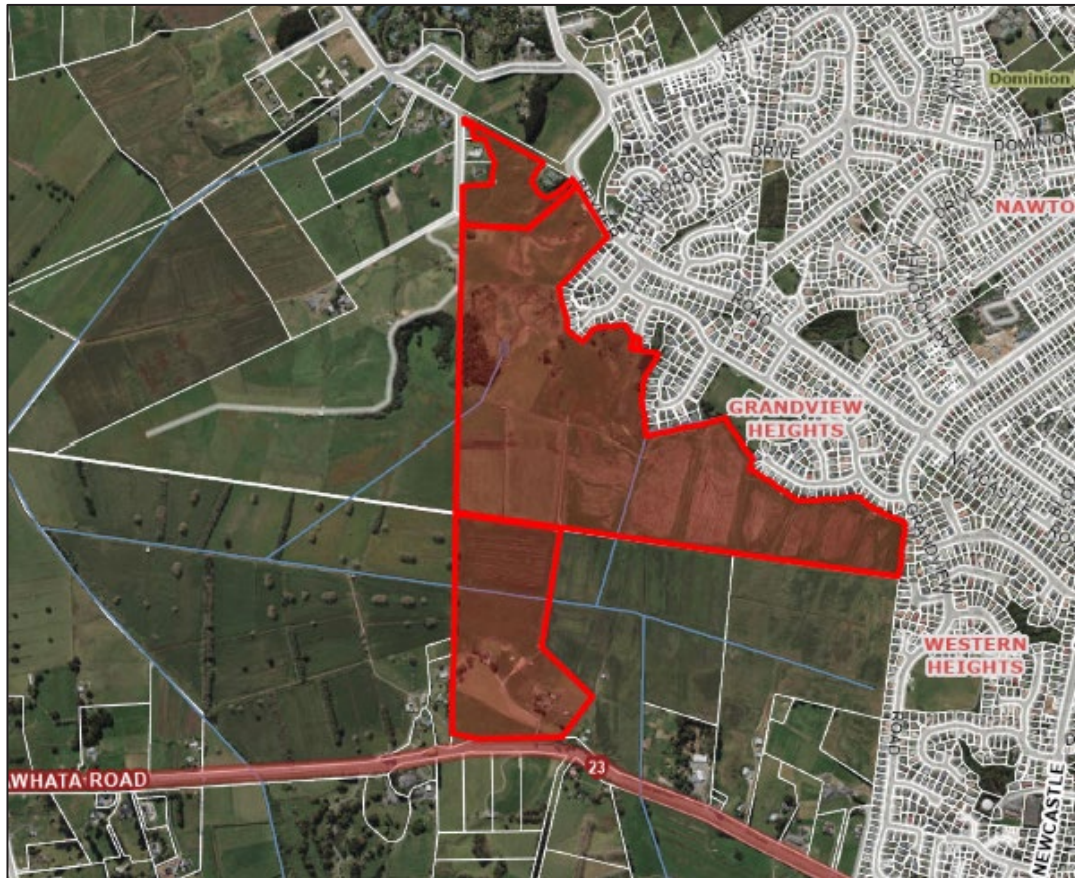


Figure 1: Site locality plan (overall site)

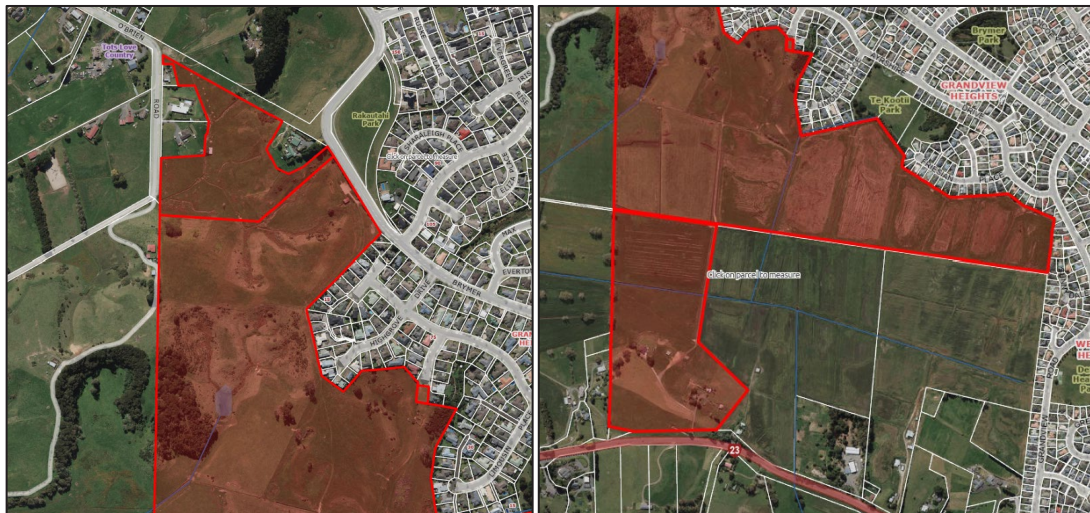


Figure 2 & Figure 3: Northern (left) & Southern (right) portions of the Site



Figure 4: Site location context map

3.2 Records of Title and Land Ownership

The Records of Title for the site and associated interests registered at the time of application are attached at **Appendix 1** and summarised in **Table 1** below. The landholdings are under the ownership of Brymer Farms Limited and comprise a series of rural lots that together form the Brymer Residential Development site.

The relevant legal instruments are summarised and discussed in the Interest Summary assessment at **Attachment 11**. That assessment concludes that the existing instruments do not preclude the proposed development of the site and can be appropriately addressed as part of the subdivision process. In particular, the relevant easements can be varied or relocated prior to the issue of new titles. These matters are addressed as part of this application.

Table 1: Landholdings within the Project site.

Legal Description	Area	Owner
Lot 22 Deposited Plan South Auckland 79526 (SA63C/424)	677 m ²	Brymer Farms Limited
Lot 3 Deposited Plan 385271 and Lot 1 Deposited Plan South Auckland 87291 (341666)	62.4060 hectares	Brymer Farms Limited
Allotment 365 Parish of Pukete (SA6D/233)	1444 m ²	Brymer Farms Limited
Part Lot 2 Deposited Plan 18355 (SA910/139)	18.3753 hectares	Brymer Farms Limited

3.3 Planning and Land Use Context

3.3.1 Zoning

The Site is predominantly located within the Waikato District. This land is zoned Rural under the Waikato District Plan – Operative and General Rural under the Waikato District Plan – Operative in Part, reflecting its existing rural and peri-urban character.

Lot 22 DPS 79526, at 10 Harrogate Place, is located within Hamilton City and is zoned General Residential under the Hamilton City Operative District Plan. It provides an existing connection between the Site and the established urban area. The separately acquired property at 234 Grandview Road, through which the proposed Grandview Road connection will be established, is also located within Hamilton City and is zoned General Residential.

The Site therefore occupies a transitional planning context. Established General Residential-zoned neighbourhoods adjoin much of its northern and eastern interface, while land to the west and south remains predominantly General Rural-zoned land within the Waikato District.

The Site is not presently identified as a growth area under Future Proof or the relevant Hamilton–Waikato spatial planning documents. The strategic appropriateness of the proposed urban development, including its relationship with the existing urban area, infrastructure and regional growth framework, is assessed separately in this AEE and the Planning Overview Report.

The applicable zoning and jurisdictional boundaries are shown in **Figures 5 and 6**. Relevant district-plan overlays and designations are described in Section 3.3.2, and the Waikato Regional Plan and associated regional mapping are addressed in Section 3.3.3.

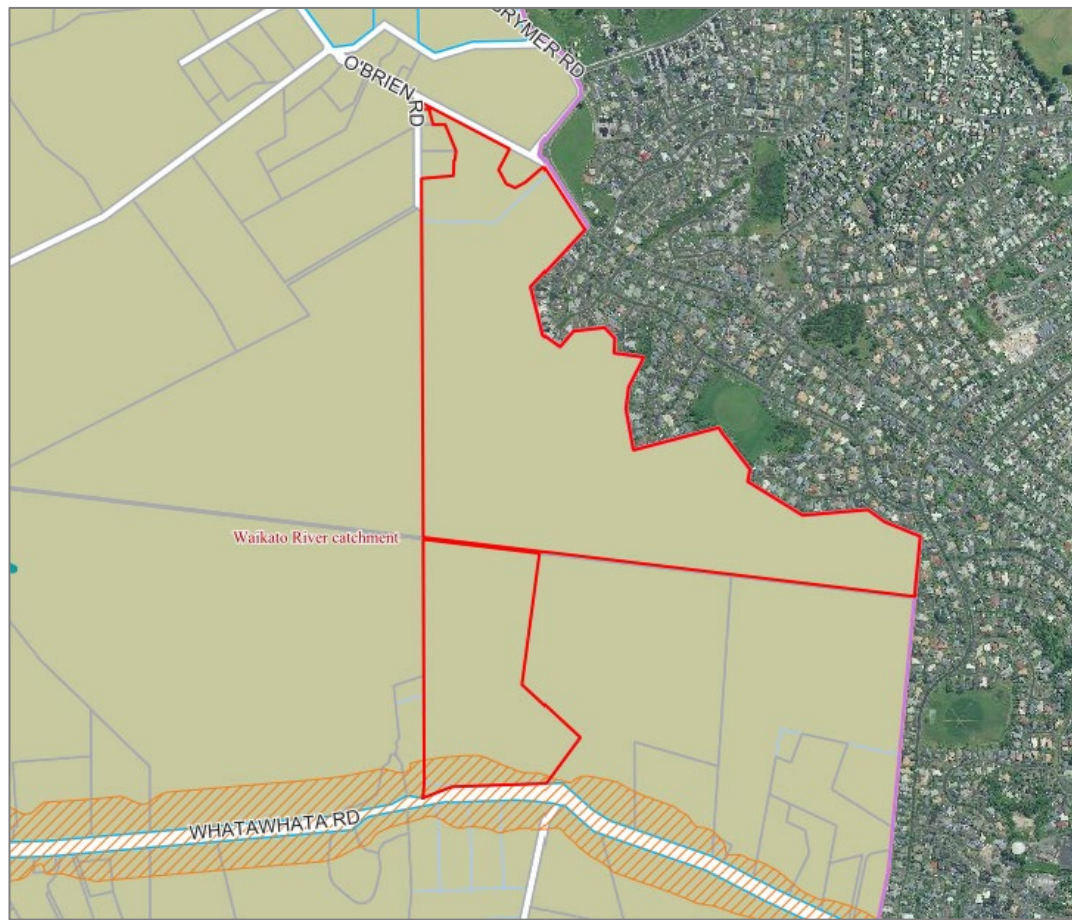


Figure 5: General Rural Zoning & Features of the Brymer Development site under the ODPIP



Figure 6: General Residential Zoning of the 10 Harrogate site under the HCC ODP

3.3.2 WDP and HCC ODP Policy Overlays

In addition to the applicable zoning, parts of the Project area are subject to district-plan overlays and other mapped controls.

The Waikato District portion of the Site is located within the Waikato River catchment overlay under the Waikato District Plan – Operative in Part. The Site forms part of the upper Ohote Stream catchment, which is hydrologically connected to the wider Waikato River catchment.

A small area adjoining State Highway 23 lies within the State Highway Corridor Noise Control Boundary. The Noise Assessment identifies that the affected area extends approximately 25 metres into the Site at the eastern end of its State Highway frontage and approximately 95 metres at the western end. New buildings containing sensitive activities within this area are subject to the acoustic design and ventilation requirements of NOISE-R44 and APP1 of the Waikato District Plan – Operative in Part.

State Highway 23 is contained within the NZ Transport Agency Waka Kotahi designation NZTA-15 adjoining the southern boundary of the Site. The designation does not extend over the Site, and no notice of requirement or alteration to the designation is sought through this application. Works affecting the State Highway corridor will nevertheless require the relevant approvals from NZ Transport Agency Waka Kotahi.

Lot 22 DPS 79526 at 10 Harrogate Place is located within the Hamilton Infrastructure Capacity Overlay under the Hamilton City Operative District Plan. The implications of that overlay for the proposed connection and associated works are addressed in the relevant district-plan assessment.

3.3.3 Waikato Regional Plan

The Waikato Regional Plan does not apply land-use zoning to the Site. However, its provisions are relevant to activities associated with earthworks, the diversion of water, works affecting watercourses and wetlands, and discharges to land and water. The applicable provisions and resource-consent requirements are assessed in the relevant statutory and rules assessments of this AEE.

The central, low-lying part of the Site contains an extensive network of artificial drains. The principal east–west drain and associated drains form part of the Ohote drainage scheme. Their presence is relevant to proposed crossings, diversions, discharge arrangements, maintenance access and the detailed design of the stormwater and movement networks.

Waikato Regional Council hazard mapping identifies parts of the Site as having possible Level A liquefaction susceptibility. This regional mapping provides preliminary hazard context rather than a statutory Waikato Regional Plan overlay. Site-specific investigations reported in the Geotechnical Investigation Report provide a more detailed assessment and identify elevated liquefaction risk under an ultimate limit state seismic event within the low-lying parts of the Site. The identified risks and proposed ground-improvement, earthworks, foundation and infrastructure design responses are addressed in the natural-hazards and geotechnical-effects sections of this AEE.

3.3.4 Surrounding environment

The immediate surrounding environment has a mixed urban, rural-lifestyle and rural character. To the north and east, the Site adjoins the established Hamilton neighbourhoods of Grandview Heights and Western Heights. These areas predominantly comprise one and two-storey detached

dwellings on conventional suburban lots, together with local streets, cul-de-sacs, pedestrian connections and neighbourhood open spaces.

Te Kootii Park directly adjoins part of the Site's northern and eastern interface and provides sports fields, a playground and informal recreation areas. Rakautahi Park is also located near the northern part of the Site. These reserves provide an established recreational and open-space focus within the adjoining residential environment and connect with the surrounding pedestrian and local street network.

The northernmost part of the Site interfaces with a small number of rural-lifestyle properties containing detached dwellings, ancillary buildings and established planting on larger lots. Land adjoining the Site to the west is predominantly rural and rural-lifestyle in character, comprising open pasture, grazing activities, dispersed dwellings and farm buildings, shelterbelts, hedgerows and mature trees. O'Brien Road provides access to these properties. State Highway 23 forms the southern edge of the Site and separates it from further rural and rural-lifestyle properties to the south.

Beyond the immediate receiving environment, Nawton and Dinsdale contain the nearest established commercial centres and a range of schools, community facilities and services. Frankton and Hamilton Central are located further east and provide higher-order employment, commercial, education and transport functions. The developing Rotokauri area and Te Rapa employment area form part of the wider urban context to the north and north-east. Waiwhakareke Natural Heritage Park and Hamilton Zoo are also located to the north-east and contribute to the wider ecological, recreational and community setting.

The Site is connected to the wider transport network by State Highway 23, Brymer Road, O'Brien Road, Harrogate Place and the adjoining Hamilton street network. Existing public transport services operate within the established urban area, including along Ayrshire Drive, Brymer Road and Newcastle Road. Existing streets, footpaths and nearby reserves also provide connections to the wider walking and cycling network.

Collectively, the adjoining residential neighbourhoods, rural and rural-lifestyle land, State Highway 23 and the surrounding open-space and movement networks establish a transitional peri-urban receiving environment at Hamilton's western edge.

3.3.5 Owner and Occupiers of the Site and Adjacent Sites

In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the full names and addresses of each owner of the Site and adjacent land, and of each person identified after reasonable inquiry as an occupier of that land, are provided in **Appendix 3**.

The schedule has been prepared by reference to the Project area, including Lot 22 DPS 79526 and the separately acquired property at 234 Grandview Road, and the land adjoining the resulting Project boundaries.

3.4 Cultural Context

The Site is located within the rohe of Ngaati Maahanga, a hapuu of Waikato-Tainui that holds mana whenua over the Site and surrounding area. Ngaati Maahanga have enduring ancestral associations with Whatawhata, Te Pahu, Waitetuna, Whaingaroa, Kirikiriroa and the surrounding cultural landscape and continue to exercise mana whenua and kaitiakitanga in relation to its whenua, wai, wetlands and taonga species.

The Site is not located within or immediately adjacent to a statutory acknowledgement area. However, it lies within the upper Ohote Stream catchment, which is hydrologically connected to the Waikato River. The municipal water supply for the Project is also supported by a separately granted consent authorising a surface-water take from the Waikato River through the existing Waiora intake. The Project therefore has both catchment-based and water-supply connections with the Waikato River, which is subject to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and Te Ture Whaimana o Te Awa o Waikato. The Site is not located within or adjacent to a protected customary rights area or customary marine title area recognised under the Marine and Coastal Area (Takutai Moana) Act 2011.

The cultural context of the Site is described in the Mana Whenua Statement and Engagement Report prepared by Te Huia Natural Resources Limited and the Ngaati Maahanga Cultural Impact Assessment (CIA), included as **Appendix 24**. The Mana Whenua Statement outlines the earlier engagement process, while the CIA provides the independent assessment and position of Ngaati Maahanga as mana whenua.

The Site forms part of a wider ancestral and cultural landscape associated with Ngaati Maahanga and, in particular, the occupation and activities of Ngāti Hourua. The CIA identifies connections with Te Ara o Kāroro, an early Ngāti Hourua paa and ancestral movement corridor extending through Dinsdale, Western Heights and Rotokauri towards Te Rapa. Historical information records a satellite kaainga on Brymer Road and an associated urupaa near the intersection of Newcastle Road and Whatawhata Road, where kooiwi were discovered during construction of the water tower. The wider landscape is also associated with Te Uhi Paa on the northern margins of Lake Rotokauri.

The cultural significance of the locality therefore extends beyond recorded archaeological sites and includes whakapapa, settlement and movement, cultural memory, urupaa, whenua, wai and taonga species. While no recorded archaeological site is presently mapped within the development footprint, the potential presence of waahi tapu, archaeological material, taonga tuuturu or kooiwi tangata cannot be excluded. An archaeological authority has been sought separately from Heritage New Zealand Pouhere Taonga and does not form part of the approvals sought through this substantive application.

Although the Site has been extensively modified through pastoral farming and drainage, its wetlands, modified watercourses, artificial drains, groundwater systems and peat-influenced soils remain part of a connected hydrological, ecological and cultural system extending to the Ohote Stream and wider Waikato River catchment. For Ngaati Maahanga, wai, whenua and taonga species are interconnected, and these features retain cultural importance in relation to mauri, mahinga kai, ecological function and the exercise of kaitiakitanga.

Engagement with Ngaati Maahanga has informed the development of the Project and the preparation of the CIA. A Memorandum of Understanding between Ngaa Uri o Maahanga Trust Board, on behalf of Ngaati Maahanga, and Brymer Farms Limited establishes a framework for ongoing engagement and collaboration through the planning, consenting, construction and implementation phases. The consultation undertaken, cultural effects identified in the CIA, Ngaati Maahanga's position on the Project and the proposed cultural mitigation and implementation measures are addressed in the relevant consultation, effects and statutory-assessment sections of this AEE.

3.5 Archaeology and Historic Heritage

No scheduled historic heritage items or mapped archaeological sites have been identified within the Site. However, the Site forms part of a wider ancestral cultural landscape associated with Ngaati Maahanga, Ngāti Hourua, Te Ara o Kāroro and Te Uhi Paa. The CIA also details an urupaa near the intersection of Newcastle Road and Whatawhata Road, where kooiwi were discovered during construction of the water tower.

Although the Site has been substantially modified by pastoral farming and drainage, the potential presence of unrecorded archaeological material, waahi tapu, taonga tuuturu or kooiwi tangata within the development footprint cannot be excluded. An archaeological authority has therefore been sought separately from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014. The authority is being progressed outside the FTAA process and does not form part of the approvals sought through this substantive application.

3.6 Ecological Context

The Site is a highly modified rural environment in which the principal remaining natural features comprise natural inland wetlands, modified watercourses, artificial drainage corridors and a small area of indigenous terrestrial vegetation. Historic vegetation clearance, wetland drainage, cultivation, cropping and grazing have substantially altered the original terrestrial and freshwater ecosystems.

The lower and eastern parts of the Site are predominantly used for maize cropping, while grazed and rough pasture occupies much of the more elevated northern land. Indigenous terrestrial vegetation is limited to an approximately 1.52-hectare kānuka treeland, two isolated tōtara, one isolated kahikatea and native plants occurring within some wetlands and drainage margins. Exotic pasture, crops, shelterbelts, hedgerows, scattered exotic trees and pest plants otherwise dominate the Site.

The Site is located within the Hamilton Ecological District and the upper reaches of the south-eastern branch of the Ohote Stream catchment. The Ohote Stream is a tributary of the Waipā River and forms part of a wider freshwater and ecological system that includes Lake Rotokauri, Lake Waiwhakareke, peat lakes, wetlands and associated drainage networks.

The ecological features within the Site have been identified in the Ecological Impact Assessment prepared by Ecological Solutions Limited (EclA), included in **Appendix 23**, and are shown on the Ecological Features Plan at **Figure 7**. No Significant Natural Areas are mapped within the Site, and no plant species of conservation concern or particular botanical interest were identified during the ecological surveys.

Notwithstanding the absence of a mapped Significant Natural Area, the EclA concludes that all natural inland wetlands within the Site meet criterion 4 of the significance criteria in the Waikato Regional Policy Statement because wetlands are an under-represented habitat type within the Hamilton Ecological District. The wetlands are described as having a relatively low level of significance because they trigger that criterion alone, are highly modified and are dominated by exotic vegetation. They nevertheless have enduring hydrology and good restoration potential.

Ecological values across the Site vary according to the feature or habitat assessed. Cropped land and grazed exotic pasture have negligible botanical value, while exotic trees and shrubs, the kānuka treeland, bird habitat and modified watercourses have low overall ecological value.

The principal area of indigenous terrestrial vegetation is approximately 1.52 hectares of mature kānuka treeland on the western side of the Site. The canopy comprises tall kānuka with occasional māhoe and kōhūhū and a single kāmahī, above a sparse and depleted understorey containing exotic pest plants. Stock grazing has also affected its condition.

The EclA assesses the kānuka treeland as having low botanical value because it is isolated, lacks developed understorey vegetation, contains exotic species and is not representative of a natural kānuka treeland ecosystem. It nevertheless provides a native seed source, habitat for common fauna and a potential ecological stepping stone within an otherwise pasture- and crop-dominated landscape.

Other indigenous terrestrial vegetation is limited to two isolated tōtara and one kahikatea, together with scattered native plants within wetlands and drainage margins. No terrestrial vegetation within the Site was assessed as meeting the significance criteria in the Waikato Regional Policy Statement or the criteria for Significant Natural Areas in the National Policy Statement for Indigenous Biodiversity.

Bird habitat is principally associated with the kānuka treeland, isolated mature trees, wetlands and drainage corridors. Eight common native and introduced bird species characteristic of rural and peri-urban environments were observed during the Site surveys. No Threatened or At Risk bird species were observed. The EclA assesses the Site as having low overall ecological value for birds and bird habitat, although the remaining trees, wetlands and vegetation provide local foraging, roosting, breeding and stepping-stone functions.

Most cropped and grazed land provides unsuitable or poor-quality indigenous-lizard habitat. Small and isolated areas of potential ground-dwelling skink habitat occur around buildings, rank grass, shrubs, hedgerows, woody debris, dumped materials and parts of the kānuka treeland. Two unidentified skinks were observed beneath isolated logs during the Site survey. Based on their appearance and the species known from the surrounding area, they may have been copper skink, ornate skink or introduced rainbow skink.

The EclA concludes that copper skink is the only native skink likely to be present, and then at very low density. Copper skink is classified as At Risk - Declining. Taking account of that potential presence and the limited, isolated and degraded habitat available, the Site is assessed as having moderate overall ecological value for lizards and lizard habitat. No habitat suitable for native geckos or native frogs was identified.

Mature exotic trees and the kānuka treeland provide limited potential commuting, foraging and roosting habitat for long-tailed bats. Acoustic surveys undertaken during October and November 2025 recorded two bat passes at separate monitoring units adjoining Wetland E. The detections were most likely commuting calls and may represent the same bat pass recorded by more than one monitor.

Long-tailed bats are classified as Threatened - Nationally Critical and have very high ecological value as a species. However, recorded activity within the Site and the wider north-western Hamilton area is low, and the Site contains only limited and generally low-quality potential habitat. The EclA therefore assesses the Site as having moderate overall ecological value for bats and bat habitat. The available evidence indicates that bats may occasionally commute through the Site, but does not establish that the Site is used as core foraging or roosting habitat.

The effects of vegetation removal and habitat modification, together with the proposed bird, lizard and bat-management measures and the planting and restoration programme, are assessed in the ecological-effects section of this AEE.

3.6.2 Freshwater Ecology

The freshwater environment within the Site comprises natural inland wetlands, modified perennial and ephemeral watercourses, and an extensive network of artificial farm drains. These features form part of the upper Ohote Stream catchment but have been substantially altered through historic wetland drainage, channel excavation, cultivation, grazing, stock access and ongoing drain maintenance.

The principal freshwater features identified in the EclA comprise:

- Natural inland wetlands: At the time of the ecological surveys, the Site contained 15 natural inland wetlands and a small fragment of a wetland extending from an adjoining property. These wetlands had an average area of approximately 1,063m² and collectively covered approximately 1.7 hectares. Their recorded extent may change over time in response to farming activities and seasonal conditions.
- The wetlands generally occupy shallow gullies over low-permeability soils. Their hydrology is considered to be supported by a combination of groundwater discharge or seepage, rainfall and surface runoff, with groundwater inputs likely to be particularly important during summer. Their vegetation is predominantly exotic, and their condition has been severely degraded by historic drainage and current or former grazing.
- The EclA assesses the wetlands as having moderate ecological value. This rating reflects the rarity of wetlands as a threatened and under-represented habitat type within the Hamilton Ecological District, rather than their existing condition, which is poor. The wetlands also form parts of connected wetland and watercourse systems, have enduring hydrology and possess good restoration potential. All are considered significant under criterion 4 of the Waikato Regional Policy Statement significance criteria.
- Modified watercourses: Approximately 1,429 metres of modified watercourses occur within the Site, comprising approximately 739 metres of perennial watercourse and 690 metres of ephemeral watercourse. These features generally originate within natural gullies and wetland areas in the northern part of the Site before extending across the flatter central land.
- The watercourses have been substantially altered by straightening, deepening and channelisation. They generally lack riparian vegetation, shading, effective floodplain connection and habitat diversity. Stream Ecological Valuation scores range from approximately 0.186 to 0.196, indicating very low ecological function. The EclA assesses the modified watercourses as having low overall ecological value.
- Artificial drains: Approximately 9,198 metres of artificial farm drains cross the Site, predominantly within the low-lying central peat area. Approximately 4,959 metres of this network has been constructed since 2022, with the remaining drains predating 1943. The drains are straight and channelised and generally lack riparian vegetation, shading and habitat diversity. They do not represent natural watercourses or provide important migration pathways or ecological connections. The EclA assesses them as having negligible ecological value.

- Existing pipes and culverts: Approximately 279 metres of the existing drainage network is piped or culverted. These structures are generally located beneath farm tracks and access routes crossing the artificial drains and modified watercourses.

Artificial drains and modified watercourses generally provide poor or very poor aquatic habitat. No native fish were captured during targeted trapping surveys. Environmental DNA sampling nevertheless detected longfin eel and shortfin eel, together with the introduced species rudd, goldfish and gambusia. A koi carp was also observed in Drain D9. These results indicate that native-fish use of the Site is limited, likely because of poor habitat conditions, degraded watercourses and possible downstream barriers to migration.

The wider Ohote Stream catchment supports a more diverse fish community, including longfin and shortfin eel, giant kōkopu, banded kōkopu, īnanga, common bully, black mudfish and common smelt. The presence of those species within the wider catchment does not establish their presence within the Site. In particular, giant kōkopu and black mudfish were not detected during the Site investigations.

The Site's freshwater features provide the ecological and hydrological context for the Project's proposed blue-green, stormwater and open-space networks. The effects of the Project on these features, including the proposed removal of Wetlands K, L, M and N, the loss of part of modified ephemeral watercourse W2a, culverting and other watercourse modifications, together with the proposed restoration, wetland creation, offsetting and compensation measures, are assessed in the ecological-effects section of this AEE.

3.7 Natural Hazards

The Site's natural-hazard context reflects its varied topography, low-lying peat and alluvial deposits, shallow groundwater and location within the upper Ohote Stream catchment. The principal hazards identified in the supporting technical assessments are:

- flooding and overland flow within the central low-lying area and the wider Ohote Stream catchment;
- settlement and subsidence associated with peat and other compressible soils;
- liquefaction and associated ground deformation within parts of the low-lying area during an ultimate-limit-state seismic event;
- localised slope-instability and earthworks-related stability risks within the elevated northern and southern areas;
- seasonal shrinkage and swelling or other abnormal ground conditions relevant to foundation design; and
- seismic ground shaking.

The Geotechnical Investigation Report in **Appendix 17**, Geotechnical Effects Management Plan in **Appendix 18**, Infrastructure Report in **Appendix 13**, Stormwater Management Plan in **Appendix 14** and Hydrology and Groundwater Assessment in **Appendix 20** conclude that the identified hazards do not preclude development of the Site. They will, however, require staged earthworks, ground improvement, preload and settlement monitoring, groundwater and stormwater management, appropriate building-platform levels, slope and retaining design, and site-specific foundation and infrastructure design.

The effects of the Project in relation to natural hazards are assessed in the natural-hazard effects section of this AEE.

3.7.1 Geotechnical Hazards

The Geotechnical Investigation Report prepared by CMW Geosciences is included in **Appendix 17**. The central low-lying part of the Site is predominantly underlain by Holocene swamp deposits, including peat and other soft or compressible soils. The elevated northern and southern areas generally comprise Pleistocene-aged silts, clays and sands. Groundwater is commonly shallow within the low-lying areas and was encountered at varying depths across the wider Site.

The principal geotechnical hazards and constraints are:

- Load-induced settlement: Filling and building loads over peat and other compressible swamp deposits would cause excessive settlement if undertaken without ground improvement. Fill-induced settlement within the low-lying areas is estimated to be approximately 300–800 mm without mitigation. The more detailed settlement assessment predicts primary consolidation settlement ranging from approximately 25mm to 780mm and potentially excessive post-construction creep settlement.
- Liquefaction and cyclic softening: Liquefaction-induced settlement is assessed as negligible under the serviceability-limit-state seismic event. Under an ultimate-limit-state event, widespread liquefaction and large total and differential settlements are predicted within parts of the low-lying soils, together with a potential risk of surface manifestation and lateral spreading. Some fine-grained alluvial soils may also be susceptible to cyclic softening. Heavy apartment or commercial buildings may require specific assessment of load-induced shear settlement and temporarily reduced bearing capacity.
- Slope stability: The proposed cut and fill slopes assessed in the Geotechnical Investigation Report meet the required factors of safety under the modelled static conditions. The preliminary recommended maximum gradients are generally 1V:2H for cut slopes and 1V:3H for fill slopes within the elevated ridges, and 1V:4H within the low-lying areas. Steeper slopes will require engineered retention or reinforcement. Under the modelled liquefied ultimate-limit-state condition, displacement of up to approximately 50mm may occur around parts of the low-lying stormwater ponds. Further lateral-spreading assessment will be undertaken when the detailed earthworks and subdivision design has been confirmed.
- Seismic ground shaking and fault rupture: The Site is classified as a Class D deep-soil site under NZS 1170.5. The nearest identified active fault is the Kerepehi Fault, approximately 34 km west of the Site. The Kututaruhe Fault is approximately 1.2 km east of the Site but is classified as inactive, with a recurrence interval exceeding 100,000 years. The risk of direct fault rupture affecting the Site is therefore assessed as low.
- Foundation and abnormal ground conditions: The Site is classified as Class P under AS 2870 because it includes soft or unstable soils and areas subject to abnormal moisture conditions. Site-specific foundation design will be required. Preliminary ultimate bearing pressures of approximately 300 kPa may be available in the elevated areas. In the low-lying areas, approximately 200 kPa may be available where at least 1.5 m of engineered fill overlies the peat and Piako Subgroup soils, subject to the limitations identified in the geotechnical

assessment. Larger buildings and areas with thinner engineered-fill cover will require specific assessment.

3.7.2 Flood Hazards

The central part of the Site is low lying and traversed by artificial drains and modified watercourses that form part of the wider Ohote Stream drainage system. Several drains are administered under the Waikato Regional Council Land Drainage Management Plan for the Waikato Central–Ohote Basin and receive runoff from upstream catchments outside the Site.

A two-dimensional HEC-RAS model has been developed to assess the existing and proposed flood environments. The model includes the 1% annual exceedance probability event, climate-change allowances and sensitivity scenarios, including a conservative scenario in which the primary stormwater-management devices are assumed to be blocked.

The modelling identifies existing flooding within parts of the Site and the downstream Ohote Stream catchment. Downstream flooding is influenced by the constriction at the Laxon Road culvert, existing stopbanks and low-lying topography that allows water to accumulate before overflowing within the catchment.

The existing drainage corridors, flood-storage areas and overland-flow paths have informed the proposed earthworks, subdivision layout, building-platform levels and stormwater-management system. The proposed system will incorporate artificial treatment wetlands, piped reticulation, modified drainage channels, high-flow bypasses, culverts, outlets and defined overland-flow paths. The stormwater wetlands will provide treatment, extended detention and attenuation of events up to the 1% AEP event, including climate change. Post-development discharges will generally be controlled to no more than 80% of the corresponding pre-development peak flows.

The modelling indicates that the proposed development can maintain flood immunity and avoid worsening downstream flooding, including under the blocked-device sensitivity scenario. Minor local exceedances identified by the current modelling will be addressed through detailed-design refinement. Building platforms, pump stations and other critical infrastructure will be located or designed to achieve the applicable flood levels and freeboard requirements.

The existing 1% AEP flood extent and principal overland-flow paths are shown in **Figure 8** and are described in the Infrastructure Report in **Appendix 13** and Stormwater Management Plan in **Appendix 14**.

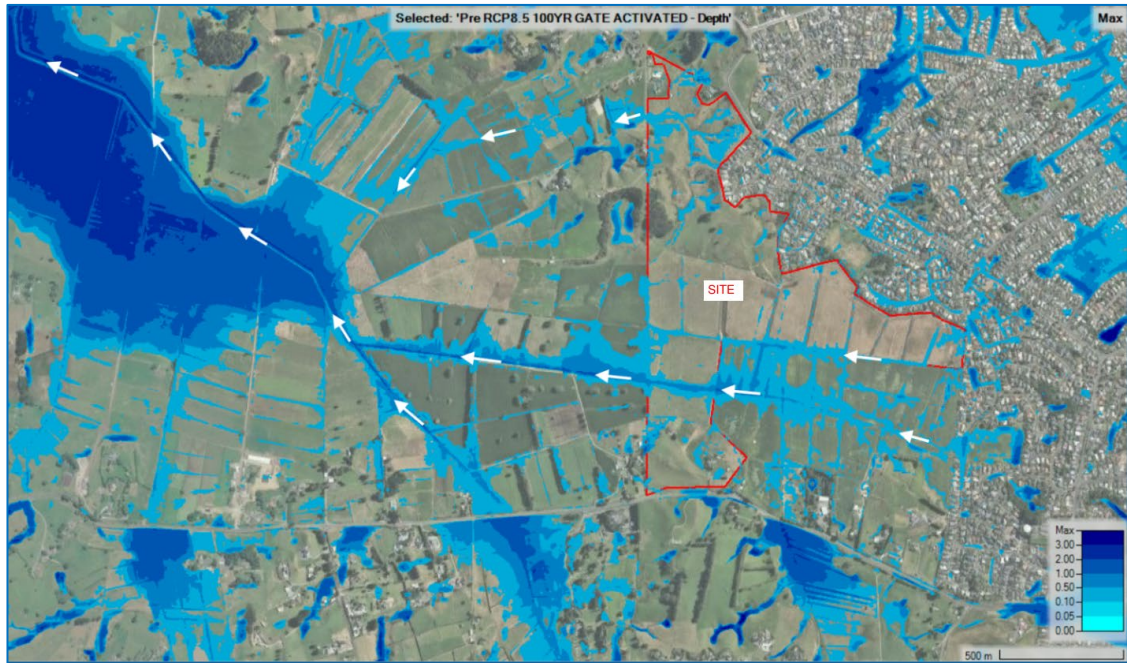


Figure 8: Existing 1% AEP flood extent and principal overland-flow paths. Source: Infrastructure Report and Stormwater Management Plan.

The effects of the proposed earthworks and development on flood storage, overland-flow conveyance, building-platform levels and downstream flood risk are assessed in the stormwater and natural-hazard effects sections of this AEE.

3.7.3 Groundwater

The Hydrology and Groundwater Assessment in **Appendix 20** identifies a shallow groundwater system associated with the low-lying peat, swamp and alluvial deposits, together with deeper groundwater-bearing strata beneath the Site.

Groundwater is generally shallow within the central and eastern low-lying areas, where it commonly occurs within or close to the peat and alluvial deposits. Groundwater levels respond to seasonal rainfall, surface-water levels and the operation of the existing drainage network. Groundwater is generally encountered at greater depths beneath the elevated northern and southern ridges.

Shallow groundwater flow broadly follows the Site's topography and surface-drainage pattern, moving towards the low-lying central area and the principal drainage corridors that ultimately discharge to the wider Ohote Stream catchment.

Groundwater discharge and seepage contribute to the hydrology of the natural inland wetlands situated within the northern gullies. Those wetlands are also sustained by rainfall and surface runoff, with groundwater inputs likely to become more important during periods of lower rainfall.

The low-lying peat soils are sensitive to changes in groundwater level. Sustained lowering of the shallow groundwater table can result in peat drying, oxidation, shrinkage and associated ground settlement. The relationship between groundwater, peat moisture and the Site's drainage network is therefore an important component of the existing geotechnical and hydrological environment.

Two deeper production bores have been constructed and tested within the Site. These bores access groundwater-bearing strata below the shallow peat and alluvial groundwater system.

3.7.4 Contamination

Contaminated-land conditions have been investigated through two Detailed Site Investigations (DSIs):

- a 2021 DSI prepared by BTW Company Ltd, which considered historical pastoral activities and potential Hazardous Activities and Industries List (HAIL) uses; and
- a DSI prepared by SLR Consulting New Zealand for CMW Geosciences Ltd, dated 6 November 2025, which updated and extended the earlier investigation across the proposed development area.

The Site has a long history of pastoral farming. Potential HAIL areas identified by the DSIs include three stockyard areas, former or existing farm sheds and structures, possible agrichemical and fuel storage or use areas, potential sheep-dip and offal-pit locations, and land associated with a former cottage.

Soil testing identified localised elevated concentrations of arsenic and other metals around the stockyards and former structures. Asbestos-containing material was also identified in association with a deteriorated implement shed and other building materials. Outside these localised areas, contaminant concentrations were generally below the applicable residential soil-contaminant standards, including cadmium concentrations associated with historical fertiliser use.

The locations of the identified HAIL activities and areas of potential contamination are shown in the Sample Location plan in **Appendix 21**. The contaminated-land implications of developing the Site, including the proposed investigation, remediation, soil-management and validation requirements, are assessed in **Section 9.1**

3.7.5 Highly Productive Land

The Land Use Capability (LUC) classification relevant to the interim definition of highly productive land under the National Policy Statement for Highly Productive Land (NPS-HPL) is derived from the New Zealand Land Resource Inventory (NZLRI). The NZLRI mapping identifies approximately 44.4 ha, or 55% of the Site, as LUC 2w2 and LUC 2s5 land; and approximately 36.5 ha, or 45% of the Site, as LUC 4e2 land.

As the relevant LUC 2 land was zoned for rural purposes at the commencement date, approximately 44.4 ha is treated as highly productive land under the interim definition in clause 3.5(7) of the NPS-HPL. The LUC 4 land does not fall within that definition. The December 2025 amendments relating to LUC 3 land do not alter this position because the NZLRI mapping does not identify any LUC 3 land within the Site.

A site-specific Soil and LUC Assessment prepared by Landsystems is included in **Appendix 29**. The assessment involved approximately 40 soil observations and mapped the Site at an approximate scale of 1:10,000–1:15,000. It identifies a more varied distribution of LUC units than the regional-scale NZLRI mapping, reflecting differences in soil type, drainage, slope, erosion susceptibility and previous land modification.

The site-specific assessment identifies poorly and very poorly drained peat and mineral soils across much of the central low-lying area. Elevated parts of the Site contain better-drained soils but are subject to rolling or steep topography and associated erosion limitations. Approximately 12.5 ha

comprises non-productive land, including drains, wetlands, ponds, tracks, buildings, vegetation and previously earthworked areas.

The site-specific assessment also identifies approximately 2.5 ha, or 3.2% of the Site, as “high class soil” under the Waikato District Plan – Operative in Part, comprising approximately 2.1 ha of LUC 2w3 land and 0.4 ha of LUC 3e1 land. This district-plan classification is distinct from the interim definition of highly productive land under the NPS-HPL.

The Site’s LUC classifications and their distribution are shown in **Figures 9 and 10**. The implications of developing the NZLRI-mapped highly productive land, including the application of clause 3.10 of the NPS-HPL, are assessed in **Section 9.2**.

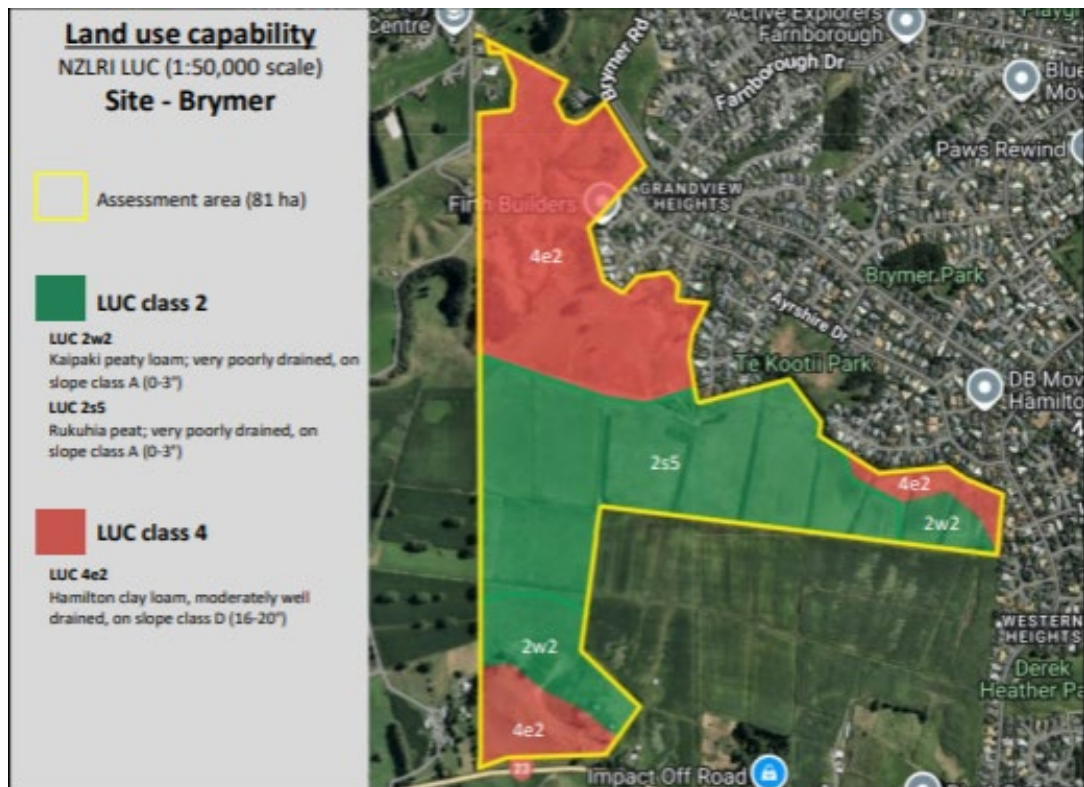


Figure 9: NZLRI LUC classifications and interim NPS-HPL extent. Source: Soil and LUC Assessment.



Figure 10: Site-specific LUC classifications. Source: Soil and LUC Assessment.

3.8 Land Use and Roading

The Site is predominantly used for pastoral farming and comprises grazed paddocks, shelterbelts, stockyards, farm buildings and associated rural infrastructure. Internal access is provided by farm tracks and accessways, with an extensive network of artificial drains which traverse the central low-lying area and conveys water towards the principal drainage corridors.

The Site has frontage to Brymer Road and O'Brien Road to the north and State Highway 23 (Whatawhata Road) to the south, with existing rural accesses serving farming and residential activities. Brymer Road provides a connection between the rural and peri-urban area and Hamilton's western suburbs. O'Brien Road is a local rural road serving the surrounding rural properties, and State Highway 23 is a strategic east-west route connecting Hamilton with Whatawhata, Raglan and communities to the west.

The existing internal access network is limited to private farm tracks and does not currently provide a public road connection through the Site or to the adjoining Hamilton neighbourhoods. The existing transport environment, including road classifications, active-mode facilities and public transport accessibility, is described further in the Integrated Transport Assessment in **Appendix 16**.

3.9 Existing Infrastructure

The Infrastructure Report prepared by Maven Waikato Ltd is included as **Appendix 13** and describes the existing servicing context for the Site.

The proposed development area does not contain an existing urban public wastewater or stormwater reticulation network. Existing servicing is associated with the Site's rural use, including private water bores, farm water-supply infrastructure, land drains and private utility connections.

Existing stormwater infrastructure is limited to farm and roadside drains and modified watercourses. Several drains (which form part of the Waikato Regional Council Land Drainage Management Plan for the Waikato Central–Ohote Basin), receive runoff from surrounding land and convey water westward through the Site towards the wider Ohote Stream catchment. There is no existing public stormwater treatment or attenuation infrastructure within the Site.

There is no public wastewater reticulation within the proposed development area. The nearest public infrastructure includes a small wastewater pump station within Te Kootii Park, which serves its local catchment and discharges to the Ayrshire Drive network. That network subsequently drains to the existing Grandview Road wastewater pump station.

Public water-supply infrastructure is situated near the Site, including watermains within Harrogate Place, Ayrshire Drive and Brymer Road. An existing bulk watermain within Brymer Road terminates near 207 and 209 Brymer Road. The nearest public water-storage facilities are the Newcastle and Dinsdale reservoirs on Newcastle Road. Existing bores are also located within the Site and have historically supported its rural activities.

An existing 33 kV electricity supply passes through part of the Site, transitioning from underground cabling near Ayrshire Drive to overhead lines crossing the development area. Electricity, fibre-communications and gas networks are available within the surrounding area. The Infrastructure Report details that the relevant providers have confirmed their ability to service the development, subject to detailed design and connection requirements.

The proposed extensions, connections and upgrades required to service the Project are described in **Section 4.10**.

4.0 Proposal

4.1 Overview

This section summarises the principal elements of the Project in accordance with clause 5(1)(a) of Schedule 5 of the Fast-track Approvals Act 2024 (FTAA). The substantive application seeks land-use, subdivision and regional resource consents required to enable comprehensive, staged urban development of the Site.

Project extent and layout are shown on the Masterplan in **Appendix 6**, the Residential typology plans in **Appendix 7**, and the Architectural plans for apartments and mixed-use sites in **Appendix 8**.

The Project comprises:

- approximately 1,043 residential units, including approximately 248 apartments, across a range of detached, duplex and terraced housing (conventional and compact residential lots), irregular and sloping lots, and eight rural-residential lots;
- two mixed-use sites forming a neighbourhood centre, providing approximately 2,184m² of ground-floor commercial and retail gross floor area, approximately 552m² of office gross floor area, and 40 apartments above;
- subdivision of the Site to create residential, mixed-use, infrastructure, access and reserve lots, together with the vesting or transfer of roads, reserves and associated infrastructure;

- a connected transport network comprising public roads, jointly owned access lots, rear lanes, pedestrian and cycling routes, and external connections to State Highway 23, Grandview Road, Harrogate Place and O'Brien Road;
- staged earthworks over approximately 70.1 hectares to establish building platforms, roads, infrastructure corridors, reserves and stormwater-management areas, including the importation of approximately 296,710m³ of engineered fill, retaining works, construction dewatering, and erosion and sediment controls;
- staged connections to the IAWAI reticulated water-supply and wastewater networks, supported by internal reticulation, pump stations, rising mains, storage and related infrastructure;
- on-site wastewater servicing and separate potable, non-potable and firefighting-water arrangements for the eight rural-residential lots within Stage 1A;
- an integrated stormwater-management system including source controls, piped reticulation, modified drainage corridors, artificial wetlands, forebays, treatment and attenuation devices, culverts and outlets, overland-flow paths, and on-site retention, soakage and groundwater-recharge measures;
- an interconnected blue-green and open-space network incorporating retained and restored wetlands, created wetland habitat, watercourses, stormwater reserves, ecological restoration and compensation areas, landscaped corridors, two public parks, and pedestrian and cycling connections;
- vegetation removal and works affecting wetlands and watercourses, including removal of Wetlands K, L, M and N and part of modified ephemeral watercourse W2a, with ecological protection, restoration, mitigation, offsetting and compensation measures;
- protection of an approximately 1.52-hectare kākūka treeland and establishment of extensive native, riparian, wetland and stormwater-related planting;
- undergrounding of existing power lines within the Applicant's land and installation of electricity, telecommunications and other utility infrastructure; and
- associated construction activities, temporary works, management plans and monitoring to deliver the Project progressively.

The Project has been developed to respond to site topography, peat and other ground conditions, shallow groundwater, drainage and flood environment, ecological features, landscape and visual context, surrounding land uses, transport connections and infrastructure constraints. Design refinement has been supported by masterplanning, technical assessment, engagement with infrastructure providers and consultation with relevant authorities and iwi.

The following sections describe the Project's components. They should be read together with the Masterplan, supporting plans, technical reports, implementation framework and proposed conditions.

The substantive application is made under section 42(4)(a) of the FTAA and includes consents that would otherwise be required under the Resource Management Act 1991, including consents under the applicable district and regional plans and national environmental standards.

A Wildlife Act 1953 approval is being progressed separately and does not form part of this substantive application. An archaeological authority has also been sought separately from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, and is being progressed outside the FTAA process.

4.2 Housing need and opportunity

Hamilton and the wider Waikato region are experiencing sustained population growth and ongoing demand for additional housing. Housing supply and affordability are affected by constraints relating to land availability, infrastructure servicing, feasibility, and the timely development of suitable sites. These matters are recognised in the Waikato Regional Housing Strategy, the Future Proof Strategy and the Hamilton Housing Strategy.

The 2023 Future Proof Housing and Business Development Capacity Assessment projected demand for approximately 44,400 additional dwellings in Hamilton over the 30 years to 2052, and identified potential housing-capacity shortfalls arising principally from infrastructure and development-feasibility constraints.

An updated assessment prepared for the Project indicates a projected shortfall of approximately 1,900 dwellings in the medium term and approximately 6,700 dwellings in the long term across the relevant Hamilton and lower Waikato District housing market. This supports the need for additional feasible, infrastructure-supported housing capacity.

The Project responds to this need by providing approximately 1,043 dwellings across a range of typologies, sizes and densities. Apartments, terraced and duplex housing, detached dwellings on conventional and compact lots, and eight rural-residential lots provide choices for households with different space requirements, preferences and purchasing capacity. Locating higher-intensity housing near the neighbourhood centre, public open spaces and principal movement routes supports efficient land use, access to local services and active-mode connections.

Development is anticipated progressively between approximately 2028 and 2045, coordinated with infrastructure delivery, transport connections, environmental works and market demand. The Economic Assessment in **Appendix 30** estimates that approximately 380 dwellings will represent a net addition to housing supply by the end of the medium term, after allowing for development that may otherwise have occurred elsewhere in the market. Full development is expected to represent a net addition to housing supply over the long term.

The proposed housing mix also creates opportunities for improved affordability relative to housing dominated by larger detached dwellings. The Economic Assessment models a conservative scenario in which approximately 141 duplex and terraced dwellings (approximately 14% of the assessed yield) fall within the Hamilton city-level first-home-buyer affordability benchmark. When apartments and a broader range of smaller dwelling outcomes are included, up to approximately 249 dwellings (approximately 24% of the assessed yield) may fall within that benchmark.

These figures are modelled, market-based outcomes and are not a commitment that a specific number of dwellings will be sold or retained under a prescribed affordable-housing tenure. The number ultimately falling within the benchmark will depend on dwelling typologies, floor areas, market conditions, financing assumptions and sale prices at each stage. Nevertheless, the diversity of lot and dwelling types is expected to increase housing choice and provide greater opportunity for lower price points than would typically arise from a conventional low-density greenfield subdivision.

4.3 Economic opportunity

The Economic Assessment prepared by Market Economics Consulting and included in **Appendix 30** identifies substantial economic activity associated with the construction and occupation of the Project.

The Economic Assessment is based on the masterplan in **Appendix 6** and a modelled yield of 1,046 dwellings, being three more than the 1,043 dwellings proposed. The assessment confirms that this minor difference does not materially affect its calculations or conclusions.

Over the anticipated 2028–2045 construction programme, the Project is expected to:

- generate approximately \$552 million in development and construction expenditure, expressed in 2026 prices;
- generate approximately \$278 million in value added when discounted at 8%, or approximately \$501 million when discounted at 2%;
- support approximately 4,736 Modified Employment Count job-years through direct, indirect and induced employment;
- support an average of approximately 263 jobs during each year of the construction programme, with employment peaking at approximately 354 jobs in 2044; and
- provide substantial business, supply-chain and induced household-spending benefits within Hamilton and the wider Waikato region.

Approximately 80% of the modelled construction-related value added, equivalent to approximately \$221 million when discounted at 8%, is expected to accrue within Hamilton. The assessment concludes that the construction labour market has sufficient capacity to accommodate the anticipated demand without materially displacing other local construction activity.

Following occupation, Project households are expected to generate approximately \$2.4 billion in expenditure over 30 years, expressed in 2026 prices. That expenditure is estimated to support approximately \$486 million in gross value added, or approximately \$475 million after allowing for early-stage displacement within the Hamilton market. Approximately 86% of the occupation-related value added is expected to accrue within Hamilton.

At full development, approximately 1,046 modelled dwellings are expected to accommodate approximately 2,700–3,000 residents. The neighbourhood centre will provide conveniently located commercial and office activities and is expected to support an average of approximately 67 positions over its first 20 years of operation.

The centre will have a localised role proportionate to its neighbourhood catchment. While it may capture a small share of expenditure from areas overlapping with the Nawton and Dinsdale centre catchments, households within the Project will also generate additional demand for those and other existing centres. The Economic Assessment therefore concludes that the proposed neighbourhood centre is unlikely to undermine the role or function of surrounding centres.

The Project will also increase competition and development choice within a housing market affected by infrastructure and capacity constraints. The Economic Assessment concludes that the construction activity, household expenditure and additional housing supply associated with the Project will be predominantly additional to the Hamilton and wider Waikato economy, with only limited and temporary displacement from other locations.

4.4 Subdivision and Scheme Plan

This section of the application and the subdivision scheme plans prepared by Maven Associates included in **Appendix 5** is provided in accordance with Clause 8(1) of Schedule 5 of the FTAA in respect of the proposed subdivision of the Site.

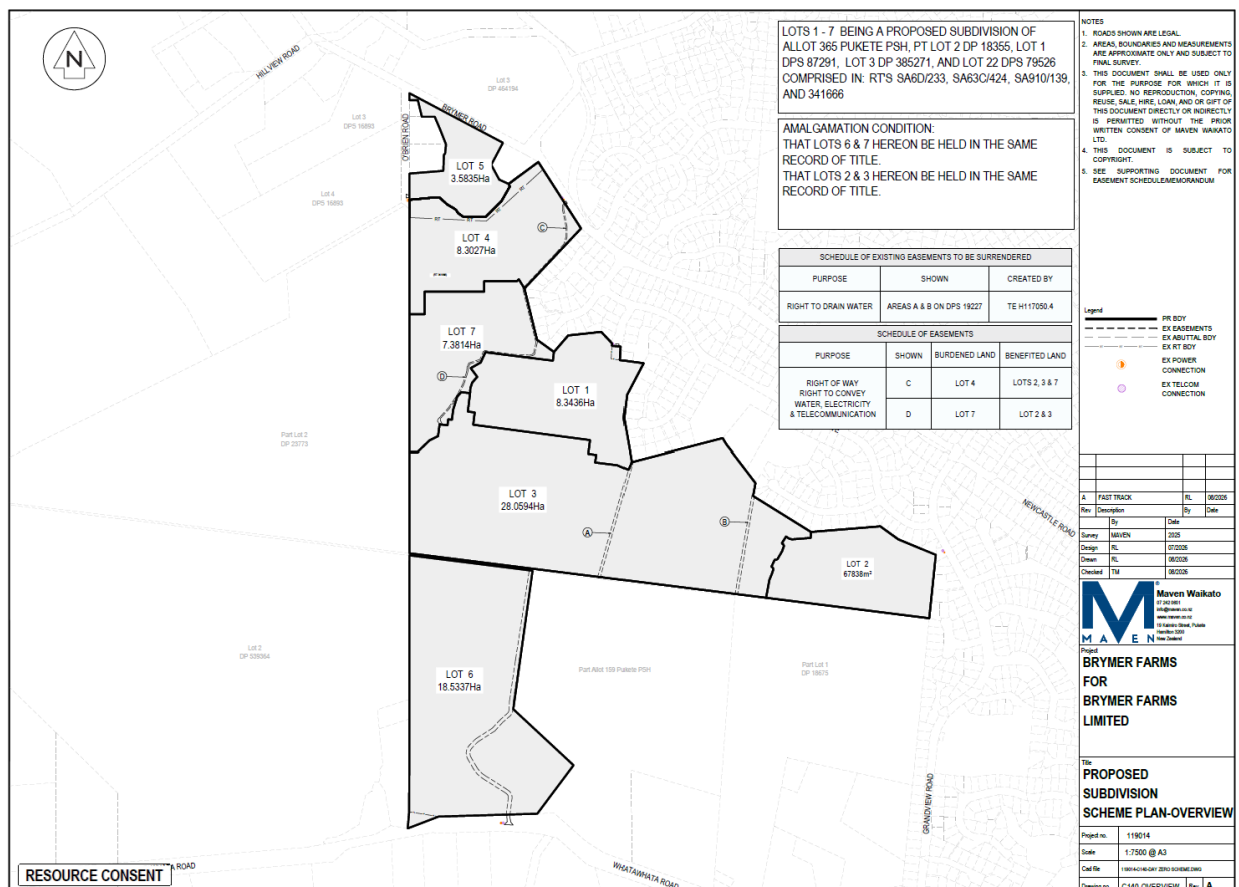
The Applicant seeks consent for:

- an initial “Day 0” subdivision to establish the title structure required for the subsequent development; and
- the staged fee-simple subdivision of the resulting development land.

Day 0 Subdivision

The Day 0 subdivision will rationalise the existing titles and create development superlots corresponding generally with the areas of the staged development. It will also establish the easements and other legal arrangements required to protect existing access, infrastructure and watercourse-management interests across the resulting titles.

The Day 0 subdivision will not create residential lots for development. Its purpose is to establish an appropriate title structure before the staged residential and mixed-use subdivision proceeds. The Day 0 subdivision is shown in **Figure 11** below, on the relevant scheme plan in **Appendix 5**.



The proposed lots to be created through each stage are identified on the scheme plan as Lots 1 – 7. This will create the land parcels to be progressively subdivided through Stage 1A and Stages 1–12. Lots 3 and 4 will be held together, and Lots 6 and 7 will be held together.

Staged Subdivision

Following completion of the Day 0 subdivision, the Project will be subdivided through 13 principal stages, comprising Stage 1A and Stages 1–12. The subdivision will overall create approximately 799 fee-simple lots, including eight rural-residential lots and the four apartment and mixed – use development sites A1, A2, C1 and C2, summarised as:

- 795 residential lots
- two apartment lots ('A1' and 'A2');
- two mixed-use commercial lots ('C1' and 'C2');
- jointly owned access lots and other private-access arrangements;
- public roads;
- recreation / open space lots;
- local-purpose stormwater and wastewater reserves;
- infrastructure and utility lots; and
- balance or superlots required to facilitate subsequent stages.

The 799 fee simple lots do not represent the Project's total dwelling yield. Additional dwellings will be accommodated within the apartment and mixed-use lots, resulting in an overall Project yield of approximately 1,043 residential units.

The staged subdivision is structured around the proposed transport, open-space and three-waters networks. The principal collector route will ultimately connect Grandview Road with State Highway 23, while separate connections will serve Stage 1 from Harrogate Place and the Stage 1-A rural-residential lots from O'Brien Road. Roads, access arrangements, reserves and servicing infrastructure will be established progressively in conjunction with the stages they serve.

The current proposed residential-lot distribution is:

- Stage 1: 122 lots;
- Stage 1A: 8 lots;
- Stage 2: 61 lots;
- Stage 3: 38 lots;
- Stage 4: 75 lots;
- Stage 5: 53 lots;
- Stage 6: 58 lots;
- Stage 7: 138 lots;
- Stage 8: 38 lots;
- Stage 9: 48 lots;

- Stage 10: 84 lots;
- Stage 11: 32 lots; and
- Stage 12: 44 lots.

These figures exclude apartment units, infrastructure lots and land to vest as road or reserve which are detailed further below.

Overall, the staging framework enables subdivision, earthworks, infrastructure, access and open-space components to be delivered progressively and in a coordinated manner.

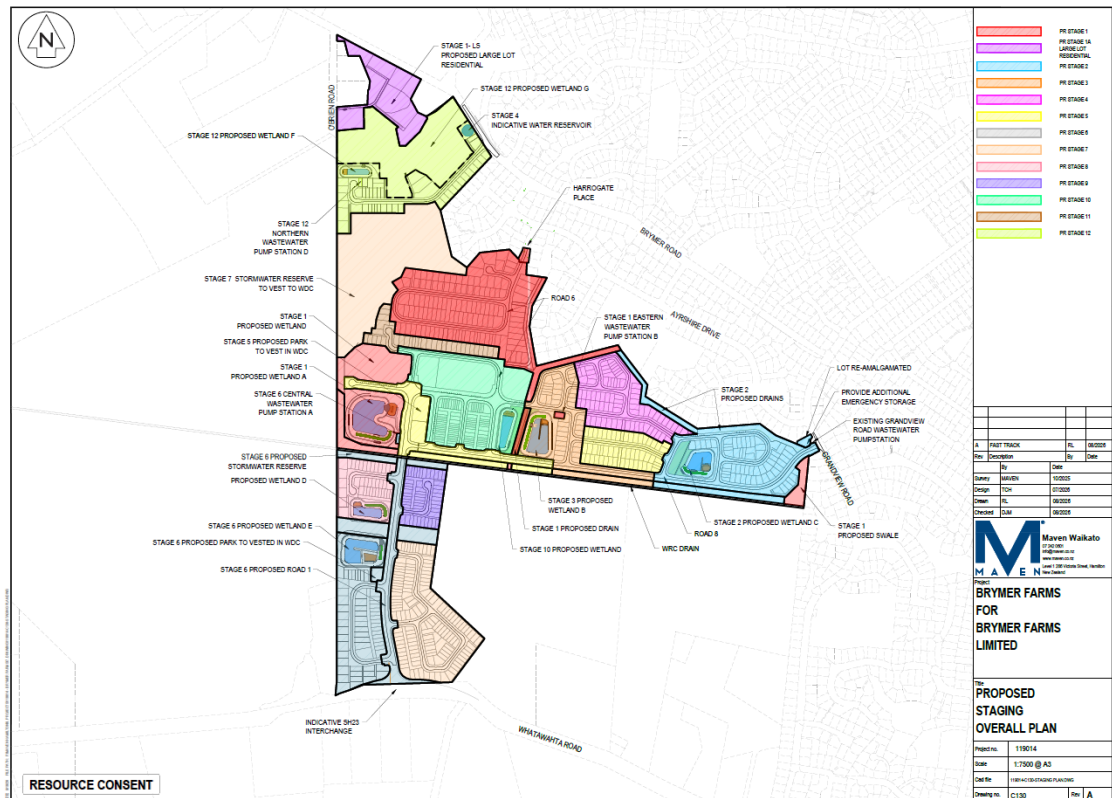


Figure 12: Proposed subdivision and infrastructure staging plan. Source: Maven Associates Limited.

The lots proposed within each stage are identified on the scheme plans in **Appendix 5** and summarised in **Table 2**.

Table 2: Lots to be created through the staged subdivision

Stage	Lot Type	Lot Numbers
1	Residential Freehold Lots	Lots 1-122
	Local Purpose Reserve (Stormwater)	Lots 4000 – 4004, 4006 - 4007
	Local Purpose Reserve (Wastewater)	Lot 5000
	Jointly Owned Access Lots	Lots 3100 - 3105
	Roads to Vest	Lot 3000
	Pedestrian Access Lots	Lot 3200 – 3202 + 3208
1A	Residential Freehold Lots	Lots 123 - 130

Stage	Lot Type	Lot Numbers
	Jointly Owned Access Lots	Lot 3106
2	Residential Freehold Lots	Lots 130 - 190
	Local Purpose Reserve (Stormwater)	Lot 4005, 4008 - 4012
	Roads to Vest	Lot 3001
	Jointly Owned Access Lots	Lot 3107
3	Residential Freehold Lots	Lots 190 - 227
	Local Purpose Reserve (Stormwater)	Lots 4013 - 4014
	Roads to Vest	Lot 3002 - 3003
4	Residential Freehold Lots	Lots 228 - 304
	Local Purpose Reserve (Stormwater)	Lot 4015
	Roads to Vest	Lot 3004
	Pedestrian Access Lots	Lot 3203
5	Residential Freehold Lots	Lots 305 - 356
	Commercial Lot ('C1')	Lot 357
	Local Purpose Reserve (Stormwater)	4016 – 4017
	Local Purpose Reserve (Recreation)	Lot 8000
	Roads to Vest	Lot 3005 - 3006
	Pedestrian Access Lots	Lots 3204 - 3205
6	Residential Freehold Lots	Lots 358 – 415
	Local Purpose Reserve (Stormwater)	Lots 4018 – 4022
	Local Purpose Reserve (Wastewater)	Lot 5001
	Local Purpose Reserve (Recreation)	Lot 8001
	Roads to Vest	Lots 3007 - 3008
	Jointly Owned Access Lots	Lots 3108 - 3112
7	Residential Freehold Lots	Lots 416 - 553
	Local Purpose Reserve (Stormwater)	Lot 4023 - 4024
	Roads to Vest	Lot 3009 – 3010
	Jointly Owned Access Lots	Lot 3113 - 3115
8	Residential Freehold Lots	Lots 554 – 591
	Local Purpose Reserve (Stormwater)	Lot 4025 - 4026
	Roads to Vest	Lot 3011
	Jointly Owned Access Lots	3116 - 3117
9	Residential Freehold Lots	Lots 592 - 639

Stage	Lot Type	Lot Numbers
10	Roads to Vest	Lot 3012
	Jointly Owned Access Lots	Lots 3118 – 3120
	Residential Freehold Lots	Lots 722 (Apartment 'A1'), 723 (Apartment 'A2'), 640 - 720
	Commercial Freehold Lots	Lot 721 ('C2')
	Local Purpose Reserve (Stormwater)	Lot 4027
	Roads to Vest	Lot 3013 - 3015
11	Jointly Owned Access Lots	Lot 3121 - 3122
	Residential Freehold Lots	Lots 724 – 755
	Local Purpose Reserve (access)	Lot 3206 - 3207
	Roads to Vest	Lot 3016
12	Jointly Owned Access Lots	Lot 3123
	Residential Freehold Lots	Lot 756 - 799
	Local Purpose Reserve (Stormwater)	Lot 4028 - 4029
	Local Purpose Reserve (wastewater)	Lot 5002
	Local Purpose Reserve (Water)	Lot 6000
	Roads to Vest	Lot 3017
	Jointly Owned Access Lots	Lots 3124 - 3128

4.5 Urban Design Overview

The Project is planned as a comprehensively designed residential and mixed-use community responding to the Site's location at Hamilton's western urban edge, its varied topography, adjoining urban and rural interfaces, State Highway 23, and the wetland and open-space network.

The proposed urban structure is shown on the Masterplan and Concept Plan in **Appendix 6** and assessed in the Urban Design Assessment in **Appendix 10**. It is based on:

- a legible and connected arrangement of residential neighbourhoods, the neighbourhood centre, open spaces and supporting infrastructure;
- a housing mix of detached, duplex, terraced and apartment dwellings, with higher density directed to the neighbourhood centre, collector roads and principal public spaces;
- appropriate transitions to established residential neighbourhoods and adjoining Rural and Rural-Residential land;
- a connected street, walking and cycling network linking Grandview Road and State Highway 23;
- built form oriented to streets, parks, reserves and pedestrian routes to support passive surveillance and an active public realm; and

- lot and building layout, with earthworks, retaining and landscaping designed to manage the Site's topography and integrate wetlands, watercourses, stormwater areas, ecological restoration and recreation spaces within a connected blue-green network.

Built form will be delivered through two approval pathways:

- detailed architectural and landscape plans for apartment and mixed-use sites (A1, A2, C1 and C2) provided with this application; and
- a residential design framework for future dwellings on residential lots and terrace superlots, administered through the development controls and the design-review and certification pathway set out in section 4.6.

4.5.1 Specifically Designed Buildings

Detailed architectural plans for A1, A2, C1 and C2 are included in **Appendix 8**, with associated landscape plans in **Appendix 11**. These establish the building locations, footprints, floor plans, elevations, heights, external appearance, materials, access, parking, servicing and landscape treatment to a level appropriate for land-use consent.

Development of these sites will be carried out generally in accordance with the approved architectural and landscape plans and the applicable consent conditions. The residential design framework described in section 4.6 does not apply to A1, A2, C1 or C2.

4.5.2 Future Residential Development

The subdivision will create 799 fee-simple development lots, comprising 795 residential lots, two apartment lots and two mixed-use lots. The residential lots provide for 795 lot-based dwellings comprising detached, duplex, split-level and terraced housing.

The apartment and mixed-use lots (A1, A2, C1 and C2) provide an additional 248 apartments, resulting in an overall Project yield of 1,043 residential units.

Detailed architectural plans are not prepared for each future dwelling on the 795 residential lots. Instead, land-use consent is sought to authorise dwellings that comply with the applicable Development Controls and are supported by the residential design-review and certification requirements described in section 4.6.

Representative Residential Typology Designs are provided in **Appendix 7**. They illustrate how detached, duplex, split-level and terraced dwellings can be accommodated within the proposed lot arrangements. They do not prescribe the detailed architectural design, floor plans, elevations, materials or appearance of each future dwelling.

The applicable development category for each area is identified on the Development Controls Plan. Alternative dwelling designs may be developed where they comply with the applicable Development Controls and satisfy the residential design-review and certification requirements.

This approach secures the required building-envelope, amenity and interface outcomes while allowing future dwellings to respond to lot dimensions, orientation, topography and household requirements.

4.6 Residential Design Framework

Future development of the 795 residential lots will be managed through an integrated framework comprising:

- the approved Masterplan and subdivision scheme plans (including vehicle crossing locations);
- the Development Controls Plan, identifying the applicable residential development categories and any area (or lot) specific controls;
- the Development Controls (mandatory measurable requirements);
- the Residential Design Guidelines in Appendix 9;
- the representative Residential Typology Designs in Appendix 7; and
- the design-review and certification process secured through the proposed conditions in Attachment 10.

These components provide the following functions:

- Masterplan / subdivision scheme plans: establish the overall urban structure and lot pattern.
- Development Controls Plan: identifies the residential development category and any specific controls for each area or lot.
- Development Controls: set the mandatory measurable requirements for future dwellings and associated buildings.
- Residential Design Guidelines: define the qualitative architectural and landscape outcomes sought.
- Residential Typology Designs: demonstrate how the framework may be implemented across different housing typologies.
- Design-review and certification process: applies the framework to each dwelling design before building consent is sought.

4.6.1 Masterplan and Development Controls Plan

The Masterplan and subdivision scheme plans establish the underlying spatial structure of the development, including:

- block, road and residential-lot layout;
- principal movement and access arrangements;
- relationships with the neighbourhood centre, open spaces, wetlands and ecological areas;
- the staging and servicing framework; and
- interfaces with adjoining residential, rural and rural-residential land.

The overall Masterplan is detailed in **Figure 13** below. The Masterplan identifies the residential development categories applying across the Site, including rear-loaded terrace housing, front-loaded terrace housing, duplex and single-dwelling lots, and split-level lots.

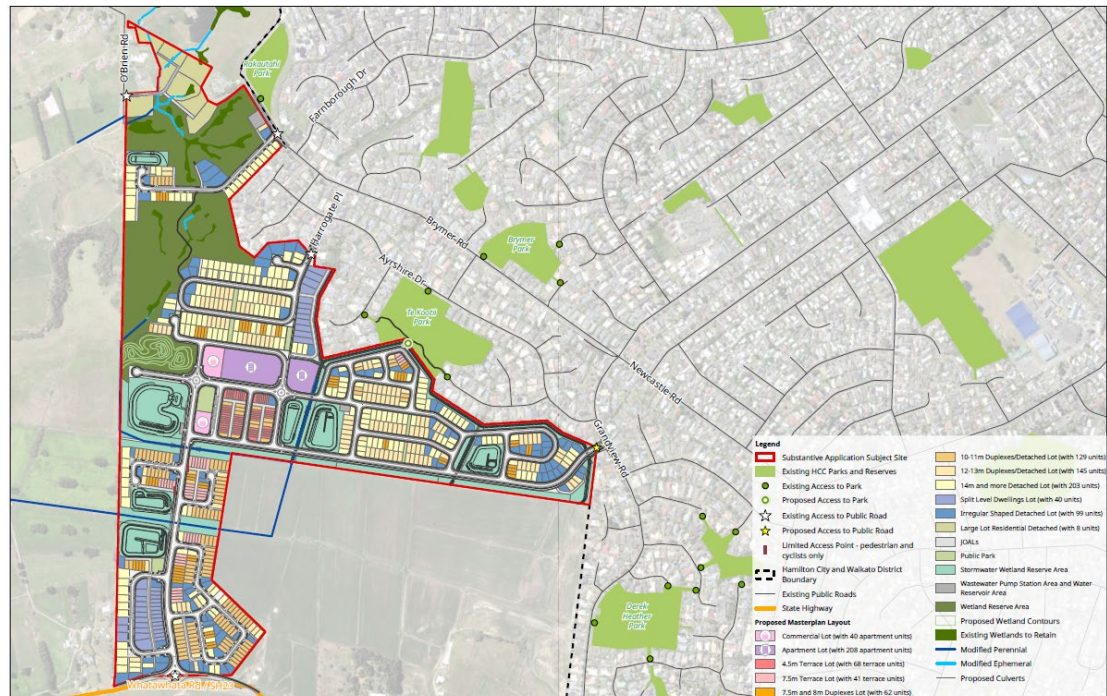


Figure 13: Overall Masterplan. Source: Barker & Associates.

The Development Controls Plan (titled 'Proposed Specific Setback Controls and Screen Planting') identifies any applicable area- or lot-specific requirements, including:

- a 5m setback from State Highway 23;
- a 4m landscape buffer adjoining Rural- or Rural Residential-zoned properties;
- stormwater areas with visual screen planting requirements
- split-level lots; and
- alternative setback and/or retaining requirements for identified interface and split-level lots.

Where an area, lot, or typology-specific Development Control is identified on the approved Masterplan or Development Controls Plan (or in the conditions), that control applies in place of the corresponding general Development Control.

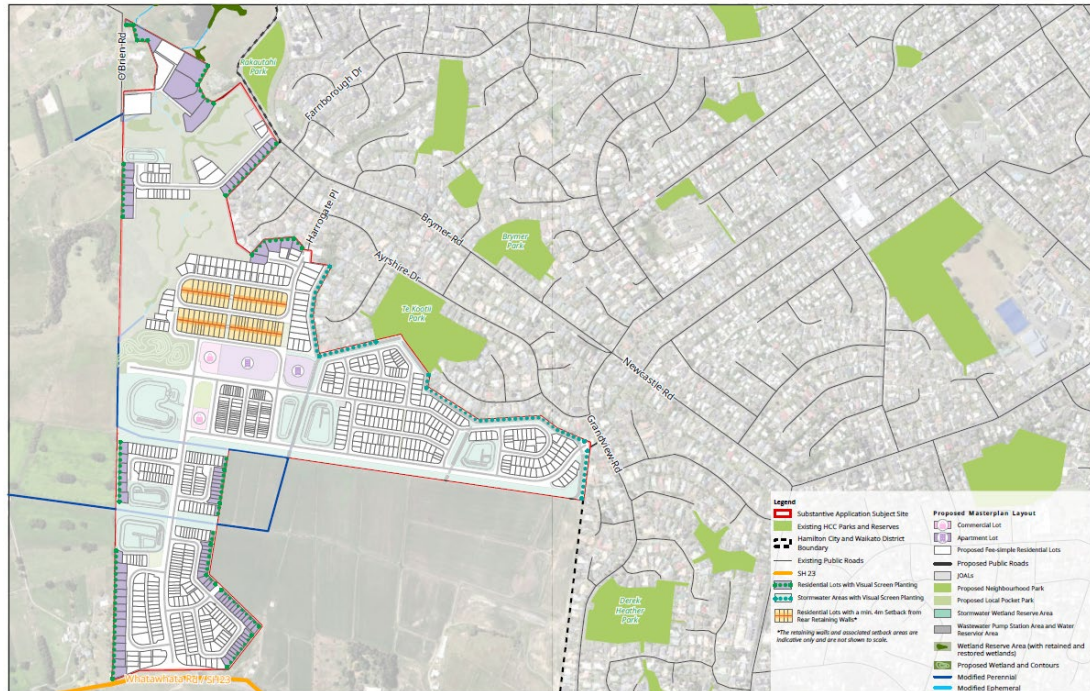


Figure 14: Residential Development Controls Plan. Source: Barker & Associates.

Representative diagrams illustrating the application of the site specific development controls are provided in **Figure 15**. These diagrams are explanatory and do not prescribe the final architecture or siting of individual dwellings.

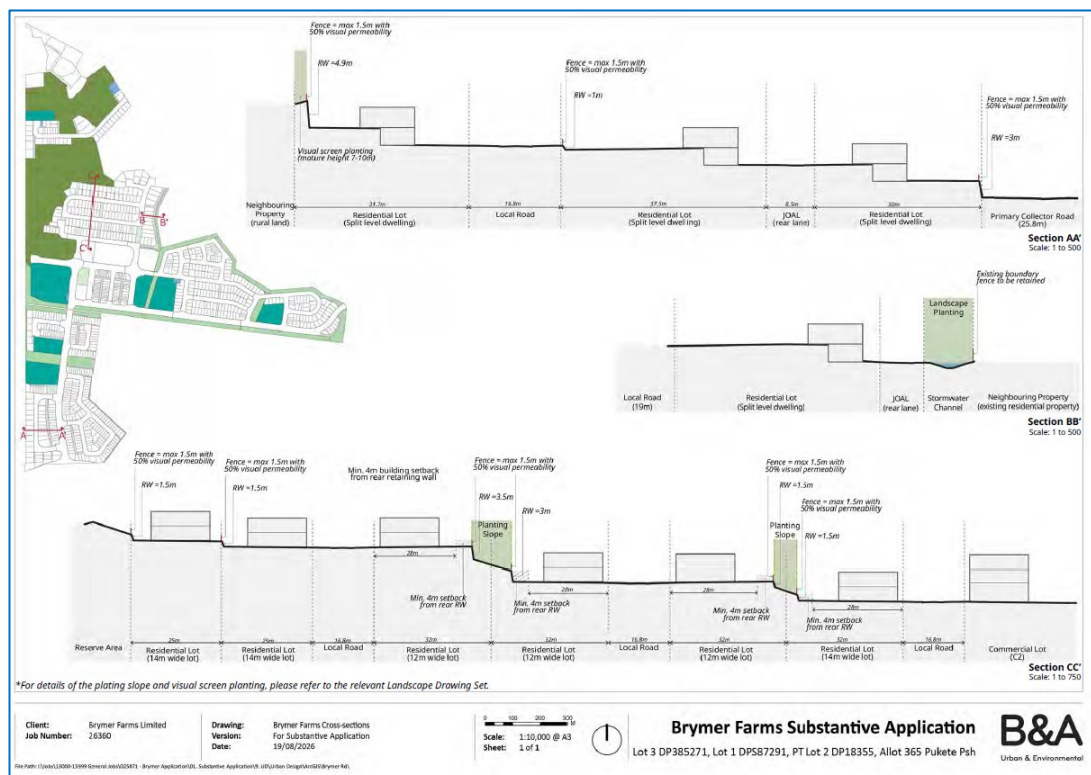


Figure 15: Representative residential development-control diagrams. Source: Barker & Associates.

4.6.2 Hierarchy of the Framework

The mandatory requirements in the conditions and any approved area, lot, or typology-specific Development Control prevail over the representative typology drawings. The Residential Design Guidelines provide the applicable design objectives and criteria, and the Residential Typology Designs are illustrative and do not override or modify a Development Control.

A departure from a representative Residential Typology Design does not, of itself, require a consent variation. A departure from an individual design criteria may be certified where:

- the relevant design objective is achieved;
- an equivalent or better design outcome results; and
- the proposal remains compliant with the mandatory Development Controls.

Where a proposed dwelling does not comply with an applicable Development Control or another mandatory requirement of the consent, any further resource consent or other statutory approval required to authorise that non-compliance must be obtained.

The Development Controls, Residential Design Guidelines, and design-review and certification requirements will be secured through the conditions of consent.

4.6.3 Residential Development Controls

The Development Controls establish the mandatory building-envelope and measurable site-development requirements applying to future dwellings and associated buildings. They address density, height, coverage, setbacks, landscaping, outdoor living, outlook, privacy, access, servicing, fencing and retaining.

The principal Development Controls are summarised in **Table 3**. Their complete wording, including applicable qualifications and exceptions, is contained in the proposed conditions in **Attachment 10**. Related qualitative design criteria are contained in the Residential Design Guidelines in **Appendix 9**.

Table 3: Principal Residential Development Controls

Matter	Rear-loaded terraces	Front-loaded terraces	Duplexes, single dwellings and split-level dwellings
Density and approved locations	Dwelling yield and locations as shown on the approved Masterplan and subdivision scheme plans.	Dwelling yield and locations as shown on the approved Masterplan and subdivision scheme plans.	Maximum one dwelling per lot. Split-level dwellings are required on the lots identified in the approved subdivision scheme plan.
Maximum building coverage	60% of lot area.	50% of lot area.	50% of lot area, except Lots 123–130, where the maximum is 20%.

Maximum impermeable surface	70% of lot area.	70% of lot area.	70% of lot area.
Minimum landscaped area	20% of lot area.	20% of lot area.	20% of lot area, except Lots 123–130, where the minimum is 35%.
Minimum landscaping forward of the front building line	30%.	40%.	50%.
Minimum front setback	1 m from the transport corridor.	1.5 m from the transport corridor.	1.5 m from the transport corridor. A 5 m setback from SH23/Whatawhata Road also applies to Lots 379, 380, 386, 387 and 487–493.
Other minimum setbacks	1 m side setback for the end unit; 0 m from the rear lane.	1 m side setback for the end unit; 1 m rear setback.	Generally 1 m from side and rear boundaries. One side yard may reduce to 0 m where the specified access, maintenance and adjoining-owner requirements are satisfied. Lot-specific rear and boundary setbacks also apply.
Maximum height	11 m or three storeys, plus up to 1 m for a qualifying pitched roof.	11 m or three storeys, plus up to 1 m for a qualifying pitched roof.	Generally 10 m or two storeys, plus up to 1 m for a qualifying pitched roof. Lots 123–130 are limited to 7.5 m plus the roof allowance. Identified split-level lots are subject to a 10 m height limit plus the roof allowance, without the two-storey limitation.
Height in relation to boundary	4 m plus a 60-degree recession plane, excluding transport corridors, rear lanes and internal boundaries within a site.	4 m plus a 60-degree recession plane, excluding transport corridors and internal boundaries within a site.	Side boundaries: 4 m plus 60 degrees. Other boundaries: 4 m plus 45 degrees. For Lots 123–130, the applicable control is 2 m plus 45 degrees.
Minimum outdoor living area	12 m ² with a minimum dimension of 1.8 m.	12 m ² with a minimum dimension of 1.8 m.	20 m ² with a minimum dimension of 3 m.

Principal living-room outlook	3 m deep × 3 m wide.	3 m deep × 3 m wide.	4 m deep × 3 m wide.
Other habitable-room outlook	1 m × 1 m.	1 m × 1 m.	1 m × 1 m.
Service provision	Minimum 1.4 m ² screened bin-storage area accessible from the rear lane without passing through the dwelling, together with a dryer.	Minimum 5 m ² service area, including at least 1.4 m ² for bin storage, with a minimum dimension of 1.5 m and accessible clothes-drying provision.	Same as for front-loaded terraces.
Vehicle access	Rear-lane access only; no front vehicle crossing.	Maximum one double-width crossing per two terrace units. Single crossings: 3.0–3.5 m; shared double crossings: 5.5–6.0 m.	Duplexes: maximum one double-width crossing per two units, using the stated single- and double-crossing dimensions. Single dwellings: maximum one crossing per dwelling.

The terrace lots will be developed to the dwelling yield shown on the approved Masterplan and subdivision scheme plans. Each dwelling must comply with the controls applying to its identified residential development category.

Where an on-site car-parking requirement is included in the proposed conditions, at least one parking space will be provided for each lot-based dwelling. Where no dedicated garage is provided, secure enclosed bicycle parking must be provided in accordance with the applicable Development Controls.

4.6.4 Public Interfaces and Residential Amenity

Development Controls require each dwelling to:

- provide direct pedestrian access from the adjoining transport corridor to its front door;
- include public-facing glazing to support visual interest and passive surveillance;
- maintain required separation, privacy and outlook spaces between buildings;
- provide outdoor living and service areas of the required dimensions; and
- screen service areas from roads, public spaces and adjoining residential properties.

For terrace dwellings, the public-facing elevation must include either at least 20% glazing, or a window with a minimum dimension of 1.5 m. For duplex, single and split-level dwellings, both requirements apply. The relevant window must not be obstructed by an accessory building or a fence exceeding 1.5 m in height.

Separate residential buildings must be at least 2 m apart. Where windows in different buildings are within 3 m of one another, they must generally be offset by at least 1.5 m, subject to the specified ground-floor screening exception. Required outlook spaces must remain unobstructed by buildings, fences and retaining walls.

On corner lots, the mandatory public-interface requirements apply to the frontage providing pedestrian access to the dwelling. The Residential Design Guidelines also require the building to address both public frontages and avoid blank or inactive elevations.

4.6.5 Rural and Rural-Residential Interfaces

Residential lots adjoining Rural or Rural Residential-zoned land must include a 4m-wide landscape buffer within the relevant side or rear setback, as identified on the final Development Controls Plan.

The buffer will provide planting and landscape treatment to soften the transition between the proposed urban development and adjoining lower-density land. Detailed design is addressed through the approved planting requirements, the Residential Design Guidelines and design review.

The landscape buffer operates in conjunction with applicable setbacks, height and fencing controls, and the interface recommendations contained in the Landscape and Visual Impact Assessment (**Appendix 12**).

4.6.6 Access, Garages and Parking

Rear-loaded terrace dwellings must obtain vehicle access exclusively from the rear lane. No vehicle crossing is permitted from the public-road frontage.

For front-loaded terrace dwellings and paired duplex dwellings, one shared crossing may serve two adjoining dwellings. A crossing serving one dwelling must be 3–3.5m wide. A shared crossing must be 5.5–6m wide and centred on the common boundary.

Garages, carports and parking areas must be integrated with the dwelling and remain visually subordinate to the principal façade. Road-facing garages must not occupy more than half the width of the front façade. Parking and manoeuvring areas must not encroach into required outdoor living or service areas.

Front-yard parking pads must be clearly defined and integrated with planting and a separate pedestrian route to avoid extensive, visually dominant hardstand.

4.6.7 Fences and Retaining Walls

Front-boundary fences are generally limited to 1.2m, increasing to 1.5m beside an outdoor living area where the portion above 1.2m is at least 50% visually permeable. Fences adjoining a reserve or rear lane are generally limited to 1.5m and may increase to 1.8m on the same basis. Other boundary fences are generally limited to 1.8m.

Future lot-level retaining must be integrated with the dwelling, fencing and landscaping and must not obstruct required outlook spaces, pedestrian access, or positive interfaces with roads, lanes and public spaces. Publicly visible walls should use recessive materials, planting, batters or stepped forms where appropriate to avoid visually dominant treatments.

These matters are to be addressed through the design-review and certification pathway described in section 4.6.9. Structural and drainage requirements are addressed through detailed design and building-consent processes.

4.6.8 Residential Design Guidelines

The mandatory Development Controls are supported by the objectives and qualitative criteria in the Residential Design Guidelines. The Guidelines address:

- site layout and interfaces (including building placement, topography, outdoor living, privacy, access, parking, servicing and relationships with roads, lanes, reserves and adjoining properties);
- built form and architecture (including scale, façade composition, entrances, roof form, materials, garages, external services and passive surveillance); and
- landscape design (including front-yard planting, specimen trees, fencing, retaining, batters, paving, lighting and public and rural interfaces).

The Guidelines incorporate relevant recommendations of the Landscape and Visual Impact Assessment (Appendix 12), including landscape buffers, visually sensitive interfaces, retaining and batter treatment, specimen trees, boundary planting and integration with the open-space and ecological networks.

4.6.9 Design Review and Certification

Prior to lodgement of a building-consent application for a dwelling, the proposed building and landscape plans must be reviewed through the Brymer design-review process and certified by a suitably qualified and experienced urban designer.

The information submitted for review must be sufficient to demonstrate compliance with the applicable Development Controls and Residential Design Guidelines, including plans and details addressing levels, coverage, setbacks, outdoor living, access, parking, servicing, retaining, fencing, roof form, materials and colours.

The review panel may provide design advice and recommend amendments. Certification cannot waive a Development Control or endorse a design inconsistent with the approved framework. Following review, the urban designer must certify that the dwelling:

- complies with the applicable Development Controls; and
- achieves the relevant design objectives and is generally consistent with the applicable qualitative criteria.

A dwelling is not required to align exactly with a representative Residential Typology Design or satisfy every design criteria. Departures may be certified where they achieve the relevant design objective (or provide an equivalent or better design outcome) and remain compliant with all mandatory Development Controls. Reasons for any departure must be recorded.

The certification and associated plans must accompany the building-consent application, and the dwelling must be constructed in general accordance with the certified design. Certification does not constitute resource consent or building consent and cannot authorise an infringement of a mandatory requirement.

Any material change affecting the basis of certification must be referred to the certifying urban designer. The Consent Holder must retain the certifications, certified plans, approved departures and design-change records and provide them to Council on request.

4.6.10 Overall Design Outcome

The Masterplan, subdivision scheme plans, Development Controls Plan, Development Controls, Residential Design Guidelines, representative Residential Typology Designs and the design-review and certification process provide an integrated framework for future residential development.

The framework establishes the required urban structure, development intensity, building envelopes, residential amenity outcomes, and the management of public and rural interfaces, while enabling individual dwelling designs to respond to lot dimensions, orientation, topography and household requirements.

4.7 Apartment and Mixed Use Buildings

Detailed architectural plans have been prepared for the apartment developments on A1 and A2 and the mixed-use developments on C1 and C2. These are included in Appendix 8, with the associated landscape plans in Appendix 11.

The four sites are located within Stage 5 and 10 and form the higher-density residential and mixed-use focus of the Project. A1 (Stage 10, Lot 627) and A2 (Stage 10, Lot 628) provide apartment housing near the neighbourhood centre, public open spaces and principal movement routes. C1 (Stage 5, Lot 347) and C2 (Stage 10, Lot 626) form the neighbourhood centre and combine ground-floor commercial activities with apartments and office activities above.

Collectively, the sites will provide approximately 248 apartments, approximately 2,184m² of ground-floor commercial GFA and approximately 552m² of office GFA.

Table 4: Apartment and Mixed-Use Development Summary

Site	Activities	Buildings and height	Residential yield	Non-residential GFA	Parking and access
A1	Apartments	20 buildings; 3-5 storeys/15m-20 m	160 apartments	N/A	94 spaces, accessed from north of site
A2	Apartments	8 buildings; 3 storeys/13.5 m	48 apartments	N/A	28 spaces; accessed from west of site
C1	Commercial activities and apartments	4 buildings; 3 storeys/17 m	24 apartments	Approx. 910 m ² commercial	24 spaces on ground floor, 40 spaces in basement, access from east of site
C2	Commercial, office and apartment activities	7 buildings; 1-3 storeys/17 m	16 apartments	Approx. 1,274 m ² commercial and 552 m ² office	38 spaces; access from north of site

Total			Approx. 248	Approx. 2,184 m² commercial and 552 m² office	
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The developments will be undertaken generally in accordance with the approved architectural plans and the coordinated landscape, engineering, geotechnical, earthworks, retaining and servicing information forming part of the application.

C1 Mixed-Use Development

C1 is located on proposed Lot 347 of Stage 5, directly to the south of the proposed public park. The approximately 2458m² site will contain 4 buildings, building 1 a single storey building, and buildings 2-4 all 5 storeys, being a maximum height of approximately 17m.

The development will provide approximately 910m² of commercial GFA at ground-floor level and 24 two-bedroom apartments above. The commercial component includes a superette of approximately 232m² and six other tenancies intended for retail, commercial-service, food and beverage, healthcare or community activities, ranging in GFA from 111m² to 114m².

The buildings are arranged in a u-shape around the perimeter of the site, with an internal ground floor carpark, and a ramp that accesses basement parking. The buildings are oriented towards the road and public space (park) frontages. Commercial and residential entrances will be identifiable from the adjoining pedestrian network, while parking and servicing will be located internally, below or behind the buildings to reduce their prominence.

C1 will provide:

- 64 car-parking spaces, including two accessible spaces, two EV spaces and two ride share spaces;
- secure resident and visitor cycle parking;
- a minimum of two recessed loading bays;
- private balconies and communal rubbish storage areas; and
- landscaped pedestrian connections between the surrounding public spaces (the roads and public park) and the site.

Vehicle access will be provided from the road that traverses the east of the site. Servicing and refuse collection will be managed through a Servicing Management Plan, and pedestrian crossings of internal vehicle-circulation areas will incorporate measures such as raised tables or differentiated paving.



Figure 16: C1 site layout. Source: NineThirty.



Figure 17: C1 representative elevations. Source: NineThirty.

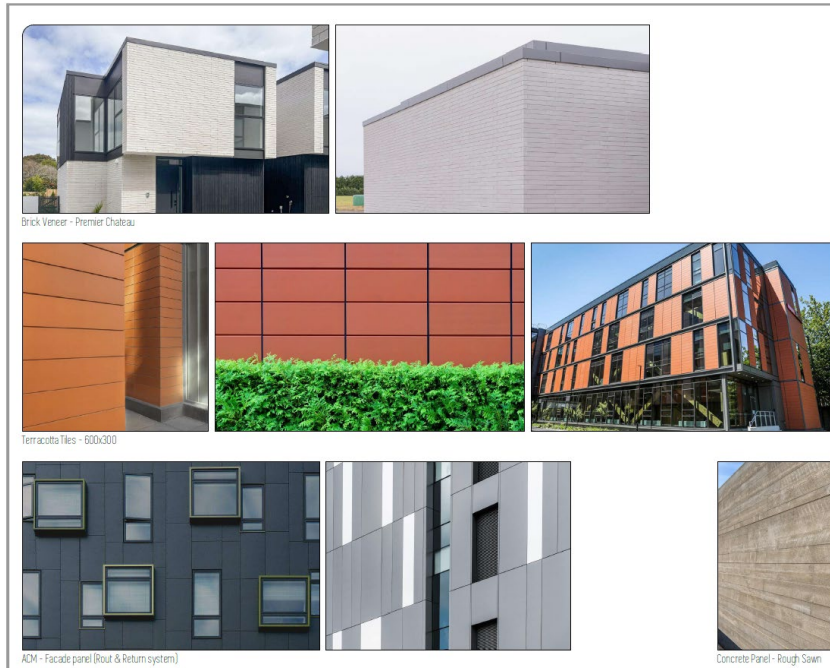


Figure 18: C1 material selections. Source: NineThirty.

C2 Mixed-Use Development

C2 is located on Proposed lot 626 of Stage 5, to the north of C1 and the public park, and the west of A1, generally centrally within the subject site. The approximately 4202m² site will contain seven buildings which are 1 – 3 storeys, and a maximum height of approximately 17m.

The development will provide approximately 1,274 m² of ground-floor commercial GFA including two 127m² cafes and 10 retail tenancies between 78m² and 143m² GFA, approximately 552 m² of office GFA and 16 two-bedroom apartments. The office activities will occupy Levels 1 and 2 of Building 4, with commercial activities located within the ground floor of all buildings.

The buildings are arranged to provide active frontages to all adjoining roads, the public park to the south, and the footpath that is internal to the site, with parking, loading and servicing located centrally within the site, away from direct view from the adjoining roads. Clearly identifiable entrances will serve the commercial, office and residential components.

C2 will provide:

- 38 car-parking spaces, including two accessible spaces, two EV spaces and two ride share spaces;
- visitor cycle parking near the building and tenancy entrances;
- a minimum of two recessed loading bays;
- private balconies and landscaped pedestrian routes connecting the development with adjoining streets and the public park to the south.

Vehicle access will be provided from the road to the north of the site. Delivery, refuse and servicing arrangements will be managed through a Servicing Management Plan.

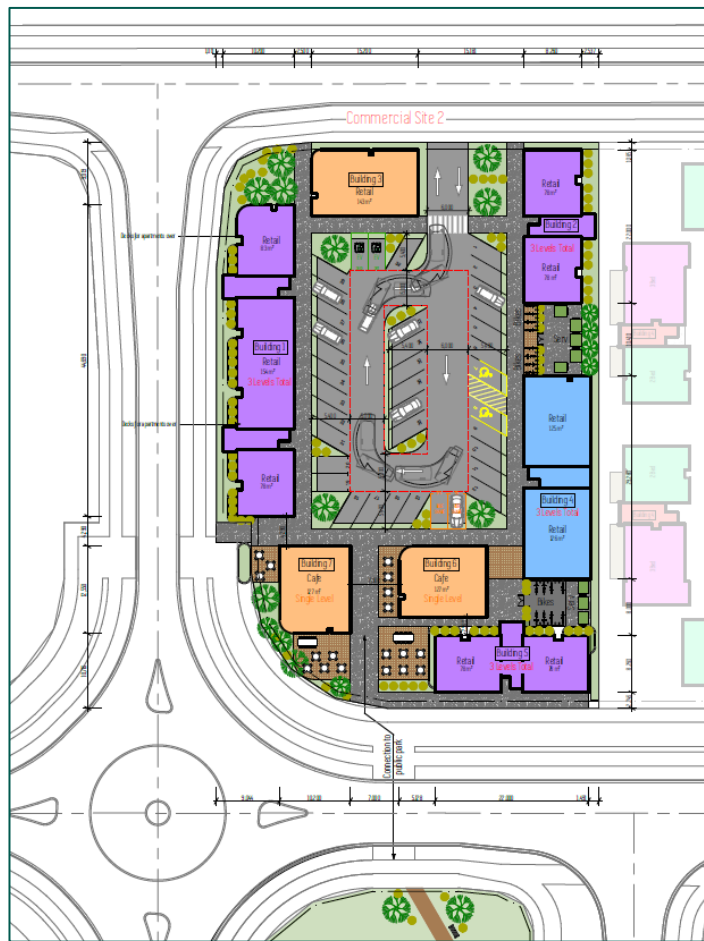


Figure 19: C2 site layout . Source: NineThirty.



Figure 20: C2 representative elevations. Source: NineThirty.

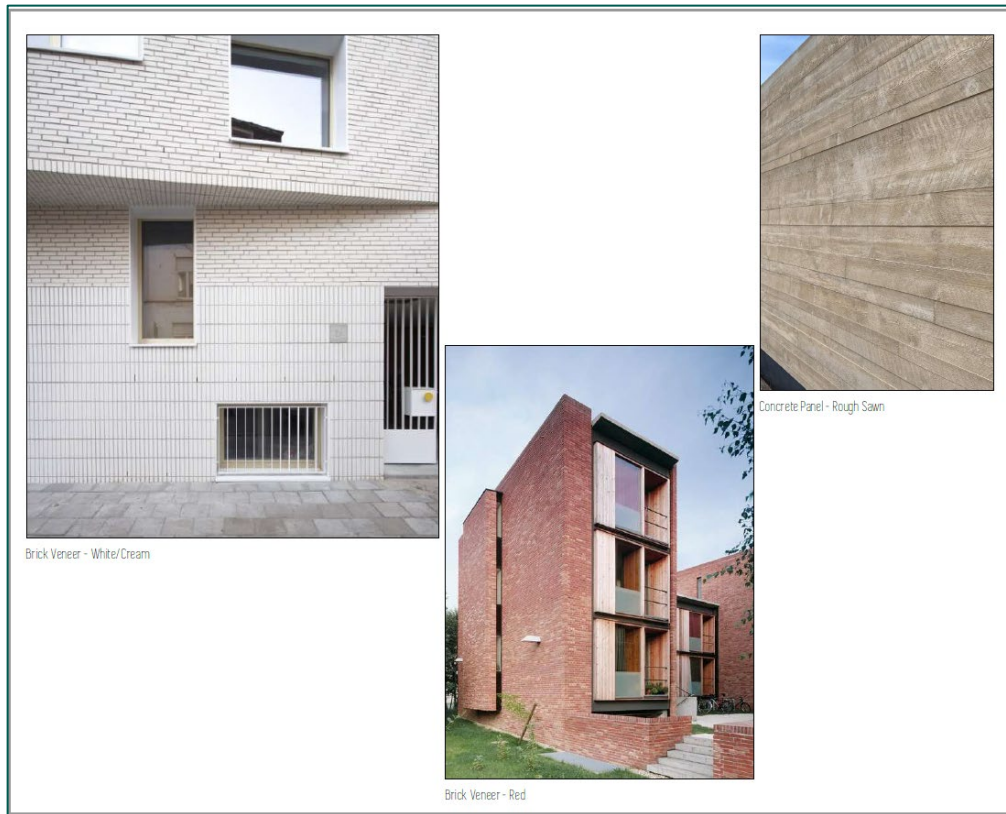


Figure 21: C2 material selections. Source: NineThirty.

A1 Apartment Development

A1 is located to the east of C2 and to the northeast of the central public park. The site will contain 20 apartment buildings of 3-5 storeys and a maximum height of approximately 20m.

A1 will provide 160 apartments comprising:

- 16 one-bedroom apartments;
- 88 two-bedroom apartments; and
- 56 three-bedroom apartments.

The buildings are arranged around a communal carpark and landscaped areas, and wrap externally around the site so they adjoin the road reserves. Entrances will be visible and directly accessible from the surrounding pedestrian network.

The development will provide:

- private balconies or terraces for each apartment;
- landscaped communal outdoor spaces;
- 94 resident and visitor car-parking spaces;
- secure resident and visitor cycle parking;
- car-share, ride-share and EV-charging spaces; and
- two recessed loading bays.

Vehicle access will be provided from the road entrance to the north. A Residential Travel Plan will be implemented before occupation.

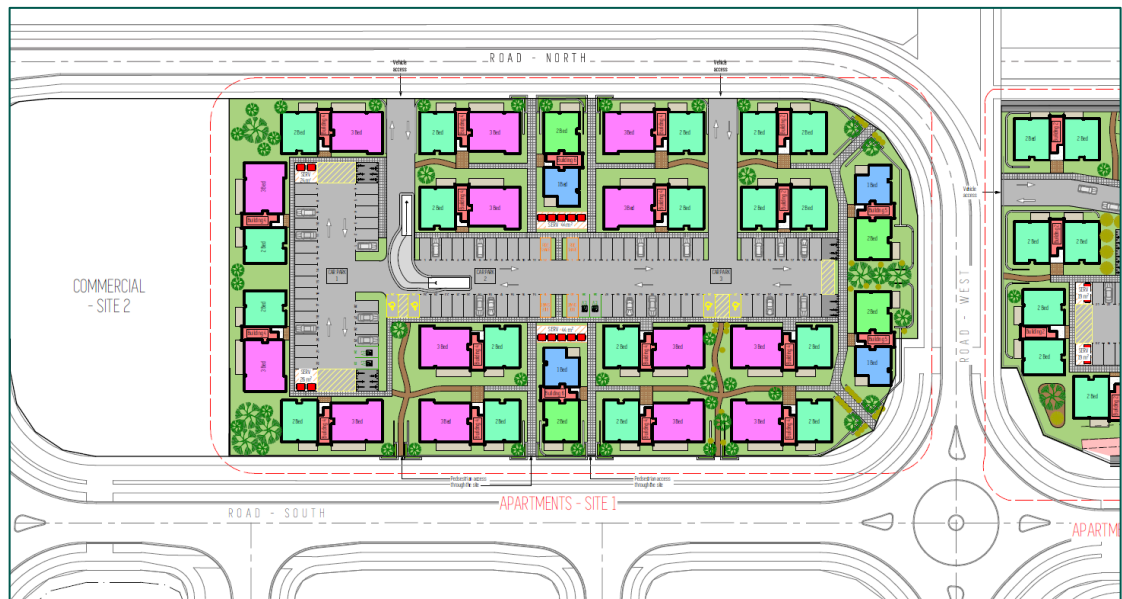


Figure 22: A1 site layout. Source: NineThirty.



Figure 23: A1 representative elevations. Source: NineThirty.

A2 Apartment Development

A2 is located to the east of A1 and the neighbourhood centre and will be adjacent to residential development to the north, east and south. The site will contain eight apartment buildings of three storeys and a maximum height of approximately 13.5m.

A2 will provide 48 two bedroom apartments. The buildings will wrap around the perimeter of the site with parking located internally away from the road frontages, and will include private balconies or terraces, as well as some landscaped communal outdoor space.

The development will provide:

- 28 resident and visitor car-parking spaces;
- secure resident and visitor cycle parking;
- car-share, ride-share and EV-charging spaces; and
- one recessed loading bay.

Vehicle access will be provided from the road to the west. A Residential Travel Plan will be implemented before occupation.

Architectural and Landscape Design

The buildings use a coordinated approach to form, façade articulation, materials and landscape treatment while responding to the different residential and mixed-use functions of each site.

The design includes:

- articulated building forms and varied rooflines to manage apparent scale;
- identifiable entrances and active ground-floor frontages;
- glazing and balconies overlooking streets, pedestrian routes and communal spaces;
- durable and coordinated external materials and colours;
- visually recessive parking, loading and servicing areas;
- landscaped building entrances, pedestrian routes and communal spaces; and
- planting to soften retaining walls, parking and service areas.



Figure 24: A2 site layout. Source: NineThirty.



Figure 25: A2 representative elevations. Source: NineThirty.

Access, Parking and Servicing

The four sites will connect directly with the surrounding public-road, pedestrian and cycling networks. Parking, loading, pedestrian access and servicing will be provided generally as shown on the approved plans. A Parking Management Plan is proposed as a condition of consent to manage parking within the neighbourhood centre, including customer and staff parking, servicing, refuse collection, pedestrian routes and traffic calming.

The developments will connect to the Project's water-supply, wastewater and stormwater networks (detailed further below). Waste-storage, mechanical plant and utility areas have been designed to be integrated into the buildings and / or screened from roads, public spaces and residential outdoor areas.

4.8 Open Space and Recreation

The Project incorporates an integrated network of public parks, walking and cycling connections, stormwater wetlands, retained and proposed wetlands, watercourses, ecological restoration areas and landscape planting. The network is shown on the Masterplan in **Appendix 6** and the Landscape Drawings in **Appendix 11**.

Formal recreation provision comprises:

- a centrally located neighbourhood park of approximately 2,870m², adjoining C1 and close to the neighbourhood centre, apartment sites and terrace housing; and
- a pocket park of approximately 1,210m² in the southern part of the Site, adjoining a stormwater wetland and fronting the collector and local-road network.

Together, the parks provide approximately 4,080m² of formal recreation space and will be established through the staged subdivision. The neighbourhood park will include a playground and

internal pedestrian path connecting with the surrounding street, shared-path and pedestrian networks. The detailed design of the playground will be confirmed at the relevant implementation stage.

The wider blue-green network includes eight stormwater wetlands and two principal wetland areas. The approximately 4.8ha northern wetland area contains four retained wetlands and associated restoration planting and is proposed to be held in equal shares by the adjoining residential-lot owners. The approximately 9.1ha central wetland area contains six retained wetlands and an approximately 0.75ha proposed wetland, together with ecological restoration and retained vegetation.

These areas have primary stormwater, ecological and landscape functions and do not substitute for the formal park provision. However, they will contribute to the outlook, character and amenity of the development and provide opportunities for informal recreation where public access is shown on the approved plans and is compatible with their primary functions.

The walking and cycling network will connect residential areas with the parks, neighbourhood centre, apartment sites and surrounding street and reserve networks. It includes road-side footpaths and shared paths, pedestrian access lots and mid-block connections, a path through the central wetland area and a connection from the Site to Te Kootii Park. Te Kootii Park lies outside the Site and does not form part of the substantive application.

The parks, paths and associated open-space infrastructure will be delivered progressively with the subdivision stages in which they are located. Their detailed design, vesting, ownership and maintenance arrangements will be implemented through the subdivision plans and conditions of consent.

4.9 Landscaping and Ecology

The Project's landscape and ecological response is shown on the Landscape Drawings in **Appendix 11** and described in the Landscape and Visual Impact Assessment in **Appendix 12** and the Ecological Impact Assessment in **Appendix 23**.

The proposed works include:

- reclamation of identified natural inland wetlands and modified watercourses required to establish the development;
- creation, restoration and enhancement of wetland and stream habitat to address residual freshwater effects;
- riparian, ecological-buffer and stormwater-device planting;
- landscape buffers along rural and rural-residential interfaces;
- street-tree, park and public-realm planting;
- protection of identified vegetation to be retained; and
- ongoing establishment, maintenance, monitoring and legal protection of the principal ecological areas.

Wetland Loss and Reclamation

The Project will remove approximately 0.514ha of natural inland wetland, comprising Wetlands K, L, M and N. These wetlands are located near the proposed Harrogate connection and adjoining residential development and will be affected by earthworks, roads, building platforms and infrastructure.

The Ecological Impact Assessment identifies the affected wetlands as highly modified and degraded by historic drainage, grazing and agricultural use. Their removal nevertheless results in a residual ecological effect that will be addressed through the proposed wetland creation and restoration works described below.

Effects on retained wetlands will be managed through the demarcation of wetland boundaries, controls on nearby earthworks, maintenance of surface-water and groundwater inputs, wetland-specific erosion and sediment controls, ecological supervision, buffer planting and long-term protection.

Wetland Creation and Restoration

The Project will create more than 0.75ha of new wetland habitat and restore approximately 1.197ha of retained natural inland wetland. An average 10m-wide planted buffer will be established around the created wetland and retained wetlands identified for restoration.

The package will include indigenous planting, retirement from incompatible land uses, weed and animal-pest control, enhancement of wetland margins, ecological connections with adjoining riparian areas and permanent legal protection. The created wetland will provide at least approximately 0.236 ha more wetland area than the approximately 0.514ha removed.

Wetland creation and approximately 88.5% of the proposed wetland restoration will occur in Stage 1. Restoration of the remaining wetlands, including Wetlands O3, B, C and D where they occur within the Site, will occur in Stage 4.

The works will be implemented under an Ecological Management Plan prepared by a suitably qualified and experienced ecologist. Created and restored wetlands and their buffers will be maintained and monitored for at least five years and must be on a trajectory to achieve the required Year-15 ecological outcomes.

Stream Reclamation and Modification

The Project will remove approximately 133m of modified ephemeral Watercourse W2a. It will also install approximately 211m of new culverts within modified watercourses. After accounting for the removal of approximately 72m of existing farm culverts, this represents a net additional culverted length of approximately 139m. Approximately 74m of rock-riprap erosion protection is also proposed.

The culverts will provide the required hydraulic capacity and fish passage. Fish recovery and relocation will be undertaken before works within affected streams and drains in accordance with the applicable ecological management requirements.

Approximately 1,020m of artificial drains along the northern edge of the low-lying peat area will be retained, recontoured and planted as swales. Approximately 250m of that network will contribute to treating runoff from adjoining roads and accessways, while the remainder will continue to convey flows from the upstream residential catchment.

Stream Creation and Riparian Restoration

Residual effects on watercourses will be addressed through:

- creation of approximately 134 m of ephemeral stream channel;
- restoration and riparian planting of approximately 459 m of existing ephemeral stream;
- restoration and riparian planting of approximately 503 m of existing perennial stream;
- planting along one bank of approximately 666 m of boundary watercourse; and
- planting along one bank of approximately 749 m of artificial drain connected to the stream network.

The created stream will incorporate a naturalised low-flow channel and floodplain and connect with adjoining wetland, riparian and stormwater planting. Restoration will include indigenous planting, stock exclusion, weed and animal-pest control and permanent legal protection.

Stream restoration will be undertaken progressively through Stages 1 and 4. Creation of the new 134 m stream channel will occur in Stage 2.

Stormwater and Ecological Planting

Stormwater treatment wetlands, attenuation devices, swales, rain gardens and other planted stormwater areas will be established in accordance with the Stormwater Management Plan in **Appendix 14**, the Landscape Drawings in **Appendix 11** and the applicable ecological plans.

Planting will provide naturalised edges to retained, enhanced and created wetlands, new stream channels, stormwater reserves and modified watercourses. It will be of sufficient scale and density to support the approved stormwater and ecological functions and provide meaningful landscape structure and visual softening.

The final planting arrangement may be refined through detailed design, provided the approved stormwater, ecological and landscape outcomes are maintained.

Rural-Interface and Buffer Planting

A landscape buffer at least 4m deep will be established along the boundaries adjoining Rural- and Rural Residential-zoned land identified on the Landscape Drawings and Development Controls Plan.

The buffers will comprise layered planting of predominantly indigenous trees, shrubs and groundcovers. The planting will be integrated with the adjoining landform, paths, swales, reserves and street trees to soften views of the development and provide an appropriate transition to lower-density land.

Where construction staging allows, buffer planting will be established early and in advance of adjoining building development. Its timing, establishment, maintenance and replacement requirements will be specified in the applicable consent conditions and approved landscape or planting management plans.

Streetscape and Public-Realm Planting

Street and public-realm planting will be established progressively with the development stages and, where construction staging allows, in advance of adjoining building development along visually sensitive interfaces. Detailed landscape plans will coordinate planting with roads,

footpaths, shared paths, lighting, services, vehicle sightlines, stormwater devices and property access.

Street trees will be provided along the collector roads and other key neighbourhood streets to establish visual continuity, shade and legibility. Local streets will incorporate planting appropriate to their scale and function while maintaining safe sightlines and access.

Particular treatment will be given to planting along Brymer Road, Whatawhata Road, State Highway 23, Te Kootii Park, Derek Heather Park, public parks, recreation reserves, stormwater reserves and principal watercourse corridors. Swales, rain gardens and other water-sensitive design elements within the road network will contribute to both stormwater treatment and streetscape amenity.

Park and Open-Space Planting

The open-space network includes two recreation reserves, comprising the approximately 2,870m² neighbourhood park and 1,210m² pocket park, together with 14 stormwater reserves, retained and restored wetlands and watercourses, ecological areas and pedestrian accessways.

Planting within the neighbourhood and pocket parks will combine specimen trees, shrubs and groundcovers to provide shade, define pedestrian routes and recreation areas and integrate the parks with the surrounding streets and development. The neighbourhood park will be coordinated with C1, the pedestrian network and adjoining wetland and stormwater areas. Detailed landscape and engineering plans will confirm paths, play facilities, furniture, lighting, planting and interfaces with adjoining development.

Planting within wetland, stormwater and ecological open spaces will primarily support their approved infrastructure and ecological functions while contributing to landscape character and visual amenity. Public access will be limited to the paths identified on the approved plans and locations where access is compatible with those functions.

Vegetation Retention and Fauna Management

Existing trees and vegetation identified for retention on the approved landscape or ecological plans will be protected during construction in accordance with the required vegetation-management measures. Works affecting potential fauna habitat will be undertaken in accordance with the Ecological Impact Assessment and the applicable fauna-management plans. These will address, where required:

- lizard salvage and relocation (including to location specified and confirmed through iwi consultation);
- long-tailed bat survey and tree-felling protocols;
- bird-nesting checks;
- fish recovery and relocation before stream or drain works; and
- measures to avoid or minimise injury or mortality during vegetation clearance and freshwater works.

Landscape and Ecological Establishment

Landscape and ecological planting will be undertaken during appropriate planting seasons. Where construction staging allows, wetland, riparian, buffer, street-tree and boundary planting will be

established early, with priority given to sensitive interfaces and corridors visible during the initial development stages.

Detailed planting plans prepared for each relevant stage will identify species, grades, spacing, quantities, planting zones, establishment sequencing and maintenance and replacement requirements. Landscaping within public areas proposed to vest in the Council will be established and maintained in accordance with the applicable consent conditions, approved Landscape Maintenance Plan and Council vesting requirements.

Wetland creation, restoration and ecological-buffer planting will be maintained and monitored for the minimum five-year period specified by the ecological requirements. This will include plant replacement, infill planting, weed and animal-pest control, fencing, erosion remediation and maintenance of the required wetland hydrology.

The planting palette will use indigenous species suited to the relevant hydrological, soil and exposure conditions. Indicative species identified in the Ecological Impact Assessment include *Carex virgata*, *Carex secta*, *Juncus edgariae*, tī kōuka, toetoe, karamū, mānuka, kānuka, māhoe, kōhūhū, māpou, kahikatea, mataī, tītoki and pukatea. Final species, densities and distributions will be confirmed through the approved landscape and ecological planting plans.

4.10 Transport and Rooding

4.10.1 Engineering Design

The proposed transport and rooding network is shown on the Masterplan in **Appendix 6** and the Civil Engineering Drawings in **Appendix 15**. It is described in the Infrastructure Report in **Appendix 13** and assessed in the Integrated Transport Assessment in **Appendix 16**.

The design provides for the staged construction of:

- public roads, jointly owned access lots and rear lanes;
- external connections to O'Brien Road, Harrogate Place, Grandview Road and State Highway 23;
- footpaths, cycleways and pedestrian connections;
- provision for future public-transport services;
- on-street parking, vehicle crossings and loading areas; and
- associated lighting, signage, road markings, drainage, landscaping and utility corridors.

The proposed layouts and cross-sections have been developed for resource-consent purposes with reference to the Regional Infrastructure Technical Specifications, relevant Hamilton City District Plan road-formation criteria, Austroads guidance and applicable NZ Transport Agency Waka Kotahi requirements.

Detailed engineering plans will be prepared before construction of the relevant stage and submitted to the appropriate road-controlling authority for approval. The detailed design may refine the submitted plans where it maintains the approved road hierarchy, access, transport and environmental outcomes.

4.10.2 Transport Network

Except for the separate Stage 1 and Stage 1A areas, the Project's transport network is structured around primary and secondary collector roads that will ultimately connect Grandview Road in the north-east with State Highway 23 in the south.

The collector roads will provide the principal movement and legibility function through the Site, connect the residential neighbourhoods with the neighbourhood centre and open spaces, and accommodate general traffic, service and emergency vehicles, walking and cycling and potential future bus services.

Local roads branch from the collector network to provide frontage and access to the residential lots, apartment sites, neighbourhood centre and reserves. The network also includes jointly owned access lots, rear lanes and open-space-edge roads.

The principal road formations are summarised in **Table 5**.

Table 5: Proposed Road Hierarchy

Road type	Road corridor	Carriageway	Walking and cycling provision
Primary collector Figure 26a	25.8 m	9.3 m	2 m footpaths on both sides and a 3.5 m bi-directional cycleway
Secondary collector Figure 26b	23 m	6.8 m	2 m footpaths on both sides and a 3.5 m bi-directional cycleway
Public-transport-capable local road Figure 26c	19 m	6.8 m	1.8 m footpath and a 3.0m shared path
Local road Figure 26d	16.8 m	6 m	1.8 m footpaths on both sides

Dedicated recessed parallel-parking bays will be provided within the road network, as well as some angled parking near the neighbourhood centre and apartment sites. Street trees, lighting, stormwater devices and utility corridors will be coordinated with footpaths, cycleways, parking bays, vehicle crossings and sightlines through detailed design.

A new two-way bridge will be required on Road 1 to cross the existing Council drain and connect Stages 6 and 7 with Stages 8 and 9. The final bridge arrangement will provide for vehicles, pedestrians and the cycleway, either within a combined structure or through separate road and cycle structures. Its structural design, hydraulic capacity and landscape and ecological interfaces will be confirmed through detailed engineering design.

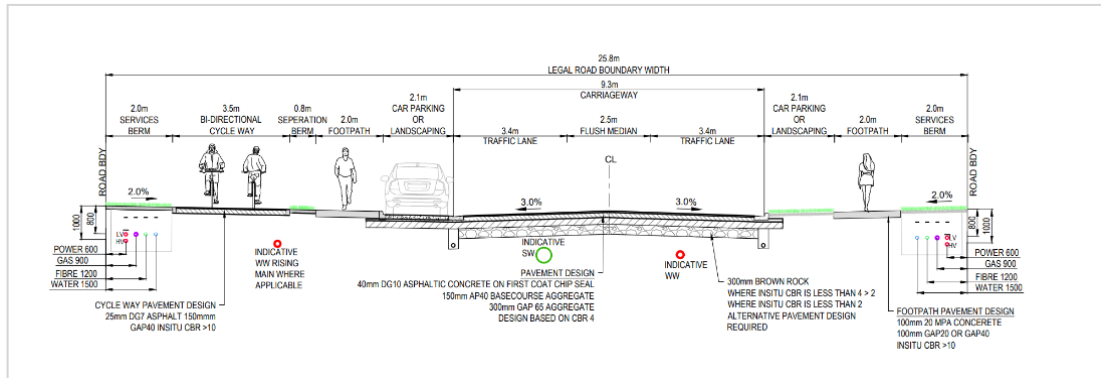


Figure 26a: Primary Proposed Road hierarchy and external connections. Source: Maven Associates.

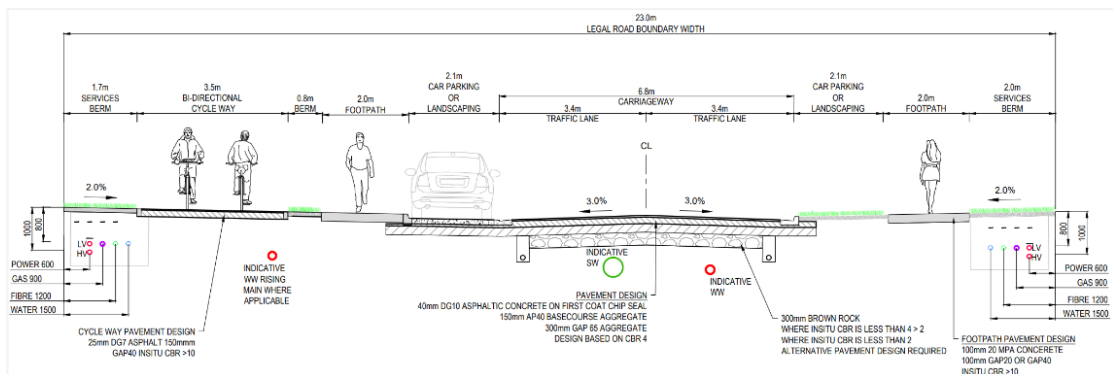


Figure 26b: Secondary Proposed Road hierarchy and external connections. Source: Maven Associates.

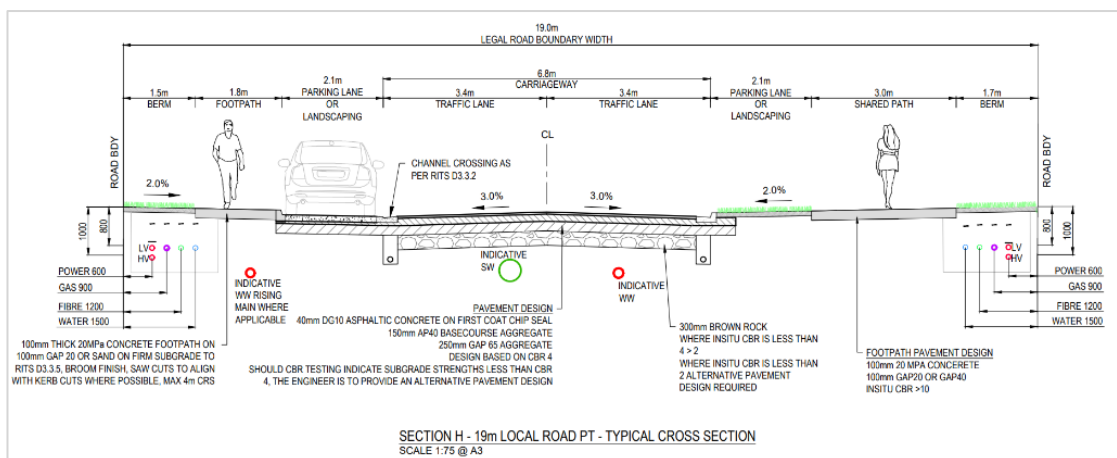


Figure 26c: Public-transport-capable local road proposed road hierarchy and external connections: source Maven Associates

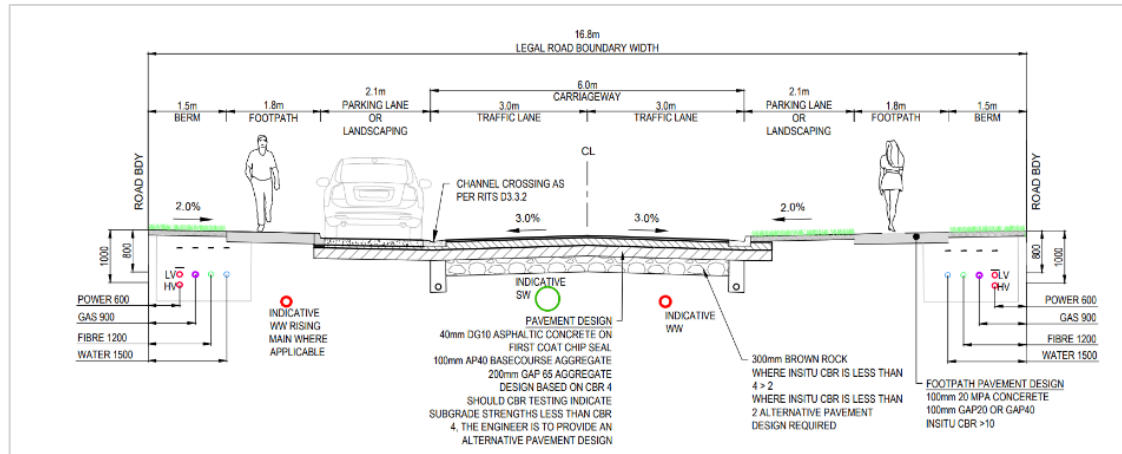


Figure 26d: Local Road proposed road hierarchy and external connections: Maven Associates.

4.10.3 External Connections and Staging

Four external access points are proposed as part of the Project. Their respective functions and staging limits are summarised in **Table 6**.

Table 6: External Transport Connections

Connection	Function	Development limit or trigger	Principal requirement
O'Brien Road	Access to Stage 1A	Eight rural-residential dwellings	No through-vehicle connection to the balance of the Project
Harrogate Place	Access to Stage 1	Maximum 118 dwellings	No vehicle connection to the integrated road network
Grandview Road	Initial access to the integrated development area	Approximately 200 dwellings	State Highway 23 intersection required before the threshold is exceeded
State Highway 23	Permanent southern connection to the integrated road network	Required before development proceeds beyond the Grandview Road threshold	Detailed form subject to NZ Transport Agency Waka Kotahi approval

The O'Brien Road access will serve only the eight rural-residential dwellings within Stage 1A. Harrogate Place will serve the 118 dwellings within Stage 1. Neither area will have a through-vehicle connection with the balance of the Project, although pedestrian and cycling connections may be provided.

A new Grandview Road connection will be established through the land acquired by the Applicant at 234 Grandview Road, between Ayrshire Drive and Western Heights Drive. It will connect with the internal collector network and provide for vehicles, pedestrians and cyclists. No more than approximately 200 dwellings within the integrated development area will rely on Grandview Road as their principal external vehicle connection.

Before that threshold is exceeded, the permanent connection with State Highway 23 must be constructed and open to traffic. Following its completion, later stages will progressively complete the integrated internal road network between Grandview Road and the State Highway.

The current proposal is to establish an initial priority-controlled T-intersection with State Highway 23 while providing for a possible future roundabout as traffic demand and wider network requirements develop. The earlier roundabout-and-bypass arrangement does not form part of the current proposal.

The staging framework limits the number of dwellings using the existing local-road connections during the early development period and ensures that the permanent State Highway connection is available before the wider integrated development proceeds.

4.10.4 Walking, Cycling and Public Transport

Footpaths will be provided on all internal public roads. The collector roads will contain 2m wide footpaths on both sides, and local and public-transport-capable local roads will generally contain 1.8m-wide footpaths on both sides. Open-space-edge roads will provide a 1.8 m-wide footpath on one side. A 3.5 m-wide two-way cycleway will be provided along the collector-road network.

The walking and cycling network will connect residential areas with the neighbourhood centre and apartment sites, neighbourhood and pocket parks, the central wetland and open-space network, Grandview Heights, Western Heights, Te Kootii Park, and other surrounding reserve and path networks.

A recreational connection will link the Site with Te Kootii Park and the existing access points at Friesian Place and Limousin Place. Additional paths will be provided through public reserve areas where compatible with their stormwater and ecological functions.

Walking and cycling infrastructure will be constructed progressively with the development stage in which it is located. Connections to adjoining neighbourhoods and reserves will be completed when development reaches the relevant boundary.

The collector-road network will be designed to accommodate future bus operation, including the tracking requirements of a 13.5m single-unit bus. The completed connection between Grandview Road and State Highway 23 will enable future passenger-transport services to travel through or loop within the development.

Bus-stop infrastructure will be installed progressively at locations agreed with Waikato Regional Council and the relevant road-controlling authority. The Applicant will engage with Waikato Regional Council by the agreed 400 lot development trigger, regarding the extension or diversion of scheduled passenger-transport services into the Project.

4.10.5 Vehicle Access, Parking and Servicing

Vehicle access to residential lots will be provided from the local-road network, jointly owned access lots or rear lanes in accordance with the applicable Development Controls.

Rear-loaded terrace dwellings will obtain vehicle access exclusively from the relevant rear lane. Front-loaded terraces and duplexes will use consolidated crossings where practicable to reduce the number and visual prominence of crossings along residential streets.

At least one on-site car-parking space will be provided for each lot-based residential dwelling. Visitor parking will be accommodated through recessed on-street parking bays and parking associated with the apartment and mixed-use sites.

A1 will provide 94 parking spaces for 144 apartments, equivalent to approximately 0.65 spaces per apartment. A2 will provide 28 parking spaces for 48 apartments, equivalent to approximately 0.58 spaces per apartment. These lower parking rates will be supported by car-share and ride-share spaces, EV-charging facilities, secure resident cycle and micro-mobility storage, visitor cycle parking and a Residential Travel Plan for each apartment site.

Parking, access, loading and servicing for A1, A2, C1 and C2 are described above, and shown on the architectural and transport plans. Recessed loading provision will comprise at least two loading bays each for C1 and C2, two bays for A1 and one bay for A2. The detailed design will also address the C1 basement ramp, the internal access arrangements within A1 and the location and accessibility of resident and visitor cycle parking.

4.10.6 Detailed Design and Implementation

Before construction of roads, intersections, accesses or active-mode facilities within a stage, detailed engineering plans will be submitted to the relevant road-controlling authority. The detailed design will demonstrate compliance, where applicable, with:

- the approved consent plans;
- the applicable District Plan road-formation requirements;
- the Regional Infrastructure Technical Specifications;
- Austroads guidance;
- NZ Transport Agency Waka Kotahi requirements; and
- the stage-specific transport conditions.

Safe System audits will be undertaken at the appropriate detailed-design, construction and post-construction stages. Any identified safety matters will be addressed in consultation with the relevant road-controlling authority.

The roads, footpaths, cycleways, lighting, access and other transport infrastructure required to serve a stage must be completed and operational before occupation or title release in accordance with the staging conditions.

Street lighting will be provided on internal roads and key pedestrian routes, cycleways and shared paths in accordance with the applicable AS/NZS 1158 lighting category.

Temporary construction access and construction-related vehicle movements will be managed separately through the Construction Traffic Management Plan.

4.11 Infrastructure and Utilities

The proposed stormwater, wastewater, water-supply and utility networks are shown on the Civil Engineering Drawings in **Appendix 15** and described in the Infrastructure Report in **Appendix 13**. Stormwater management is further detailed in the Stormwater Management Plan and associated operations and maintenance documentation in **Appendix 14**. The effects of the authorised

Waikato River water take are assessed in the Hydrology / Groundwater Assessment in **Appendix 20**.

Infrastructure will be constructed progressively to service each development stage. Detailed engineering plans will be prepared before construction of the relevant stage and submitted to the relevant territorial authority, regional council and network utility operator where required.

Stormwater Management

Stormwater will be managed through an integrated treatment, attenuation, conveyance and groundwater-recharge system comprising:

- on-lot retention, pretreatment and soakage;
- a new public piped network;
- defined overland-flow paths within roads and open spaces;
- modified drains and landscaped conveyance channels;
- artificial wetlands, forebays, outlet controls and high-flow bypasses; and
- associated wetland, riparian and ecological planting.

Roof runoff will be managed using inert roofing materials and on-lot soakage or retention devices. Runoff from driveways and other trafficked impervious areas will receive pretreatment through catchpits, sumps or other approved devices before soakage or discharge. Flows exceeding the capacity of on-lot devices will connect to the public network and communal stormwater wetlands.

The piped network will generally convey the 10-year climate-change-adjusted event. Larger events, including the 1% annual exceedance probability event, will be conveyed along designated overland-flow paths to the artificial wetlands and receiving drainage network.

The artificial wetlands will provide water-quality treatment, extended detention and attenuation of the 10-year and 100-year events. Flow-splitting devices will direct lower flows through the treatment wetlands, while higher flows will use bypass channels designed to protect the treatment function and avoid scour or remobilisation of accumulated sediment. Treated stormwater will discharge through the modified drainage network towards the Ohote Stream catchment and ultimately the Waipā River.

Post-development peak discharges will be limited to no more than 80% of pre-development peak flows where applicable. Existing upstream inflows, drainage corridors, overland-flow paths and discharge locations will be retained or appropriately accommodated so that downstream flooding effects are not worsened. The two-dimensional flood modelling indicates that flood immunity can be achieved, subject to the resolution of identified localised exceedances through detailed design.

The Site contains peat and areas of shallow or seasonally variable groundwater. On-lot soakage and other distributed recharge measures will therefore perform both stormwater and peat-management functions by supporting groundwater recharge and reducing the potential for post-construction peat shrinkage. Their location and design will be informed by further soakage testing, groundwater and settlement monitoring, detailed geotechnical design and coordination with the earthworks and peat-management programme. Water levels within the stormwater wetlands will also be monitored during construction and establishment where required by the conditions.

Stage 1A will use a separate system incorporating on-lot treatment and attenuation, rainwater tanks or soakage devices, an artificial wetland and an AquaFort or equivalent proprietary treatment device. Discharge from the artificial wetland will enter the adjoining existing wetland at controlled rates intended to maintain groundwater recharge, baseflow and the hydrological characteristics of the receiving wetland.

The stormwater facilities will form part of the wider blue-green network and will be integrated with wetland enhancement, stream restoration, ecological mitigation, planting, recreation and open-space outcomes. Detailed design and operation and maintenance requirements will be implemented through the Stormwater Management Plan, engineering-approval process, management plans and conditions of consent.

Streams, Drains and Culverts

The Project includes works within and adjoining modified natural watercourses and artificial drains to construct roads, provide stormwater conveyance, manage flooding and implement ecological mitigation and compensation.

The proposed works include:

- modification of artificial drains and their conversion into planted swales;
- removal of approximately 133m of modified ephemeral Watercourse W2a to establish the Harrogate Place roading connection;
- temporary modification of part of Watercourse W2 during peat-compaction works, followed by reinstatement as an open channel and ecological restoration;
- installation of three box culverts along Watercourses W1 and W2 and three circular culverts along Watercourses W3, W3b and W3c;
- approximately 211 m of new culvert pipe and 74m of associated erosion protection or rock riprap;
- removal of approximately 72m of existing farm culverts, resulting in a net increase of approximately 139m of culverted stream;
- creation of approximately 134m of new ephemeral stream channel; and
- restoration and riparian planting of retained modified ephemeral and perennial watercourses.

The new culverts will convey stream flows and stormwater-wetland discharges beneath the road network. Their locations and preliminary dimensions have been informed by two-dimensional HEC-RAS flood modelling and supporting hydraulic analysis. Detailed design will confirm culvert dimensions, embedment, gradients, erosion protection, hydraulic capacity and inlet and outlet treatments.

All new culverts will provide for fish passage and will be designed and installed in accordance with the applicable National Environmental Standards for Freshwater and New Zealand Fish Passage Guidelines. Removal of existing farm culverts will improve connectivity along the affected reaches. Fish recovery and relocation will be undertaken before works within flowing watercourses or drains in accordance with the approved Fish Management Plan.

The stream works will be coordinated with the ecological mitigation and compensation package. This includes riparian restoration, the new ephemeral stream channel, weed and animal-pest

control and staged planting and establishment requirements. Appropriate erosion and sediment controls, temporary diversions, fish-management measures and construction sequencing will be used to manage effects during the works.

Wastewater Servicing

The urban development stages will be serviced by a new reticulated wastewater network connecting to the IAWAI public wastewater system. The internal network will comprise gravity sewers generally ranging from 150 mm to 225 mm in diameter, three pump stations and associated rising mains, a low-pressure sewer system for the lower parts of Stage 12, manholes, controls, telemetry and emergency storage.

The Site is divided into three principal wastewater catchments served by WWPS A, WWPS B and WWPS D. Each pump station will provide at least nine hours of emergency storage based on average daily flow and will be constructed progressively as the relevant catchment is developed.

The first 118 dwellings within Stage 1 will be serviced through an interim rising main from the central WWPS B to the existing receiving manhole serving the Grandview Road wastewater pump station. Any additional storage or network works required for that interim arrangement will be confirmed with IAWAI through detailed design.

Before Stage 2 proceeds, the ultimate connection to the Western Interceptor will be established. This will comprise a rising main from WWPS B through the internal road network and along Grandview Road to a new receiving manhole near 91A Grandview Road, followed by a new gravity trunk sewer connecting to the Western Interceptor at the Grandview Road–Avalon Drive intersection. The interim Stage 1 rising main will then be abandoned or repurposed as agreed with IAWAI.

Subsequent stages will connect progressively to this strategic network. Wastewater modelling identified no local manhole overflows from the proposed connection scenarios, although the network immediately upstream of the existing Grandview pump station is projected to approach capacity and will require ongoing coordination with IAWAI.

An alternative connection or staging arrangement may be adopted where approved by IAWAI and where it provides an equivalent or better level of service and environmental outcome.

The eight rural-residential lots in Stage 1A will be serviced by individual on-site wastewater-treatment systems designed and operated in accordance with the applicable regional and building requirements.

Potable Water and Firefighting Supply

The urban development stages will be supplied from the IAWAI reticulated water network. The proposed staging strategy comprises:

- extension of a new 180 mm OD water main from the existing main in Ayrshire Drive to serve the first 118 dwellings in Stage 1, including the transfer of existing Harrogate Place connections where required;
- a second connection from the existing public main in Grandview Road to serve Stages 2 and 3 and provide a looped connection with the Stage 1 network;
- construction completion of a new 6-million-litre Brymer reservoir within the Stage 4 area to service facilitate water storage and distribution for the development;

- extension of the existing bulk-water main in Brymer Road to supply the reservoir;
- progressive extension of the internal distribution network through Stages 4–12; and
- extension of a strategic water main towards State Highway 23, capped to allow for a possible future connection beyond the Site.

The internal network will comprise distribution and rider mains, valves and hydrants within the road and utility corridors. It will be designed to provide domestic and firefighting supply, including FW2 provision for residential areas and FW3 provision for apartment and mixed-use sites, in accordance with SNZ PAS 4509.

The Water Supply Impact Assessment identifies an existing storage constraint at the Dinsdale Reservoir. Subject to that constraint being addressed, modelling indicates that Stage 1 can be supplied from Ayrshire Drive and that up to 551 additional lots can be supplied using the Ayrshire Drive and Brymer Road connections. The strategic reservoir and bulk supply infrastructure are therefore required before the later development stages proceed. Final staging remains subject to confirmation of available capacity and agreement with IAWAI.

The new water reservoir will have a storage capacity of approximately 6 ML within the reservoir area. The reservoir will be an above-ground structure approximately 8m high, and partly embedded within the finished landform to reduce its exposed height and visual prominence. It will be supplied by a new 630 OD bulk feeder from Brymer Road and connected to the development through the proposed water-main network. The final reservoir footprint, finished platform level, extent of embedment, exposed height, external finish, access, security fencing and landscape treatment will be confirmed through detailed engineering and landscape design.

Water permit AUTH148775.01.01 authorises abstraction from the Waikato River for municipal supply to the Project through the existing Waiora intake and treatment infrastructure. The authorised take is up to 392,742 m³ annually, 1,323 m³ daily and 15.3 L/s instantaneously. The Hydrology Assessment concludes that the take will have less than minor effects on river hydrology, other water users, water quality and sedimentation.

No modification of the existing Waikato River intake structure or other physical works within the riverbed are proposed. The water permit does not, by itself, secure the physical connection or capacity required within the IAWAI network.

The Stage 1A rural-residential lots will use individual rainwater-storage tanks for potable supply.

Utility Services

Power, telecommunications and gas infrastructure will be provided progressively to service each stage. WEL Networks, Tuatahi First Fibre and Firstgas have confirmed that their respective networks can be extended to the development, subject to detailed design and the usual connection requirements.

Electricity

Electricity will be supplied through extensions to the WEL Networks distribution system. Reticulation within the development will be installed underground within road service corridors or other protected utility alignments.

The existing 33kV overhead electricity line crossing the Site will be undergrounded. The proposed works include removing the relevant overhead conductors and intermediate poles and installing

replacement underground cables within a dedicated easement and the proposed road or reserve corridors.

Telecommunications

Underground fibre telecommunications will be extended throughout the development. Tuatahi First Fibre is the proposed telecommunications provider, with final alignments, connection points and capacity requirements to be confirmed through detailed design.

Gas

The development is proposed to be serviced by an extension of the Firstgas network. Gas infrastructure will be installed within the coordinated utility corridors, subject to detailed design and confirmation of the network operator's requirements.

Detailed Design and Implementation

Detailed infrastructure design will be coordinated with the approved roads, earthworks, finished levels, geotechnical and peat-management requirements, stormwater facilities, freshwater works, landscaping, ecological areas, retaining structures, utility corridors and development staging.

Before construction of the relevant works (with the exception of enabling works), detailed engineering plans will demonstrate compliance, where applicable, with:

- the approved consent plans and conditions;
- the Regional Infrastructure Technical Specifications;
- the requirements of Waikato District Council and Hamilton City Council;
- Waikato Regional Council requirements and regional consents;
- IAWAI design standards, capacity requirements and connection approvals;
- NZ Transport Agency Waka Kotahi requirements where State Highway 23 is affected;
- the recommendations and requirements of the approved technical reports and management plans; and
- the standards and approval requirements of the relevant utility operators.

Detailed design will confirm the final dimensions, levels, alignments, capacities and construction requirements for the roads, three-waters infrastructure, stream crossings, culverts, stormwater wetlands, overland-flow paths, pump stations, reservoir, retaining structures and utilities. It will also address groundwater conditions, peat consolidation, settlement monitoring, fish passage, erosion protection and the integration of infrastructure with ecological and landscape works.

The infrastructure required to service a stage must be completed, tested, certified and operational before the release of titles or occupation of development within that stage, as applicable and subject to the specific staging provisions and infrastructure triggers in the conditions.

4.12 Construction Methodology

Construction will occur progressively in accordance with the Construction Staging Plan and Development Programme in **Appendix 4**, the Civil Engineering Drawings in **Appendix 15**, the applicable regional and district consents and the conditions in **Attachment 10**.

Construction will be managed through certified or approved management plans prepared for the relevant stage or activity. These include, where applicable:

- a Construction Management Plan;
- an Earthworks and Erosion and Sediment Control Plan;
- the Geotechnical Effects Management Plan in **Appendix 18**;
- the Acid Sulphate Soil Management Plan in **Appendix 19**;
- the Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**;
- the relevant ecological management plans in **Appendix 23**;
- the Archaeological Site Management Plan in **Appendix 26**;
- the Construction Noise and Vibration Management Plan in **Appendix 28**; and
- a Construction Traffic Management Plan.

The management plans will be implemented together and updated where required to reflect the detailed design, construction methodology and sequencing of the relevant stage.

4.12.1 Construction Phasing

The Day 0 subdivision will establish the parent titles required for the staged development. Physical construction will then proceed progressively through Stage 1A and Stages 1–12.

The precise sequencing of physical stages beyond stage 1 may change in response to infrastructure availability, engineering requirements, environmental constraints, market demand and construction efficiency, provided the applicable staging conditions, ecological mitigation requirements and infrastructure triggers are met.

Works within each physical stage will generally comprise:

- site establishment, construction access and installation of erosion, sediment, dust and other environmental controls;
- identification and protection of retained vegetation, wetlands, watercourses, ecological areas, archaeological features and utility infrastructure;
- required pre-clearance ecological surveys, fauna recovery or relocation and cultural or archaeological procedures;
- authorised vegetation clearance, topsoil stripping and remediation of contaminated land;
- installation of temporary drainage, stream diversions or dewatering measures required to undertake the works;
- bulk earthworks, peat undercut or preloading, ground improvement and associated groundwater and settlement monitoring;
- construction or modification of drains, stream channels, culverts, erosion protection, stormwater wetlands and other drainage infrastructure;
- installation of wastewater, water-supply and utility networks;
- formation of roads, accessways, footpaths and cycleways;

- reinstatement and restoration of temporarily affected watercourses and implementation of the required wetland, stream and terrestrial ecological mitigation;
- establishment of reserves and landscape planting; and
- testing, certification and commissioning of infrastructure.

This sequence may be varied where necessary to respond to site conditions or to establish stormwater, ecological or infrastructure works earlier. Any variation must continue to comply with the approved management plans, environmental controls and staging conditions.

Infrastructure required to service a stage must be completed and operational before the relevant titles are released or buildings are occupied, as applicable. The staging framework will also ensure that the required external transport connections, stormwater facilities and water and wastewater infrastructure are available before the associated development thresholds are exceeded.

Peat preloading or surcharge areas will remain in place for the period required by the geotechnical design. Development of an affected platform will not proceed until the required monitoring, hold periods and settlement acceptance criteria have been satisfied and confirmed by a suitably qualified and experienced geotechnical professional.

4.12.2 Enabling Works

Enabling works will be undertaken before the principal earthworks within each stage. They may include establishment of site access and construction compounds, survey and demarcation of works areas, installation of environmental controls, authorised vegetation clearance, topsoil stripping and stockpiling, service relocations, demolition and preliminary drainage works.

Vegetation removal will be limited to the approved works footprint and the extent necessary to undertake the authorised works. Vegetation, wetlands, watercourses, ecological areas and landscape features identified for retention will be clearly demarcated and protected.

Before vegetation clearance or freshwater works begin, the applicable ecological inspections, salvage and relocation procedures will be completed. These may include checks for nesting birds, long-tailed bats and lizards and fish recovery from affected streams and drains. Works within or adjoining watercourses will be undertaken using the approved construction methodology, erosion and sediment controls, temporary diversions and fish-passage measures.

Works affecting the identified pre-1900 drainage feature will not begin until the required archaeological authority and Archaeological Site Management Plan are in place. Accidental-discovery procedures will apply throughout the earthworks.

4.12.3 Earthworks and Ground Improvement

Bulk earthworks are required to form building platforms, roads, accessways, infrastructure corridors, stormwater facilities, reserves and appropriate finished gradients. The works will include excavation, filling, topsoil stripping, temporary stockpiling, preloading, temporary and permanent batters, retaining structures and the reuse or disposal of excavated material.

For construction management purposes, the bulk earthworks are divided into four principal earthworks stages, with further sub-staging used to manage erosion and sediment controls, material movements, preloading and the interface with the subdivision stages. The current staging

plan identifies approximately 701,185.9 m² of earthworks, comprising approximately 603,251.7 m³ of cut and 899,961.6 m³ of fill. These volumes are indicative, unfactored and measured in situ.

Table 7: Indicative Earthworks by Principal Earthworks Stage

Earthworks stage	Area	Cut	Fill	Net balance	Topsoil strip
Stage 1	242,272 m ²	230,694 m ³	382,158 m ³	151,464 m ³ fill deficit	72,682 m ³
Stage 2	193,491 m ²	10,133 m ³	283,082 m ³	272,949 m ³ fill deficit	58,047 m ³
Stage 3	178,422 m ²	240,381 m ³	199,712 m ³	40,669 m ³ cut surplus	53,527 m ³
Stage 4	124,423 m ²	121,740 m ³	77,491 m ³	44,249 m ³ cut surplus	37,327 m ³
Total	701,185.9 m²	603,251.7 m³	899,961.6 m³	296,710.0 m³ fill deficit	210,355.8 m³

The stated volumes exclude some imported fill, clay, aggregate and other material required for peat preloading. Material used for preloading will be recovered and reused within the development where suitable. Cut surpluses generated in Earthworks Stages 3 and 4 will also be transferred or stockpiled for use in the fill-deficit areas within Earthworks Stages 1 and 2. Material movements and reuse will be recorded through the required material-tracking system.

The difference between the net in-situ balance in **Table 7** and the anticipated imported-fill requirement reflects bulking, compaction, preload reuse and the suitability of excavated materials. The final imported-fill quantity will be confirmed through detailed earthworks design and reconciliation of the approved cut-and-fill and preload schedules.

Within low-lying peat areas, ground improvement will principally comprise staged filling, preloading or surcharging and, in identified locations, undercutting and replacement with engineered fill. Peat under the footprint and zone of influence of WWPS B and beneath part of the Stage 1 modified drain will be removed and replaced with approved engineered fill.

Preload areas include the identified E1, E2 and E3 sub-stages shown on the Civil Engineering Drawings. Settlement monitoring will be installed before preload placement, and loading will proceed using an observational approach with geotechnical hold points. Preload duration, surcharge height and removal will be adjusted where necessary in response to measured settlement and stability performance. Development of an affected platform will not proceed until the applicable settlement acceptance criteria have been satisfied and confirmed by a suitably qualified and experienced geotechnical professional.

Earthworks within peat-influenced and potentially acid sulphate soil areas will be managed to minimise unnecessary groundwater lowering, peat oxidation, settlement and acidic runoff. The excavation, reuse, treatment and disposal of affected soils will be undertaken in accordance with the Geotechnical Effects Management Plan, Acid Sulphate Soil Management Plan, Earthworks Management Plan and applicable consent conditions.

Groundwater, settlement and wetland water-level monitoring will be coordinated with preloading, stormwater construction and peat management. On-lot soakage and other recharge measures will

be incorporated where applicable to support groundwater recharge and reduce the potential for post-construction peat shrinkage.

Earthworks staging may group or subdivide the subdivision stages. The approved earthworks plans and management documentation will therefore identify the applicable construction areas, sub-catchments, preload areas, material movements and environmental controls rather than assume that every subdivision stage constitutes a separate earthworks stage.

4.12.4 Retaining and Batters

Retaining walls and formed batters are proposed where required to establish the road network, development platforms, stormwater infrastructure and transitions between adjoining ground levels. The proposed retaining-wall locations and indicative forms are shown on the Civil Engineering Drawings in **Appendix 15**, including the retaining-wall overview and profiles on Drawings C250 to C250-8.

Retaining is concentrated around the principal road and platform transitions, including parts of the northern development area, the terraced development areas adjoining Te Kootii Park, the southern edge of the central development platform and the south-western portion of the Site approaching State Highway 23.

The walls shown on the engineering drawings are generally between approximately 1m and 4m in retained height. Isolated walls are higher, with a maximum currently shown retained height of approximately 5.6m. Depending on their location, height and engineering requirements, the proposed wall forms include timber-pole, keystone, mechanically stabilised earth and steel-beam retaining systems.

Where practicable, changes in level will be accommodated through graded or landscaped batters. Retaining walls will be used where steeper transitions are required to establish safe and efficient roads and building platforms, protect infrastructure or avoid a greater earthworks footprint.

The final structural form, foundation design, drainage, barriers and detailed dimensions of each wall will be confirmed through detailed geotechnical and engineering design. That design may refine the wall alignments and construction systems shown on the consent drawings while remaining within the approved earthworks and retaining envelope and maintaining the approved transport, landscape, ecological and amenity outcomes.

Walls visible from roads, reserves, public paths or adjoining properties will be integrated with the landscape design. Where appropriate, this will include planting, modulation, stepping or other treatment to reduce the apparent scale and visual prominence of the wall. Future lot-level retaining will also be controlled through the applicable Development Controls and Residential Design Guidelines.

4.12.5 Erosion and Sediment Control

Erosion and sediment controls will be installed before earthworks commence within each stage and maintained until the affected areas are stabilised. Controls will be designed and implemented in accordance with the Waikato Regional Council erosion and sediment control guidelines and the proposed regional-consent conditions.

The detailed erosion and sediment control plans will identify the sequencing of works, contributing catchments, device sizing and location, discharge points, monitoring requirements and procedures for responding to adverse weather.

Where contaminated or potentially acid-generating soil is encountered, runoff and sediment from those areas will be managed separately in accordance with the Remedial Action Plan, Contaminated Site Management Plan and Acid Sulphate Soil Management Plan.

4.12.6 Construction Effects Management

Construction effects will be managed through the proposed conditions and the relevant management plans. These address noise and vibration, construction traffic, dust, erosion and sediment, groundwater and settlement, contaminated and acid sulphate soils, ecology, archaeological and cultural matters, and complaints and incident response.

The relevant management plans include:

- the Geotechnical Effects Management Plan in **Appendix 18**;
- the Acid Sulphate Soil Management Plan in **Appendix 19**;
- the Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**;
- the ecological management plans in **Appendix 23**;
- the Archaeological Site Management Plan in **Appendix 26**;
- the Construction Noise and Vibration Management Plan in **Appendix 28**; and
- the Construction Traffic Management Plan and erosion and sediment control plans required by the proposed conditions.

The Noise and Vibration Assessment in **Appendix 27** assesses the anticipated construction noise and vibration. These effects will be managed through the Construction Noise and Vibration Management Plan, including controls relating to construction hours, equipment, monitoring, communication and complaints.

Vegetation clearance and works affecting wetlands, watercourses or fauna habitat will be undertaken in accordance with the applicable ecological management plans. These provide for the protection of retained areas, pre-clearance surveys and the management or relocation of birds, bats, lizards and fish where required.

Cultural monitoring will be undertaken for the activities and areas identified through engagement with Ngaati Maahanga. Accidental-discovery procedures will apply to any archaeological material, taonga tūturu or kōiwi tangata encountered during construction. Works subject to the separately sought archaeological authority will also comply with that authority and the Archaeological Site Management Plan.

The management plans will be submitted for certification where required before the relevant works commence. They may be prepared or updated on a stage-specific basis to reflect the detailed design, construction methodology and location of the works.

4.13 Summary of Monitoring and Mitigation Measures

The Project incorporates a comprehensive suite of measures to avoid, remedy or mitigate adverse effects and, where residual freshwater and ecological effects cannot be addressed at the point of impact, to provide offsetting or compensation. These measures are secured through the proposed conditions, approved plans, management plans, certification requirements, staging triggers, consent notices and monitoring and reporting obligations.

The principal measures include:

- construction management controls addressing erosion and sediment, dust, noise and vibration, construction traffic, earthworks sequencing, accidental discoveries, complaints and communication with adjoining landowners and the relevant authorities;
- transport staging requirements, including limits on the use of Harrogate Place and Grandview Road, delivery of the State Highway 23 connection, Safe System audits and monitoring of traffic movements as development proceeds;
- staged delivery, testing and commissioning of stormwater, wastewater, potable-water, firefighting and utility infrastructure before the associated titles are released or buildings occupied;
- stormwater treatment, attenuation, overland-flow management and groundwater-recharge measures, together with monitoring of groundwater, settlement and wetland water levels where required;
- geotechnical controls for peat undercutting, preloading and surcharging, including observational monitoring, hold points, settlement acceptance criteria and certification by a suitably qualified and experienced geotechnical professional;
- management of contaminated land, acid sulphate soils and imported fill through the applicable investigation, handling, treatment, validation, tracking and disposal procedures;
- freshwater management measures addressing stream and drain works, temporary diversions, culvert design, erosion protection, fish passage, fish recovery and relocation, reinstatement of temporarily affected channels and monitoring of restored and created freshwater habitat;
- ecological protection, restoration, offsetting and compensation, including wetland creation and enhancement, stream creation and restoration, riparian planting, pest and weed control and the applicable minimum establishment and monitoring periods;
- fauna-management measures for long-tailed bats, lizards, nesting birds and indigenous fish before and during vegetation clearance and freshwater works;
- protection of retained vegetation, wetlands and ecological areas during construction;
- early and progressive establishment of landscape, riparian, buffer, street-tree, reserve and open-space planting, supported by maintenance, replacement, bonding and consent-notice requirements where applicable;
- implementation of the Residential Development Controls and Residential Design Guidelines through the required design-review and certification process;
- site-specific parking, servicing, loading, travel-planning and operational management measures for the apartment and mixed-use sites;
- ongoing engagement with mana whenua, cultural induction and monitoring of earthworks and in-stream works where requested;
- compliance with the Archaeological Site Management Plan, any required archaeological authority and accidental-discovery procedures; and

- inspections, monitoring, auditing, certification, record keeping and reporting to the relevant consent authority throughout construction, establishment and operation.

The principal mitigation and monitoring measures are summarised in **Attachment 6**, with the enforceable requirements contained in the proposed conditions in **Attachment 10**. If there is any inconsistency between the summary and the conditions, the conditions and approved plans will prevail.

4.14 Long Term Infrastructure Ownership and Management

Infrastructure and open-space assets will be vested in the relevant authority or retained in private ownership according to their function and the approved subdivision plans. The proposed arrangements are summarised as follows:

- public roads and associated transport assets will vest in the relevant road-controlling authority;
- jointly owned access lots and rear lanes will remain in private ownership and be maintained by the benefiting owners;
- public water and wastewater infrastructure will vest in, or otherwise be managed under arrangements agreed with, the relevant network authority;
- public stormwater reserves and infrastructure will vest in the relevant authority where accepted for public ownership;
- the recreation reserves shown as Lots 8000 and 8001 will vest in the relevant Council, subject to the applicable conditions and acceptance requirements; and
- privately retained stormwater, landscape, ecological and utility assets will be maintained by the owner or another entity established for that purpose.

Assets proposed to vest will be constructed, tested and certified in accordance with the applicable engineering and completion requirements. The Applicant will remain responsible for landscape and ecological establishment and defects maintenance for the periods specified in the proposed conditions.

No esplanade reserves are proposed because the affected watercourses do not meet the applicable statutory width threshold. Other reserve, access and ecological protection arrangements are shown on the scheme plans in **Appendix 5** and secured through the proposed conditions.

4.15 Lapse Period and Consent Duration

A lapse period of 15 years from commencement of the resource consents under the WDC is sought. This period reflects the scale and multi-staged nature of the Project and the time required to coordinate earthworks, infrastructure, subdivision and land-use development.

For any regional permits, a consent duration of 35 years is requested for all associated activities, including groundwater take, stormwater diversion, discharge of human sewage and wastewater, and water defence works. The proposed duration is intended to provide long-term certainty and enable the substantial infrastructure investment necessary for these activities

4.16 Other activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 of the FTAA. The activities forming part of the Project are described throughout this proposal section. No additional activities forming part of the Project have been identified beyond those for which approval is sought or which are otherwise described as being separately authorised.

4.17 Other Approvals Required

This section is provided in accordance with clause 5(1)(f) of Schedule 5 of the FTAA.

Wildlife Act 1953

A Wildlife Act 1953 authority has been sought separately for the handling, capture and relocation of indigenous lizards and for any incidental injury or mortality arising from the works. That authority is being progressed outside this substantive application.

Heritage NZ Pouhere Taonga Act 2014

An archaeological authority has also been sought separately from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014. It does not form part of the approvals sought under this substantive application.

Freshwater Fisheries Regulations 1983

Regulation 42 of the Freshwater Fisheries Regulations 1983 provides that a culvert or ford must not be constructed in any natural river, stream or water in a manner that impedes fish passage without the written approval of the Director-General of Conservation. Culverts and fords must also be maintained so that they continue to provide for the free passage of fish, unless an exemption applies.

Schedule 9 of the FTAA provides an approval pathway for a complex freshwater fisheries activity. An approval granted under Schedule 9 has the same force and effect as an approval granted under regulation 42 or 43 of the Freshwater Fisheries Regulations. Relevantly, the FTAA defines the construction or alteration of a culvert or ford that permanently blocks fish passage as a complex freshwater fisheries activity.

The Project includes the installation of three box culverts and three circular culverts within modified natural watercourses, together with the removal of approximately 72 m of existing farm culverts. The Ecological Impact Assessment and Fish Management Plan confirm that all new culverts will be designed, installed, monitored and maintained to provide for fish passage in accordance with regulation 70 of the NES-F and the New Zealand Fish Passage Guidelines. Detailed design will address culvert embedment, gradients, substrate continuity, flow velocities, inlet and outlet transitions and erosion protection.

The proposed culverts will not permanently block or otherwise impede fish passage. Removal of existing farm culverts will also improve connectivity within the affected reaches. Accordingly, the proposed works do not constitute a complex freshwater fisheries activity and no approval is sought under Schedule 9 of the FTAA. Because the culverts will not be constructed in a manner that impedes fish passage, separate written approval under regulation 42 is also not required.

This conclusion relies on the culverts being designed, constructed, monitored and maintained to achieve the specified fish-passage outcomes. If detailed design were subsequently altered so that

a culvert or ford would impede fish passage, any approval required under the Freshwater Fisheries Regulations would need to be obtained before those works commenced.

Other

The Project will also require subsequent technical and administrative approvals ordinarily associated with detailed design and construction. These may include engineering-plan approvals, building consents, network connection approvals, corridor-access approvals and approvals from NZ Transport Agency Waka Kotahi for works affecting State Highway 23. These approvals do not form part of the substantive application.

4.18 Proposed Conditions of Consent

This section is provided in accordance with clauses 5(1)(k) and 18 of Schedule 5 of the FTAA. The proposed conditions are contained in **Attachment 10** and have been prepared with reference to sections 108 and 220 of the RMA, as applicable.

The conditions provide the framework for:

- managing adverse effects during construction and operation;
- implementing the mitigation and offsetting identified in the technical assessments;
- certifying management plans and detailed designs;
- monitoring environmental effects and infrastructure performance;
- coordinating subdivision, land use and infrastructure delivery; and
- securing the applicable staging and completion requirements.

The conditions include development thresholds and infrastructure triggers to ensure that each stage is appropriately accessed and serviced before titles are released or buildings are occupied. These include limits on development served from Harrogate Place and Grandview Road, delivery of the State Highway 23 connection, and staged provision of the required transport and three-waters infrastructure.

Overall, the proposed conditions are considered proportionate to the scale and effects of the Project and sufficient to achieve the environmental outcomes identified in the application.

5.0 Approvals Required

5.1 Overview

The following section of this report are provided in accordance with clauses 5(1)(h), 5(2) and 5(3)(a) of Schedule 5 of the FTAA to identify the resource consents required under the RMA and the relevant provisions which require these consents to be obtained.

The application seeks all resource consents necessary for the implementation and ongoing operation of the Project. For completeness, the application also seeks consent for any matters that are not listed below but which are subsequently identified as being necessary through the processing of the 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 and which would be generated by the Project as a consequence of the additional consent matters.

In summary, consent is required under the provisions of the NESCS, NES-F, Waikato Regional Plan ('WRP'), and ODP (and ODPIP) as identified below. A full activities and standards assessment is included as **Attachment 8**.

5.2 Waikato Operative District Plan in Part (ODPIP)

Resource consents required under the Waikato District Plan – Operative in Part, in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, are as follows:

- Infrastructure-related earthworks across approximately 70.1ha, including earthworks associated with roads, access tracks, three-waters infrastructure and other utilities, exceed the permitted area and volume limits and involve works within 10m of watercourses. These earthworks are a **restricted discretionary activity** under Rule AINF-R8.
- Subdivision to create utility allotments for the proposed water, wastewater and other infrastructure, where the subdivision is undertaken by the applicant rather than a network utility operator, is a **discretionary activity** under Rule AINF-R17.
- The absence of the loading bays required by Table 6 for the commercial activities within C1 and C2 is a **restricted discretionary activity** under Rule TRPT-R2. Sites A1 and A2 comply with the permitted standards.
- Traffic generation from the completed Project, including direct access to State Highway 23 and more than 200 vehicle movements per day from the wider development, is a **restricted discretionary activity** under Rule TRPT-R4.
- The construction and vesting of the proposed collector and local roads on land not presently identified as road or unformed road on the planning maps is a **restricted discretionary activity** under Rule TRPT-R6.
- Off-road pedestrian and cycle connections through the proposed reserves and open-space network are unable to obtain permitted status because their associated earthworks exceed the limits in Rule AINF-R8. They are therefore **restricted discretionary activities** under Rule TRPT-R8.
- The proposed artificial stormwater wetlands do not all comply with the equivalent General Rural Zone building-coverage standard following subdivision of the parent site. The wetlands are therefore **restricted discretionary activities** under Rule WWS-R7.
- The proposed approximately 6ML above-ground water reservoir is a **discretionary activity** under Rule WWS-R20.
- Filling associated with residential building platforms within the Flood Plain Management Area or Flood Ponding Area is not demonstrated to be limited to that necessary to achieve the minimum floor levels required by NH-R1. Any excess building-platform filling is a **restricted discretionary activity** under Rule NH-R8.
- Bulk earthworks within the Flood Plain Management Area or Flood Ponding Area that are not specifically provided for by NH-R7 or NH-R8, including road formation, residential-lot formation and general land raising, are a **restricted discretionary activity** under Rule NH-R9.

- Subdivision creating additional vacant residential allotments within the Flood Plain Management Area or Flood Ponding Area is a **discretionary activity** under Rule NH-R10.
- Clearance of isolated indigenous vegetation outside a Significant Natural Area, including the assumed removal or disturbance of identified tōtara and kahikatea trees, is a **restricted discretionary activity** under Rule ECO-R16.
- General earthworks across approximately 70.1ha, comprising approximately 603,252m³ of cut and 899,962m³ of fill and including cuts, fills and boundary works exceeding the permitted standards, are a **restricted discretionary activity** under Rule EW-R21.
- Placement of approximately 296,710m³ of imported engineered fill, including fill exceeding 1m in depth and potentially located within 1.5m of boundaries, is a **restricted discretionary activity** under Rule EW-R22.
- Operational noise within and between the C1 and C2 mixed-use areas will be managed using bespoke limits appropriate to the proposed mixed-use environment, which exceed the General Rural Zone limits. This is a **discretionary activity** under Rule NOISE-R8. Compliance is anticipated at existing sites beyond the Project boundary.
- Community activities that may establish within C1 are a **restricted discretionary activity** under Rule GRUZ-R37.
- Commercial activities within C1 and C2, including retail, commercial services, food and beverage outlets and potential healthcare tenancies, are **non-complying activities** under Rule GRUZ-R60.
- The proposed number and distribution of residential units, including multiple residential units within the apartment and mixed-use superlots and the overall number of units across the existing parent titles, is a **non-complying activity** under Standard GRUZ-S1.
- Buildings exceeding the applicable 10m and 15m height limits, including the proposed apartment and mixed-use buildings, are **restricted discretionary activities** under Standard GRUZ-S3.
- Buildings protruding through the applicable height-in-relation-to-boundary plane are **restricted discretionary activities** under Standard GRUZ-S8.
- Building coverage exceeding the applicable General Rural Zone limits, including within the apartment, mixed-use and higher-density superlots, is a **restricted discretionary activity** under Standard GRUZ-S9.
- Buildings that do not comply with the applicable road and internal-boundary setbacks are **restricted discretionary activities** under Standard GRUZ-S12.
- Sensitive land uses located within 15m of State Highway 23, being a regional arterial road, are **restricted discretionary activities** under Standard GRUZ-S13.
- Buildings unable to achieve the required setback from the margins of wetlands and other waterbodies are conservatively assessed as **restricted discretionary activities** under Standard GRUZ-S15.
- The subdivision of Records of Title issued before 6 December 1997 that creates more than one additional Record of Title on high-class soil is a **prohibited activity** under Rule SUB-R40.
- The subdivision of Records of Title issued after 6 December 1997 that creates additional allotments on high-class soil is a **prohibited activity** under Rule SUB-R41.
- The proposed subdivision does not comply with the title-date, allotment-number, allotment-area or high-class-soil standards for general subdivision in the General Rural Zone and is a **non-complying activity** under Rule SUB-R43.

- The proposed reserve allotments do not meet the Parks Strategy, incentive-lot, allotment-number and minimum-area standards in Rule SUB-R50 and are assessed as a **non-complying activity** under that rule.
- Proposed residential allotments with road frontages of less than 60m are **restricted discretionary** activities under Rule SUB-R52.
- Residential allotments that cannot accommodate the required 1,000m² shape factor or 30m-diameter circle, an 18m-diameter building platform and a dwelling complying with the General Rural Zone standards are **discretionary activities** under Rule SUB-R56.

The most stringent activity status arising under the Waikato District Plan – Operative in Part is prohibited because the proposal creates additional Records of Title on high-class soil contrary to Rules SUB-R40 and SUB-R41.

5.3 Waikato Operative District Plan (ODP)

Resource consents required under the Waikato Operative District Plan, in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, are as follows:

- The Project does not comply with all effects and building rules applying to permitted activities, and includes commercial activities that are expressly excluded from Rule 25.10.1. The land-use activities are therefore **discretionary activities** under Rule 25.10.2.
- Traffic generation exceeding 200 vehicle movements per day is a **discretionary activity** under Rule 25.16.2.
- Operational noise limits proposed for the C1 and C2 mixed-use areas exceed the Rural Zone limits in Rule 25.17.1. The operational noise infringement is a **discretionary activity** under Rule 25.17.2.
- Earthworks across approximately 70.1ha, including approximately 603,252m³ of cut and 899,962m³ of fill and cuts and fills exceeding the permitted dimensions, are a **discretionary activity** under Rule 25.25.2.
- Placement of approximately 296,710m³ of imported engineered fill, including filling deeper than 1m and filling to form residential building platforms, is a **discretionary activity** under Rule 25.27.2.
- Filling within the Flood Risk Area that is not limited to that required for an approved building foundation and its access is a **discretionary activity** under Rule 25.28.2.
- Indigenous vegetation clearance that does not comply with the permitted standards in Rule 25.43A.1 is a **restricted discretionary** activity under Rule 25.43A.2.
- Residential development exceeding the number of dwellings permitted on the existing titles is a **discretionary activity** under Rule 25.46.2.
- Buildings exceeding the 10m permitted height limit are discretionary activities under Rule 25.49.2.
- Buildings protruding through the applicable daylight-admission plane are restricted discretionary activities under Rule 25.50.2.
- Building coverage exceeding 2% of the site area or 500m², whichever is greater, is a discretionary activity under Rule 25.51.2.
- Non-residential buildings exceeding the applicable 250m² or 500m² gross-floor-area limits are discretionary activities under Rule 25.52.2.
- Buildings that do not comply with the applicable road-boundary and State Highway setbacks are non-complying activities under Rule 25.53.2.

- Buildings on allotments smaller than 5,000m² that cannot comply with either the 12m internal-boundary setback or the alternative 5m setback and associated mitigation requirements are **non-complying activities** under Rule 25.56.2.
- The comprehensive subdivision creates substantially more than one additional certificate of title from each existing title and is a **non-complying activity** under Rule 25.70A.2.
- The creation of multiple access and utility allotments exceeding the limits in Rule 25.70B.1 is a **discretionary activity** under Rule 25.70B.2.
- Subdivision boundaries that divide land affected by flood hazards or otherwise do not comply with the allotment-boundary requirements are a **discretionary activity** under Rule 25.72.2.
- Residential allotments smaller than 8,000m², together with the creation of more than one allotment exceeding 1.6ha, are non-complying activities under Rule 25.74.2.
- Allotments with road frontages of less than 60m are **discretionary activities** under Rule 25.75.2.
- The provision of vehicle access to each developable allotment in accordance with the applicable traffic and engineering standards is a **restricted discretionary activity** under Rule 25.76.1.
- Allotments unable to provide the Rural Zone shape factor, building platform and flood-free area required by Rules 25.77.1 and 25.77.2 are **non-complying activities** under Rule 25.77.3.
- Subdivision involving earthworks undertaken in accordance with Appendix B is a **restricted discretionary activity** under Rule 25.78.1.
- The provision of stormwater, land drainage, water supply, wastewater, electricity and telecommunications services to the proposed allotments is a **restricted discretionary activity** under Rule 25.79.1.
- Subdivision of land within the Flood Risk Area is a discretionary activity under Rule 25.80.2.
- Subdivision that will generate substantial traffic and alter the use or function of parts of the surrounding road network is a **discretionary activity** under Rule 25.83.2.

The most stringent activity status arising under the Waikato Operative District Plan is non-complying, principally because of the general subdivision, minimum allotment area, building-platform, road-setback and internal-boundary-setback infringements.

5.4 Hamilton City District Plan (ODP)

Resource consents required under the Hamilton City District Plan, in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, are as follows:

- The construction of the proposed road connection within Hamilton City constitutes a new transport corridor and is a **restricted discretionary activity** under Rule 25.14.3(b).
- Earthworks within the Hamilton City portion of the Project to construct the proposed road connection exceed the applicable 1,000m³ permitted threshold for earthworks associated with subdivision. The earthworks are therefore a **restricted discretionary activity** under Rules 25.2.3 and 25.2.4.1(h).
- Subdivision to create and vest the proposed road or transport-corridor allotment in Hamilton City Council is a **restricted discretionary activity** under Table 23.3a(iv).

The proposed road will serve more than 20 allotments and will comply with the applicable legal-width requirements in Rule 23.7.3 and the relevant transport-corridor design standards. No additional consent trigger has been identified under Rule 23.7.3.

Works within the existing Harrogate Place transport corridor that accord with the identified function of that corridor are permitted under Rule 18.4(b). Following formation to Council standards and vesting, the new road will become subject to the Transport Corridor Zone provisions under Rules 18.3(b) and 23.4.

The most stringent activity status arising under the Hamilton City District Plan is **restricted discretionary**.

5.5 Waikato Operative Regional Plan

Resource consents required under the Waikato Regional Plan, in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, are as follows:

- The taking of groundwater for temporary construction dewatering at a combined rate of up to approximately 1,500 m³/day, ongoing groundwater interception of approximately 48 m³/day associated with the stormwater wetlands is a **discretionary activity** under Rule 3.3.4.24.
- The discharge of construction-dewatering water and associated contaminants to onsite drains or watercourses, or onto or into land where they may enter water, is a **discretionary activity** under Rule 3.5.4.5.
- Operational stormwater discharges to modified drains, watercourses and wetlands from the proposed stormwater networks, outlets, artificial wetlands, forebays, treatment devices, culverts, modified channels and major-event overland-flow system are **discretionary activities** under Rule 3.5.11.8.
- Treated stormwater discharges into retained natural wetlands that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna are conservatively assessed as **non-complying activities** under Rule 3.5.4.6.
- The diversion of water associated with modified natural watercourses, culverts, stormwater outlets, construction dewatering and other drainage works, together with consequential discharges and associated structures, is a **discretionary activity** under Rule 3.6.4.13.
- New drainage infrastructure and modifications to existing drains that will alter the hydrology of the Site's significant natural wetlands, including works associated with the removal of Wetlands K, L, M and N, are **discretionary activities** under Rule 3.7.4.7.
- Drilling below the groundwater table for wellpoints, spear points or temporary dewatering wells associated with construction of the stormwater wetlands, offset wetland, wastewater pipelines, wastewater pump stations and other below-ground infrastructure is a **controlled activity** under Rule 3.8.4.7.
- Any discharge of more than 30 m³ of water arising directly from drilling, or a discharge that cannot comply with the suspended-solids or iron-flocculation conditions of Rule 3.8.4.10, is treated as a **discretionary activity** under section 87B of the RMA.
- Stormwater outlet and discharge structures within the beds of modified natural watercourses that exceed the permitted dimensions or cannot comply with the permitted suspended-solids condition, together with any other river-bed structures not specifically provided for elsewhere, are **discretionary activities** under Rule 4.2.4.4.

- The proposed approximately 12 m single-span Road 1 bridge over the existing Council drain is a **controlled activity** under Rule 4.2.8.2.
- The proposed culverts, including their associated bed disturbance, diversion and discharge of water, sediment discharges and deposition of construction materials, are **controlled activities** under Rule 4.2.9.3.
- Approximately 74 m of riprap and associated erosion-protection structures at culvert inlets, outlets and other locations within modified natural watercourses is a **controlled activity** under Rule 4.2.15.2.
- Structures and planting within 10 m of Council-managed drains and modified watercourses, including the bridge, culverts, stormwater outlets, erosion protection and landscaping, are conservatively assessed as **discretionary activities** under Rule 4.2.18 where they may affect maintenance access.
- The reclamation and removal of approximately 133m of modified ephemeral watercourse W2a, including excavation, filling, vegetation clearance and associated bed disturbance, is a **discretionary activity** under Rule 4.3.4.4.
- Clearance of indigenous vegetation from Wetlands K, L, M and N, comprising approximately 0.514 ha of significant natural inland wetland, is a **discretionary activity** under Rule 4.3.9.3.
- Large-scale soil disturbance, roading, construction tracking and vegetation clearance across approximately 70 ha, including bulk cut and fill, preloading, three-waters infrastructure, stormwater wetlands and internal roads, is a **discretionary activity** under Rule 5.1.4.13.
- Placement of imported engineered fill meeting the Regional Plan definition of cleanfill outside identified high-risk locations, where the volume exceeds 2,500 m³ per annum, is a **controlled activity** under Rule 5.2.5.5.
- Placement of cleanfill within the existing footprints of Wetlands K, L, M and N, and within any other excluded high-risk location, is a **discretionary activity** under Rule 5.2.5.6. A comprehensive cleanfill consent is sought for the Project, with the activity assessed overall under Rule 5.2.5.6.

The most stringent activity status arising under the Waikato Regional Plan is non-complying because treated stormwater is proposed to discharge into retained significant natural wetlands. Subject to confirmation of the bundling approach, the regional consent package should therefore be described as non-complying overall.

5.6 Other Rules

The application also seeks any other resource consents necessary to implement the Project which are not detailed above.

5.7 National Environmental Standards for Assessment and Managing Contaminants in Soil to Protect Human Health 2011

The Detailed Site Investigation in **Appendix 21** identifies land on which activities included on the Hazardous Activities and Industries List have occurred, particularly the former stockyard areas. Contaminant concentrations exceeding the applicable soil contaminant standards have been identified within those areas.

The proposed soil disturbance, remediation, site preparation and change in use cannot comply with the controlled-activity requirements. Land-use consent is therefore required as a **restricted discretionary activity** under regulation 10 of the NES-CS.

The works will be undertaken in accordance with the Remediation Action Plan and Contaminated Site Management Plan in **Appendix 22**. Following the works, Site Validation Reports and Works Completion Reports will be prepared by a suitably qualified and experienced practitioner to confirm that remediation targets have been achieved and the land is suitable for its intended use.

5.8 National Environmental Standards for Freshwater 2020

The following consents are required under the National Environmental Standards for Freshwater Regulations 2020 (NES-F):

- Vegetation clearance, earthworks and land disturbance associated with restoration and wetland-maintenance works within natural inland wetlands and their 10 m setbacks will exceed the applicable area limitation in regulation 38(4). These works are therefore a restricted discretionary activity under regulation 39. The application must include a restoration plan addressing Schedule 2, and the effects-management hierarchy must be applied.
- Bulk earthworks, land raising, construction dewatering, excavation of stormwater devices, pipeline installation and modifications to the drainage network will occur within 100 m of natural inland wetlands. Where these activities occur outside a wetland and will result, or are likely to result, in the complete or partial drainage of a retained natural inland wetland, they are **non-complying** activities under regulation 52.
- Filling, excavation and diversion within Wetlands K, L, M and N will result in the complete drainage and removal of approximately 0.514 ha of natural inland wetland. As the Project is not urban development and regulation 45C does not apply, the removal of Wetlands K–N is a **prohibited activity** under regulation 53.
- Vegetation clearance and earthworks within natural inland wetlands or their 10 m setbacks, where not otherwise provided for, are **non-complying** activities under regulation 54. This includes bulk earthworks and general site formation within 10 m of retained natural inland wetlands.
- Construction dewatering, drainage diversions, operational stormwater discharges and other hydrologically connected activities within 100 m of retained natural inland wetlands that will, or are likely to, change their water-level range or hydrological function are **non-complying** activities under regulation 54.

The application therefore expressly seeks approval for those prohibited activities under the FTAA. The FTAA provides the statutory pathway for the panel to consider and, if appropriate, authorise activities that would otherwise be prohibited under the NES-F.

5.9 Other National Environmental Standards

The proposal does not require resource consent under any of the other National Environmental Standards, including:

- National Environmental Standards for Sources of Drinking Water 2007;
- National Environmental Standards for Telecommunication Facilities 2016;
- National Environmental Standards for Electricity Transmission Activities 2009;
- National Environmental Standards for Plantation Forestry 2017;

- National Environmental Standards for Marine Aquaculture 2020;
- National Environmental Standards for Air Quality 2004;
- National Environmental Standard for Storing Tyres Outdoors 2021.

5.10 Wildlife Act 1953

An authority under section 53 of the Wildlife Act 1953 for the handling, capture and relocation of indigenous lizards, including provision for incidental injury or mortality, is being progressed separately. It does not form part of the approvals sought in this substantive application. The ecological assessment and proposed lizard-management measures are contained in **Appendix 23**.

5.11 Associated Permitted Activities

In accordance with clause 5(5)(a) of Schedule 5 of the FTAA the following permitted activities are part of the proposal to which the consent application relates such that a resource consent is not required for the activities under section 87A of the RMA 1991. The below provides a summary of permitted activities particularly relevant for the application which fall within the permitted activity status of the Waikato Regional Plan, Waikato District Plan Operative in Part, the Waikato District Plan and the Hamilton City District Plan.

Table 8: Permitted Activities under the WRC, WDP-IP, WDP and HDP.

Relevant Rule/Regulation	Comments
Waikato Regional Plan	
3.4 Efficient Use of Water	
3.4.5.4 Permitted Activity Rule – Use of Water	Water will be used for residential, commercial, landscaping and construction purposes. Potable water will be supplied through the reticulated water-supply network and the separately authorised water-take arrangements identified in Appendix 31 . No use restricted by Rules 3.4.5.6–3.4.5.8 is proposed, and the activity is anticipated to comply with the applicable Water Management Class standards.
3.5 Discharges	
3.5.7.5 Permitted Activity Rule – Discharge of Domestic Sewage from New On-site Systems	Each of the eight rural-residential lots in Stage 1A will be serviced by an individual onsite wastewater-treatment and land-disposal system. Each system will serve one dwelling, discharge less than 1.3 m ³ /day and be designed to comply with the applicable disposal-area, treatment, groundwater-separation, setback, odour and water-quality conditions. The balance of the Project will connect to the reticulated wastewater network.
3.5.11.5 Permitted Activity Rule – Discharge of Stormwater Onto or Into Land	Appropriately treated stormwater will be discharged to land through onsite soakage trenches, recharge pits, rainwater-tank overflow systems and other infiltration devices. The devices will be designed to avoid offsite flooding, erosion and adverse effects on surface water. Operational stormwater discharges to water are addressed separately under Rules 3.5.11.8

Relevant Rule/Regulation	Comments
	and 3.5.4.6. Refer to the Infrastructure Report in Appendix 13 and Stormwater Management Plan in Appendix 14 for further details.
3.6 Damming and Diverting	
3.6.4.4 Permitted Activity Rule – Small Dams and Damming Water	The proposed artificial stormwater wetlands involve off-stream damming. Each device will serve a catchment of less than 100 ha and is anticipated to have a retained water depth of less than 3 m and storage volume below 20,000 m ³ . Detailed design will confirm compliance with the applicable spillway-capacity, structural-stability, freeboard, erosion and flooding conditions.
3.8 Drilling	
3.8.4.3 Permitted Activity Rule – Discharge of Drilling Fluids	Where drilling is required for geotechnical investigations, foundation works or infrastructure construction, freshwater- or air-based drilling fluids and permitted non-hazardous additives will be used. Associated fluids will be contained and discharged to land where contaminants cannot enter surface water.
3.8.4.5 Permitted Activity Rule – Drilling Above the Water Table	Geotechnical investigations, foundation works and infrastructure construction may involve drilling above the water table. These activities will comply with the permitted-activity requirements. Drilling below the water table is addressed separately under Rule 3.8.4.7.
4.2 River and Lake Bed Structures	
4.2.5.1 Permitted Activity Rule – Existing Lawfully Established Structures	Existing lawfully established culverts, pipes and other structures within the drainage network may be retained, used and maintained where the area of bed occupied is not increased and the remaining permitted-activity conditions are met. New structures and alterations that increase the area of bed occupied are addressed separately under the applicable structure rules.
4.3 Disturbance of River and Lake Beds	
4.3.8.1 Permitted Activity Rule – Introduction and Planting of Plants	The Project includes indigenous riparian, wetland-margin and streamside planting associated with retained and newly created watercourses, stormwater wetlands and ecological-restoration areas. Planting outside the maintenance-access setbacks applying to Council-managed watercourses will be undertaken so that it does not obstruct watercourses, increase flooding effects, replace indigenous vegetation or introduce plant-pest species. Planting within the applicable maintenance-access setbacks is addressed separately under Rule 4.2.18.
5.1 Accelerated Erosion	

Relevant Rule/Regulation	Comments
5.1.4.11 Permitted Activity Rule – Soil Disturbance, Roding and Tracking and Vegetation Clearance	Earthworks activities will be carried out in accordance with appropriate Management Plans, as outlined in the Infrastructure Report, and are anticipated to comply with permitted activity standards. However, given the extent of the project, as a matter of conservatism consent is sought under Rule 5.1.4.13.
5.2 Discharges Onto or Into Land	
5.2.9.1 Permitted Activity Rule – Use of Dust Suppressants	Water carts will be used for dust suppression during earthworks. Approved soil stabilisers, such as polymers, may be used where additional control is required. No waste oil will be used. Dust suppressants will be applied at rates and under weather conditions that avoid ponding and contaminated surface runoff. Refer to the Earthworks Report in Appendix 13 and the applicable construction-management plans for further details.
5.3 Contaminated Land	
5.3.4.6 Permitted Activity Rule – Discharges from Remediation of Contaminated Land	Remediation of identified contaminated areas will be undertaken under a Remedial Action Plan and Contaminated Soils Management Plan prepared by a suitably qualified environmental practitioner. Contaminated soil requiring removal will be transported to an appropriately authorised landfill. The required investigation, remediation and validation reports will be provided to Waikato Regional Council, and discharges to air will comply with Section 6.1.8.
6.1 Discharges into Air	
6.1.9.1 Permitted Activity Rule – Miscellaneous	Bulk earthworks, road formation, infrastructure installation and building works fall within the building-and-construction activities provided for by clause 23 of Rule 6.1.9.1. Dust will be managed through staged earthworks, limiting exposed areas, progressive stabilisation, water carts and, where necessary, approved soil stabilisers or temporary covers. These measures are anticipated to achieve the boundary-effect standards in Section 6.1.8.
6.2 The Discharge of Agrichemicals into Air	
6.2.4.8 Permitted Activity Rule – Spot Spraying Using Hand Held Spray Equipment	Any spot spraying required will comply with permitted activity standards
6.2.4.9 Permitted Activity Rule – Widespread Application of Agrichemical(s)	As outlined in the Infrastructure Report and associated Management Plans, chemical treatment will be utilised during earthworks which is anticipated to comply with permitted activity standards.
Waikato Operative District Plan in Part	
Energy Infrastructure and Transport	

Relevant Rule/Regulation	Comments
AINF-R1 – New infrastructure – All zones	The Project includes new water, wastewater, stormwater, electricity and telecommunications infrastructure. The infrastructure covered by this rule will comply with the applicable height-in-relation-to-boundary, noise and activity-specific standards. Infrastructure separately subject to a more specific rule, including the proposed above-ground reservoir, is addressed under that rule.
AINF-R2 – Construction noise – All zones	Construction, installation, maintenance and upgrading of infrastructure will be undertaken in accordance with NZS 6803:1999. Construction-noise effects will be managed through the proposed Construction Noise and Vibration Management Plan, including appropriate working hours, equipment selection, acoustic barriers, monitoring and complaints procedures.
AINF-R5 and AINF-R6 – Existing infrastructure and minor upgrading – All zones	Existing electricity and other infrastructure affected by the Project may be retained, maintained, removed, relocated or subject to minor upgrading. Works falling within the scope and dimensional limits of AINF-R5 and AINF-R6 are permitted. New infrastructure is addressed under the applicable infrastructure-specific rules.
AINF-R7 – Temporary infrastructure – All zones	Temporary construction infrastructure will include site offices, worker parking, storage and laydown areas, wheel-wash facilities and temporary access arrangements. Temporary buildings and structures will be removed when no longer required, affected land will be reinstated, and the facilities will not remain in place for longer than 12 months unless separately authorised.
AINF-R9 – Vegetation trimming or removal associated with infrastructure – All zones	Vegetation trimming and removal will be required for the construction and maintenance of roads, access tracks, underground services and utility corridors. No SCHED2 notable tree or vegetation within a mapped Significant Natural Area will be affected. Any indigenous vegetation clearance subject to ECO-R16 is addressed separately.
AINF-R11 – Electric-vehicle chargers – All zones	Electric-vehicle chargers may be installed within the apartment and mixed-use developments. Chargers will be located outside any Identified Area and designed not to exceed 2.5m in height or 1.5m ² in area.
AINF-R15 – Infrastructure signage – All zones	Health-and-safety, statutory and asset-identification signage associated with the proposed infrastructure is permitted, with no activity-specific standards.
AINF-R16 – Service connections for subdivision – All zones	Each applicable lot will be provided with service connections to its boundary for wastewater, potable water, stormwater, electricity, telecommunications

Relevant Rule/Regulation	Comments
	and vehicle access. The reticulated water-supply network will also provide firefighting water in accordance with SNZ PAS 4509:2008. Appropriate independent servicing will be provided for the eight Stage 1A rural-residential lots.
EDIS-R1 – Below-ground distribution lines – All zones	Electricity-distribution infrastructure will be installed underground. The existing section of the 33kV overhead distribution line between poles 547378 and 547375 will also be relocated underground, with redundant poles and conductors removed.
EDIS-R4 – Substations, transformers and switching stations – All zones	Distribution substations, transformers or switching equipment may be required. These facilities will distribute electricity at no more than 110kV, be located in the General Rural Zone outside an Identified Area, not exceed 10m in height, and have associated buildings of no more than 250m ² gross floor area.
TEL-R1 – Telecommunications ancillary equipment – All zones	Telecommunications cabinets, pillars and connection equipment may be installed within proposed road reserves and utility corridors. Equipment will not be attached to a scheduled historic-heritage item and will not exceed 10m ² in area or 2.5m in height.
TEL-R2 – Below-ground telecommunications facilities, lines, cables and ducts – All zones	The Project will provide underground telecommunications lines, fibre-optic cables and ducts within the proposed road reserves and utility corridors, with connections provided to the applicable lot boundaries.
TEL-R3 – Telecommunications cabinets – All zones	Telecommunications cabinets may be installed within road reserves and utility corridors. Their number and final locations will be confirmed by the network operator, and they will be designed to comply with TEL-R3 and the applicable national telecommunications standards.
TRPT-R1 – Vehicle access – All zones	All proposed allotments will have legal and physical access to a formed road, either directly or through a compliant jointly owned access lot, right of way or rear lane. Vehicle crossings, separation distances and sight distances will comply with the applicable standards in Tables 1, 2, 12 and 13.
TRPT-R2 – On-site parking and loading – Sites A1 and A2	The 94 parking spaces proposed at A1 and 28 spaces proposed at A2 comprise 90-degree nose-in spaces that meet or exceed the Table 9 dimensions. The required bicycle-parking spaces can be provided. The loading-bay requirements in Table 6 do not strictly apply to these multi-unit residential developments. A1 and A2 are therefore permitted under TRPT-R2. The loading-bay shortfalls at C1 and C2 are addressed separately as restricted discretionary activities.

Relevant Rule/Regulation	Comments
TRPT-R3 – On-site manoeuvring and queuing – All zones	A1, A2, C1 and C2 provide compliant manoeuvring and queuing. Passenger vehicles can enter and leave each site in a forward direction and access parking spaces with no more than one reverse movement. No queuing space is required for A1 or A2, and the C1 and C2 entrances exceed the applicable 10.5m requirement. Truck manoeuvring at C1 and C2 is not provided and is associated with the separately identified loading-bay non-compliance.
TRPT-R5 – Existing public-road works – All zones	Frontage, intersection, shared-path, lighting, drainage and safety works undertaken within existing public-road reserves, including the relevant parts of Harrogate Place, Ayrshire Drive, Highgrove Drive and State Highway 23, will maintain or improve the safety and efficiency of those roads and are permitted under TRPT-R5. This rule does not cover new roads located outside an existing road reserve.
TRPT-R8 – Off-road pedestrian walkways and cycleways – All zones	The Project includes pedestrian and cycling connections outside the road network. Relevant paths will be formed, provide the required minimum width, be located outside Identified Areas and comply with the applicable earthworks requirements.
Water, Wastewater and stormwater	
WWS-R1 – Stormwater systems for new development or subdivision – All zones	The proposed gravity-based stormwater system includes on-lot soakage, piped conveyance, designated overland-flow paths, treatment devices and detention or attenuation facilities. The system is designed to manage the relevant primary and secondary events and limit post-development peak discharges to no more than 80% of pre-development flows. Relevant infrastructure will be operational before completion of each development stage.
WWS-R2 – Wastewater servicing for new development or subdivision – All zones	Stages 1–12 will connect to the public wastewater network through new gravity and low-pressure reticulation, pump stations and rising mains. The eight Stage 1A rural-residential lots will use individual onsite wastewater-treatment and disposal systems designed in accordance with AS/NZS 1547:2012.
WWS-R3 – Below-ground water, wastewater and stormwater pipelines – All zones	Water, wastewater and stormwater pipelines will be installed underground throughout the development, including gravity sewers, rising mains, bulk and distribution water mains and stormwater reticulation.
WWS-R5 – Pump stations – All zones	Wastewater pump stations WWPS A, B and D will be located outside Identified Areas. Their principal components will be below ground, while above-ground cabinets, telemetry equipment, odour-control facilities and access structures will be designed not to exceed 10m ² in area or 3m in height.

Relevant Rule/Regulation	Comments
WWS-R6 – Stormwater treatment, detention and retention facilities or devices – All zones	The Project includes stormwater-treatment, detention and retention devices separate from the proposed stormwater ponds and wetlands. These devices are permitted under WWS-R6. Stormwater ponds and wetlands are assessed separately under WWS-R7.
WWS-R10 – Water-supply servicing for new development or subdivision – All zones	
Ecosystems and vegetation	
ECO-R14 – Clearance of non-indigenous vegetation outside a Significant Natural Area – All zones	Site preparation will require clearance of grazed pasture, exotic shelterbelts and other non-indigenous vegetation outside any Significant Natural Area. This clearance is permitted under ECO-R14. Indigenous vegetation clearance is assessed separately under ECO-R16.
Light and Noise	
LIGHT-R2 – Glare and artificial light spill – GRUZ	Street lighting, lighting along pedestrian and cycling routes, and external lighting associated with the apartment and mixed-use sites will be designed in accordance with AS/NZS 1158. Illumination will not exceed 10 lux at the applicable notional, road or neighbouring-site boundaries.
NOISE-R4 – Construction noise – All zones	Construction, earthworks and demolition noise will be measured, assessed and managed in accordance with NZS 6803:1999. The Construction Noise and Vibration Management Plan provides for working-hour restrictions, appropriate equipment, acoustic barriers, minimum separation distances, monitoring and complaints management.
NOISE-R8 – General noise – GRUZ	Operational noise from the completed development will comply with the applicable daytime, evening and night-time limits when measured at the notional boundary of another General Rural Zone site and with the permitted noise limits applying in any adjoining zone.
Signs	
SIGN-R1 – Signs – general – All zones	Signs forming part of the Project will principally comprise official road and traffic-control signs, public-information, safety and wayfinding signs, and signs located within buildings or not visible from a road or adjoining site. These signs are permitted under SIGN-R1.
General Rural Zone Activities	

Relevant Rule/Regulation	Comments
GRUZ-R11 – Residential activity	The Project principally comprises residential activities, including detached, duplex, terrace and apartment dwellings. Residential activity is permitted under GRUZ-R11, which contains no activity-specific standards. The number and density of residential units and associated building-standard infringements are addressed separately under the applicable standards and consent rules.
GRUZ-R22 – Buildings for sensitive land uses	The existing electricity line crossing the Site operates at 33kV. The affected section will be undergrounded and no building for a sensitive land use will be constructed within 10m of the centreline of any retained overhead distribution line.
GRUZ-R23 – Construction, demolition, addition and alteration of buildings and structures	The Project includes construction of residential, apartment, mixed-use and infrastructure buildings and structures, together with demolition or removal of existing farm buildings. These activities are permitted under GRUZ-R23, subject to compliance with, or consent being obtained for infringements of, the applicable GRUZ building standards and other District Plan provisions.
Waikato Operative District Plan	
All	
Rule 25.12.1 – On-site services	Residential lots will be connected to telecommunications and electricity networks and to the proposed water-supply, wastewater and stormwater systems. Reticulated services will generally be installed underground within proposed roads and utility corridors.
Rule 25.13.1 – Network utilities and roads	Water, wastewater, stormwater, electricity, gas and telecommunications pipelines will principally be installed underground. The existing 33kV electricity line does not exceed 110kV and will be undergrounded through the development. Above-ground utility structures will comply with the applicable area, height and safety standards. Roads will be constructed in accordance with Appendix A (Traffic) and Appendix B (Engineering Standards), subject to detailed design and road-controlling-authority approval.
Rule 25.13A.1 – Existing electricity and telecommunications lines	The Project includes removal and undergrounding of part of the existing 33kV electricity line and may require associated alterations to existing telecommunications infrastructure. The voltage will not be increased, support structures will not be increased in height and disturbed ground will be reinstated following the works.

Relevant Rule/Regulation	Comments
Rule 25.17.1 – Construction noise	Construction noise is expressly excluded from the general operational noise limits and is permitted under this rule. Construction noise will nevertheless be managed through the proposed Construction Noise and Vibration Management Plan. Operational noise that does not comply with the Rural Zone limits is addressed separately under Rule 25.17.2.
Rule 25.21.1 – Vibration	Excavation, compaction and other construction activities may generate temporary vibration. The Acoustic Assessment and Construction Noise and Vibration Management Plan provide measures to manage and monitor vibration and achieve compliance with Appendix I (Ground Vibration).
Rule 25.22.1 – Glare and lighting	Streetlights, navigation lights and traffic signals are excluded from the applicable light-spill limit. Other external lighting associated with the Project will be designed so that light spill does not exceed 10 lux, measured vertically at any other site.
Rule 25.23.1 – Dust, smoke, fumes and odour	Earthworks and imported-fill placement may generate temporary dust. Dust and stockpiles will be managed through dampening, progressive stabilisation, limiting exposed surfaces and other construction-management measures so that no objectionable or offensive effects occur at another site. The electricity line crossing the Site operates at 33kV, so the additional requirements applying to transmission lines of 110kV or more do not apply.
Rule 25.31.1 – Hazardous substances	Hazardous substances will be limited to ordinary construction fuels, oils and chemicals and subsequent domestic and small-scale commercial products. Storage and handling will comply with Appendix H and applicable health-and-safety requirements. No significant hazardous facility is proposed.
Rule 25.48.1 – Wastewater servicing of dwellings	Dwellings within Stages 1–12 will connect to the public reticulated wastewater network. The Stage 1A rural-residential lots are sufficiently large to accommodate the separately proposed onsite wastewater systems.
Rule 25.55.1 – Internal building setbacks for allotments between 5,000m ² and 1.6ha	The eight Stage 1A rural-residential lots fall within this size range. Their building platforms can be located to achieve the applicable 12m internal-boundary setback and the 25m setback from an adjoining allotment of 6ha or more.
Rule 25.58.1 – Dwelling setbacks from wastewater-treatment facilities	No municipal wastewater-treatment facility has been identified within the setback distances specified by this rule. The proposed dwellings therefore comply.
Rule 25.61.1 – Buildings on land subject to flood hazards	Parts of the Site are affected by the 1% AEP flood extent. Proposed building platforms will be raised so that habitable floors are at least 0.3m above the 1%

Relevant Rule/Regulation	Comments
	design flood level. Non-habitable floors and the proposed stormwater and wastewater systems will comply with the applicable flood-level and engineering requirements.
Hamilton City Council – District Plan	
All	
N/A	No permitted activities are proposed

5.12 Overall Activity Status

Overall, the proposal requires assessment as:

- a **prohibited activity** under the Waikato District Plan – Operative in Part, due to subdivision creating additional Records of Title on high-class soil contrary to Rules SUB-R40 and SUB-R41;
- a **non-complying activity** under the Waikato Operative District Plan;
- a **restricted discretionary activity** under the Hamilton City District Plan;
- a **non-complying activity** under the Waikato Regional Plan;
- a **restricted discretionary activity** under regulation 10 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; and
- a **prohibited activity** under regulation 53 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, together with restricted discretionary and non-complying activities under regulations 39, 52 and 54.

Where a group of activities is closely associated or directed towards a single dominant use or purpose, the activities may be assessed holistically as a single bundle according to the most stringent applicable activity status. This does not prevent individual consent requirements from being separately assessed or determined where appropriate.

The most stringent activity status applying to the Project is prohibited, arising under the Waikato District Plan – Operative in Part and the NES-F. The application is therefore assessed overall as including prohibited activities and expressly seeks approval for those activities under the FTAA. The FTAA provides the statutory pathway for the panel to consider and, if appropriate, authorise activities that would otherwise be prohibited under the relevant planning instrument or national environmental standard.

6.0 Consultation Undertaken

The following section of this report is prepared in accordance with Schedule 5, Section 6(e) of the FTAA, which requires the identification of individuals or groups who may be affected by the proposed activity, as well as any responses to the views of those consulted, including the perspectives of iwi or hapū engaged during the process. This section also addresses Schedule 5,

Section 6(f), which stipulates that if iwi or hapū choose not to respond when consulted, any reasons they have provided for that decision must be recorded.

Consultation has been undertaken jointly by the applicant and project team in a robust manner, and records have been well maintained. This approach has enabled evolving items to be considered, and feedback provided which has enabled refinement of the design or to inform subsequent detailed design stages.

An overview of the consultation undertaken with parties who may be affected by the activity, as required by Schedule 5, Section 6(e), is provided below. Further details, including meeting minutes and records of engagement, are available in the Consultation Summary Report (described in **Volume 1** and detailed further in **Attachment 2**). No other individuals or groups are considered to be affected by the proposed activity for the reasons provided in the environmental effects assessment in Section 8 of this report, which determines that effects as a result of the Project are

Consultation with the Department of Conservation has occurred in relation to the Wildlife Permit sought. This consultation is detailed in **Volume 1**

Table 9: Summary of Consultation

Persons or group	Consultation Undertaken
Relevant local authorities	A series of pre-application meetings with Waikato Regional Council, Waikato District Council and Hamilton City Council have occurred in relation to the Project. This includes discussions on the Project from a broad level to more focussed discussion on particular subject matters including consent conditions and feedback received from the referral application. Meeting minutes from those meetings are enclosed with the Consultation Summary Report attached as Attachment 2 .
Relevant iwi authorities, hapu and Treaty settlement entities, including - Iwi authorities and groups that represent hapu that are parties to relevant Mana Whakahono a Rohe or joint management agreements; and - The tangata whenua of any area within the Project area that is a taiapure-local fishery, a mataitai reserve, or an area that is subject to bylaws or regulations made under part 9 of the Fisheries Act 1996	Since the referral decision, the Applicant has continued engagement with relevant iwi authorities. Engagement has included the provision of technical information, discussions regarding potential cultural effects, and ongoing consideration of potential mitigation and management measures relevant to identified cultural values. This engagement has informed the preparation of the CIA; however, engagement is ongoing and further work is being undertaken with Ngaati Maahanga to identify appropriate pathways to address cultural effects identified in the CIA. A summary of the consultation undertaken with iwi authorities and their representatives is provided in Attachment 2 .
Adjacent owners and occupiers of the site	The applicant has undertaken direct engagement with the owners and occupiers of land adjacent to the Brymer site, in an effort to introduce the project, and obtain views. Details of this engagement is contained

	in the Consultation Summary Report attached in Attachment 2 .
Any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011	This does not apply as the project is for development on land, and does not involve any activities within the coastal marine area.
Nga hapu o Ngati Porou, if the project area is within or adjacent to. Or the project would directly affect, nga rohe moana o nga hapu o Ngati Porou	This does not apply as the project area is not within or adjacent to and will not directly affect nga rohe moana o nga hapu o Ngati Porou.
The relevant administering agencies	A record of engagement with the Environmental Protection Authority (EPA) and the Ministry for the Environment (MFE) is included in the Consultation Summary Report attached in Attachment 2 .
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.	This does not apply to the Project.

7.0 Statutory Requirements Relating to Iwi Authorities

7.1 Treaty Settlements

This section of the application is provided in accordance with clause 5(1)(i) of Schedule 5 of the FTAA, which requires an application to provide 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.

There are only two Treaty Settlement Acts identified that applies to the project area and is assessed in **Attachment 9**.

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The proposal is located within the Waikato River catchment and therefore engages the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, which gives statutory effect to Te Ture Whaimana o Te Awa o Waikato as the primary direction-setting document for activities affecting the river and its tributaries.

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 upholds the Waikato River as a living, indivisible entity and gives statutory effect to Te Ture Whaimana, requiring activities within the catchment to recognise Treaty partnership, protect the mana and mauri of the river, and actively contribute to its restoration.

The Applicant has consulted with Ngaati Maahanga and Waikato Tainui in relation to the Project, and a record of the discussions is provided in the Consultation Summary in **Attachment 2**.

7.2 Planning Document Recognised by a Relevant Iwi Authority

Clauses 5(1)(h) and 5(2)(g) of Schedule 5 of the Act requires an application to provide an assessment against a planning document recognised by a relevant iwi authority and lodged with a local authority.

The proposal is located within an area subject to several iwi management plans, including Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Management Plan) and relevant hapū and iwi plans where rohe overlap. In addition, Te Ture Whaimana o Te Awa o Waikato (Vision and Strategy) applies to all activities within the Waikato River catchment and must be given particular regard.

An assessment against the policies and outcomes of these Management Plans is provided in **Attachment 9**.

The proposal has had regard to the Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Management Plan) and Te Ture Whaimana o Te Awa o Waikato (Vision and Strategy) through engagement with Waikato Tainui and Ngaati Maahanga and through the preparation of a CIA.

A range of potential management and mitigation measures have been identified and are reflected in the proposed consent conditions, including ecological restoration, water quality management, erosion and sediment controls, and the implementation of an Environmental Management Plan and Accidental Discovery Protocol. These measures are consistent with the types of outcomes sought by these iwi management plans; however, they remain subject to further refinement through ongoing engagement with mana whenua.

Accordingly, while the proposal has had regard to the relevant iwi management plans, the extent to which the identified measures will address cultural effects will be confirmed through continued engagement and finalisation of conditions.

7.3 Customary Marine Title Groups

The following section of this report is provided in accordance with clause 5(1)(j) of Schedule 5 of the FTAA which requires:

a list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011; and

The proposal is not located within an area subject to a customary marine title, and therefore assessment under clause 5(5)(b) of Schedule 5 of the FTAA is not required.

Additionally, the activity does not 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.

7.4 Protected Customary Rights

Clause 6(1)(h) of Schedule 5 of the Act 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) is not required.

7.5 Iwi Consultation

The following section of this report is provided in accordance with Clause 6(1)(e) and clause 6(1)(f) of Schedule 5 of the Act which requires:

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

if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision

Engagement with Ngaati Maahanga has occurred during preparation of the application and has primarily involved a series of meetings with Ngaati Maahanga representatives. This engagement enabled the preparation of the CIA by Ngaati Maahanga and enabled discussion of the cultural values associated with the site and surrounding environment.

The recommendations and matters identified through the CIA have been considered in the development of the proposal and have informed the identification of potential mitigation measures and proposed conditions of consent. These measures remain subject to further refinement through ongoing engagement with Ngaati Maahanga. A record of the engagement undertaken is provided in the Engagement and Consultation Summary Report (**Attachment 2**).

8.0 Assessment of Effects on the Environment

This section of the report 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 sets out the information required in the assessment of environmental effects. Clause 7 of Schedule 5 of the FTAA outlines the matters to be covered in the assessment of environmental effects. This includes:

- *Any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:*
- *Any physical effect on the locality, including landscape and visual effects:*
- *Any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:*
- *Any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
- *Any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:*
- *Any unreasonable emission of noise:*
- *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations*

These matters are addressed in this section of the report below.

The existing environment, in particular the existing land uses and allotment areas of the subject site, as well as sites in the surrounding environment, are a relevant consideration to the proposal and are set out in **Section 3.7** above.

The activities which are permitted on the site under the OPDIP, WRP, and NES are identified in **Section 5.10** above.

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 supporting 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;
- Economic effects;
- Subdivision Design and Layout;
- Landscape, Visual and Amenity effects;
- Noise effects
- Reverse Sensitivity effects;
- Heritage effects;
- Cultural effects;
- Construction effects
- Contaminated land effects;
- Traffic effects;
- Infrastructure servicing effects;
- Stormwater and water quality effects;
- Groundwater effects;
- Climate Change and Natural Hazard effects;
- Geotechnical effects;
- Ecological effects; and
- Productive Land Values.
- Cumulative Effects

These matters are set out and discussed below.

8.1 Positive Effects

The Project accords with the purpose of the FTAA by facilitating the delivery of a development project with significant regional benefits. In particular, it will substantially increase housing supply

and choice adjoining Hamilton's western urban edge, provide supporting infrastructure and local services, generate significant construction and ongoing economic activity, and establish an integrated open-space and ecological network. The FTAA process will also enable the housing, infrastructure and environmental components of the Project to be considered and delivered in a coordinated and timely manner. The positive effects of the Project include:

The Project will provide approximately 1,043 residential units, including approximately 248 apartments and eight rural-residential dwellings. The proposed mix of apartments, terraced and duplex dwellings, detached dwellings and rural-residential lots will increase housing choice across a range of sizes, densities and anticipated price points. This represents a substantial contribution to meeting identified housing demand within the Hamilton–Waikato market.

The comprehensive masterplan will make efficient use of approximately 81ha of land adjoining Hamilton's existing urban edge. Higher-intensity housing is concentrated around the mixed-use centre, public open spaces and principal movement routes, while lower-intensity development and landscape treatments provide transitions to adjoining residential, rural and rural-residential properties.

Two mixed-use sites will provide approximately 2,184m² of commercial gross floor area, together with office and residential activities. These sites will establish a neighbourhood-scale centre providing conveniently located goods, services, employment and community activity for residents, thereby supporting day-to-day needs and reducing the need for some external trips.

The Project will establish a connected and legible movement network comprising collector and local roads, access lots, rear lanes, footpaths and pedestrian and cycling connections. The collector-road network will ultimately connect Grandview Road with State Highway 23, while the proposed bi-directional cycleway, walking connections and provision for future public transport will improve transport choice and connect residents with the mixed-use centre, parks, Te Kootii Park and adjoining neighbourhoods.

The proposed parks, reserves, landscaped corridors and blue-green network will provide functional and accessible open space for recreation, walking, cycling, informal gathering and outlook. These spaces will contribute positively to the health, wellbeing and amenity of the future community and provide connections between residential neighbourhoods, the mixed-use centre and surrounding open-space networks.

The landscape and ecological proposals will protect approximately 1.52 ha of kānuka treeland and establish approximately 26.7ha of ecological and stormwater-related restoration and planting. The Project will restore approximately 1.2ha of retained wetlands, create more than 0.75ha of new wetland habitat, enhance freshwater margins and provide pest control, weed management, livestock exclusion and fauna-management measures. The Ecological Impact Assessment predicts that the proposed offsetting and compensation package will achieve an approximately 13.2% net-positive outcome for wetland habitat overall.

The integrated stormwater-management system will provide treatment, attenuation, conveyance and groundwater-recharge functions through source controls, soakage, forebays, artificial wetlands, treatment devices, modified channels, culverts and defined overland-flow paths. This coordinated catchment-based approach will manage water quality and peak flows while supporting the Site's wider ecological and open-space network.

The proposed earthworks, ground-improvement measures, retaining structures and servicing works will establish stable and appropriately serviced development areas. Building-platform levels, stormwater infrastructure and overland-flow paths will be designed to manage identified geotechnical, groundwater and flood hazards and provide for the safe and resilient use of the Site.

The Project will generate substantial economic benefits during construction and following occupation. As detailed further in Section 8.2, it is expected to generate approximately \$552 million in development and construction expenditure, approximately \$278 million in discounted value added and approximately 4,736 job-years of employment over the anticipated construction period. The completed development will also support ongoing household expenditure and employment within the mixed-use centre.

The Development Controls, Residential Design Guidelines, residential typology plans and detailed designs for the apartment and mixed-use sites will provide an integrated framework for achieving a coherent and high-quality built environment. These controls will promote residential amenity, attractive and safe streets, appropriate interfaces, architectural quality and a well-designed public realm.

Overall, the Project will deliver a substantial addition to housing supply and choice, a connected transport and open-space network, local commercial services, comprehensively planned infrastructure and extensive ecological restoration and planting. These outcomes will provide significant and enduring social, economic and environmental benefits for the future community and the wider Hamilton–Waikato area.

8.2 Economic Benefits

The economic benefits associated with the residential development are addressed in the Overview Report in the context of the full proposal. The assessment below focuses on the effects of the residential subdivision, commercial node, and greenway specifically.

The economic effects of the Project have been assessed by Market Economics Consulting in the Economic Assessment included as **Appendix 30**. The assessment considers the effects arising from the construction and occupation of the proposed residential and mixed-use development, including effects on housing supply, employment, expenditure, value added, the construction market and the role and function of surrounding commercial centres.

The Economic Assessment is based on a modelled yield of 1,046 dwellings, being three more than the 1,043 residential units now proposed. This minor difference does not materially affect the assessment's calculations or conclusions.

Construction of the Project is anticipated to occur progressively between approximately 2028 and 2045. Over that period, the Project is expected to generate approximately \$552 million in development and construction expenditure, expressed in 2026 prices, and approximately \$278 million in value added when discounted at 8%. Approximately 80% of that discounted value added, equivalent to approximately \$221 million, is expected to accrue within Hamilton.

The construction programme is also expected to support approximately 4,736 Modified Employment Count job-years through direct, indirect and induced employment. This equates to an average of approximately 263 jobs per year, with employment anticipated to peak at approximately 354 jobs in 2044. These effects will extend beyond the Site through demand for

contractors, professional services, materials, suppliers and other supporting businesses, together with household expenditure generated by those employed in delivering the Project.

The scale of construction activity has the potential to increase demand for labour and resources or displace activity that would otherwise occur elsewhere. However, the Economic Assessment concludes that the relevant construction labour market has sufficient capacity to accommodate the anticipated demand without materially displacing other local construction activity. The staged delivery of the Project over approximately 17 years will also distribute this demand over time. Any adverse effects on the availability or cost of construction resources are therefore expected to be limited and temporary.

Following occupation, Project households are expected to generate approximately \$2.4 billion in expenditure over 30 years, expressed in 2026 prices. This expenditure is estimated to support approximately \$486 million in gross value added, or approximately \$475 million after allowing for early-stage displacement within the Hamilton market. Approximately 86% of this occupation-related value added is expected to accrue within Hamilton.

At full development, the Project is expected to accommodate approximately 2,700–3,000 residents. This additional population will support existing businesses, community services and commercial centres throughout Hamilton and the wider Waikato area. The proposed neighbourhood centre, comprising approximately 2,184 m² of commercial gross floor area together with office and residential activities, is expected to support an average of approximately 67 positions over its first 20 years of operation.

The neighbourhood centre has been designed to perform a localised role proportionate to the needs of the Project's residential catchment. Its scale and proposed mix of activities are directed principally towards meeting residents' day-to-day needs rather than competing with higher-order centres. Although the centre may capture a small share of expenditure from areas overlapping with the Nawton and Dinsdale centre catchments, the additional households established by the Project will generate new demand for those and other existing centres. The Economic Assessment therefore concludes that the neighbourhood centre will not undermine the function, viability or planned role of surrounding centres. Any adverse retail-distribution effects are expected to be less than minor.

The Project will also have positive effects on housing supply and choice. Approximately 380 dwellings are expected to represent a net addition to housing supply by the end of the medium term, after allowing for development that may otherwise have occurred elsewhere in the market. The full Project is expected to represent a net addition to supply over the long term.

The range of apartments, terraced and duplex dwellings, detached dwellings and rural-residential lots will provide choices for households with different requirements and purchasing capacities. The Economic Assessment models a conservative scenario in which approximately 141 duplex and terraced dwellings may fall within the applicable Hamilton city-level first-home-buyer affordability benchmark. When apartments and a broader range of smaller dwelling outcomes are included, up to approximately 249 dwellings, or approximately 24% of the assessed yield, may fall within that benchmark. These figures represent potential market outcomes rather than a commitment to deliver a prescribed number of affordable dwellings. Notwithstanding this, the diversity of the proposed housing stock is expected to provide greater opportunity for comparatively affordable housing than a conventional low-density subdivision.

Some early-stage displacement of housing construction and household expenditure from other locations may occur as the Project enters the market. The Economic Assessment has accounted for this displacement in its calculations and concludes that it will be limited and temporary. The construction activity, household expenditure and additional housing supply associated with the Project are expected to be predominantly additional to the Hamilton and wider Waikato economy.

Overall, the Project will generate substantial and ongoing positive economic effects through increased housing supply and choice, construction expenditure, employment, value added, household spending and support for local businesses and services. Potential adverse economic effects relating to construction-market displacement, competing housing supply and retail distribution have been assessed and are expected to be limited, temporary and less than minor. The economic effects of the Project are therefore considered acceptable and, on balance, positive.

8.3 Subdivision Design and Layout

The subdivision design and layout have been developed through an integrated masterplanning process and are assessed in the Urban Design Assessment included as Appendix 10. The Masterplan and Concept Plan are included as Appendix 6, with the subdivision scheme plans included as Appendix 5. These documents should be read together with the Residential Typology Designs, Development Controls and Residential Design Guidelines.

The subdivision will create 799 fee-simple development lots, comprising 795 residential lots, two apartment lots and two mixed-use lots. Together, these lots provide for approximately 1,043 residential units, including approximately 248 apartments. The subdivision also creates the roads, jointly owned access lots, reserves and infrastructure allotments required to support the development.

The layout establishes a comprehensively planned residential and mixed-use community rather than a series of isolated subdivision stages. Residential neighbourhoods are designed around a legible hierarchy of collector roads, local roads, access lots and rear lanes. These connect with the mixed-use centre, parks, wetlands, stormwater areas, ecological corridors and the wider pedestrian and cycling network. Except for the separate Stage 1 and Stage 1A areas, the collector-road network will ultimately connect Grandview Road with State Highway 23 and provide the principal north–south movement route through the Site.

The proposed block and street pattern will support clear navigation and a choice of routes through the development. Footpaths, a bi-directional cycleway along the collector roads and off-road pedestrian and cycling links will connect homes with the mixed-use centre, public open spaces, the blue-green network, Te Kootii Park and adjoining neighbourhoods. Provision for future public-transport operation along the collector network will also support longer-term accessibility and transport choice.

Residential density has been distributed in response to accessibility, amenity and interface considerations. Apartments, terraced dwellings and other higher-intensity typologies are concentrated around the mixed-use centre, collector roads and principal public spaces. Lower-intensity detached dwellings, larger lots and landscape treatments are used towards sensitive residential, rural and rural-residential interfaces. This arrangement makes efficient use of land while providing an appropriate transition in scale and character at the Project boundaries.

The range of lot sizes and configurations supports apartments, terraced and duplex dwellings, split-level housing and detached dwellings on conventional, compact and irregular lots. The layout

therefore provides housing choice and enables the built form to respond to the Site's varied topography, ground conditions and interface requirements. Split-level lots and specific retaining and setback controls are used where necessary to integrate development with changes in level and reduce the visual dominance of retaining structures.

The mixed-use centre is centrally located in relation to the higher-intensity residential areas, collector-road network and principal open spaces. This will support convenient access to local goods, services, employment and community activity. The location and scale of the centre will also assist in creating an identifiable neighbourhood focus and support walking and cycling for day-to-day trips.

The subdivision has been designed around the Site's principal landscape, ecological and stormwater features. Retained and restored wetlands, created wetland habitat, stormwater reserves, ecological restoration areas, parks and landscaped corridors form an interconnected blue-green network through the development. Roads, lots and pedestrian connections are generally oriented to provide visibility, access and passive surveillance of these spaces while maintaining the operational requirements of stormwater and ecological areas.

The relationship between development and the public realm is further addressed through the orientation of dwellings towards streets, parks and pedestrian routes; the use of rear lanes and controlled vehicle crossings in higher-density areas; and controls applying to garages, parking, fencing, retaining and landscaping. These measures will limit the dominance of vehicle access and blank interfaces and promote safe, attractive and active street and open-space frontages.

Detailed architectural and landscape plans are provided for apartment and mixed-use sites A1, A2, C1 and C2. Future dwellings on the remaining residential lots will be managed through the approved Masterplan, Development Controls Plan, mandatory Development Controls, Residential Design Guidelines and design-review and certification process. This framework will ensure that future development achieves the intended building-envelope, streetscape, amenity and interface outcomes while allowing sufficient flexibility for individual dwelling design.

The subdivision also provides the land and corridors necessary for staged delivery of roads, three-waters infrastructure, utilities, stormwater management, ecological works and public open space. The staging framework coordinates residential development with the required transport connections and infrastructure, including the requirement for the State Highway 23 connection to be operational before development within the integrated area exceeds the identified Grandview Road threshold.

The proposed subdivision represents a substantial change from the Site's existing rural pattern and will introduce a residential and mixed-use character. However, the effects of that change are addressed through the comprehensive structure of the Masterplan, the distribution of density, the provision of appropriate boundary transitions, the connected movement and open-space networks, and the development-control and design-review framework.

Overall, the subdivision is of a form, scale and design that will establish a coherent, legible and well-functioning residential community adjoining Hamilton's western urban edge. It will provide housing choice, support active travel and local services, integrate development with infrastructure and the blue-green network, and appropriately manage interfaces with surrounding residential and rural land. Subject to implementation of the proposed Development Controls, Residential Design Guidelines and conditions, any adverse urban-design and subdivision-layout effects will be

appropriately managed and are considered acceptable. The subdivision will, on balance, make a positive contribution to the quality and functioning of the wider Hamilton urban environment.

8.4 Landscape, Visual, and Amenity Effects

The landscape and visual effects of the Project are assessed in the Landscape and Visual Impact Assessment included as **Appendix 12**. The proposed landscape response is shown on the Landscape Drawings in **Appendix 11** and is further supported by the Urban Design Assessment, Residential Design Guidelines and Ecological Impact Assessment.

Landscape Effects

The Site comprises approximately 81ha at the western edge of Hamilton and currently forms part of a modified pastoral and cropping landscape. Its central portion is generally low lying and gently sloping and is crossed by artificial drains, modified watercourses and wetlands. The northern part of the Site rises into a more varied, sloping and gully-incised landscape, while an elevated knoll and locally steeper land occur near State Highway 23. Existing vegetation principally comprises pasture, crops, shelterbelts, hedgerows, scattered exotic trees and pest plants, together with an approximately 1.52 ha kākūka treeland and isolated indigenous trees.

The Site occupies a transitional peri-urban location. Established residential development within Grandview Heights and Western Heights adjoins the Site to the north and east, while rural and rural-residential land remains to the west, north-west and south. State Highway 23 forms a distinct southern edge, and Te Kootii Park provides an established recreational and open-space interface. The Site currently contributes to the open pastoral setting of Hamilton's western edge but is also strongly influenced by adjoining suburban development, roads, infrastructure and recreational land.

The Project will result in a substantial and permanent change from a predominantly open rural landscape to a comprehensively planned residential and mixed-use environment. The principal landscape changes will arise from extensive cut and fill, land raising and retaining; the construction of roads, buildings and three-waters infrastructure; modification of vegetation patterns; and the introduction of a more intensive built form across much of the Site. These changes cannot be entirely screened or avoided and will be most visible during the earthworks and early development stages.

The earthworks have been designed in response to the existing topography, peat and groundwater conditions, flood environment and infrastructure requirements. While the Project will modify the existing landform, development platforms, roads and retaining structures have been coordinated to follow the Site's broader topographical structure where practicable. Split-level lots, batters, retaining treatments and site-specific controls will be used in more elevated or sloping areas to integrate the development with changes in level and limit unnecessarily prominent retaining structures.

The proposed 6 ML water reservoir will introduce a comparatively large infrastructure element. It will be partly embedded within the finished landform to reduce its exposed height and visual prominence. Its final footprint, platform level, extent of embedment, external finish, security fencing and landscape treatment will be confirmed through detailed engineering and landscape design.

The landscape strategy provides a substantial long-term response to the change in character. Approximately 1.52 ha of existing kānuka treeland will be retained and protected. Approximately 26.7 ha of ecological and stormwater-related restoration and planting will be established across the Site, including restored and created wetlands, riparian planting, hillside planting, stormwater reserves and ecological compensation areas. This planting will be integrated with public parks, landscaped corridors, streets, pedestrian routes and private-lot landscaping to establish an interconnected blue-green framework through the development.

Street trees, specimen trees, shrubs, groundcovers and rain-garden planting will define the road hierarchy, reinforce pedestrian routes and contribute to neighbourhood identity. Planting within the public parks and open-space network will provide shade, amenity and visual relief from built development. Wetland, riparian and stormwater planting will primarily perform ecological and infrastructure functions while also contributing to landscape character and visual amenity.

The Project will therefore change the Site's existing landscape character rather than retain it. However, the masterplan responds to that change through the retention of important landscape and ecological features, the distribution of development intensity, the integration of open-space and stormwater areas, treatment of landform and retaining, and an extensive programme of indigenous and amenity planting. As planting establishes and matures, the development will acquire a progressively stronger vegetated framework and the prominence of buildings, roads, retaining structures and infrastructure will reduce.

Overall, the Project will result in an appreciable change to the existing pastoral landscape and the character of Hamilton's western edge. That change is an unavoidable consequence of the proposed development. Nevertheless, the Site is capable of accommodating the development without affecting an outstanding natural feature, outstanding natural landscape or other identified high-value landscape. Subject to implementation of the Landscape Drawings, Development Controls, Residential Design Guidelines and proposed conditions, the resulting landscape effects will be appropriately managed and are considered acceptable.

Visual and Amenity Effects

The principal viewing audiences include residents of adjoining properties within Grandview Heights and Western Heights; rural and rural-residential properties adjoining the northern and western boundaries; users of Te Kootii Park and surrounding reserves; and people travelling along State Highway 23, O'Brien Road, Brymer Road and the adjoining Hamilton street network.

Views from the established residential areas to the north and east are influenced by existing dwellings, streets, fencing, vegetation and changes in topography. The Project will extend residential development towards these interfaces and will be visible from a number of adjoining properties and local streets. However, the proposed development will generally establish a residential character compatible with the nature of the established urban environment on this side of the Site. Building orientation, height and setback controls, landscaping and the relationship of lots with roads and open spaces will assist in integrating the development with those neighbourhoods.

The change will be more pronounced when viewed from rural and rural-residential properties to the west and north-west, where the existing outlook is more open and rural in character. These properties will experience the introduction of buildings, roads, lighting, retaining structures and associated activity into views that presently contain pasture, cropping and dispersed rural development. The masterplan responds by locating lower-intensity housing towards sensitive

boundaries and requiring a landscape buffer at least 4m wide along identified Rural- and Rural Residential-zoned interfaces. These buffers will contain layered planting of predominantly indigenous trees, shrubs and groundcovers and will operate together with the applicable setbacks, fencing and height controls.

Views from State Highway 23 and surrounding public roads will generally be experienced by moving viewers and will be relatively transient. The development will nevertheless be visible along parts of the highway frontage and from O'Brien and Brymer Roads. Setbacks, screen planting, street trees, retention of the broader landform structure and the landscape treatment of prominent infrastructure will soften the development edge. Particular landscape treatment is proposed along State Highway 23, Whatawhata Road, Brymer Road and the principal Site entrances.

Te Kootii Park, the proposed public parks and the central blue-green network will provide open-space separation and landscaped interfaces within and around the development. Buildings adjoining these spaces will generally be oriented towards them to provide passive surveillance and an active edge, while planting will soften built form and maintain a high level of amenity for users of the parks and pedestrian network.

During construction and the early stages of development, visual effects will be greater because of exposed earthworks, construction activity and the limited maturity of new planting. These effects will be temporary or transitional and will be managed through staged earthworks, progressive stabilisation, site management and early implementation of structural and boundary planting where practicable. The effectiveness of landscape mitigation will increase as planting becomes established.

The Project will also change the amenity experienced by adjoining rural properties through the introduction of a greater intensity of buildings, traffic, lighting and residential activity. Those matters are addressed through the distribution of density, boundary setbacks and buffers, building and lighting controls, the transport design and the wider construction and operational management measures. Within the Site, the connected parks, blue-green corridors, street planting, pedestrian routes and design controls will establish a high-quality residential environment with access to recreation, outlook and landscaped open space.

Overall, the Project will be clearly visible and will result in a noticeable change in the character and outlook of the Site, particularly for the closest rural and rural-residential properties. The proposal does not seek to rely on planting to conceal the development entirely. Rather, the landscape strategy will integrate and soften the built form, reinforce appropriate transitions and establish a coherent long-term landscape framework.

Taking account of the Site's transitional peri-urban context, adjoining suburban development, the distribution and scale of the proposed built form, the boundary and interface treatments, and the extensive landscape and open-space framework, the resulting visual and amenity effects will be appropriately managed. Subject to implementation and ongoing maintenance of the proposed landscape measures and design controls, the residual landscape, visual and amenity effects are considered acceptable. While the proposal will result in a noticeable change in the appearance of the site, it is considered that the visual effects on adjacent properties will be appropriately mitigated and less than minor.

8.5 Noise Effects

The actual and potential noise and vibration effects of the Project have been assessed in the Noise and Vibration Assessment included as **Appendix 27**. Construction noise and vibration are also addressed through the Construction Noise and Vibration Management Plan included as **Appendix 28**. The assessment considers noise generated during construction, operational noise from the proposed residential and mixed-use activities, noise associated with vehicles and servicing, and the exposure of proposed sensitive activities to traffic noise from State Highway 23.

The receiving environment currently contains a mixture of rural, rural-residential and urban residential activities. Existing sensitive receivers include dwellings within Grandview Heights and Western Heights to the north and east, rural-residential dwellings adjoining the northern and western boundaries, and dispersed rural dwellings beyond O'Brien Road and State Highway 23. The existing acoustic environment is influenced by rural activities, local roads, adjoining suburban activity and traffic using State Highway 23.

Construction Noise and Vibration

Construction of the Project will involve earthmoving, compaction, ground improvement, retaining, infrastructure installation, road construction and building works over an extended period. These activities will generate temporary noise and vibration and may be noticeable at nearby residential properties, particularly when works are occurring near the Site boundaries.

Construction noise will be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction Noise. The Noise and Vibration Assessment indicates that the applicable construction-noise limits can generally be achieved, although particular activities undertaken close to sensitive receivers may create a risk of temporary exceedance if they are not appropriately managed.

Construction noise and vibration will be managed through the Construction Noise and Vibration Management Plan. The management measures include controls on working hours, equipment selection and maintenance, the location of stationary plant, temporary acoustic barriers, minimum separation distances, communication with affected residents, monitoring and complaints-response procedures. Particularly noisy or vibration-generating activities will be specifically managed where they are undertaken near sensitive receivers.

The works will occur progressively rather than simultaneously across the whole Site. Construction noise at any particular receiver will therefore vary as the active work area moves through the development and will be limited to the period during which work is undertaken nearby. A fuller assessment of construction noise and vibration is provided in the Construction Effects section above.

Subject to implementation of the Construction Noise and Vibration Management Plan and the recommended controls, unreasonable construction noise and vibration will be avoided. Residual effects will be temporary and are considered acceptable.

Residential Activities

The proposed residential activities will generate the types of noise ordinarily associated with residential occupation, including vehicle movements, outdoor activities, domestic equipment and the use of private and communal outdoor spaces. These activities will be distributed throughout

the Site and will generally occur within a residential acoustic environment once the relevant stages are completed.

Apartment sites A1 and A2 include internal parking areas, vehicle accesses, communal spaces, waste-storage areas and associated building services. Their layouts locate or integrate parking, servicing, mechanical plant and utility areas within, below or behind buildings where practicable, reducing their exposure to adjoining streets, public spaces and residential outdoor-living areas.

Noise generated by ordinary residential activity is not expected to be unreasonable. The proposed density and mix of residential typologies will increase the overall level of activity relative to the existing rural use of the Site, but the resulting acoustic character will be consistent with that of a residential neighbourhood. The distribution of buildings, roads and open spaces and the proposed building and interface controls will assist in maintaining an appropriate level of residential amenity.

Adverse operational-noise effects arising from the proposed residential activities are therefore expected to be less than minor.

Mixed-Use and Commercial Activities

Mixed-use sites C1 and C2 will contain commercial, food and beverage, office and residential activities. Potential operational-noise sources include customer and staff activity, vehicle movements, loading and deliveries, refuse collection, mechanical plant, outdoor seating and the operation of commercial tenancies.

These activities will be located centrally within the development rather than at its external rural or residential boundaries. C1 and C2 are integrated with the neighbourhood centre, apartment sites, higher-intensity housing, public park and collector-road network. This location provides separation from existing sensitive receivers outside the Project and places the activities within the part of the development where a greater level of activity is anticipated.

Parking, loading, refuse and servicing areas are located internally, below or behind buildings where practicable. Mechanical plant and utility areas will be integrated into the buildings or screened from adjoining roads, public spaces and residential outdoor areas. Deliveries, loading, refuse collection and other servicing activities will be managed through the proposed servicing and operational-management arrangements.

The operational noise limits proposed for C1 and C2 recognise the intended mixed-use character of the neighbourhood centre. Those limits exceed the General Rural Zone standards when applied between the future commercial and residential activities within the Project, and resource consent is therefore sought under the applicable district-plan noise rules. The purpose of the bespoke limits is to establish an acoustic framework appropriate to the approved mixed-use environment while continuing to protect residential amenity.

The Noise and Vibration Assessment anticipates compliance with the applicable permitted noise limits at existing sites beyond the Project boundary. The scale and internal location of the neighbourhood centre, together with the building layouts and proposed operational controls, mean that commercial activity is not expected to generate unreasonable noise at existing off-site receivers.

Future commercial tenancies and mechanical plant will be required to demonstrate compliance with the approved operational-noise limits. Where necessary, detailed acoustic design may include

restrictions on hours, plant selection and location, enclosures, silencers, acoustic screening or other treatment. Loading, deliveries and refuse collection may also be subject to time and management controls where required to protect adjoining residential activities.

Subject to the proposed acoustic and operational controls, noise effects from C1 and C2 on existing properties outside the Project will be less than minor. Noise effects within the approved mixed-use environment will be compatible with its intended function and are considered acceptable.

Vehicle and Road-Traffic Noise

The completed Project will generate additional vehicle movements on the internal road network and the external connections to Grandview Road, Harrogate Place, O'Brien Road and State Highway 23. Vehicle noise will therefore increase relative to the Site's existing rural use.

The principal collector routes are located and designed to distribute traffic through the development and connect with the external road network. Higher-intensity residential and mixed-use activities are generally concentrated around those routes, while lower-intensity development and landscape treatments are used towards sensitive rural and rural-residential interfaces.

Traffic will increase progressively as the development is constructed and occupied. The internal roads will operate as residential and neighbourhood streets, and vehicle noise will form part of the anticipated acoustic environment of the completed community. The staged delivery of the external connections will avoid concentrating all Project traffic on a single local access.

Given the function of the proposed roads, the distribution of traffic across the network and the relationship between the roads and surrounding development, operational vehicle noise is not expected to result in unreasonable effects. Any change experienced at existing properties will occur progressively and within the context of the adjoining urban and transport environment. The resulting road-traffic noise effects are considered acceptable.

State Highway 23 Traffic Noise

A small part of the Site adjoining State Highway 23 lies within the State Highway Corridor Noise Control Boundary. The affected area extends approximately 25 m into the Site at the eastern end of the highway frontage and approximately 95 m at the western end.

New buildings containing noise-sensitive activities within this area will be subject to the acoustic-insulation and mechanical-ventilation requirements of NOISE-R44 and APP1 of the Waikato District Plan – Operative in Part. These requirements will ensure that appropriate internal acoustic conditions can be achieved while allowing occupants to keep windows closed for noise control.

The treatment of proposed sensitive activities near State Highway 23 primarily concerns the compatibility of those activities with the existing transport corridor and is addressed further in the Reverse Sensitivity Effects section. Subject to compliance with the applicable acoustic-design and ventilation requirements, an appropriate level of internal amenity will be achieved for future residents.

Conclusion

The Project will change the acoustic environment of the Site from one associated principally with rural activity to one characterised by residential occupation, local traffic and neighbourhood-scale mixed-use activity. Construction noise will be temporary and managed through the Construction

Noise and Vibration Management Plan. Ordinary residential noise will be consistent with the intended residential environment, while commercial and mixed-use noise will be managed through the layout of C1 and C2, approved operational limits, tenancy and servicing controls and detailed acoustic design.

Operational noise is anticipated to comply with the applicable limits at existing properties outside the Project. Where bespoke limits are proposed within the mixed-use area, they will establish an acoustic environment appropriate to the intended combination of commercial and residential activities without giving rise to unreasonable effects.

Subject to the recommended acoustic-design measures, operational controls and proposed conditions, adverse noise effects on existing properties will be less than minor. Effects within the future mixed-use environment and temporary construction-noise effects will be appropriately managed and are considered acceptable.

8.6 Reverse Sensitivity Effects

The Project will introduce residential activity and other sensitive activities into an area that is currently characterised by rural and rural-residential land uses. Potential reverse sensitivity effects may arise where future residents experience noise, dust, odour, traffic, lighting or other effects associated with established and lawfully operating rural activities and subsequently seek restrictions on those activities.

The principal rural interfaces occur along the boundaries of the Site adjoining Rural Zone and Rural Lifestyle Zone land. The Masterplan has responded to these interfaces through the location and intensity of development, building setbacks, road and open-space corridors, and landscape treatment. In particular:

- Higher-density housing and mixed-use activities are concentrated internally around the neighbourhood centre, principal movement routes and public open spaces, away from the principal rural interfaces;
- Lower-density residential development is generally located toward the Site's rural and rural-residential boundaries, providing an appropriate transition in development intensity;
- A landscape buffer of at least 4m in width will be established along identified boundaries adjoining Rural Zone and Rural Lifestyle Zone land. The buffer will comprise layered, predominantly indigenous vegetation intended to provide visual separation and reinforce the transition between urban and rural environments;
- Residential setbacks, fencing, planting and development controls will provide further separation between future sensitive activities and adjoining rural land;
- The proposed road, stormwater, ecological and open-space network provides additional physical separation in relevant locations; and
- Future development will be subject to the approved Masterplan, Development Controls Plan, Residential Design Guidelines and associated design-review and certification processes.

The adjoining rural environment is already influenced by Hamilton's established urban edge, State Highway 23 and existing rural-residential development. The Project will therefore not introduce sensitive activities into an isolated or otherwise uncompromised productive rural environment. The Rural Productivity Assessment also identifies that the Site and surrounding area are affected

by fragmentation, wetlands, drainage constraints, peat soils and peri-urban reverse sensitivity pressures that limit the practicality of intensive primary production.

The Project does not propose sensitive activities within the identified setback distances from intensive farming, aggregate extraction, coal extraction or other activities specifically recognised by the applicable district-plan provisions as requiring substantial separation. The landscape and spatial controls described above will nevertheless assist in managing ordinary effects associated with surrounding farming activities, including intermittent noise, dust, odour and machinery movements. Future residents will also experience a readily apparent rural interface, which will assist in establishing reasonable expectations regarding the character and lawful operation of adjoining rural land.

Reverse sensitivity effects associated with State Highway 23 are addressed through the location and design of development, landscape treatment and applicable acoustic controls. Buildings containing noise-sensitive activities within the State Highway Corridor Noise Control Boundary will be required to incorporate the applicable acoustic-insulation and mechanical-ventilation measures. These measures will provide an appropriate internal acoustic environment without constraining the continued operation of the State Highway.

Infrastructure and servicing assets within and adjoining the development, including stormwater facilities, wastewater pump stations and the proposed water reservoir, will be appropriately located, designed and maintained. Required access corridors, easements and operational areas will be protected so that future subdivision and development do not compromise the operation, maintenance or upgrading of those assets.

On this basis, the Project has been designed to provide an appropriate transition between the proposed urban development and surrounding rural activities and infrastructure. The combination of development intensity transitions, setbacks, landscape buffers, open-space corridors, acoustic treatment and ongoing design controls will appropriately avoid or mitigate the potential for future occupants to constrain established lawful activities.

Overall, the potential adverse reverse sensitivity effects of the Project are considered to be less than minor and acceptable.

8.7 Heritage Effects

The potential effects of the Project on archaeological and historic heritage values are addressed in the Archaeological Assessment prepared for the Project (refer **Appendix 25**).

No scheduled historic heritage item has been identified within the principal development area, and the existing buildings and structures on the Site have not been assessed as having historic heritage significance warranting their retention. Accordingly, the proposed removal of existing farm buildings and structures will not result in adverse effects on any scheduled or otherwise identified historic heritage place.

The archaeological investigations identified a drainage feature associated with the pre-1900 use and modification of the Site. As works may modify or destroy this feature, a separate archaeological authority will be obtained from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014 before the relevant works commence. The authority process will provide for the appropriate investigation, recording and management of the feature.

The following measures are proposed to avoid and mitigate potential effects on archaeological values:

- An Archaeological Site Management Plan will be implemented before works commence within the identified archaeological area;
- Archaeological monitoring will be undertaken in the locations and during the activities identified in the Archaeological Assessment, archaeological authority and associated conditions;
- Relevant contractors and site personnel will receive an archaeological and cultural induction before undertaking earthworks in identified areas;
- Any archaeological material recovered will be recorded, analysed and managed in accordance with the archaeological authority, statutory requirements and relevant mana whenua protocols; and
- An Accidental Discovery Protocol will apply throughout the earthworks area.

Under the Accidental Discovery Protocol, if any archaeological material, taonga tūturu, kōiwi tangata or other material of potential heritage or cultural significance is encountered, works will cease in the affected area. The discovery location will be secured, and Heritage New Zealand Pouhere Taonga, mana whenua, the New Zealand Police and other relevant parties will be notified as appropriate. Works will not recommence until the required statutory and cultural procedures have been completed.

These measures will ensure that known archaeological values are appropriately investigated and recorded and that any presently unidentified material is protected and managed if encountered. The proposed archaeological authority and management procedures will also provide an appropriate mechanism for mana whenua involvement where discoveries have cultural significance.

Accordingly, subject to obtaining and complying with the archaeological authority (sought outside of this consent process) and implementing the Archaeological Site Management Plan and Accidental Discovery Protocol, any adverse effects on archaeological and historic heritage values will be appropriately avoided or mitigated and are considered to be less than minor and acceptable.

8.8 Cultural Effects

The cultural values of the Site and the potential effects of the Project on those values are addressed in the Mana Whenua Statement and Engagement Report and the Cultural Impact Assessment ('CIA') prepared by Ngaati Maahanga (refer **Appendix 24**). The engagement undertaken with mana whenua is summarised in the Engagement and Consultation Summary Report in **Attachment 2**.

Ngaati Maahanga are a hapuu of Waikato-Tainui and hold mana whenua over the Site and surrounding area. Their associations extend across Whatawhata, Te Pahu, Waitetuna, Whaingaroa, Kirikiriroa and the wider Waikato River catchment. These associations are maintained through whakapapa, ahi kaa and the continuing exercise of mana whenua and kaitiakitanga in relation to whenua, wai, wetlands and taonga species.

The Site lies within the upper Ohote Stream catchment, which is hydrologically connected to the Waipā and Waikato Rivers. Although the Site has been extensively modified through pastoral

farming, cultivation and drainage, its peat soils, groundwater systems, wetlands, modified watercourses and drainage corridors remain part of an interconnected hydrological, ecological and cultural system. These features retain cultural significance in relation to mauri, mahinga kai, ecological function, taonga species and the exercise of kaitiakitanga.

The Site also forms part of a wider ancestral landscape associated with Ngaati Maahanga and the historical occupation and activities of Ngāti Hourua. The CIA identifies associations with Te Ara o Kāroro, an early Ngāti Hourua paa and ancestral movement corridor extending through Dinsdale, Western Heights and Rotokauri toward Te Rapa. The wider landscape is also associated with Te Uhi Paa, a satellite kaainga on Brymer Road and an urupaa near the intersection of Newcastle Road and Whatawhata Road. Cultural significance is therefore not confined to recorded archaeological sites but includes whakapapa, settlement, movement, cultural memory, whenua, wai, waahi tapu and taonga species.

Engagement and Mana Whenua Position

Engagement with Ngaati Maahanga has informed the development of the Project and the preparation of the CIA. A Memorandum of Understanding between Ngāa Uri o Maahanga Trust Board, on behalf of Ngaati Maahanga, and Brymer Farms Limited establishes a framework for ongoing engagement and collaboration through the consenting, detailed-design, construction, monitoring and implementation phases.

The CIA concludes that Ngaati Maahanga are neutral toward the application, contingent on the cultural requirements and mitigation measures identified in the CIA being incorporated into enforceable consent conditions and implemented throughout the life of the development. The CIA explains that this position does not indicate an absence of cultural effects. Rather, it reflects the view of Ngaati Maahanga that those effects can be appropriately managed where:

The hydrological integrity of the catchment is maintained;

- Wetlands are retained and enhanced;
- Peat systems are not incrementally degraded;
- Contaminated land is responsibly remediated;
- Taonga species and their habitats are protected and monitored;
- Cumulative effects are actively monitored and responded to; and
- Ongoing engagement with Ngaati Maahanga is formalised.

The proposed conditions and management framework respond to these matters through monitoring, trigger levels, adaptive management, ecological restoration, cultural monitoring and continued mana whenua involvement.

Wai, Hydrology and Catchment Health

The Project involves substantial earthworks, temporary construction dewatering, ongoing groundwater interception associated with the stormwater wetlands, changes to the Site's drainage network and operational stormwater discharges. These activities have the potential to affect groundwater levels, wetland hydrology, peat stability, water quality and the connected Ohote Stream and Waikato River catchments.

For Ngaati Maahanga, wai carries mauri and whakapapa, and groundwater, wetlands, drains and streams are understood as parts of a connected system. Potential effects must therefore be considered at both the Site and wider catchment scales.

The proposed stormwater system responds through an integrated treatment train comprising source controls, rainwater tanks, on-lot retention and soakage, groundwater-recharge devices, forebays, artificial wetlands, treatment devices and managed overland-flow paths. Stormwater wetlands and other treatment devices will remove sediment and contaminants before discharge, while erosion protection will be installed at outlets and vulnerable locations. The design also seeks to limit post-development peak discharges and avoid worsening downstream flooding.

Groundwater, settlement and wetland water levels will be monitored in association with dewatering, preloading, peat management and construction of stormwater facilities. Trigger levels and response procedures will require investigation and adjustment where monitoring identifies effects that differ from the assessed outcomes. On-lot soakage, recharge pits, rainwater-tank overflows and other recharge measures will also assist in maintaining groundwater recharge and reducing peat shrinkage.

Monitoring results relevant to catchment health will be made available to Ngaati Maahanga at agreed intervals, and engagement will continue through detailed design and implementation. These measures will assist in maintaining hydrological function and avoiding incremental degradation of connected receiving environments.

Whenua, Peat and Contamination

The scale of earthworks and ground modification has the potential to affect the mauri and physical integrity of whenua, particularly where peat soils, shallow groundwater and contaminated land are present.

Earthworks, preloading, surcharging, peat undercutting, engineered filling and dewatering will be undertaken in accordance with the Geotechnical Effects Management Plan and Acid Sulphate Soil Management Plan. Groundwater levels, settlement and peat performance will be monitored, with trigger-action-response procedures applying where agreed performance criteria are exceeded.

Localised contaminated land associated with the former cottage, stockyards and historical agricultural use will be remediated and managed under the Remedial Action Plan and Contaminated Site Management Plan in Appendix 22. Contaminated and clean soils will be segregated, contaminated material will not be indiscriminately redistributed across the Site, and controls will prevent sediment or contaminants entering wetlands, drains and waterways. Soil requiring off-site disposal will be taken to an authorised facility, and validation reporting will confirm that the affected land is suitable for its intended use.

These measures respond to the CIA's concern that the management of whenua must address more than human-health exposure and must also maintain soil integrity and prevent contaminant transfer to connected receiving environments.

Wetlands, Ecology and Taonga Species

The CIA identifies the Site's wetlands, waterways and associated habitats as culturally significant and as supporting, or potentially supporting, taonga species including tuna, kōkopu, īnanga, black mudfish and copper skink. Long-tailed bats and indigenous birds are also relevant to the cultural and ecological values of the Site.

The Project will remove Wetlands K, L, M and N, comprising approximately 0.514 ha of natural inland wetland. The loss of these wetlands represents an adverse cultural and ecological effect. The Project applies the effects-management hierarchy through the retention and protection of the balance of the Site's wetlands, restoration of approximately 1.2 ha of retained natural inland wetland and creation of more than 0.75 ha of new wetland habitat. The wider landscape and ecological response includes approximately 26.7 ha of ecological, stormwater and landscape restoration planting. The proposed package is predicted to provide an approximately 13.2% net-positive outcome for wetland habitat extent and value.

The effectiveness of this response will be secured through hydrological design, indigenous planting, livestock exclusion, pest and weed control, establishment monitoring, maintenance, plant replacement and adaptive management. Eco-sourced indigenous species from within the catchment will be used wherever practicable, and opportunities for participation by Ngaati Maahanga, tribal nurseries and iwi businesses in restoration and enhancement activities will be supported.

Works within watercourses will be staged and isolated, and fish recovery and relocation will be undertaken under the supervision of a suitably qualified ecologist. Culverts and other crossings will be designed to maintain fish passage and channel continuity, with post-construction monitoring and maintenance addressing their ongoing functionality. Bat, lizard and bird management plans will govern vegetation clearance and fauna protection, including the separate Wildlife Act authority for lizard handling and relocation.

Ngaati Maahanga will continue to be involved in the implementation and monitoring of the wetland restoration and ecological response. This is important because the CIA supports on-site restoration and identifies measurable, functioning and enduring habitat outcomes as necessary to address effects on taonga species and ecological connectivity.

Wastewater and Other Infrastructure

The CIA identifies potential cultural effects where wastewater or other infrastructure affects groundwater, peat soils, wetlands or receiving environments. Except for the eight Stage 1A rural-residential lots, the Project will connect to the public reticulated wastewater network through staged pump stations, gravity mains and rising mains. Connection to the municipal network is consistent with the preference expressed in the CIA and will provide an appropriately managed and monitored servicing outcome.

The eight Stage 1A lots will use individual on-site wastewater-treatment and land-disposal systems. Those systems will be specifically designed for the receiving soil and groundwater conditions and will be subject to the applicable treatment, loading, separation, maintenance and monitoring requirements.

Wastewater pump stations and pipelines will incorporate emergency storage, telemetry, backup or contingency measures, odour controls and operational access. Infrastructure near wetlands and drainage corridors will be designed to avoid or minimise effects, with cultural monitoring undertaken for identified works where agreed with Ngaati Maahanga.

Urban Form and Cultural Integration

The conversion of the Site from a predominantly pastoral environment to an urban community will result in a significant and permanent change to the landscape. The CIA identifies a risk that

urbanisation may isolate wetlands, fragment ecological corridors or over-engineer natural systems.

The Masterplan integrates wetlands, stormwater reserves, ecological restoration areas, public parks and landscaped corridors into a connected blue-green framework. Ecological and pedestrian connections will be maintained through the development, and higher-intensity development will be concentrated around the neighbourhood centre, principal movement routes and public open spaces.

Ongoing engagement with Ngaati Maahanga will provide opportunities for cultural values to inform relevant detailed-design decisions. This includes input into the naming of streets, reserves and wetlands, landscape and planting design, interpretation and other opportunities to express the cultural associations of the Site. Opportunities for Ngaati Maahanga involvement in ecological restoration, monitoring and enhancement will also be supported where practicable.

Cultural Monitoring and Discovery Procedures

While no recorded archaeological site is mapped within the development footprint, the Site lies within an ancestral landscape where the potential presence of waahi tapu, archaeological material, taonga tūturu or kōiwi tangata cannot be excluded. The extensive earthworks, drainage works and infrastructure installation increase the potential for an accidental discovery.

Cultural monitoring will therefore be undertaken for bulk earthworks, drainage installation, wetland modification, works within or adjoining wetlands and other agreed sensitive ground-disturbance activities. Relevant site personnel will receive cultural induction before undertaking those works.

The Accidental Discovery Protocol, Kōiwi Tangata Discovery Protocol and statutory processes applying to taonga tūturu will be incorporated into the construction-management framework. If material of potential cultural significance is identified, works will cease in the affected area, the location will be secured and Ngaati Maahanga and the relevant statutory authorities will be notified. Works will not recommence until the required cultural and statutory processes have been completed.

A separate archaeological authority has also been sought from Heritage New Zealand Pouhere Taonga. Works subject to that authority will comply with its requirements and the Archaeological Site Management Plan in **Appendix 26**.

Cumulative Effects and Ongoing Kaitiakitanga

The Project forms part of a wider pattern of development within the Rotokauri and western Hamilton area. The CIA identifies that incremental groundwater changes, contaminant loading, peat modification and wetland loss across multiple developments may cumulatively affect the Ohote Stream and Waikato River catchments.

The Project will therefore be implemented progressively, with monitoring continuing across development stages rather than relying solely on pre-construction assessment. Monitoring will address groundwater levels, wetland hydrology, water quality, peat stability, stormwater performance, ecological establishment and fish-passage functionality. Trigger levels and adaptive-management procedures will enable corrective action where outcomes differ from those anticipated.

The Memorandum of Understanding and proposed conditions provide for continued engagement with Ngaati Maahanga through detailed design, construction, monitoring and operation. This recognises the CIA's conclusion that the exercise of kaitiakitanga does not end when consent is granted and that ongoing involvement is necessary to ensure restoration outcomes are achieved and maintained.

Conclusion

The Project has the potential to adversely affect cultural values through changes to wai and catchment hydrology, substantial disturbance of whenua and peat, removal of natural inland wetlands, effects on taonga species and the transformation of an ancestral rural landscape. It also provides opportunities to restore degraded wetlands and waterways, improve ecological connectivity, remediate contaminated land and support the expression of cultural identity within the completed development.

The CIA concludes that Ngaati Maahanga are neutral toward the application, contingent on the identified cultural requirements and mitigation measures being incorporated into enforceable consent conditions. Subject to those measures, continued engagement and the implementation of the agreed monitoring and adaptive-management framework, the adverse cultural effects of the Project can be appropriately avoided, remedied or mitigated and are considered acceptable.

8.9 Construction Effects

The Project will result in temporary construction effects associated with site establishment, vegetation clearance, demolition, contaminated-land remediation, bulk earthworks, ground improvement, infrastructure installation, road formation and landscaping. These effects principally relate to construction traffic, noise and vibration, erosion and sediment generation, and dust.

Earthworks will extend across approximately 70.1ha and currently comprise approximately 603,252m³ of cut and 899,962m³ of fill, together with an anticipated imported-fill requirement of approximately 296,710m³. The scale of the works means that construction will occur progressively through four principal earthworks stages, with further sub-staging used to limit the extent of active disturbance and coordinate works with environmental controls, infrastructure delivery and ecological mitigation.

Construction will be managed through the proposed consent conditions and stage- or activity-specific management plans. These include the Geotechnical Effects Management Plan in **Appendix 18**, Acid Sulphate Soil Management Plan in **Appendix 19**, Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**, ecological management plans in **Appendix 23**, Archaeological Site Management Plan in **Appendix 26**, and Construction Noise and Vibration Management Plan in **Appendix 28**. A Construction Management Plan, Construction Traffic Management Plan and detailed erosion and sediment control plans will also be prepared and certified before the relevant works commence.

Although construction will occur over an extended period because of the scale and staging of the Project, the effects experienced at any particular location or by any individual receiver will be intermittent and temporary. Subject to implementation of the proposed management measures and conditions, the potential adverse construction effects are considered to be appropriately managed and less than minor, as assessed below.

Construction Traffic Effects

Construction traffic will include the delivery and removal of plant and machinery, importation of engineered fill and construction materials, removal of unsuitable or contaminated material where required, and movements associated with contractors, site staff, inspectors and consultants. Much of the earthmoving and material transfer will occur internally within the Applicant's landholding. Suitable excavated and preload material will be reused within the development where practicable, reducing the number of external heavy-vehicle movements required.

Construction access will be coordinated with the Project's staging framework. Stage 1 construction will be accessed from Harrogate Place, Stage 1A from O'Brien Road, and later stages through the progressively completed internal road network and approved external connections. Any works within existing road corridors or affecting State Highway 23 will be subject to the relevant corridor-access, temporary traffic management and road-controlling-authority requirements.

A Construction Traffic Management Plan will be prepared for each relevant stage and will address construction access points, approved haul routes, vehicle types and expected volumes, delivery scheduling, hours of operation, temporary traffic management, contractor parking, pedestrian and cyclist safety, wheel washing, road cleaning, communication with neighbouring residents and complaints procedures. The Plan will also provide for coordination between construction activities and the progressive opening of roads within the development.

Heavy-vehicle movements will be temporary and distributed over the construction period. The use of defined access routes, staged works, internal material reuse, appropriate scheduling and temporary traffic-management measures will maintain the safe and efficient operation of the surrounding road network. On this basis, adverse construction traffic effects are considered to be temporary, appropriately mitigated and less than minor.

Noise and Vibration Effects

The Noise and Vibration Assessment prepared by Styles Group (refer **Appendix 27**) assesses the anticipated construction noise and vibration effects of the Project. Construction activities will include operation of earthmoving machinery, compaction equipment, trucks, piling or foundation plant, pumps and other equipment typical of a development of this nature and scale.

Styles Group concludes that the potential construction noise and vibration effects will be typical of a project of this nature and can be appropriately managed to comply with the applicable construction noise and vibration limits. Construction noise will be measured and assessed in accordance with NZS 6803:1999 Acoustics (Construction Noise), while construction vibration received at buildings on other sites will be managed and assessed in accordance with DIN 4150-3:1999 Structural Vibration - Effects of Vibration on Structures.

A draft Construction Noise and Vibration Management Plan has been prepared and is included in Appendix 28. The Plan provides that noisy construction works will generally be undertaken between 7.30 am and 6.00 pm, Monday to Saturday. Quieter activities that are not audible at neighbouring receivers may occur outside those hours where appropriate.

The draft Construction Noise and Vibration Management Plan identifies a Noise Control Zone applying to construction work within 40m of occupied dwellings on adjoining sites. Within that area, the contractor will be required to consider the equipment proposed, separation from the receiver and the applicable compliance distance before works commence. Where required, mitigation will include the use of smaller or quieter equipment, increased separation, temporary

acoustic barriers, alternative construction methods, monitoring or undertaking work when the affected dwelling is unoccupied.

Particular controls apply to construction and use of the temporary Harrogate Place access. A noise barrier at least 2.5 m high will be installed along the boundary adjoining 9 and 12 Harrogate Place before construction of the access road. Static compaction equipment will be used close to those properties where practicable. If vibratory compaction or other particularly noisy equipment is required, further controls may include smaller equipment, localised barriers, increased separation and real-time noise or vibration monitoring. Heavy construction vehicles will not use the Harrogate Place access outside the normal construction hours.

Works within 20m of an occupied dwelling will also be subject to specific vibration controls, including appropriate plant selection, low vehicle speeds, careful operation of vibratory equipment and monitoring where required. Occupiers within 50 m of relevant works will receive advance notice of the anticipated programme, working hours, periods of highest noise or vibration and contact details for raising concerns.

Noise and vibration monitoring will be undertaken at the commencement of higher-risk activities, where an effect appears excessive or following a reasonable complaint. Monitoring results will be used to refine separation distances and mitigation measures, and corrective action will be required if a non-compliance is identified.

Taking account of the daytime working hours, separation distances, temporary acoustic screening, equipment controls, communication, monitoring and complaints procedures, the construction noise and vibration effects will be temporary and intermittent and are considered to be appropriately managed and less than minor.

Erosion and Sediment Effects

The proposed area and volume of earthworks creates the potential for elevated sediment generation and discharge. If not appropriately managed, sediment-laden runoff could enter adjoining properties, wetlands, drains and modified watercourses and adversely affect water quality and freshwater habitat.

Erosion and sediment controls will be installed before earthworks commence within each stage and will remain in place until the relevant areas are stabilised. Controls will be designed and implemented in accordance with Waikato Regional Council guidance and the applicable regional consent conditions.

Detailed erosion and sediment control plans will identify the sequencing and extent of works, contributing catchments, clean- and dirty-water diversions, sediment-retention ponds, decanting earth bunds and other treatment devices, stabilised construction entrances, stockpile controls, discharge locations, inspection and maintenance requirements, monitoring procedures and responses to adverse weather. The extent of exposed soil will be limited as far as practicable, and completed areas will be progressively stabilised or revegetated.

Works adjoining retained wetlands, watercourses and drains will use appropriate setbacks, protection fencing, temporary diversions, erosion protection and reinstatement measures. Runoff and sediment from contaminated or potentially acid-generating soils will be isolated and managed separately in accordance with the Remedial Action Plan, Contaminated Site Management Plan and Acid Sulphate Soil Management Plan.

The proposed controls represent established methods for managing sediment from large-scale earthworks. Subject to their installation, monitoring and maintenance for the duration of the relevant works, sediment discharges will be minimised and appropriately treated before leaving the works area. Any residual adverse effects on surrounding land, water quality and freshwater habitats are therefore considered to be less than minor.

Dust Effects

Earthworks, haul roads, stockpiles and movement of construction vehicles have the potential to generate dust, particularly during dry or windy conditions. If unmanaged, dust could affect the amenity of neighbouring properties, road users and nearby public spaces.

Dust will be controlled through the staged nature of the works, limiting the extent of exposed surfaces, progressive stabilisation, dampening of haul roads and stockpiles, use of water carts, vehicle-speed restrictions, wheel washing and road cleaning. Approved soil stabilisers or temporary covers may be used where additional control is necessary. Waste oil will not be used as a dust suppressant, and any approved suppressant will be applied in a manner that avoids ponding or contaminated runoff.

Weather and site conditions will be monitored so that controls can be intensified or dust-generating activities modified or temporarily suspended where necessary. Any dust complaint or incident will be recorded, investigated and responded to under the Construction Management Plan.

With these measures in place, construction is not anticipated to result in objectionable or offensive dust beyond the Site boundary. Potential adverse dust effects will therefore be temporary and less than minor.

Overall, the proposed construction works are an unavoidable precursor to delivering the Project. The combination of progressive staging, certified management plans, monitoring, communication and corrective-action procedures will ensure that construction-related traffic, noise, vibration, sediment and dust effects are appropriately avoided or mitigated. The residual adverse construction effects are considered to be temporary and less than minor.

8.10 Contaminated Land Effects

The Detailed Site Investigation ('DSI') prepared by SLR Consulting and included in **Appendix 21** assesses the potential for soil contamination arising from the Site's historical use. The Site has predominantly been used for rural and pastoral activities, including cropping and livestock farming, and activities included on the Hazardous Activities and Industries List have occurred on parts of the Site.

Potential contaminating activities identified through the investigation include historical pesticide use and storage, stockyards, farm buildings and associated rural activities, together with potential historic waste-disposal areas, offal pits and septic systems. The DSI confirms that the Site constitutes a "piece of land" for the purposes of the NES-CS.

Soil sampling indicates that contamination is generally localised rather than widespread across the Site. Elevated contaminant concentrations are principally associated with the former stockyard and cottage areas, with organochlorine pesticides and heavy metals identified as the principal contaminants of concern. Contaminant concentrations exceeding the applicable soil contaminant standards have been identified within those localised areas. The balance of the Site is considered

suitable for the proposed development from a contaminated-land perspective, subject to implementation of the recommended management procedures.

Existing buildings may contain asbestos-containing materials because of their age and form of construction. Asbestos was not identified in the soil samples collected during the DSI. Nevertheless, demolition will be undertaken in accordance with the applicable health and safety requirements, and any asbestos-containing building material identified will be removed and disposed of by appropriately qualified contractors before or as part of demolition.

The Project involves substantial soil disturbance associated with remediation, bulk earthworks, road and building-platform formation, preloading, construction of stormwater facilities and installation of infrastructure. If contaminated soil is not appropriately managed, these activities could expose construction workers or other people to contaminants, redistribute contaminated material into otherwise unaffected areas or result in sediment and contaminants entering wetlands, drains, watercourses or neighbouring land.

To manage those risks, SLR Consulting has prepared a Remedial Action Plan ('RAP') and Contaminated Site Management Plan ('CSMP'), included in Appendix 22. The RAP establishes the remediation outcomes for identified contaminated areas, while the CSMP sets out the procedures applying to the disturbance and management of affected soil. The plans provide for the supervision of remediation and soil disturbance by a suitably qualified and experienced practitioner, demarcation of affected areas, further sampling where required, segregation of clean and contaminated material, controlled excavation and stockpiling, dust and runoff controls, worker health and safety procedures, material tracking and validation reporting.

Contaminated soil will not be redistributed across the Site. Material that cannot be safely retained or reused in accordance with the RAP will be classified and transported to an appropriately authorised facility. Disposal documentation and transport records will be retained and included in the relevant Site Validation Report or Works Completion Report.

The CSMP also includes an unexpected contamination discovery procedure. If previously unidentified contamination is encountered, including discoloured or odorous soil, asbestos-containing material or separate-phase hydrocarbons, works will stop in the affected area. The discovery will be assessed by a suitably qualified and experienced practitioner, and the required containment, testing, remediation or disposal measures will be confirmed before works recommence.

Potential acid sulphate soils associated with peat-influenced and shallow-groundwater areas will be managed separately under the Acid Sulphate Soil Management Plan and technical memorandum in **Appendix 19**. That plan provides for the identification, testing, excavation, treatment, reuse or disposal of affected material and the management of acidic runoff. It will operate alongside the earthworks, erosion and sediment, groundwater and contaminated-land controls.

Following remediation or completion of soil disturbance within affected areas, a Site Validation Report or Works Completion Report will be prepared by a suitably qualified and experienced practitioner. The reporting will document the works undertaken, soil removed or retained, analytical results and disposal records and will confirm that the applicable remediation targets have been achieved and the land is suitable for its intended residential, commercial, infrastructure or open-space use.

SLR Consulting concludes that, provided the works are undertaken in accordance with the RAP, CSMP and ASSMP, potential adverse effects on human health and the environment associated with contaminated land and acid sulphate soils can be appropriately avoided or mitigated. Compliance with those plans and the associated validation requirements will be secured through the proposed consent conditions.

Accordingly, the identified contamination is localised and can be effectively remediated or managed using established methods. Subject to implementation of the proposed controls, the Project will not result in an unacceptable risk to construction workers, future occupants or the receiving environment. Residual adverse contaminated-land effects are therefore considered to be less than minor and acceptable.

8.11 Traffic Effects

The proposal will increase traffic movements on the surrounding road network and introduce a new internal transport network serving the residential precincts, neighbourhood centre and associated open spaces. Potential effects include changes to the safety and efficiency of the surrounding network, intersection performance, access and parking demand, and the operation and amenity of existing residential streets.

These effects are assessed in the Integrated Transport Assessment prepared for the Project (refer **Appendix 16**). The assessment relies on traffic surveys undertaken at ten intersections, forecasts from the Waikato Regional Traffic Model and detailed intersection modelling for the 2035, 2045 and 2055 assessment years.

The proposed internal road hierarchy provides a legible and connected network comprising collector and local roads. The principal collector route will ultimately connect Grandview Road with State Highway 23, enabling traffic to be distributed between the two external connections rather than concentrated on the existing residential network. Stage 1 and Stage 1A will remain physically separate from the integrated vehicle network. Stage 1 will be accessed from Harrogate Place, while the eight rural-residential lots in Stage 1A will be accessed from O'Brien Road. Neither connection will provide a through route into the wider development.

Development of the integrated area will be staged so that no more than approximately 200 dwellings rely on the Grandview Road connection before the permanent State Highway 23 intersection is constructed and operational. This staging limitation will ensure that traffic demand remains commensurate with the available network capacity. Once the State Highway 23 connection is established, the collector-road network will provide the primary connection through the Site and distribute traffic between State Highway 23, Grandview Road and Brymer Road.

The State Highway 23 connection is proposed as a T-intersection, with its final detail to be confirmed through engagement and approval processes with the New Zealand Transport Agency. The Integrated Transport Assessment demonstrates that a safe and operationally effective intersection can be provided, including provision for future pedestrian and cycling movements. Safe-system audits are proposed at the detailed-design, construction and completion stages for the relevant roads and intersections.

The transport modelling indicates that the proposal will have a 'modest' effect on the operation of the wider road network. No material change to the level of service of the assessed strategic intersections is anticipated in the 2035 or 2045 scenarios. Constraints identified at some external intersections in 2055 are also present in the corresponding scenario without the development and

are predominantly attributable to background growth. Conventional intersection improvements are available should future monitoring demonstrate that mitigation is required. Brymer Road will continue to operate within the capacity of its existing two-lane form, while the proposed Site-access and nearby intersections are forecasted to operate at level of service C or better across the assessed horizons.

Traffic generated by Stage 1 and Stage 1A will be limited by the size and configuration of those stages. The Harrogate Place connection is expected to accommodate approximately 99 movements during each peak period. While this represents a change from existing conditions, the relevant streets have sufficient capacity to accommodate the forecast demand. The absence of a through connection will also prevent these streets from becoming alternative routes for traffic generated by the balance of the development.

The proposed network incorporates footpaths along internal streets, together with shared paths and separated cycling facilities on the collector network. These facilities will connect the residential precincts with the neighbourhood centre, reserves, greenway and adjoining neighbourhoods. The collector roads will also be designed to accommodate buses, with provision for bus-stop infrastructure and future coordination with Waikato Regional Council regarding public-transport services. The resulting network will provide residents with realistic alternatives to private-vehicle travel and will support safe and convenient movement through the development.

The detailed assessments of Sites A1, A2, C1 and C2 confirm that their parking areas provide suitable passenger-vehicle access, manoeuvring and queuing. Sites A1 and A2 incorporate reduced parking provision as part of a car-lite development model, supported by Residential Travel Plans, secure cycle and micromobility storage, visitor cycle parking, electric-vehicle facilities and car-share or ride-share measures. The absence of onsite loading spaces for Sites C1 and C2 will be managed through recessed on-street loading spaces and site-specific parking and servicing management measures. An additional accessible parking space will also be marked within the C1 basement parking area to satisfy the applicable accessibility requirement.

Post-development traffic monitoring is proposed on Grandview Road, Highgrove Drive, Ayrshire Drive and Western Heights Drive, together with turning-movement surveys at the principal development access points and the Brymer Road–Grandview Road–Newcastle Road intersection. This will provide a mechanism to identify any emerging operational or amenity effects and to determine whether further practicable measures are necessary as development proceeds.

Overall, the proposal will establish a safe, legible and efficient multimodal transport network with appropriate connections to the surrounding network. Subject to the proposed staging controls, delivery of the State Highway 23 connection, safe-system audits, travel-planning measures and ongoing monitoring, effects on network capacity and efficiency will be less than minor. Longer-term intersection and parking or servicing effects will be minor and manageable, while the improvements to walking, cycling and future public-transport accessibility will result in positive effects. The adverse traffic effects of the proposal are therefore considered acceptable.

8.12 Infrastructure Servicing Effects

The proposed development will increase demand for water supply, wastewater disposal, stormwater management and utility services. If not appropriately planned and staged, this demand could affect the capacity, efficiency and resilience of existing infrastructure networks. The

proposed servicing strategy is described in the Infrastructure Report (**refer Appendix 13**) and supporting technical assessments and engineering drawings.

Except for the eight rural-residential lots within Stage 1A, the development will connect to the IAWAI reticulated water-supply and wastewater networks. Internal reticulation, pump stations, storage facilities and trunk mains will be constructed progressively to ensure that each stage is appropriately serviced before development occurs.

Wastewater from Stage 1 will initially discharge through an interim rising main from the central wastewater pump station to the existing Grandview Road wastewater network. Before Stage 2 proceeds, the ultimate connection to the Western Interceptor will be established through a new rising main and gravity trunk sewer. Three wastewater pump stations will serve the development, with emergency storage incorporated in accordance with the Regional Infrastructure Technical Specifications. The wastewater modelling identifies no local manhole overflows under the assessed development scenarios. While the downstream network is forecast to approach capacity under the longer-term 2061 growth scenario, this reflects wider network demand and will be addressed through the proposed staging, monitoring and ongoing coordination with IAWAI.

Water supply will also be provided progressively. Stage 1 will connect to the existing watermain in Ayrshire Drive, with subsequent connections from Grandview Road and Brymer Road providing network looping and additional capacity. Later stages will be supported by a new approximately 6-million-litre reservoir and associated bulk feeder and distribution mains. The Water Supply Impact Assessment identifies an existing storage constraint at the Dinsdale Reservoir. The proposed staging framework responds to that constraint by limiting development to the capacity available from the initial connections and requiring the strategic reservoir and bulk-supply infrastructure to be operational before the relevant later stages proceed. Final staging and connection arrangements will remain subject to confirmation of network capacity and approval by IAWAI. The proposed network will also provide the required residential, apartment and commercial firefighting supplies.

The eight Stage 1A rural-residential lots will be serviced independently through individual on-site wastewater-treatment and land-disposal systems and separate potable, non-potable and firefighting-water arrangements. These systems will avoid additional demand on the reticulated wastewater network and will be designed to comply with the applicable regional and building requirements.

Stormwater will be managed through an integrated system comprising source controls, on-lot soakage and groundwater-recharge measures, piped reticulation, forebays, artificial wetlands, treatment devices, culverts, outlets and defined overland-flow paths. The system has been designed to provide water-quality treatment and attenuation, maintain flood immunity and limit post-development peak discharges. The water-quality, flooding and hydrological effects of the stormwater system are assessed separately below.

WEL Networks, Tuatahi First Fibre and Firstgas have confirmed that the development can be serviced for electricity, telecommunications and gas respectively. The existing overhead 33 kV electricity line crossing the Site will be undergrounded and relocated within a dedicated easement and road-service trench. Detailed utility design and installation will be undertaken in consultation with the relevant network providers, and connections will be provided progressively as each stage is developed.

Overall, the technical assessments demonstrate that the development can be adequately serviced through the proposed staged infrastructure programme. Subject to the proposed staging controls, confirmation of available network capacity, delivery of the identified strategic infrastructure and compliance with the requirements of the relevant network providers, the proposal will not place inappropriate demand on existing infrastructure or compromise its capacity, efficiency or resilience. Any adverse infrastructure-servicing effects will therefore be appropriately managed and are considered to be less than minor.

8.13 Stormwater and Water Quality Effects

The stormwater-management approach for the Site is detailed in the Stormwater Management Plan (refer **Appendix 14**), the Infrastructure Report (refer **Appendix 13**) and the associated Civil Engineering Drawings (refer **Appendix 15**). These documents assess the potential effects of the proposed stormwater discharges on flooding, water quality, erosion, groundwater recharge, existing wetlands and the downstream receiving environment.

Development of the Site will increase impervious surface coverage and, in the absence of mitigation, would increase the volume and rate of stormwater runoff and contaminants from roads, parking areas and other developed surfaces. The stormwater system has therefore been designed as an integrated treatment train incorporating on-lot retention and soakage, piped conveyance, swales and raingardens, forebays, artificial wetlands, high-flow bypasses, attenuation storage, modified channels, culverts, controlled outlets and designated overland-flow paths.

Initial stormwater will be retained within each developed catchment through on-lot soakholes or retention tanks. This will reduce runoff volumes and assist with maintaining groundwater recharge, particularly within the peat areas. Runoff exceeding the available on-lot storage will enter the primary stormwater network, which will generally accommodate flows up to the 10-year annual-recurrence-interval event. Larger flows will be conveyed safely through roads and other designated overland-flow paths to the proposed stormwater-management devices.

Road and developed-area runoff will receive water-quality treatment before discharge to the receiving environment. Depending on the catchment, this will include treatment through sumps, swales, raingardens, forebays and artificial wetlands. The proposed wetlands will also provide extended detention, attenuation and controlled discharge. The Ecological Impact Assessment confirms that, subject to implementation of the proposed treatment measures and compliance with the relevant water-quality standards, the treated stormwater discharges are expected to avoid adverse water-quality effects within the receiving drains, watercourses and wetlands. The residual ecological effects of stormwater discharge on the downstream aquatic environment are assessed as low.

The artificial wetlands and attenuation devices will provide extended detention equivalent to 1.2 times the water-quality volume and will attenuate the 2-year and 10-year events to the applicable pre-development discharge rates. For the 100-year event, post-development peak discharges will generally be limited to 80% of the corresponding pre-development rate. This will reduce peak flows, downstream erosion and scour notwithstanding the increase in total runoff volume arising from the additional impervious surfaces.

The Site receives stormwater from upstream catchments and contains existing drainage channels, wetlands and overland-flow paths that convey water through the Site toward the Ōhote Stream and the wider drainage network. These hydraulic connections will be maintained through retained

drainage corridors, diversion channels, culvert crossings and overland-flow paths. Each development stage will incorporate the infrastructure necessary to manage its own runoff while maintaining the passage of upstream flows, without relying on infrastructure to be constructed as part of a later stage.

Hydraulic modelling indicates that post-development flood behaviour across the wider area will generally remain unchanged or improve. Although total runoff volume is predicted to increase during the 1% AEP event with climate change, the proposed attenuation measures reduce the post-development peak discharge. The resulting change in the downstream basin water level is approximately 10 mm and is not expected to materially increase flood risk to downstream properties. The Stormwater Management Plan assesses the associated effect on the downstream receiving environment as minor to negligible. Localised ponding and minor exceedances within proposed roads will be addressed through refinement of earthworks levels, overland-flow paths and stormwater infrastructure at detailed design.

The proposed catchment boundaries and discharge locations have also been configured to maintain flows to retained natural wetlands. On-lot soakage, controlled discharges and the allocation of contributing catchments to particular wetlands will assist in maintaining groundwater recharge, baseflows and the existing wetland hydrological regime. The Hydrology and Groundwater Assessment concludes that, with these measures in place, the overall effect of the development on wetland hydrology will be low. The direct ecological effects associated with wetland removal, works near wetlands and modification of watercourses are assessed separately in the ecological-effects section.

Public stormwater assets will be vested in the relevant council following engineering approval, while privately owned devices will be subject to appropriate legal, inspection and maintenance arrangements. Operation and maintenance plans will be implemented to ensure that treatment, attenuation and conveyance devices continue to operate as designed.

Overall, the proposed stormwater-management system provides a comprehensive and integrated response to stormwater quantity, quality, flooding, erosion and groundwater-recharge effects. Subject to detailed design, engineering approval, ongoing maintenance and the proposed conditions of consent, adverse water-quality and ecological effects associated with stormwater discharges will be less than minor, and effects on downstream flooding will be minor to negligible. The overall stormwater effects of the proposal are therefore considered acceptable.

8.14 Groundwater Effects

Groundwater investigations have been undertaken by WGA to assess the potential effects of the proposal on groundwater levels, flows, groundwater-dependent wetlands, surface-water features, peat soils and surrounding land. The findings are set out in the Hydrology and Groundwater Assessment included as **Appendix 20**.

The Site contains a shallow groundwater system associated with the low-lying peat, swamp and alluvial deposits, together with deeper groundwater-bearing strata. Groundwater levels within the low-lying areas are generally shallow and respond to seasonal rainfall, surface-water levels and the operation of the existing drainage network. Groundwater and seepage also contribute to the hydrology of the natural inland wetlands within the northern gullies, particularly during periods of lower rainfall.

Excavations below the groundwater table will be required to construct the stormwater wetlands, offset wetland, wastewater pump stations, wastewater pipelines and other below-ground infrastructure. Temporary construction dewatering may involve a combined groundwater take of up to approximately 1,500 m³/day. Ongoing groundwater interception associated with the completed stormwater wetlands is estimated at approximately 48 m³/day.

Without appropriate management, temporary or sustained groundwater lowering could affect wetland and watercourse hydrology, reduce moisture within the peat, cause peat oxidation or shrinkage, and contribute to settlement of the surrounding ground. WGA's assessment indicates that construction-related drawdown will generally be temporary and localised. Dewatering will be limited to the extent and duration necessary to undertake the relevant works, and intercepted groundwater will be appropriately treated and discharged to the receiving drainage system or land in accordance with the proposed management measures and consent conditions.

The potential decrease in groundwater recharge arising from the development of impervious surfaces and compaction of peat has been incorporated into the stormwater and earthworks design. On-lot soakage and other distributed retention measures will return stormwater to the shallow groundwater system where practicable. Controlled stormwater discharges will also be directed to retained wetlands to help maintain their existing water-level ranges, baseflows and hydrological function. With these measures in place, the Hydrology and Groundwater Assessment and Ecological Impact Assessment identify a low overall effect on retained-wetland hydrology.

Groundwater management will be coordinated with the proposed peat-treatment and geotechnical works. Preloading, localised peat undercut, engineered filling and other ground-improvement works will be undertaken in accordance with the Geotechnical Effects Management Plan. Groundwater and settlement monitoring will be established before and maintained during the relevant works, with trigger levels and response actions used to identify and address any unexpected drawdown or settlement. Monitoring of water levels within retained wetlands and constructed stormwater wetlands will also be undertaken where required.

The deeper groundwater system from which the existing production bores abstract water is distinct from the shallow groundwater system associated with the peat and wetland areas. The proposed construction dewatering is therefore not expected to materially affect the availability of water from those deeper groundwater-bearing strata or other authorised groundwater users.

Overall, the proposed groundwater takes and diversions will be limited in extent and managed through staged construction, recharge measures, controlled discharge, groundwater and settlement monitoring, and trigger-based responses. On this basis, adverse effects on groundwater availability, surrounding land and structures will be less than minor. Effects associated with changes to the hydrology of retained wetlands will be low and appropriately managed, with the associated ecological effects assessed separately in the ecological-effects section.

8.15 Climate Change and Natural Hazard Effects

The Site's natural-hazard context has been assessed in the Infrastructure Report and Stormwater Management Plan included in **Appendices 13 and 14**, the Geotechnical Investigation Report and Geotechnical Effects Management Plan included in **Appendices 17 and 18**, and the Hydrology and Groundwater Assessment included in **Appendix 20**. The hazards relevant to the proposal include flooding and overland flow, peat settlement and subsidence, liquefaction and associated ground

deformation, expansive soils, localised slope instability, shallow groundwater and seismic ground shaking.

The central low-lying area is affected by existing flood storage, overland-flow paths and the wider Ōhote Stream drainage system. Flooding downstream of the Site is also influenced by the Laxon Road floodgates and backwater effects from the Waipā River. Development has therefore been assessed as part of the wider catchment rather than solely by reference to flooding within the Site.

The stormwater and flood modelling incorporates conservative climate-change-adjusted rainfall projections. The assessment includes the 2-year, 10-year and 1% annual exceedance probability events and accounts for increased rainfall intensity and the anticipated change in runoff from development. This provides an appropriately conservative basis for assessing flood risk over the intended life of the development.

The proposed stormwater system will maintain the principal drainage corridors and accommodate runoff entering the Site from upstream catchments. Flows up to the 10-year climate-change-adjusted event will generally be conveyed through the primary network, while larger events will follow defined overland-flow paths within roads and open spaces to the proposed wetlands, attenuation areas and receiving drainage network. Infrastructure and building platforms will be located or designed to achieve the applicable flood levels and freeboard requirements.

On-lot retention, artificial wetlands, extended detention, attenuation storage and controlled outlets will limit post-development peak discharges. Discharges during the 1% AEP event will generally be limited to no more than 80% of the equivalent pre-development peak flow. Hydraulic modelling indicates that flood depths and peak flows across the wider area will generally remain unchanged or improve. While the total volume of runoff will increase because of additional impervious surfaces, the predicted increase in water level within the downstream basin is approximately 10 mm during the 1% AEP event with climate change. This is assessed as a minor to negligible effect and is not expected to materially increase flood risk to downstream properties.

The modelling identifies some localised ponding and minor exceedances within proposed roads. These matters do not affect the feasibility of the development and will be addressed through refinement of finished levels, road gradients, overland-flow paths and stormwater infrastructure at detailed design. Sensitivity testing, including allowance for blocked stormwater devices, provides further confidence that safe conveyance and flood immunity can be achieved.

The Site's low-lying peat and alluvial soils are susceptible to settlement under the proposed fill loads and to ground deformation during a significant seismic event. These risks are proposed to be addressed through preloading or surcharging, localised peat undercut and replacement, engineered-fill capping, settlement and pore-pressure monitoring, and site-specific foundation and infrastructure design. The Geotechnical Investigation Report concludes that liquefaction-related effects within the low-lying areas can be reduced to acceptable levels through implementation of these measures.

The proposed cut and fill slopes have been assessed under static, elevated-groundwater and seismic conditions and satisfy the applicable factors of safety. Maximum batter gradients and preliminary retaining solutions have been identified, with steeper slopes and significant retaining structures requiring specific geotechnical design. Potential lateral displacement around the low-lying stormwater wetlands will be reassessed at detailed design and managed, where necessary, through building setbacks, reinforced batters, retaining measures or specific foundation design.

The elevated parts of the Site contain expansive soils and localised slope features. These require appropriate foundation design, management of surface-water drainage and confirmation of ground conditions at the detailed-design and building-consent stages. The mapped regional fault is inactive and has a return period exceeding 100,000 years, such that the risk of surface fault rupture is low. Seismic ground shaking will be addressed through the applicable structural and geotechnical design standards.

Shallow groundwater and changes in infiltration also have the potential to affect peat moisture, settlement and wetland hydrology. On-lot soakage and other distributed recharge measures will assist in maintaining groundwater levels and reducing the potential for peat drying, oxidation and shrinkage. Groundwater, settlement and wetland water levels will be monitored during the relevant earthworks and following construction, with the Geotechnical Effects Management Plan providing trigger levels and response procedures for any unexpected changes.

The design therefore addresses both the effects of natural hazards on the development and the potential for the development to transfer or exacerbate risk beyond the Site. The supporting technical assessments conclude that the identified hazards do not preclude development and can be appropriately managed through staged earthworks, climate-change-adjusted stormwater infrastructure, ground improvement, appropriate building levels, monitoring, detailed design and engineering certification.

Overall, the proposal will not materially worsen flooding or other natural-hazard risks on neighbouring or downstream land. Subject to implementation of the proposed design, monitoring and management measures, risks to future residents, buildings and infrastructure will be reduced to acceptable levels. The adverse climate-change and natural-hazard effects of the proposal are therefore considered to be minor to negligible and acceptable.

8.16 Geotechnical Effects

The geotechnical characteristics of the Site and the suitability of the proposed development have been assessed by CMW Geosciences in the Geotechnical Investigation Report included in **Appendix 17**. A Geotechnical Effects Management Plan (GEMP) has also been prepared and is included in **Appendix 18**. These assessments address the Site's compressible peat and alluvial soils, expansive soils, shallow groundwater, liquefaction susceptibility, slope stability, bearing capacity and the potential for ground settlement within and beyond the Site.

The Site comprises elevated northern and southern ridges separated by a broad, low-lying central area. The ridges are generally underlain by Hamilton Ash and Walton Subgroup silts, clays and sands, while the central area contains soft and compressible swamp deposits, including peat. Groundwater is shallow across much of the low-lying area and is commonly encountered within or close to the peat and alluvial deposits.

The proposal involves substantial cut and fill earthworks to establish roads, building platforms, infrastructure corridors, stormwater wetlands and other components of the development. In the absence of ground improvement, placement of fill over the low-lying peat deposits is predicted to generate approximately 300–800mm of settlement. This level of settlement would be unsuitable for buildings, roads and gravity infrastructure and therefore requires mitigation before development proceeds.

The principal ground-improvement method will be temporary preloading or surcharging of the low-lying development areas. Preliminary design indicates that preload approximately 1–4m above

the proposed finished ground level may be required for periods ranging from approximately one to 23 months, with most areas expected to require approximately nine to 12 months. The actual preload height and duration will be refined using further investigation, laboratory testing and observed settlement performance. Where preloading is not practicable or suitable, alternative measures may include wick drains, lightweight fill, piled embankments, deep-soil mixing, or excavation and replacement of compressible soils with engineered fill.

Detailed settlement monitoring will be undertaken throughout the preloading process. Settlement plates, vibrating-wire piezometers and extensometers will be used to measure total settlement, pore-water-pressure dissipation and the performance of individual soil layers. Monitoring results will allow the geotechnical engineer to back-analyse consolidation characteristics, refine preload requirements and confirm when the required settlement criteria have been achieved. Preload will not be removed and permanent construction will not proceed until the relevant hold points and geotechnical acceptance criteria have been satisfied.

Localised peat undercut and replacement with engineered fill will be required in areas where sensitive infrastructure must be established early or where preloading is not appropriate, including around the central wastewater pump station and portions of the drainage network. All engineered fill will be placed, compacted and tested in accordance with the approved geotechnical earthworks specification and certified by a suitably qualified geotechnical engineer.

The geotechnical assessment identifies a high ultimate-limit-state liquefaction susceptibility within the low-lying soils. Liquefaction effects can be reduced to acceptable levels by preloading the compressible soils and capping the development areas with engineer-certified clay fill. Preliminary analysis indicates that the proposed slopes satisfy the applicable static and seismic factors of safety. Potential lateral displacement around the low-lying stormwater wetlands is estimated at approximately 50 mm in the assessed ultimate-limit-state event. This will be reassessed at detailed design once final earthworks and wetland geometry are confirmed. If required, additional measures may include building setbacks, geogrid or clay reinforcement, aggregate buttressing, sheet piling or specific foundation design.

Proposed cut and fill slopes will generally be formed at maximum gradients of approximately 1V:2H for cut slopes within the ridges, 1V:3H for fill slopes within the ridges and 1V:4H within the low-lying areas. Where steeper slopes or retaining structures are required, they will be subject to specific geotechnical design and may incorporate geogrid reinforcement, retaining walls, soil nails or piled support. The global stability of all significant retaining structures will be confirmed through detailed design.

The elevated ridge areas are expected to be suitable for conventional TC2-type residential foundations, subject to confirmation through detailed investigation and testing. Within the low-lying areas, shallow foundations may also be suitable following completion and certification of the proposed ground improvement and engineered-fill works. Foundations will be designed to address the Site's expansive-soil characteristics and to limit differential settlement to acceptable levels.

The apartment and mixed-use buildings will require site-specific geotechnical investigation and foundation design because of their greater structural loads and, where applicable, basement construction below the groundwater table. Potential solutions include piles founded in competent soils below the compressible deposits, deep-soil mixing and perimeter secant-pile walls. Basement structures will also require specific groundwater-exclusion, drainage and waterproofing design.

The GEMP provides the framework for managing potential effects on neighbouring properties, infrastructure and retained environmental features. Groundwater-monitoring piezometers and settlement markers will be installed around the relevant works and near potentially affected infrastructure. Monitoring will be undertaken before, during and following preloading, excavation, dewatering and wetland construction. The results will be assessed against a Trigger Action Response Plan, with increased monitoring, review of construction methods, modification or suspension of works, recharge, ground treatment or other remedial measures implemented if the specified trigger levels are reached.

CMW assesses cross-boundary settlement effects as negligible. Existing dwellings along the eastern boundary are generally situated on stiff clay hills above the proposed filling, and the proposed perimeter swale and separation from neighbouring buildings further reduce the potential for effects. Settlement monitoring will nevertheless be undertaken where nearby buildings, utilities or other critical assets could potentially be affected.

Following completion of the earthworks for each relevant stage, a Geotechnical Completion Report will be prepared by a Chartered Professional Engineer. The report will document the works undertaken, testing and monitoring results, confirm the foundation-design parameters applying to the completed platforms and identify any lot-specific limitations or further investigation and design requirements.

CMW concludes that the Site is suitable for the proposed development, subject to implementation of the recommended investigation, ground-improvement, monitoring, detailed-design and certification measures. On that basis, the risks associated with peat settlement, liquefaction, expansive soils, slope instability and shallow groundwater can be reduced to acceptable levels. Adverse geotechnical effects within the Site will be appropriately managed through engineering design, while effects on neighbouring land, buildings and infrastructure will be negligible or less than minor.

8.17 Ecological Effects

The terrestrial, wetland and freshwater ecological values of the Site, and the potential effects of the proposal on those values, are assessed in the Ecological Impact Assessment prepared by Ecological Solutions Limited (EclA), included in Appendix 23. The EclA is supported by the Lizard Management Plan, Bat Management Plan and Fish Management Plan, which are also included in Appendix 23.

The Site is a highly modified agricultural environment dominated by pasture and cropping land, artificial farm drains, modified watercourses and wetlands affected by historic drainage and grazing. No Significant Natural Areas are mapped within the Site and no threatened or uncommon plant species were identified. Nevertheless, the Site contains ecological features requiring appropriate management, including approximately 1.52 ha of kānuka treeland, natural inland wetlands, modified perennial and ephemeral watercourses, artificial drains, mature trees and habitat potentially used by indigenous birds, lizards, long-tailed bats and freshwater fish.

Terrestrial vegetation and habitat

Vegetation within the earthworks footprint comprises approximately 68 ha of pasture and cropping land with negligible botanical value and approximately 2 ha of mature trees, predominantly exotic species, and weed vegetation with low botanical value. The higher-value kānuka treeland will be retained and protected. Although the remaining vegetation removal does

not require specific botanical compensation, it will be more than replaced through the proposed indigenous restoration planting.

Approximately 26.7 ha of ecological and stormwater-related restoration and planting is proposed across the Site. This comprises restoration of retained wetlands, riparian and wetland buffers, planting of retired hillsides and native planting within stormwater reserves. The planting will connect wetlands, watercourses, the retained kānuka treeland and other habitat areas, improving habitat extent, ecological connectivity and the resilience of indigenous vegetation across the Site. Plant and animal pest control and livestock exclusion will further improve the condition of these areas. The EclA concludes that the replacement of predominantly exotic vegetation with extensive indigenous planting will result in a net-positive botanical outcome.

Lizard surveys identified two undetermined skinks, and the EclA considers that copper skink and potentially ornate skink may occur within the Site at very low densities. Approximately 2.2 ha of low-to-moderate-value lizard habitat will be temporarily removed. Vegetation and habitat clearance will therefore be undertaken in accordance with the Lizard Management Plan, including pre-clearance searches, salvage and relocation by suitably qualified ecologists and the installation of 25 wood-log habitat stacks within the release area. The proposed indigenous planting will create approximately 18.4 ha of suitable habitat within upper wetland and stream margins, connected to an additional 7.1 ha of planted stormwater reserves and the retained kānuka treeland. This represents a substantial net gain in the extent and quality of potential lizard habitat. The residual effect on individual lizards is assessed as low, while the longer-term habitat outcome is net positive.

Bird habitat within the Site is predominantly used by common indigenous and introduced species typical of a modified rural environment. Vegetation clearance will be undertaken outside the principal bird-breeding season where practicable. Where clearance occurs during the breeding season, pre-clearance nest surveys will be completed and any occupied indigenous bird nests protected until the chicks have fledged or the nest has been naturally abandoned. Subject to these measures, effects on indigenous birds are assessed as low.

Long-tailed bats were recorded at low levels during acoustic surveys, indicating occasional movement through the Site rather than regular use as core foraging or roosting habitat. Although the species has very high ecological value, the likelihood of bats occupying trees proposed for removal is low. Potential roost trees will nevertheless be managed in accordance with the Bat Management Plan, including pre-felling inspections and the applicable bat-roost protocols. If a confirmed roost is encountered, works will cease and replacement roosting habitat will be provided as specified in that plan. The design also limits lighting adjoining the principal wetland, riparian and planted corridors. Subject to these measures, residual effects on bats are assessed as low. As the indigenous planting establishes and matures, the availability and connectivity of potential foraging and roosting habitat will increase, resulting in a longer-term positive effect.

Wetland effects

The proposal will remove Wetlands K, L, M and N, comprising approximately 0.514 ha of natural inland wetland. These wetlands are highly modified, dominated by exotic vegetation and degraded by historic drainage and grazing, but have been assessed as having moderate ecological value and as significant under the criteria in the Waikato Regional Policy Statement. Their permanent removal results in a residual moderate ecological effect before compensation.

The effects-management hierarchy has been applied through the design and assessment process. The retained natural wetlands, comprising approximately 1.2 ha, will be physically and legally protected, restored through indigenous planting and generally provided with planted buffers averaging approximately 10 m in width. More than 0.75 ha of new wetland habitat will also be created within a low-lying area of the Site with suitable peat soils, groundwater conditions and connectivity to the wider stream and wetland network. The created wetland will incorporate variable water depths and indigenous vegetation communities suited to standing water, saturated and seasonally moist conditions.

The wetland-creation and restoration programme has been tested using a Biodiversity Compensation Model. The model incorporates conservative allowances for ecological risk, time lag and uncertainty and predicts a 13.2% net-positive outcome for wetland habitat. The created and restored wetlands will be protected in perpetuity, with planting establishment, weed control and animal-pest management undertaken for a minimum of five years and the ecological gains expected to be achieved within approximately 15 years.

Development and earthworks will also alter the contributing catchments and groundwater recharge available to some retained wetlands. The stormwater network has been designed to retain and infiltrate runoff and to direct treated stormwater to the affected wetlands at controlled rates. With these measures in place, the Hydrology and Groundwater Assessment and EclA assess the residual effect on retained-wetland hydrology as low. Wetland water levels and the performance of the recharge measures will be monitored in accordance with the proposed conditions.

Freshwater effects

The Site contains artificial farm drains and modified natural watercourses of generally low ecological value. Water quality is characteristic of intensively farmed catchments, with elevated nutrients, suspended solids and bacteria and low summer dissolved-oxygen levels. The watercourses nevertheless provide habitat for native fish, including longfin and shortfin eels, and form part of the wider Ōhote Stream catchment.

The proposal will remove approximately 133 m of modified ephemeral watercourse W2a. It will also result in an additional approximately 139 m of culverting within modified perennial and ephemeral watercourses and approximately 74 m of riprap protection. Approximately 72 m of existing farm culverts will be removed, improving connectivity within those reaches. All new culverts will be designed and installed to provide fish passage in accordance with the New Zealand Fish Passage Guidelines and the applicable freshwater regulations.

Before works occur within flowing drains or watercourses, fish will be recovered and relocated in accordance with the Fish Management Plan. The plan establishes requirements for isolation of the works area, fish capture and transfer, suitable release locations, supervision by a suitably qualified ecologist and reporting. These measures will minimise the risk of injury or mortality and maintain connectivity for freshwater fauna.

Residual effects arising from stream loss and culverting will be addressed through creation of approximately 134 m of new ephemeral stream channel and restoration and enhancement of retained watercourses. Existing artificial drains will also be retained and converted into planted swales where practicable, improving riparian cover, shading, aquatic habitat and ecological connectivity. The stream-compensation package has been assessed using the Biodiversity

Compensation Model and is predicted to produce a 47.6% net-positive outcome for stream habitat.

Earthworks and operational stormwater discharges have the potential to affect aquatic habitat through sedimentation, contaminants and altered flows. Earthworks will be undertaken in accordance with the approved erosion and sediment controls, while operational runoff will pass through the proposed stormwater treatment train before entering the receiving environment. The EclA concludes that, with these measures, residual effects on water and habitat quality will be low. Restoration and planting of the retained watercourses will also provide positive effects through improved shading, contaminant filtering, bank stability and habitat quality.

Ecological management and conclusion

The proposed ecological measures will be secured through the consent conditions, landscape and ecological plans, and the Lizard, Bat and Fish Management Plans. Implementation will be overseen by suitably qualified ecologists and will include fauna-management protocols, wetland and stream creation, indigenous planting, livestock exclusion, weed and animal-pest control, biosecurity procedures, monitoring, maintenance and remedial actions where performance targets are not achieved.

The EclA concludes that residual terrestrial ecological effects following mitigation will range from low to positive. The permanent loss of the identified wetlands results in a moderate residual effect, and the loss and modification of watercourses results in low residual effects, before application of the compensation package. Those effects are addressed through substantial onsite wetland and stream creation, restoration, protection and long-term management. The Biodiversity Compensation Model predicts net-positive outcomes of 13.2% for wetlands and 47.6% for streams, while the wider indigenous planting will result in substantial gains in terrestrial habitat and ecological connectivity.

Overall, while the proposal will result in unavoidable adverse effects through the loss and modification of some freshwater habitats, those effects have been identified and addressed through the effects-management hierarchy. Subject to implementation of the proposed mitigation, compensation, monitoring and management measures, the remaining adverse ecological effects are considered acceptable and the proposal is expected to deliver a net-positive ecological outcome across the Site.

8.18 Productive Land Values

The proposal will result in the permanent urbanisation of land currently used for low-intensity pastoral grazing and limited maize production. While this will remove the site from rural production, the productive value of the land is limited by its physical, operational and economic constraints.

The site is affected by poor drainage, seasonal wetness, high water tables, peat soils, flooding risk, erosion limitations, internal fragmentation from drains and waterways, and proximity to existing urban development. These factors reduce the versatility of the land and limit its practical use for more intensive or higher-value primary production activities.

Although parts of the site are mapped as higher-class land, the site-specific assessment confirms that only a small proportion comprises high-class soil, with the balance subject to significant

constraints. The land is therefore not considered to represent a highly versatile or strategically important productive land resource in practice.

The existing productive use also has limited economic value. The rural productivity assessment identifies that pastoral grazing is the most appropriate long-term productive use, but that the site is not economically viable for land-based primary production when rates, holding costs and typical debt servicing are taken into account. Alternative productive uses such as dairy, dairy support, commercial vegetable production, horticulture and more intensive arable production are not considered reasonably practicable due to the site's soil, drainage, scale, regulatory and reverse sensitivity constraints.

In this context, the proposal will have less than minor adverse effect on productive land values. While there will be a loss of rural productive land, the land's productive capacity and economic contribution are already constrained and limited. The proposal will not materially reduce the availability of high-value productive land in the wider district, nor will it significantly affect the productive use of surrounding rural land, subject to appropriate interface management.

8.19 Cumulative Effects

Cumulative effects may arise where the effects of stages of the Project combine over time or interact with existing and reasonably foreseeable activities within the surrounding environment. Given the scale and duration of the development, the assessment has considered the completed Project rather than assessing each stage in isolation. The relevant technical assessments also account, where appropriate, for background growth, upstream catchments, downstream constraints, climate change and the progressive construction of infrastructure.

The Project will result in the comprehensive change of the Site from a working rural property to a predominantly residential community. The resulting change in landscape character, traffic generation, infrastructure demand, impervious surface coverage and construction activity will therefore be substantial at the Site scale. However, these effects have been assessed on the basis of the ultimate masterplan and full development yield, including the apartment and commercial nodes, transport network, three-waters infrastructure and blue-green open-space system. The assessment does not rely on the effects of any individual stage being considered separately from the balance of the Project.

Construction will occur progressively across multiple stages and over an extended period. This has the potential to prolong temporary noise, vibration, dust, traffic and visual-disturbance effects and to create periods where works are occurring in more than one part of the Site. The proposed staging framework and management plans require each active works area to be appropriately controlled and stabilised and enable construction activities to be coordinated where stages overlap. Construction traffic, noise, vibration, dust, erosion and sediment controls, contaminated-soil procedures and complaints-response processes will apply throughout the construction programme. These measures will avoid the accumulation of unmanaged construction effects and ensure that effects remain temporary and localised as development progresses.

The transport assessment considers the cumulative traffic generated by the completed Project together with forecast background growth across the wider western Hamilton network. The modelling predicts little or no material change in strategic-intersection performance in 2035 and 2045. Constraints identified in 2055 arise predominantly from background growth and are also present in the corresponding no-development scenario. The Project's incremental contribution is

modest, and conventional mitigation is available at the affected intersections. Staging the development so that the State Highway 23 connection is operational before more than approximately 200 dwellings within the integrated development area rely on Grandview Road will prevent traffic effects from accumulating beyond the capacity of the available access network. Ongoing monitoring will also enable any emerging local traffic effects to be identified and addressed.

Cumulative demand on the water-supply and wastewater networks has been assessed for the completed development and against longer-term network demand. The wastewater modelling predicts no local manhole overflows under the assessed development scenarios, although parts of the downstream network are expected to approach capacity under the 2061 background-growth scenario. Similarly, an existing storage constraint has been identified at the Dinsdale Reservoir. These matters will be managed by matching development stages to confirmed network capacity and requiring the ultimate Western Interceptor connection, new Brymer reservoir, bulk mains, pump stations and other strategic infrastructure to be completed before the relevant later stages proceed. This will ensure infrastructure demand does not accumulate ahead of the capacity required to service it.

The stormwater and flood assessments consider runoff from the completed development, existing upstream catchments, downstream flood constraints and conservative end-of-century climate-change rainfall. The integrated stormwater system will provide source control, treatment, extended detention, attenuation, flood storage and safe overland-flow conveyance. Post-development peak discharges will generally be limited to no more than 80% of pre-development rates during the 1% AEP event. Although total runoff volume will increase, the modelled downstream water-level increase is approximately 10 mm and is assessed as minor to negligible. The completed Project is therefore not expected to combine with upstream development or climate change in a manner that materially worsens downstream flooding.

The progressive construction of stormwater wetlands, below-ground infrastructure and areas of filling could also produce cumulative groundwater drawdown or settlement effects. The Hydrology and Groundwater Assessment and GEMP recognise this possibility and establish a phased monitoring regime for groundwater levels, peat settlement, wetland water levels and potentially affected infrastructure. Monitoring results will be reviewed as development progresses and compared with trigger levels, enabling the design, sequencing or construction methodology for subsequent stages to be modified if actual effects differ from those predicted.

Ecological effects have similarly been assessed across the Site as a whole. The combined loss of Wetlands K, L, M and N, removal of approximately 133m of modified ephemeral watercourse and modification of other watercourse reaches is not treated as a series of isolated effects. Those losses are addressed collectively through the creation of more than 0.75ha of wetland habitat, restoration of approximately 1.2ha of retained wetlands, creation of approximately 134m of stream, restoration of retained watercourses and approximately 26.7ha of ecological and stormwater-related planting. The Biodiversity Compensation Model predicts net-positive outcomes for both wetland and stream habitat. Staging, long-term protection, monitoring and maintenance requirements will ensure that the ecological-response measures are implemented in step with the relevant habitat effects.

The Project will also permanently remove the Site from rural production and contribute to the progressive urbanisation of Hamilton's western edge. That change has been considered through the landscape, urban-design, reverse-sensitivity and productive-land assessments. The masterplan

provides a defined and comprehensively designed urban form adjoining existing residential development, supported by a connected transport network, neighbourhood services, infrastructure, open space and substantial ecological restoration. The cumulative change in land use is therefore an inherent effect of the proposal, but it is accompanied by significant housing, economic, accessibility, landscape and ecological benefits.

Overall, the potential for effects to accumulate has been expressly incorporated into the design, modelling, staging and proposed management framework. Subject to delivery of the required infrastructure and mitigation in accordance with the proposed staging triggers and consent conditions, the Project will not combine with existing or foreseeable activities in a manner that gives rise to additional unacceptable adverse effects. The cumulative adverse effects are therefore considered appropriately managed and acceptable, and do not alter the conclusions reached for the individual effects assessed above.

8.20 Mitigation and Monitoring

Clause 6(1)(d) of Schedule 5 of the FTAA requires an AEE to include a description of the mitigation measures, including safeguards and contingency plans where relevant, that will be undertaken to prevent or reduce the actual or potential adverse effects of the activity.

The proposal has been developed through an iterative design and assessment process involving the Project's planning, engineering, transport, landscape, urban-design, ecological, acoustic, geotechnical, hydrogeological, contaminated-land, archaeological and cultural specialists. Where practicable, adverse effects have been avoided through the location and design of development, infrastructure, open space and ecological areas. Where effects cannot be avoided, measures have been incorporated to minimise, remedy, offset or compensate for those effects.

The proposed mitigation measures are described in the technical assessments appended to this AEE and summarised in the preceding effects-assessment sections. A consolidated schedule is provided in **Attachment 6**, while the measures proposed to be secured as enforceable requirements are set out in the proposed conditions of consent in **Attachment 10**.

The mitigation framework includes staged delivery of transport and three-waters infrastructure; construction traffic, noise, vibration, dust, erosion and sediment controls; contaminated-soil and acid-sulphate-soil procedures; groundwater and settlement management; geotechnical design and certification; stormwater treatment, attenuation and groundwater recharge; wetland and stream creation and restoration; indigenous planting and pest control; fauna salvage and relocation protocols; landscape establishment; archaeological and accidental-discovery procedures; cultural monitoring and continued mana whenua involvement; and operational parking, servicing and travel-demand measures. The relevant management plans establish the procedures, responsibilities, performance standards and response actions applying to these measures.

Clause 6(1)(g) of Schedule 5 of the FTAA also requires an AEE to describe how effects will be monitored and by whom where monitoring is required because of the scale and significance of the activity's effects.

Monitoring is proposed throughout construction, establishment and, where necessary, operation of the development. It will include monitoring of construction noise and vibration, dust, erosion and sediment controls, construction traffic, groundwater levels, dewatering volumes, peat consolidation and settlement, wetland water levels, stormwater devices, ecological planting and

compensation outcomes, pest control, fauna-management measures, contaminated-land remediation and traffic conditions on the surrounding network. Monitoring will be undertaken at the frequencies specified in the applicable management plans and proposed conditions, with reporting provided to the relevant consent authority or infrastructure provider where required.

The consent holder will retain suitably qualified and experienced specialists to undertake or oversee monitoring within their respective disciplines. These will include the project engineer and construction manager, geotechnical engineer, hydrogeologist, freshwater and terrestrial ecologists, contaminated-land specialist, acoustic specialist, traffic engineer, landscape architect and, where applicable, archaeologist and mana whenua cultural monitors. Monitoring results will be reviewed against the applicable consent limits, design criteria, performance targets and trigger levels.

Where monitoring identifies an exceedance, unexpected effect or failure to achieve a required performance target, the relevant management plan will require investigation and corrective action. Responses may include increased monitoring, modification or suspension of works, additional erosion or dust controls, alteration of dewatering or recharge measures, ground treatment, repair or replacement planting, additional pest control, traffic-management measures or other remedial works. The Geotechnical Effects Management Plan includes a formal Trigger Action Response Plan for groundwater drawdown and settlement, while the ecological and landscape framework provides for maintenance, replacement and adaptive management until the required establishment and compensation outcomes are achieved.

This integrated mitigation, monitoring and contingency framework provides a clear mechanism for verifying the conclusions of the technical assessments, responding to unexpected effects and ensuring that the environmental outcomes relied upon in this AEE are delivered throughout the life of the Project.

8.21 Summary of Effects

The proposal will establish a comprehensively planned residential community comprising a range of housing typologies, two neighbourhood-scale mixed-use commercial nodes, a connected multimodal transport network, public open spaces, ecological restoration areas and the infrastructure necessary to service the development. Although the Site is presently rural and is not generally zoned for the proposed urban development, its location adjoining Hamilton's existing urban edge enables the proposal to connect with established neighbourhoods, transport corridors, infrastructure and open-space networks.

The preceding assessment identifies a range of temporary and permanent effects. Construction-related noise, vibration, traffic, dust, erosion, sediment, contaminated-land and groundwater effects will be temporary and can be maintained at acceptable levels through staged construction, the proposed management plans, specialist supervision, monitoring and responsive contingency measures. Operational effects relating to transport, infrastructure capacity, stormwater, flooding, groundwater, geotechnical constraints, landscape and amenity can similarly be managed through the proposed design, staging triggers, infrastructure delivery, detailed engineering and conditions of consent.

Some adverse effects cannot be characterised as less than minor in isolation. In particular, the permanent removal of approximately 0.514ha of natural inland wetland results in a moderate residual ecological effect before compensation. The loss and modification of watercourses results

in low residual effects, while some longer-term intersection, parking and servicing effects are assessed as minor and manageable. These effects have been expressly recognised rather than relying on an overall less-than-minor conclusion.

The freshwater effects have been addressed through the effects-management hierarchy and a substantial onsite compensation package. This includes creation of more than 0.75 ha of wetland habitat, restoration of approximately 1.2 ha of retained wetlands, creation and restoration of watercourses, legal protection, indigenous planting and long-term pest and weed control. The Biodiversity Compensation Model predicts net-positive outcomes of 13.2% for wetland habitat and 47.6% for stream habitat. Together with approximately 26.7ha of ecological and stormwater-related restoration and planting, these measures are expected to produce an overall net-positive ecological outcome.

The proposal will also generate significant positive effects. These include a substantial contribution to housing supply and housing choice; investment, employment and household-expenditure benefits; provision of neighbourhood-scale commercial services; improved walking and cycling connections; new and enhanced public open spaces; comprehensive infrastructure delivery; restoration of degraded wetlands and watercourses; increased indigenous habitat and ecological connectivity; and opportunities for mana whenua participation in cultural monitoring, planting, interpretation and environmental management.

Overall, the technical assessments confirm that the Site can accommodate the proposal subject to the identified mitigation, compensation, monitoring and infrastructure requirements. The proposal will give rise to some localised adverse effects ranging from less than minor to moderate before compensation; however, those effects are appropriately avoided, minimised, remedied or compensated for through the proposed design and conditions. When the adverse and positive effects are considered together, the proposal will deliver acceptable environmental outcomes and significant social, economic, cultural and ecological benefits.

9.0 Assessment of Relevant Statutory Considerations

This section of the application is provided in accordance with Clauses 5(1)(h), 5(2), and 5(3) of Schedule 5 of the FTAA. 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 Resource Management Act 1991;*
- (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*

Clause 5(3) requires the assessment to include the objectives, policies, rules or other provisions of those documents that are relevant to the approvals sought. The relevant statutory documents are

identified in **Table 11** below. Detailed assessments are contained in Attachment 7: Objectives and Policies Assessment, **Attachment 8** Rules Assessment and **Attachment 9** Treaty Settlement Provisions and Iwi Management Plan Assessment, and are summarised in the sections that follow.

Table 11: Summary of Relevant Statutory Documents

Document	Relevance to Project
National Environmental Standards	
National Environmental Standards for Air Quality 2004	Not directly applicable. The Project does not include an activity specifically regulated by these standards. Construction dust and other discharges to air are instead assessed under the Waikato Regional Plan.
National Environmental Standards for Sources of Drinking Water 2007	Not directly applicable. No registered drinking-water source is identified as being adversely affected by the proposed activities. The development will connect to the reticulated public water-supply network, supported by the separately authorised Waikato River water take.
National Environmental Standards for Electricity Transmission Activities 2009	Not applicable. The existing 33 kV line crossing the Site is part of the electricity-distribution network rather than the National Grid. Its relocation and undergrounding are not regulated by these standards.
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	Applicable. HAIL activities have occurred on parts of the Site, and the Project involves subdivision, change of use and disturbance of affected soil. Consent is required under regulation 10, as assessed below and in Attachment 8 .
National Environmental Standards for Telecommunications Facilities 2016	Not directly applicable to the approvals sought. Telecommunications will be installed as part of the development's utility servicing, but no activity requiring consent under these standards has been identified.
National Environmental Standards for Plantation Forestry 2017	Not applicable. No commercial forestry activity is proposed.
National Environmental Standards for Freshwater 2020	Applicable. The Project includes vegetation clearance, earthworks and water-related activities within and near natural inland wetlands; removal of Wetlands K, L, M and N; works affecting retained-wetland hydrology; culvert installation and replacement; and works affecting fish passage. The applicable regulations and consent requirements are assessed below and in Attachment 8 .
National Environmental Standard for Marine Aquaculture 2020	Not applicable. The Site is inland and no marine aquaculture activity is proposed.

Document	Relevance to Project
National Environmental Standard for Storing Tyres Outdoors 2001	Not applicable. Outdoor tyre storage is not proposed.
Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023	Not applicable. The Project does not include industrial process heat activities regulated by these standards.
Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025	Not applicable to the approvals sought. The application does not rely on the permitted-activity pathway for detached minor residential units.
National Policy Statements	
National Policy Statement on Electricity Transmission 2008	Not applicable. No National Grid transmission activity or asset is affected.
New Zealand Coastal Policy Statement	Not applicable. The Site is not within the coastal environment and the proposal will not affect the coastal environment.
National Policy Statement for Renewable Electricity Generation 2011	Not applicable. No renewable-electricity generation activity is proposed.
National Policy Statement for Freshwater Management 2020	Applicable. The Project affects natural inland wetlands, modified natural watercourses, freshwater habitat, water quality and hydrological processes. The effects-management hierarchy and proposed wetland and stream compensation are particularly relevant.
National Policy Statement on Urban Development 2020	Applicable. The proposal will provide substantial housing and business capacity adjoining Hamilton and raises matters relating to housing demand, urban form, accessibility, infrastructure and well-functioning urban environments.
National Policy Statement for Highly Productive Land 2022	Applicable. The Site contains some land mapped or classified as highly productive land, and the proposal will permanently convert the Site from rural production to urban development.
National Policy Statement for Indigenous Biodiversity 2023	Applicable. The Project affects indigenous fauna and habitat and includes substantial indigenous restoration, habitat creation, ecological connectivity and long-term management measures.
National Policy Statement for Greenhouse Gases from Industrial Process Heat 2023	Not applicable. The proposal does not include an industrial process-heat activity.
National Policy Statement for Infrastructure 2025	Applicable. The Project includes new transport, stormwater, wastewater, water-supply and network-utility infrastructure required to service the development.

Document	Relevance to Project
Regional Policy Statement	
Waikato Regional Policy Statement	Applicable. The Project raises regional issues relating to urban development, infrastructure, freshwater, indigenous biodiversity, natural hazards, highly productive land, tangata whenua values and the Waikato River catchment.
Plans	
Waikato Regional Plan	Applicable. Regional consents are required for groundwater taking, dewatering discharges, stormwater discharges, water diversion, drilling, works in watercourses, wetland and vegetation effects, large-scale earthworks and cleanfill placement.
Waikato District Plan Operative in Part	Applicable. The majority of the Site is subject to the operative-in-part provisions of the Waikato District Plan. Land-use and subdivision consents are required for the residential and commercial development, subdivision, earthworks, transport, infrastructure and non-compliance with applicable zone and district-wide standards.
Waikato District Plan—Operative District Plan	Applicable. Provisions of the former operative Waikato District Plan that remain operative continue to apply to the relevant parts and components of the Project.
Hamilton City Operative District Plan	Applicable. Part of the proposed road corridor lies within the Hamilton City boundary and requires subdivision, earthworks and transport approvals under the Hamilton City District Plan.
Planning document recognised by a relevant iwi authority and lodged with a local authority	
Te Ture Whaimana o Te Awa o Waikato—Vision and Strategy for the Waikato River	Applicable. The Site lies within the Waikato River catchment and drains through the Ōhote Stream and Waipā River system. Te Ture Whaimana forms part of the Waikato Regional Policy Statement and is the primary direction-setting document for the Waikato River and its catchment.
Tai Tumu, Tai Pari, Tai Ao—Waikato-Tainui Environmental Plan	Applicable. The Site is within the Waikato-Tainui rohe and an area over which Ngaati Maahanga exercise mana whenua. The Plan's provisions relating to whenua, wai, wetlands, biodiversity, cultural heritage, urban development, infrastructure and kaitiakitanga are relevant. The assessment is contained in Attachment 9.

9.1 National Environmental Standards

9.1.1 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NЕСS) came into force on 1 January 2012. The NESCS establishes nationally consistent requirements for identifying, assessing and managing risks to human health from contaminants in soil when land is subdivided, its use changes, soil is disturbed or fuel-storage systems are removed or replaced.

The Detailed Site Investigation (DSI) in **Appendix 21** confirms that activities included on the Hazardous Activities and Industries List have occurred on parts of the Site. These principally relate to the former stockyard and cottage areas and historical agricultural activities, including pesticide use and storage. Localised concentrations of organochlorine pesticides and heavy metals exceeding the applicable soil contaminant standards have been identified. The affected areas therefore constitute a “piece of land” for the purposes of regulation 5 of the NESCS.

The Project involves subdivision and a change from rural use to residential, commercial, open-space and infrastructure uses. It will also involve remediation and disturbance of soil within the affected areas as part of the bulk earthworks, preloading, road and infrastructure construction, building-platform formation and development of stormwater and reserve areas.

The DSI exists, has been provided with the application and states that soil contamination within the identified affected areas exceeds the applicable standard in regulation 7. The proposed subdivision, change of use and associated soil disturbance therefore cannot proceed as permitted or controlled activities under regulations 8 and 9. Consent is required as a restricted discretionary activity under regulation 10. The detailed rule assessment is contained in Attachment 8, and the potential effects on human health are assessed in the contaminated-land effects section of this AEE.

The remediation and disturbance of affected soil will be undertaken in accordance with the Remedial Action Plan and Contaminated Site Management Plan included in **Appendix 22**. These documents establish procedures for delineating affected areas; worker health and safety; soil excavation, segregation, testing, reuse and disposal; dust and stormwater control; unexpected contamination; validation sampling; and preparation of completion reporting. Soil requiring offsite disposal will be transported to an appropriately authorised facility.

Potential acid sulphate soils are addressed separately through the Acid Sulphate Soil Management Plan and supporting technical memorandum in **Appendix 19**. Those measures will manage excavation, stockpiling, treatment, reuse or disposal of affected soil and associated risks to soil and water quality.

The contamination identified by the DSI is localised and can be remediated or otherwise managed using established methods. Implementation of the proposed management plans and conditions will control exposure pathways during construction and ensure that the completed residential, commercial, open-space and infrastructure areas are suitable for their intended uses.

Accordingly, the Project will appropriately identify, remediate and manage contaminated soil and will achieve the NESCS purpose of protecting human health. Subject to the proposed conditions, the potential human-health effects will be acceptable.

9.1.2 National Environmental Standards for Freshwater

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('NES-F') came into force on 3 September 2020. The NES-F establishes nationally consistent controls for activities affecting freshwater and freshwater ecosystems, including natural inland wetlands, stream reclamation and structures that may affect fish passage.

The provisions relevant to the Project principally concern vegetation clearance, earthworks, land disturbance, and the taking, use, damming, diversion and discharge of water within or near natural inland wetlands, together with the placement or alteration of culverts within rivers.

The Site contains a number of natural inland wetlands and modified natural watercourses. These freshwater features occur within a highly modified rural environment that has been subject to historical pastoral farming, grazing, drainage and vegetation clearance. No exclusion under regulation 37 has been identified for the natural inland wetlands affected by the Project. The natural inland wetland provisions in Subpart 1 of Part 3 of the NES-F therefore apply.

The Project will result in the loss or modification of some freshwater features, including the removal of approximately 0.514 ha of natural inland wetland associated with Wetlands K, L, M and N and approximately 133 m of modified natural watercourse. The Project also involves bulk earthworks, land raising, construction dewatering, excavation of stormwater devices, pipeline installation, modifications to the drainage network and operational stormwater discharges within or near retained natural inland wetlands.

The principal NES-F consenting triggers are as follows:

- Vegetation clearance, earthworks and land disturbance associated with restoration and wetland-maintenance works within natural inland wetlands and their 10 m setbacks will exceed the area limitation in regulation 38(4)(b), being 500 m² or 10% of the area of the natural inland wetland, whichever is smaller. The permitted-activity pathway under regulation 38 is therefore not met, and consent is required as a restricted discretionary activity under regulation 39. The effects management hierarchy must be applied when determining that consent.
- Bulk earthworks, land raising, construction dewatering, excavation of stormwater devices, pipeline installation and modifications to the drainage network will occur within 100 m of natural inland wetlands. Where works outside a wetland will result, or are likely to result, in the complete or partial drainage of a retained natural inland wetland and do not have another activity status under regulations 38–51, they are non-complying activities under regulation 52.
- Filling, excavation and diversion within Wetlands K, L, M and N will result in the complete drainage and removal of approximately 0.514 ha of natural inland wetland. As the Project is not "urban development" for the purposes of regulation 45C and the activities do not have another status under regulations 38–51, the removal of these wetlands is a prohibited activity under regulation 53.
- Vegetation clearance and earthworks within natural inland wetlands or their 10 m setbacks that are not otherwise provided for under regulations 38–51 are non-complying activities under regulation 54. This includes non-restoration bulk earthworks and general site formation within 10 m of retained natural inland wetlands.

- Construction dewatering, drainage diversions, operational stormwater discharges and other activities within 100 m of retained natural inland wetlands that are hydrologically connected to those wetlands and will, or are likely to, change their water-level range or hydrological function are non-complying activities under regulation 54.
- New and altered culverts within modified natural watercourses are anticipated to comply with the design, installation, fish-passage, monitoring, maintenance and information requirements of regulation 70 and are therefore permitted activities under that regulation.

The prohibited activity status arises because the Project does not meet the particular definition of “urban development” applicable to regulation 45C, rather than because the NES-F precludes effects on wetlands from development of this nature in all circumstances. Had the Project qualified as urban development, vegetation clearance, earthworks, hydrological changes and wetland loss associated with its construction would have been capable of consideration as restricted discretionary activities under regulation 45C, subject to application of the effects management hierarchy and the specified matters of discretion. This distinction does not alter the formal prohibited activity status under the NES-F, but it provides relevant context for the Panel’s consideration of the activity under the FTAA.

The Site is located immediately adjoining Hamilton’s existing urban area and is identified through the strategic direction and settlement pattern in the Waikato Regional Policy Statement as being suitable for future urban expansion. The Project is therefore urban in its substantive purpose, form and anticipated outcome, notwithstanding that it does not meet the specific definition required to access regulation 45C. It will establish a comprehensively planned residential neighbourhood supported by a neighbourhood centre, transport and three-waters infrastructure, public open space and an integrated blue-green network. The prohibited status consequently results from the limits of the available NES-F pathway rather than from a conclusion that urban development of the Site is strategically inappropriate.

Although regulation 45C does not provide the legal consenting pathway, its requirements provide a relevant and appropriately conservative framework against which the acceptability of the wetland effects can be considered. The Project has therefore been assessed by reference to the considerations underlying that pathway, including the extent to which wetland loss has been avoided, whether the effects are necessary to achieve the integrated development and infrastructure layout, the application of the effects management hierarchy, the management of construction and hydrological effects, and the adequacy and durability of the proposed restoration, offsetting, monitoring and adaptive-management measures. This approach does not displace or avoid the prohibited activity status. Rather, it provides a coherent effects-based framework for the Panel’s consideration of the prohibited activities under the FTAA.

The effects management hierarchy has been applied through the iterative design of the Project. Natural inland wetlands have been retained and incorporated into the blue-green network where practicable. Approximately 1.2 ha of existing wetland will be retained and enhanced through indigenous planting, improved buffers, stock exclusion, pest-plant and animal-pest management, and ongoing monitoring. The loss of Wetlands K, L, M and N is confined to those areas where avoidance is not practicable while achieving the integrated road, residential, stormwater and infrastructure layout required for the Project.

Potential effects on retained wetlands will be minimised and remedied through wetland buffers, indigenous planting, erosion and sediment controls, hydrological management, stormwater treatment, stock exclusion and pest management. Residual effects will be addressed through the creation of more than 0.75 ha of new wetland habitat, enhancement of retained wetlands, associated stream and riparian restoration, habitat enhancement and long-term monitoring and adaptive management. The ecological mitigation and offsetting package is intended to achieve a net gain in wetland habitat value rather than merely replace the area of wetland removed.

The stormwater system has been designed as an integrated network of treatment, attenuation, conveyance, infiltration and wetland devices. It will manage stormwater quality and quantity, limit contaminant and sediment discharges, mitigate downstream flooding effects and, where required, support the hydrological functioning of retained wetlands. Construction effects will be managed through erosion and sediment controls, staged works and progressive stabilisation of disturbed areas.

Implementation of these measures will be secured through the proposed consent conditions and management plans, including the Ecological Management Plan, wetland restoration and offsetting measures, Fish Management Plan, erosion and sediment controls, Stormwater Management Plan and associated monitoring and adaptive-management requirements. These measures will establish the methods, performance standards, monitoring responsibilities and contingency responses necessary to manage freshwater effects during construction and operation.

The proposed response is consistent with the relevant freshwater policy direction, including the requirement to apply the effects management hierarchy and to protect and restore freshwater ecosystems. It also recognises and gives effect to the strategic direction of the Waikato Regional Policy Statement for future urban development in this location, including the integration of land use with infrastructure and the management and enhancement of environmental values.

The Project therefore includes restricted discretionary, non-complying and prohibited activities under the NES-F. Approval for the prohibited activities is expressly sought through the FTAA, which provides the statutory pathway for the Panel to consider and, if appropriate, authorise activities that would otherwise be prohibited under the NES-F.

Overall, the prohibited activity classification is acknowledged but should be considered in its proper statutory and strategic context. It arises because the Project falls outside the defined urban-development pathway, despite being located in an area identified as suitable for future urban expansion and proposing a substantively urban form of development. When assessed by reference to the effects management hierarchy, the considerations underpinning regulation 45C, the relevant freshwater policies and the proposed restoration and offsetting package, the residual effects on freshwater values can be appropriately addressed. Subject to the proposed conditions and implementation of the associated management and monitoring measures, the Project is expected to achieve a net gain in wetland habitat value and an overall positive freshwater ecological outcome.

9.1.3 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, and therefore, an assessment against the intent of these is not required.

9.2 National Policy Statements

9.2.1 National Policy Statement on Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 ('NPS-FM'), as amended in December 2025, provides national direction for the management of freshwater under the RMA. It applies to all freshwater, including groundwater, and to receiving environments to the extent that they are affected by freshwater.

The objective of the NPS-FM is to ensure that natural and physical resources are managed in a way that prioritises:

1. first, the health and well-being of water bodies and freshwater ecosystems;
2. second, the health needs of people; and
3. third, the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future.

This hierarchy of obligations is central to Te Mana o te Wai, which recognises the fundamental importance of water and that protecting the health of freshwater protects the health and well-being of the wider environment. Te Mana o te Wai also recognises the mauri of wai and the need to restore and preserve the balance between water, the wider environment and communities.

The Project is located within the upper Ohote Stream catchment, which is hydrologically connected to the Waikato River. The Site contains groundwater systems, natural inland wetlands, modified watercourses and artificial drains that form part of this wider catchment. The Project must therefore be assessed having regard to both its site-specific effects and its potential effects on the wider receiving environment.

Policies 1, 3 and 5 require freshwater to be managed in a manner that gives effect to Te Mana o te Wai, adopts an integrated whole-of-catchment approach and maintains or improves the health and well-being of water bodies and freshwater ecosystems. The Project responds to these directions through an integrated masterplanning and water-management approach. Land use, earthworks, stormwater, groundwater, wastewater infrastructure, wetlands, watercourses, ecology and the downstream receiving environment have been considered together rather than as isolated components.

The proposed stormwater system incorporates treatment, attenuation, conveyance, infiltration, wetlands and water-sensitive design measures. These measures are intended to manage runoff quality and quantity before discharge, reduce sediment, nutrient and contaminant loads, support groundwater recharge, manage effects on retained wetland hydrology and mitigate downstream flooding effects. Treated stormwater will be redirected to the upper reaches of retained wetlands where necessary to maintain recharge and baseflows. The retirement of the Site from pastoral farming will also remove existing grazing and agricultural inputs and reduce some of the current land-use pressures on freshwater systems.

Policy 2 requires tangata whenua to be actively involved in freshwater management and Māori freshwater values to be identified and provided for. Ngaati Maahanga hold mana whenua over the Site and have prepared a Cultural Impact Assessment addressing the effects of the Project on wai, wetlands, groundwater, peat systems, taonga species and the wider Waikato River catchment. Ngaati Maahanga are neutral to the application, contingent on the identified mitigation and cultural requirements being secured through enforceable consent conditions.

The proposed conditions provide for continued involvement of Ngaati Maahanga during detailed design, construction and monitoring. This includes review of relevant freshwater and management documentation, cultural monitoring during agreed earthworks and wetland-related activities, provision of environmental monitoring results, involvement in wetland restoration and compensation, and ongoing engagement through the construction and operational phases. These measures recognise the principles of mana whakahaere and kaitiakitanga and provide an ongoing role for mana whenua in protecting the mauri of wai.

Policy 4 requires freshwater to be managed as part of New Zealand's integrated response to climate change. The stormwater and flood-management systems have been designed having regard to future rainfall and climate-change conditions. The provision of attenuation, infiltration, overland-flow paths, restored and created wetlands and an integrated blue-green network will improve the resilience of the development and receiving environment to more intense rainfall events. Monitoring and adaptive-management measures will also allow responses to be implemented where hydrological or ecological performance departs from the anticipated outcomes.

Policy 6 directs that there be no further loss of the extent of natural inland wetlands, that their values are protected and that their restoration is promoted. The Project does not completely achieve the first component of Policy 6 at the Site level because it will remove approximately 0.514 ha of natural inland wetland associated with Wetlands K, L, M and N. The affected wetlands are situated within a highly modified pastoral environment, are predominantly composed of exotic grasses, herbs and rushes, and have been assessed as having moderate ecological value. Nevertheless, their removal represents a clear tension with the first limb of Policy 6 and is also reflected in the prohibited activity status arising under regulation 53 of the NES-F.

The significance of that tension has been recognised throughout the design and assessment of the Project. The effects management hierarchy has been applied to determine whether wetland effects can first be avoided, then minimised or remedied, and finally addressed through compensation where significant residual effects remain. Wetland areas were identified and mapped early in the design process and natural inland wetlands have been retained where practicable.

Approximately 1.2 ha of retained wetlands will be restored through the removal of grazing, indigenous planting, weed and animal-pest control, the establishment of planted buffers and hydrological management. These measures are expected to improve the ecological condition, habitat values and long-term resilience of wetlands that are presently degraded. The retained and restored wetlands will also be legally protected in perpetuity.

The loss of Wetlands K, L, M and N is confined to those areas where avoidance is not practicable while achieving the integrated road, residential, stormwater and infrastructure layout required for the Project. Residual effects will be addressed through an ecological compensation package comprising the creation of more than 0.75 ha of new wetland habitat, together with the restoration and enhancement of the retained wetlands. The new wetland has been located and designed having regard to appropriate hydrology, ecological connectivity and its integration with existing vegetation and the wider stormwater network.

The Ecological Impact Assessment in **Appendix 23** concludes that the wetland compensation package will ensure no net loss of wetland extent within the Site and is expected to achieve a

13.2% net positive outcome for wetland values. The package therefore provides a measurable improvement in overall wetland value rather than merely replacing the area of wetland removed.

Accordingly, while the Project is not directly consistent with the first limb of Policy 6 because some existing natural inland wetland extent will be lost, it responds substantively to the remainder of the policy by protecting and improving retained wetland values, actively promoting restoration, creating additional wetland habitat and providing long-term legal protection. On balance, the Project is considered to generally align with the broader intent of Policy 6.

Policy 7 requires the loss of river extent and values to be avoided to the extent practicable. The Project will remove approximately 133 m of modified ephemeral watercourse W2a and will modify other perennial and ephemeral watercourses through culverting and the installation of rock riprap. W2a has a low Stream Ecological Valuation score and poor ecological function and values, with the unmitigated ecological effect of its removal assessed as low.

The effects management hierarchy has been applied to determine whether the loss of river extent and values can be avoided or reduced. The removal of W2a is associated with the proposed Harrogate roading connection, which is required to establish an integrated transport network and provide connectivity between the Project and Hamilton's existing urban area. Where watercourse modification is required, effects will be minimised through fish-passable culvert design, implementation of the Fish Management Plan, riparian restoration and stormwater treatment to protect downstream water quality.

Residual effects will be addressed through the creation of approximately 134 m of new ephemeral stream channel, together with the restoration and indigenous riparian planting of retained modified watercourses. This will ensure no net loss of stream extent within the Site. The Ecological Impact Assessment concludes that the stream compensation package is expected to achieve a 47.6% net positive outcome for stream ecological values, with net positive effects projected from Stage 1. The Project is therefore considered to avoid the loss of river extent and values to the extent practicable and to appropriately respond to Policy 7.

Policy 8 is of limited relevance because no outstanding water body has been identified within the Site or as being directly affected by the Project. Nevertheless, the Site forms part of a connected freshwater system and the proposed treatment, restoration and hydrological-management measures will assist in protecting the downstream receiving environment.

Policies 9 and 10 require the habitats of indigenous freshwater species, and the habitat of trout and salmon where consistent with the protection of indigenous species, to be protected. The Project includes indigenous riparian and wetland planting, ecological corridors, fish recovery and relocation, stream restoration and culvert designs that provide for fish passage. The proposed culverts will also be subject to installation, monitoring and maintenance requirements to ensure they do not create inappropriate barriers to fish movement.

Policies 13 and 14 address the systematic monitoring of freshwater environments, responses to degradation and the reporting of information. The Project will be subject to monitoring of groundwater levels, wetland hydrology, stormwater performance, water quality, wetland establishment, ecological condition and the success of the restoration and compensation measures. Monitoring results will inform adaptive-management responses where specified triggers or performance outcomes are not achieved and will be made available to the relevant authorities and Ngaati Maahanga in accordance with the proposed conditions.

Policy 15 enables communities to provide for their social, economic and cultural well-being in a manner consistent with the NPS-FM. The Project will deliver approximately 1,043 dwellings, supporting commercial activities, infrastructure and public open space immediately adjoining Hamilton's existing urban area. However, the Site remains rural-zoned, is outside an identified Future Proof growth area, and its urbanisation is not presently anticipated by the applicable RMA planning framework. The Project must therefore demonstrate on its particular merits that these social and economic benefits can be delivered in a manner that appropriately responds to the NPS-FM and does not place the third priority in the Te Mana o te Wai hierarchy ahead of freshwater health.

In this regard, the housing and community benefits are being pursued alongside an integrated freshwater-management, restoration and compensation package. The proposed net positive outcomes for wetland and stream ecological values, stormwater treatment, restoration of degraded freshwater habitats, hydrological management and long-term monitoring demonstrate that freshwater effects have been treated as an integral component of the Project rather than subordinated to its development outcomes.

Overall, the Project presents a genuine tension with Policy 6 because it will result in the loss of some existing natural inland wetland extent. It also involves the loss of a short reach of modified natural watercourse that must be assessed under Policy 7. These effects have not been treated as acceptable solely because the Site is modified, immediately adjoins Hamilton or is proposed for comprehensive urban development. Rather, the effects management hierarchy has been applied, wetlands and watercourses have been retained where practicable, and a comprehensive package of restoration, enhancement, compensation, monitoring and adaptive management is proposed to address the residual effects.

When the NPS-FM is read as a whole, the Project responds positively to Te Mana o te Wai, integrated catchment management, tangata whenua involvement, freshwater habitat protection, restoration, climate resilience and monitoring. Subject to the proposed conditions and successful implementation of the ecological mitigation and compensation package, the Project is expected to achieve no net loss of wetland or stream extent, a 13.2% net positive outcome for wetland values and a 47.6% net positive outcome for stream ecological values. On that basis, notwithstanding the identified tension with the first limb of Policy 6, the Project is considered to appropriately respond to the objective and relevant policies of the NPS-FM.

A full assessment of the National Policy Statement for Freshwater Management is included in **Attachment 7**.

9.2.2 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 ('NPS-UD') provides national direction to ensure that New Zealand's urban environments are well functioning and enable people and communities to provide for their social, economic and cultural well-being and for their health and safety, now and into the future. It also seeks to ensure that planning decisions improve housing affordability, support competitive land and development markets, recognise that urban environments change over time, take into account the principles of Te Tiriti o Waitangi and contribute to reduced greenhouse gas emissions and resilience to climate change.

The Project is generally consistent with and supportive of these outcomes. It will establish a comprehensively planned urban neighbourhood on approximately 81 ha of land immediately adjoining Hamilton's existing western urban area. Although the Site remains rural-zoned, is outside an identified

Future Proof growth area and is not presently anticipated for urbanisation by the applicable RMA planning framework, it directly adjoins established Hamilton neighbourhoods and urban streets. The Project therefore represents a coherent physical extension of the existing urban environment rather than isolated or dispersed urban development.

The Project will contribute to a well-functioning urban environment in accordance with Objective 1 and Policy 1. It integrates approximately 1,043 dwellings, neighbourhood-scale commercial activities, transport connections, three-waters infrastructure, public open space and an extensive blue-green network within a connected masterplanned layout. The proposed neighbourhood will have good internal accessibility between housing, local services, parks, wetlands and recreational areas, together with connections to the surrounding Hamilton urban area, Te Kootii Park and the wider transport network.

The proposed dwellings include apartments, terrace housing, duplexes, detached dwellings, compact lots, larger residential lots and split-level or stepped dwellings. This diversity will provide housing choices for different households, incomes, sizes and stages of life. Higher-density development is generally concentrated around the neighbourhood centre, open spaces and higher-order movement routes, while lower-intensity housing is located toward more sensitive external interfaces and constrained areas. This distribution supports an efficient and legible urban form while providing an appropriate transition to adjoining residential and rural environments.

The Project will also support Objectives 2 and 4 by providing significant additional housing capacity and enabling the urban environment to develop in response to the changing needs of people, communities and future generations. The Economic Assessment in **Appendix 30** identifies ongoing housing demand and capacity pressures across the Hamilton and lower Waikato housing market, including a potential long-term shortfall of approximately 16,700 dwellings under the High Series projections. While approximately 100 dwellings delivered during the initial years may partly displace uptake that would otherwise occur elsewhere, demand is expected to exceed permitted greenfield capacity during the medium term. Approximately 380 Brymer dwellings delivered by the end of the medium term, and ultimately the full 1,043 dwellings, are expected to represent a net addition to housing supply.

The additional development capacity and range of housing products will increase consumer choice and competition within the wider land and housing market. The Economic Assessment identifies that up to approximately 24% of the proposed dwellings, being nearly 250 dwellings, could fall within the identified Hamilton City affordability benchmark once the development is fully delivered. The Project will therefore contribute to housing affordability both by increasing overall supply and through the provision of smaller lots, compact dwellings and a wider range of housing typologies and price points.

The two proposed mixed-use commercial sites will provide approximately 2,184m² of commercial gross floor area, including a superette and opportunities for other retail, hospitality and service activities. This commercial component is appropriately scaled to meet the day-to-day convenience needs of the future community and will complement, rather than replicate, the higher-order business, employment and service opportunities available elsewhere in Hamilton. Its integration with apartments, higher-density housing, open space and the movement network will establish an accessible neighbourhood focus and support local employment and economic activity.

The Project supports integrated land-use and transport outcomes. The proposed movement network includes public roads, private accessways, footpaths, shared paths and pedestrian connections through the open-space network. The road network will connect with Brymer Road, Grandview Road, Harrogate Place, State Highway 23 and O'Brien Road, while selected roads are designed to accommodate future public transport services. Connections to Te Kootii Park and the wider walking and cycling network will further improve accessibility to existing community and recreational facilities.

The Integrated Transport Assessment also recommends travel-demand measures for the apartment and mixed-use components, including car-share vehicles, electric-vehicle charging, unbundled apartment parking and secure cycle and micromobility parking. Together with the compact and mixed-density development pattern and provision of local services, these measures will provide alternatives to private vehicle travel and support reductions in transport-related greenhouse gas emissions over time.

The Project recognises the direction in Objective 4 and Policy 6 that urban environments and their amenity values develop and change over time. Development will result in a substantial and permanent change from the Site's existing rural character to an urban neighbourhood. Some rural amenity values will therefore be reduced. However, the change in character and amenity is not, of itself, an adverse effect under the NPS-UD. The relevant consideration is the quality and functioning of the resulting urban environment and the extent to which effects on surrounding interfaces are appropriately managed.

The Urban Design Assessment in **Appendix 10** confirms that the proposed masterplan provides a coherent and comprehensively planned urban extension. Housing, commercial activities, movement, infrastructure, open space and environmental features have been planned together, with density, building form, landscaping and setbacks responding to topography, adjoining land uses and sensitive interfaces. The staged-development framework will allow housing, infrastructure and supporting amenities to be delivered progressively in response to demand.

The Project also responds to Objective 5 through engagement with Ngaati Maahanga and Waikato-Tainui. The Cultural Impact Assessment records the cultural significance of the Site's wetlands, groundwater systems, waterways, peat soils and taonga species. Ongoing mana whenua involvement is proposed in relation to detailed design, cultural monitoring, ecological restoration, freshwater management, naming and the incorporation of cultural narratives into the future neighbourhood. These measures provide opportunities for kaitiakitanga, manaakitanga and cultural identity to be expressed through the Project and take into account the principles of Te Tiriti o Waitangi.

In relation to Objective 8 and Policy 1(e) and (f), the Project supports reductions in greenhouse gas emissions and improved resilience to climate change. The compact and mixed-density urban form, local services and multimodal movement network will support lower-emission travel choices. The integrated blue-green and stormwater network includes retained and restored wetlands, created wetland habitat, watercourses, stormwater-treatment areas, rain gardens, swales, riparian planting and public open spaces.

The stormwater system has been designed to manage peak flows up to the 1% AEP storm event, including allowance for climate change. Artificial stormwater wetlands will provide treatment, extended detention and attenuation, with post-development peak discharges generally limited to no more than 80% of pre-development flows. Existing flow paths and discharge locations will be retained where practicable, and external and upstream catchments have been considered to avoid worsening downstream flooding effects. These measures will improve the resilience of the development and receiving environment to future climatic and hydrological conditions.

Policy 6 is particularly relevant because the Project is not presently anticipated by the applicable planning framework. That policy nevertheless requires decision-makers to have particular regard to the benefits of urban development that contributes to a well-functioning urban environment, the contribution made to providing or realising development capacity, changes in urban form and amenity values, and the likely current and future effects of climate change. As set out above, the Project will deliver substantial housing capacity and choice, appropriately scaled commercial services, a connected multimodal movement network, public open space and climate-responsive infrastructure. These

matters support the Project notwithstanding that the Site is outside the currently planned growth pattern.

Overall, the Project is considered to be generally consistent with and supportive of the NPS-UD. While it represents an unanticipated urban expansion beyond the existing planning framework, it directly adjoins Hamilton and has been comprehensively planned as a connected and infrastructure-supported extension of the existing urban environment. It will make a material contribution to housing and business development capacity, improve housing choice and competition, support accessibility and lower-emission travel choices, provide for cultural involvement, and establish infrastructure and a blue-green network that are resilient to climate change. The Project will therefore contribute positively to a well-functioning urban environment and the outcomes sought by the NPS-UD.

A full assessment of the NPS-UD is provided in **Attachment 7**.

9.2.3 National Policy Statement on Highly Productive Land 2022

The National Policy Statement for Highly Productive Land 2022 ('NPS-HPL'), as amended in December 2025, seeks to protect New Zealand's highly productive land as a finite resource with long-term value for land-based primary production. Its objective is to ensure that highly productive land is protected for use in land-based primary production, both now and for future generations.

Policies 5, 7 and 8 seek to avoid the urban rezoning, subdivision, use and development of highly productive land except as provided for by the NPS-HPL. Clause 3.10 provides a specific exemption pathway where highly productive land is subject to permanent or long-term constraints that prevent its economically viable use for land-based primary production for at least 30 years.

Extent and classification of highly productive land

No operative regional policy statement mapping of highly productive land has been completed for the Waikato Region. The interim definition in clause 3.5(7) therefore applies. That definition is based on the NZLRI mapping, or more detailed LUC mapping that was in place at the commencement date of the NPS-HPL.

The relevant commencement-date NZLRI mapping identifies the Site as comprising LUC 2w2, LUC 2s5 and LUC 4e2 land. Approximately 44.4 ha of the Site is mapped as LUC 2 and was zoned for rural purposes at the commencement date. This land is consequently treated as highly productive land. The remaining approximately 36.5 ha is mapped as LUC 4 and does not fall within the interim definition.

The Site is not identified for future urban development within the meaning of the NPS-HPL and is not subject to another relevant commencement-date exclusion in clause 3.5(7). Although it directly adjoins Hamilton's existing urban area, it remains rural-zoned and outside an identified Future Proof growth area. The approximately 44.4 ha of NZLRI-mapped LUC 2 land must therefore be assessed as highly productive land.

Landsystems subsequently undertook a detailed on-site soil and LUC assessment at an approximate scale of 1:10,000 to 1:15,000. That assessment confirms that LUC 3 land is present within the Site. The on-site classification identifies approximately:

- 10.7ha of LUC 2 land, comprising approximately 2.1ha of LUC 2w3 and 8.6 ha of LUC 2w2;
- 33.3ha of LUC 3 land, comprising approximately 0.4ha of LUC 3e1, 5.5 ha of LUC 3e3, 25.5 ha of LUC 3w1 and 1.9 ha of LUC 3w2;
- 21.1ha of LUC 4 land;
- 3.3ha of LUC 6 land; and

- 12.5ha of non-productive land.

The on-site LUC 3 land is therefore substantial and includes both erosion-limited soils on rolling land and wetness-limited soils and peat on flatter land. In particular, the 25.5 ha of LUC 3w1 land comprises poorly drained Rukuhia peat subject to high groundwater levels, while the LUC 3w2 land is affected by annual wetness and runoff from adjoining slopes. The LUC 3e1 and 3e3 areas are affected by erosion risk when cultivated and are fragmented among steeper and lower-class land.

The December 2025 amendments added an exclusion for certain consent applications involving LUC 3 land. However, for the purpose of applying the interim definition, “LUC 1, 2 or 3 land” is determined from the NZLRI mapping or more detailed mapping that was in place at the NPS-HPL commencement date. The detailed Landsystems mapping was completed after that date and was not commencement-date mapping accepted for the purposes of clause 3.5(7). It therefore does not redefine the statutory extent of HPL or engage the LUC 3 exclusion for those areas mapped as LUC 2 under the relevant NZLRI information.

Accordingly, the NPS-HPL assessment must continue to treat approximately 44.4 ha of the Site as HPL. The more detailed on-site mapping is nevertheless highly relevant evidence of the Site’s actual soils, drainage, slopes, productive versatility and physical constraints and informs the assessment under clause 3.10.

The Project has been assessed under the exemption pathway in clause 3.10. The Soil and LUC Assessment and Rural Productivity Assessment are contained in **Appendix 29**. The relevant requirements are assessed below.

Permanent or long-term constraints – clause 3.10(1)(a)

Clause 3.10(1)(a) requires the consent authority to be satisfied that permanent or long-term constraints affect the land such that its use for land-based primary production is not able to be economically viable for at least 30 years.

The site-specific assessments demonstrate that the productive capacity and economic viability of the Site are materially constrained by its physical, operational and locational characteristics. Those constraints include:

- very poorly and poorly drained soils;
- the substantial extent of wetness-limited LUC 3 land, including approximately 25.5 ha of LUC 3w1 peat and approximately 1.9 ha of LUC 3w2 land;
- peat soils and the risk of continuing peat subsidence, particularly where drainage and cultivation occur;
- seasonal wetness, high groundwater levels, surface ponding and flooding;
- erosion susceptibility within the LUC 3e1, LUC 3e3, LUC 4e2 and LUC 6e2 areas;
- artificial drainage networks, wetlands, tracks, buildings and other non-productive areas that reduce the effective productive area and operational efficiency of the landholding;
- the fragmented distribution of land that is suitable for cultivation;
- proximity to established urban development and other sensitive receptors;
- elevated land values and rates associated with the Site’s location adjoining Hamilton; and
- limited realistic opportunities for amalgamation, leasing or integration with adjoining productive landholdings.

The detailed assessment identifies approximately 12.5 ha of non-productive land. It also identifies only approximately 2.5 ha, or 3.2% of the Site, as “high-class soil” under the separate definition in the Waikato District Plan – Operative in Part. This comprises approximately 2.1 ha of LUC 2w3 land and 0.4 ha of LUC 3e1 land. The remaining LUC 3 units do not meet that District Plan definition because of their particular wetness or erosion limitations.

The District Plan classification does not replace the NPS-HPL interim mapping and is not relied on to reduce the statutory extent of HPL. It nevertheless demonstrates that much of the Site’s LUC 2 and LUC 3 land has significant subclass limitations and does not comprise a large, cohesive area of highly versatile soil.

AgFirst has assessed the reasonably practicable forms of land-based primary production available for the Site and concludes that pastoral grazing represents its highest and best reasonably practicable productive use, with only limited opportunities for summer cropping on better-drained areas. Although approximately 40 ha is currently used for maize and annual pasture for silage, extensive surface drainage has been necessary, and wetness, ineffective headlands and drainage infrastructure materially reduce the effective productive area and long-term sustainability of cultivation.

Even under the highest and best reasonably practicable productive use, the landholding is not economically viable. The Rural Productivity Assessment identifies an estimated annual agricultural operating surplus of approximately \$55,823, reducing to approximately \$24,394 after rates. Once a typical debt-servicing proxy is applied, the landholding would generate an estimated annual deficit of approximately \$177,416.

The Site is therefore subject to permanent and long-term constraints that mean the HPL cannot be economically viably used for land-based primary production for at least 30 years. Clause 3.10(1)(a) is satisfied.

Loss of productive capacity – clause 3.10(1)(b)(i)

Clause 3.10(1)(b)(i) requires the subdivision, use or development to avoid any significant loss, either individually or cumulatively, of the productive capacity of HPL within the district.

The Project will permanently remove approximately 44.4 ha of mapped HPL from land-based primary production. That loss is acknowledged and has been assessed having regard to the current and future productive potential of the land rather than only its existing pastoral and cropping uses.

The detailed on-site assessment confirms that approximately 33.3 ha of the Site is LUC 3 land. However, most of that area is subject to significant subclass limitations. Approximately 27.4 ha is classified as LUC 3w1 or LUC 3w2 and is affected by poor drainage, high groundwater levels and seasonal or persistent wetness. A further 5.5 ha of LUC 3e3 land is affected by erosion risk when cultivated. The most versatile LUC 3 component, being LUC 3e1, comprises only approximately 0.4 ha.

The mapped HPL therefore does not operate as a cohesive or highly versatile productive resource. The Site’s productive capacity is reduced by wetness, drainage requirements, peat soils, flooding, erosion susceptibility and the amount and distribution of non-productive land.

The approximately 44.4 ha of mapped HPL represents about 0.03% of the approximately 152,344 ha of HPL identified within the Waikato District. Given its limited productive versatility, lack of economic viability and very small proportion of the district’s overall HPL resource, the Project will not result in a significant loss of productive capacity at the district scale, either individually or cumulatively.

Clause 3.10(1)(b)(i) is therefore satisfied.

Fragmentation of geographically cohesive HPL – clause 3.10(1)(b)(ii)

Clause 3.10(1)(b)(ii) requires the proposal to avoid fragmentation of large and geographically cohesive areas of HPL.

The Site is located within a peri-urban environment adjoining Hamilton. Established urban development is located to the north and east, while the Site is intersected by artificial drainage networks, wetlands, watercourses, tracks, buildings and areas of non-productive land.

The detailed mapping demonstrates that the LUC 2 and LUC 3 areas are interspersed with LUC 4 and LUC 6 land and approximately 12.5 ha of non-productive land. The more versatile soils are present as relatively small and fragmented areas rather than as a large, uniform and geographically cohesive productive resource.

The Project will comprehensively urbanise the affected land rather than create dispersed rural-residential lots interspersed with remnant HPL. It will not sever or isolate a large, geographically cohesive area of highly productive land or leave residual HPL parcels that are impractical to use for land-based primary production.

Clause 3.10(1)(b)(ii) is therefore satisfied.

Reverse sensitivity effects – clause 3.10(1)(b)(iii)

Clause 3.10(1)(b)(iii) requires the Project to avoid, where possible, or otherwise mitigate potential reverse sensitivity effects on surrounding land-based primary production.

The Site already adjoins established residential development, Te Kootii Park and other sensitive activities associated with Hamilton's western urban edge. These existing interfaces constrain the range and intensity of rural activities that can practicably occur on the Site, including cultivation, grazing, fertiliser and agrichemical application, heavy-vehicle movements and activities generating noise, dust or odour.

The Project will introduce additional sensitive activities adjoining rural land to the south and west. However, it represents a comprehensively planned urban development rather than fragmented rural-residential subdivision. External interfaces will be managed through the distribution of housing density, road and reserve placement, building setbacks, open space, landscaping and development controls. Lower-intensity housing and larger lots are generally located toward rural and other sensitive boundaries, providing a transition from more intensive development within the Site.

These measures will avoid or appropriately mitigate potential reverse sensitivity effects on surrounding land-based primary production. Clause 3.10(1)(b)(iii) is therefore satisfied.

Benefits and costs – clause 3.10(1)(c)

Clause 3.10(1)(c) requires the environmental, social, cultural and economic benefits of the subdivision, use or development to outweigh the long-term environmental, social, cultural and economic costs associated with the loss of HPL for land-based primary production. Both tangible and intangible values must be considered.

The permanent loss of approximately 44.4 ha of mapped HPL represents an adverse effect and an opportunity cost. However, the magnitude of that cost is limited by the Site's constrained productive capacity and lack of economic viability. Market Economics estimates the present value of the forgone agricultural operating surplus at approximately \$628,000 to 2055. That figure is conservative because it assumes the productive opportunity is lost immediately, whereas the Site will be developed progressively.

The Project will deliver substantial and enduring benefits, including:

- approximately 1,043 residential units, providing a material contribution to housing supply and choice;
- a range of housing typologies and price points;
- neighbourhood-scale commercial activities supporting residents' day-to-day needs and local employment;
- significant construction expenditure and approximately 4,736 job-years of employment;
- an estimated approximately \$1.4 billion contribution to value added through development;
- public open space, pedestrian and cycle connections and recreational opportunities;
- coordinated three-waters, transport and stormwater infrastructure;
- restoration and permanent protection of approximately 1.2 ha of existing wetlands and creation of more than 0.75 ha of new wetland habitat;
- stream creation and restoration, indigenous planting and wider biodiversity enhancement;
- improved stormwater treatment and water-quality management relative to the existing agricultural use; and
- cultural benefits arising from mana whenua engagement, cultural monitoring and participation in ecological and freshwater restoration.

There are also environmental benefits associated with retiring the Site from ongoing drainage and cultivation. Continued drainage and cultivation of peat soils can contribute to subsidence, soil carbon loss and adverse water-quality effects. The proposed wetland restoration, ecological compensation, stormwater treatment, sediment management and indigenous planting will improve the long-term management of the Site's freshwater and ecological systems.

The Project's environmental, social, cultural and economic benefits substantially outweigh the long-term costs associated with the loss of the Site's constrained HPL resource. Clause 3.10(1)(c) is satisfied.

Reasonably practicable productive alternatives – clauses 3.10(2) and (3)

Clause 3.10(2) requires the applicant to demonstrate that the permanent or long-term constraints on economic viability cannot be addressed through reasonably practicable options that would retain the productive capacity of the HPL.

AgFirst has considered alternative forms of land-based primary production, improved land-management and production strategies, water-management options, boundary adjustments, amalgamation and leasing. This assessment has been undertaken without relying on the potential economic return from urban development and considers both the effect of losing the HPL from the landholding and its future productive potential beyond its current and historical uses.

Arable production is constrained by poorly drained soils, high groundwater levels, flood risk, limited cultivation windows, peat subsidence, erosion risk, the drainage network and the fragmented distribution of cultivable land.

Dairy farming and dairy support are not reasonably practicable because of the Site's wetness and drainage limitations, insufficient scale, lack of adjoining dairy operations, infrastructure costs, regulatory constraints, reverse sensitivity risks and elevated land values.

Commercial vegetable production is not reasonably practicable because of the soil conditions, poor drainage, erosion susceptibility, absence of sufficiently large and contiguous areas of suitable land, regulatory constraints and proximity to sensitive receptors.

Horticultural production is not reasonably practicable because the Site lacks the well-drained and aerated soils, deep rooting conditions and cohesive areas required for viable high-value horticulture. Establishment costs and reverse sensitivity risks would also be substantial.

Further drainage or improved land management would not overcome the underlying soil, groundwater, flooding, peat and erosion constraints. Subsurface drainage is unlikely to be effective given the high groundwater levels and limited fall and could increase peat degradation and associated environmental effects.

Boundary adjustments, amalgamation and leasing are also not reasonably practicable solutions. Opportunities for amalgamation are constrained by surrounding urban development, fragmented ownership, comparable soil constraints on adjoining land and elevated peri-urban land values. Leasing would not generate sufficient returns to establish a commercially sustainable arrangement or fund the improvements required to overcome the Site's constraints.

The Rural Productivity Assessment therefore demonstrates that there are no reasonably practicable options capable of overcoming the permanent or long-term constraints while retaining the productive capacity of the HPL. It considers the future productive potential of the land rather than limiting the assessment to its present pastoral and cropping uses and does not rely on the financial benefits of urban development when determining primary-production viability. Clauses 3.10(2) and (3) are therefore satisfied.

Conclusion

The Project is not directly consistent with the general direction in Policies 5, 7 and 8 to protect HPL from urban rezoning, subdivision, use and development. However, the NPS-HPL expressly provides the clause 3.10 exemption pathway for land affected by permanent or long-term constraints, and the Project satisfies each component of that pathway.

Approximately 44.4 ha of the Site must be treated as HPL under the interim definition based on the relevant NZLRI mapping. The subsequent site-specific assessment confirms that the Site contains approximately 10.7 ha of LUC 2 land and 33.3 ha of LUC 3 land, together with lower-class and non-productive land. That detailed assessment does not alter the statutory extent of interim HPL but demonstrates that much of the Site is affected by substantial wetness, peat, drainage, flooding and erosion limitations.

The Site is subject to permanent physical, operational and economic constraints that prevent economically viable land-based primary production for at least 30 years. This conclusion has been reached after considering a range of alternative productive uses, management strategies, landholding arrangements and the future productive potential of the land.

The Project will not result in a significant loss of productive capacity at the district scale, will not fragment a large and geographically cohesive area of HPL, and will avoid or appropriately mitigate reverse sensitivity effects on surrounding primary production. Its substantial environmental, social, cultural and economic benefits also outweigh the long-term costs associated with the loss of the Site's constrained productive capacity.

Accordingly, the Site may appropriately be subdivided, used and developed for the proposed activities under clause 3.10. While the proposal does not retain the affected HPL for land-based primary production, it is considered consistent with the exemption framework and overall policy architecture of the NPS-HPL.

A full assessment of the NPS-HPL is provided in **Attachment 7**.

9.2.4 National Policy Statement on Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity 2023 ('NPS-IB') provides direction for maintaining indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss following its commencement. It also seeks to recognise the mana of tangata whenua as kaitiaki, promote restoration and increased indigenous vegetation cover, manage biodiversity values outside Significant Natural Areas ('SNAs'), and provide for social, economic and cultural wellbeing.

The proposal is considered to be consistent with the NPS-IB for the following reasons:

- The Site is a highly modified rural environment dominated by pasture, cropping land and exotic vegetation. Notwithstanding this, the Ecological Impact Assessment ('EclA') identifies and assesses the Site's remaining indigenous biodiversity values, including wetlands, watercourses, the kānuka treeland, indigenous fauna and associated habitat.
- No terrestrial SNA is mapped or identified within the Site, and the EclA concludes that no terrestrial vegetation meets the relevant criteria for identification as an SNA. The proposal will therefore not adversely affect a terrestrial SNA. Nevertheless, indigenous biodiversity values outside SNAs have been recognised and provided for through the design and proposed ecological management measures.
- The natural inland wetlands meet the relevant WRPS ecological significance criteria because wetlands are a threatened and under-represented habitat type. However, the wetlands are highly modified, generally dominated by exotic vegetation and assessed as having moderate ecological value. Effects on these wetlands are addressed through the NPS-FM, NES-F and the wider ecological effects-management framework.
- The effects management hierarchy has been applied through the retention of higher-value ecological features where practicable, minimisation and remediation of effects, and ecological compensation for residual effects that cannot be avoided. The existing 1.52 ha kānuka treeland and approximately 1.2 ha of natural inland wetland will be retained, protected and enhanced.
- Approximately 26.7 ha of the Site, excluding residential-lot and streetscape planting, will be planted or ecologically enhanced. This includes retained wetlands, riparian and wetland buffers, hillside planting and stormwater reserve areas. The planting will substantially increase indigenous vegetation cover and improve habitat quality and connectivity across the Site.
- The proposal will result in the unavoidable loss of approximately 0.514 ha of natural inland wetland. Rather than being treated as a biodiversity offset, the residual effect will be addressed through ecological compensation comprising the creation of more than 0.75 ha of new wetland habitat, restoration of retained wetlands, indigenous planting, pest management, improved buffering and permanent protection. The EclA's biodiversity compensation modelling predicts a 13.2% net gain in wetland habitat value.
- The loss of approximately 133 m of modified natural watercourse will be addressed through the creation of approximately 134 m of new stream channel, restoration of existing modified streams, riparian planting and enhancement of other parts of the drainage network. The EclA predicts a net positive outcome for stream habitat.
- The masterplan integrates wetlands, watercourses, riparian margins, stormwater reserves, hillside planting, open spaces and ecological corridors as part of a wider blue-green network. This integrated approach will strengthen connections between freshwater

and terrestrial habitats and provide improved opportunities for indigenous fauna to move through and use the Site.

- Indigenous fauna have been specifically assessed and will be managed through consent conditions and the ecological management plans. Copper skinks, and potentially ornate skinks, will be managed through pre-clearance surveys, salvage and relocation, supervised habitat clearance and enhancement of release habitat. The proposed planting is expected to result in a net increase of approximately 16.2 ha of suitable lizard habitat.
- Long-tailed bats have been recorded passing through the Site and are the specified highly mobile fauna species of particular relevance to the proposal. Although the Site is not considered core bat habitat, potential roost trees and commuting and foraging habitat will be managed in accordance with the Bat Management Plan. The retention of the kākūka treeland, management of potential roost-tree removal, control of light spill and establishment of connected indigenous planting will improve potential bat habitat over time.
- Effects on indigenous birds will be managed by undertaking vegetation clearance outside the principal breeding season where practicable or through pre-clearance nest surveys. Vegetation containing active native bird nests will not be removed until the nests are no longer active.
- The proposal adopts a precautionary approach by providing for ecological investigations, pre-clearance fauna protocols, monitoring and adaptive management where uncertainty remains. The ecological response is secured through the General Ecological Management Plan and specific Bat, Lizard and Fish Management Plans.
- The proposal will improve the resilience of indigenous biodiversity to climate change by replacing fragmented and degraded habitat with a larger, more diverse and better-connected network of wetlands, waterways and indigenous vegetation. Stormwater infrastructure has also been designed having regard to future climate change and the maintenance of wetland hydrology.
- The proposal recognises Ngaati Maahanga as mana whenua and kaitiaki. The Cultural Impact Assessment and consultation have informed the treatment of whenua, wai, wetlands and taonga species. Ongoing mana whenua involvement is provided for through detailed design, ecological restoration, cultural monitoring and environmental management.
- Long-term stewardship will be provided through the protection of identified retained and restored ecological areas, indigenous planting, weed and animal pest control, monitoring, reporting and adaptive management. These measures will ensure that the proposed ecological gains are established and maintained beyond the construction period.

Overall, while the proposal will result in the loss and modification of some existing wetland, stream and terrestrial habitat, those effects have been expressly recognised and addressed through the effects management hierarchy. The proposed package of retention, restoration, habitat creation, ecological compensation, fauna management and long-term protection is expected to achieve at least no overall loss of indigenous biodiversity and net positive outcomes in key respects. Accordingly, the proposal is considered consistent with the objective and relevant policies of the NPS-IB.

A full assessment of the NPS-IB is contained in **Attachment 7**.

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

The NPS-NH came into effect on 15 January 2026 and requires natural hazard risk to people and proposed works associated with subdivision, use, and development to be managed using a risk-based and proportionate response.

10.0 9.2.5 National Policy Statement for Natural Hazards 2025

The National Policy Statement for Natural Hazards 2025 ('NPS-NH') came into force on 15 January 2026. Its objective is to ensure that natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based and proportionate approach.

The NPS-NH applies to flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunamis. Of these hazards, flooding, landslips or slope instability, active faults and liquefaction are potentially relevant to the Project. The NPS-NH does not apply directly to infrastructure as defined in the RMA. However, it applies to the proposed subdivision and development, including consideration of the natural hazard implications of the associated infrastructure and mitigation measures.

The proposal is considered to be consistent with the NPS-NH for the following reasons:

- The relevant natural hazards have been identified and assessed using a risk-based approach. The assessments address both the likelihood and consequences of natural hazard events, proposed mitigation measures and the residual risk remaining where the design capacity of those measures is exceeded.
- Flood risk has been assessed using detailed site-specific hydrological and HEC-RAS hydraulic modelling. The modelling considers existing and post-development conditions, upstream catchment inflows, existing drainage channels, the Ohote Basin Drainage Scheme, the Laxon Road floodgates and potential Waipā River backwater effects.
- The flood assessment considers the 1% AEP event with climate change and has informed the location and design of development areas, stormwater infrastructure, overland flow paths, minimum building levels and the wider blue-green network.
- Lower-lying development areas will be raised to reduce exposure to flooding. Residential buildings will be required to provide 500 mm freeboard above the modelled 1% AEP flood level, providing additional protection for people and property.
- Existing drainage corridors and overland flow paths will be retained or accommodated within the proposed landform and road network. The modelling confirms that flow depths and velocities during the modelled design event remain below the adopted pedestrian and vehicle safety thresholds.
- Stormwater will be managed through an integrated system of attenuation, treatment, constructed wetlands, flood storage, controlled discharge and overland-flow conveyance. Post-development peak discharges will generally be restricted to no more than 80% of the corresponding pre-development peak flows.
- Residual and failure risks have been considered. Sensitivity testing includes a scenario in which the primary stormwater devices are blocked, with exceedances able to be safely conveyed through the proposed road and overland-flow network, subject to the identified detailed-design refinements.
- The modelling indicates that flood behaviour across the wider area will generally remain unchanged or improve following development. The predicted increase in the downstream

basin water level during the 1% AEP climate-change event is approximately 10 mm and is not assessed as materially increasing flood risk to downstream properties.

- The residual flood risk following implementation of the proposed landform, stormwater and building-level controls is not assessed as very high. Accordingly, Policy 3 does not require the subdivision or development to be avoided on flooding grounds.
- The Geotechnical Investigation Report identifies and assesses the relevant geotechnical hazards, including liquefaction, lateral spreading, slope instability, seismic effects and active-fault rupture. It also assesses related ground constraints such as cyclic softening, expansive and compressible soils, settlement, uncontrolled fill and shallow groundwater.
- The geotechnical response is proportionate to the nature and location of the identified risks. Liquefaction-related settlement and reduced bearing capacity will be addressed through foundation design; compressible soils and settlement will be managed through preloading, consolidation and other ground-improvement measures; and expansive soils will be managed through engineered fill and appropriate foundation design.
- Proposed slopes have been assessed under static and elevated-groundwater conditions. Further assessment of retaining structures, lateral spreading and local slope stability will be undertaken at detailed design once the final earthworks and structural requirements are confirmed.
- No very high geotechnical natural hazard risk requiring avoidance has been identified. The Geotechnical Investigation Report concludes that the Site is suitable for the proposed development, subject to implementation of its recommendations, detailed engineering design and construction monitoring.
- Potential construction-related settlement and groundwater effects will be managed under the Geotechnical Effects Management Plan. This provides for groundwater and settlement monitoring before, during and following construction and incorporates a Trigger Action Response Plan with Green, Amber and Red response levels and associated contingency measures.
- The proposal is not expected to create or increase significant natural hazard risk on other sites. Flood risk will be managed through attenuation, controlled discharge and safe conveyance, while geotechnical risks to adjoining land and infrastructure will be managed through detailed design, monitoring and implementation of the specified response procedures.
- The assessments use the best available information, including site survey data, rainfall information, regional flood information, site-specific hydraulic modelling, CPT investigations, groundwater monitoring, laboratory testing and recognised geotechnical guidance. Where information remains uncertain, conservative assumptions, sensitivity testing and further detailed-design requirements have been adopted.
- The potential effects of climate change have been considered over at least the 100-year period required by Policy 6. The flood modelling adopts the RCP8.5 scenario for 2100–2120, including a 24-hour rainfall depth of approximately 195 mm for the 1% AEP event, compared with approximately 145 mm under the historical scenario.
- The Geotechnical Investigation Report assesses slope stability under elevated-groundwater conditions and identifies shallow groundwater as a constraint requiring ongoing consideration. Detailed geotechnical design will also account for reasonably foreseeable climate-change-related effects on groundwater, liquefaction and slope stability over at least a 100-year timeframe.

Overall, the relevant natural hazard risks have been identified using site-specific investigations and assessed through the risk-based framework required by the NPS-NH. No very high natural hazard risk requiring avoidance has been identified, and the proposed location, landform, stormwater, building-level and geotechnical measures provide a proportionate response to the identified risks. Subject to implementation of the proposed design measures, management plans, monitoring and detailed-design requirements, the proposal will not create or materially increase significant natural hazard risk to people, property or other sites and is considered consistent with the objective and relevant policies of the NPS-NH.

A full assessment of the NPS-NH is contained in **Attachment 7**.

9.2.6 Other National Policy Statements

The proposal does not require an assessment against the following National Policy Statements below for the reasons set out as follows:

- The relevance of the remaining national policy statements has been considered. The following instruments are not directly relevant to the Project, for the reasons set out below:
- New Zealand Coastal Policy Statement 2010 ('NZCPS'): The NZCPS provides national direction for achieving the purpose of the RMA in relation to the coastal environment. The Site is not located within or adjacent to the coastal environment, and the Project will not directly affect the coastal environment. Accordingly, the NZCPS is not relevant to the assessment of the application and is not considered further.
- National Policy Statement for Electricity Networks 2008, as amended in 2025 ('NPS-EN'): The NPS-EN provides national direction for the planning, development, operation, maintenance and upgrading of electricity transmission and distribution networks, including management of the interface between those networks and other activities. The Project does not involve the establishment, operation, maintenance or upgrading of the National Grid or any significant electricity distribution infrastructure. Electricity infrastructure proposed as part of the Project is limited to the local connections and network extensions required to service the development. The Project is not expected to compromise the safe and efficient operation, maintenance or development of an existing electricity network. Accordingly, the NPS-EN is of limited relevance and no detailed assessment is required.
- National Policy Statement for Renewable Electricity Generation 2011, as amended in 2025 ('NPS-REG'): The NPS-REG provides national direction for recognising and providing for the national significance and benefits of renewable electricity generation activities. The Project does not include renewable electricity generation or infrastructure associated with generating electricity from renewable sources. Any small-scale solar generation or similar measures subsequently incorporated into individual buildings would be ancillary to the residential or commercial use and does not form part of the resource consents sought. Accordingly, the NPS-REG is not directly relevant and is not assessed further.
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 ('NPS-GHG'): The NPS-GHG provides direction for reducing greenhouse gas emissions from industrial process heat and applies to relevant industrial activities involving the combustion of fossil fuels. The Project comprises residential development, a neighbourhood centre, open space and supporting infrastructure and does not include industrial process heat activities of

the type addressed by the NPS-GHG. Accordingly, the NPS-GHG is not relevant and is not assessed further.

- The National Policy Statement for Infrastructure 2025 ('NPS-I') is relevant because the Project includes a substantial programme of development-supporting transport and three-waters infrastructure. The NPS-I is therefore addressed separately in Section 9.2.6, with a full assessment contained in **Attachment 7**.

9.3 Waikato Regional Policy Statement

The Waikato Regional Policy Statement ('WRPS') establishes the overarching framework for managing the Waikato Region's natural and physical resources under the RMA. It addresses matters including integrated management, freshwater, indigenous biodiversity, natural hazards, soils, infrastructure, urban development and the relationship of tangata whenua with natural and physical resources.

The provisions of the WRPS relevant to the Project have been assessed in detail in Attachment 7. The principal conclusions are summarised below.

Integrated Management

- The Project adopts an integrated, water-sensitive approach to land use, infrastructure, stormwater, freshwater, ecology and open-space planning. It recognises the relationships between the Site's wetlands, watercourses, groundwater, riparian areas, the upper Ohote Stream catchment and, ultimately, the Waikato River.
- Engagement with Ngaati Maahanga, including preparation of the Cultural Impact Assessment in Appendix 24, has informed the Project. The proposed framework provides for ongoing mana whenua involvement in detailed design, ecological restoration, cultural monitoring, naming and environmental management, supporting the exercise of kaitiakitanga.
- The integrated blue-green and stormwater network manages flood risk under future climate conditions while also contributing to freshwater, ecological, landscape, amenity and recreational outcomes.
- The compact and mixed-density urban form, neighbourhood-scale commercial activities and walking and cycling connections support efficient use of land and infrastructure and provide alternatives to private-vehicle travel.
- Overall, the Project manages its land-use, infrastructure, freshwater, ecological, cultural and natural-hazard implications as interconnected matters rather than as separate components. It is therefore consistent with the integrated-management approach promoted by the WRPS.

Land and Freshwater

- The freshwater response has been tailored to the characteristics of the upper Ohote Stream catchment. Stormwater will be managed through an integrated treatment train incorporating on-lot retention and reuse, infiltration, forebays, constructed wetlands, attenuation, controlled discharge and other water-sensitive design measures.

- The Project will result in the unavoidable loss of approximately 0.514 ha of modified natural inland wetland. The effects management hierarchy has been applied, with approximately 1.2 ha of existing wetlands retained and restored and more than 0.75 ha of new wetland habitat created.
- The residual wetland effects will be addressed through ecological compensation rather than a biodiversity offset. The Biodiversity Compensation Model predicts a 13.2% net positive outcome for wetland habitat value. The creation and restoration package will also result in a net increase in wetland extent across the Site.
- Approximately 133 m of modified natural watercourse will be removed. This will be addressed through the creation of approximately 134 m of new stream channel, restoration of existing modified streams, indigenous riparian planting, fish-management measures and enhancement of other parts of the drainage network. The EclA predicts a net positive outcome for stream habitat.
- The principal reticulated water supply for the Project will be provided through Hamilton City Council's IAWAI network. An existing resource consent authorises the taking of up to 1,323 m³/day from the Waikato River for this purpose. The separate groundwater abstraction proposed for the Stage 1A firefighting supply is addressed through the regional consents sought as part of this application.
- A site-specific Soil and Land Use Capability Assessment in Appendix 29 identifies approximately 2.5 ha, or 3.2% of the approximately 81 ha Site, as meeting the Waikato District Plan Operative in Part definition of high-class soil. These areas are small, discrete and separated from any large or geographically cohesive high-class-soil resource. Although the Project will permanently remove this land from primary production, the limited and fragmented nature of the affected resource reduces the significance of that loss.

Ecosystems and Indigenous Biodiversity

- The Site is a highly modified pastoral environment. Pasture and cropping areas have negligible botanical value and most existing terrestrial vegetation has low ecological value. However, the Site's ecological values are not negligible overall: the natural inland wetlands have moderate ecological value, and long-tailed bats are a Threatened – Nationally Critical species of very high ecological value that have been recorded passing through the Site.
- No terrestrial vegetation within the Site is identified as an SNA or meets the relevant criteria for identification as an SNA. The existing 1.52 ha kānuka treeland will nevertheless be retained and legally and physically protected because of its habitat and restoration value.
- The Site's natural inland wetlands meet the WRPS ecological-significance criteria because wetlands are a threatened and under-represented habitat type within the Hamilton Ecological District. Retained wetlands will be restored through indigenous planting, livestock exclusion, buffering, weed and animal pest control and long-term management.
- Approximately 26.7 ha of the Site, excluding residential-lot and streetscape planting, will be planted or ecologically enhanced. This includes retained wetlands, riparian and

wetland buffers, hillside planting and stormwater reserves and will substantially increase indigenous vegetation cover and habitat connectivity.

- Residual effects on wetlands and streams have been addressed through the effects management hierarchy and quantified through the Biodiversity Compensation Model. The EclA in Appendix 23 predicts a 13.2% net positive outcome for wetland habitat value and a net positive outcome for stream habitat.
- Potential effects on indigenous fauna, including long-tailed bats, copper skinks, potentially ornate skinks and native birds, will be managed through consent conditions and the relevant ecological management plans. The proposed indigenous planting, habitat creation and pest management are expected to produce net positive habitat outcomes over the medium to long term.

Hazards and Risks

- Flood risk has been assessed through the Infrastructure Report and Stormwater Management Plan in Appendices 13 and 14, supported by site-specific hydraulic modelling of the 1% AEP event with climate change.
- The proposed stormwater and landform design reduces the modelled peak discharge from approximately 5.9 m³/s under pre-development conditions to approximately 4.5 m³/s under post-development conditions. The design also incorporates attenuation, flood storage, controlled discharge, safe overland-flow conveyance and minimum building levels.
- Residential buildings will provide 500 mm freeboard above the modelled 1% AEP flood level. Sensitivity testing has considered blockage or failure of primary stormwater devices, and the wider road and overland-flow network will provide secondary conveyance during extreme events.
- Geotechnical hazards and constraints—including liquefaction, lateral spreading, cyclic softening, slope instability, compressible and expansive soils, settlement and shallow groundwater—are assessed in the Geotechnical Investigation Report in Appendix 17.
- The identified risks will be managed through ground improvement, preloading and consolidation, engineered fill, appropriate foundation design, detailed slope and retaining-wall design, construction monitoring and geotechnical oversight.
- The Geotechnical Effects Management Plan in Appendix 18 establishes groundwater and settlement monitoring and a Trigger Action Response Plan, allowing construction activities and mitigation measures to respond to observed ground conditions.
- Localised contamination associated with the former cottage and stockyard areas has been identified through the Detailed Site Investigation in Appendix 21. Contaminated soil will be remediated or managed under the Remedial Action Plan and Contaminated Site Management Plan in Appendix 22, including procedures for unexpected contamination.
- Overall, the technical assessments demonstrate that natural-hazard and contaminated-land risks can be managed without creating or materially increasing unacceptable risks to people, property or adjoining sites.

Historical and Cultural Values

- No recorded archaeological site has been identified within the proposed development footprint. However, the absence of a recorded site does not preclude the presence of subsurface archaeological material.
- The Cultural Impact Assessment identifies the Site as forming part of a wider ancestral landscape of significance to Ngaati Maahanga, associated with Te Ara o Kāroaro, Te Uhi Pā and the historical occupation of Ngāti Hourua and Ngaati Maahanga.
- Cultural values have informed the proposed approach to freshwater, wetlands, ecological restoration, landscaping, open space and stormwater management.
- Cultural monitoring during relevant ground-disturbance activities, together with Accidental Discovery and Kōiwi Tangata Discovery Protocols, will be secured through consent conditions. These protocols will ensure that any archaeological material, taonga tūturu or kōiwi tangata encountered during works is appropriately protected and managed.

Urban Form and Development

- The Project will deliver approximately 1,043 dwellings across a range of typologies and densities, together with neighbourhood-scale commercial activities, open space, ecological restoration and supporting infrastructure. It will make a substantial contribution to housing supply and choice within the wider Hamilton and Future Proof housing market.
- Brymer is not currently identified as an urban or village growth area within the mapped Future Proof settlement pattern and remains predominantly rural-zoned. The Project is therefore not fully consistent with the directive growth pattern and sequencing sought by Policy UFD-P11. This departure must be expressly acknowledged.
- Notwithstanding that departure, the Site directly adjoins Hamilton's existing urban boundary and established residential neighbourhoods. The Project would therefore form a contiguous extension of the existing urban area rather than an isolated or dispersed rural-residential settlement.
- The Project responds positively to the broader Future Proof and responsive-planning principles by providing a compact and comprehensively masterplanned form, substantial housing capacity and choice, coordinated three-waters and transport infrastructure, a connected movement network and an integrated blue-green and open-space system.
- The proposal avoids creating a dispersed or fragmented pattern of rural-residential subdivision. Its scale enables land use, infrastructure, stormwater, transport, ecology and open space to be planned and delivered comprehensively rather than through incremental and ad hoc development.
- The two mixed-use lots will provide approximately 2,184 m² of neighbourhood-scale commercial gross floor area, including a superette. These activities will support residents' day-to-day needs and provide local employment while remaining subordinate to Hamilton's established centres hierarchy.

- Higher-density housing is concentrated near the neighbourhood centre, open spaces and principal movement routes. The connected street, walking and cycling network will support accessibility and provide for future public-transport services.
- The proposal is supported by technical assessments addressing housing demand, urban design, transport, infrastructure, freshwater, ecology, landscape, natural hazards and cumulative effects. These assessments demonstrate that the Site can accommodate the proposed development, subject to the proposed mitigation, staging and infrastructure arrangements.

Overall, the Project is broadly consistent with the integrated-management, freshwater, biodiversity, natural-hazard, cultural, infrastructure and compact-urban-form outcomes sought by the WRPS. The principal area of tension is that the Site is outside the currently mapped Future Proof growth pattern and its urbanisation is not anticipated by the operative zoning. However, the Project represents a contiguous, comprehensively planned and infrastructure-supported extension of Hamilton and responds positively to the WRPS's broader responsive-planning and well-functioning urban-environment outcomes. Considered as a whole, the Project is generally consistent with the relevant objectives and policies of the WRPS.

9.4 Te Ture Whaimana o Te Awa o Waikato

Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River—is the primary direction-setting document for restoring and protecting the health and wellbeing of the Waikato River and for activities within its catchment that affect the River. Its vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities that are collectively responsible for restoring and protecting the River for future generations.

Te Ture Whaimana applies to the Waikato River and activities within its catchment that affect the River under section 9 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. Section 11 provides that Te Ture Whaimana forms part of the Waikato Regional Policy Statement, while section 12 establishes its priority over inconsistent provisions in relevant national planning documents. It therefore carries significant statutory weight in the assessment of activities affecting the Waikato River and its catchment.

The Site is not located adjacent to the main stem of the Waikato River. However, it is located within the upper Ohote Stream catchment, which ultimately forms part of the wider Waikato River catchment. The Project also relies on an authorised take from the Waikato River for its principal reticulated water supply. Te Ture Whaimana is therefore directly relevant.

As identified in the Overview Report in **Volume 1** and assessed further in **Attachment 9**, the Project responds to Te Ture Whaimana in the following respects:

- Engagement with Ngaati Maahanga has occurred throughout development of the Project. The Cultural Impact Assessment in **Appendix 24** has informed the freshwater, ecological, landscape and cultural response and provides for ongoing mana whenua participation in detailed design, restoration, cultural monitoring and environmental management.
- The Project recognises the relationships of Waikato-Tainui, Ngaati Maahanga and other Waikato River iwi with the River, its tributaries, wetlands, taonga species and wider catchment. This includes recognition of cultural and spiritual values associated with wai and the role of mana whenua as kaitiaki.

- The Project adopts an integrated and holistic catchment-management approach. Land use, stormwater, groundwater, wetlands, watercourses, ecology, infrastructure, open space and natural-hazard management have been considered together rather than as separate systems.
- The existing Site is a highly modified rural environment affected by historic drainage, grazing, cropping and stock access. Its urbanisation will remove existing pastoral land-use pressures, while introducing increased impervious surfaces and urban stormwater contaminants that require appropriate treatment and management.
- Stormwater will be managed through an integrated treatment train incorporating on-lot retention and reuse, infiltration, forebays, constructed wetlands, attenuation, controlled discharge and other water-sensitive design measures. This approach is intended to manage sediment and contaminants, maintain catchment function and avoid further degradation of downstream freshwater environments.
- Contrary to the previous draft, the Project does not avoid all direct discharges to sensitive freshwater environments. Treated stormwater will discharge to retained wetlands, modified watercourses and other parts of the receiving environment. These discharges have been assessed and will be managed through treatment, monitoring, conditions and the relevant management plans.
- The Project will result in the unavoidable loss of approximately 0.514 ha of modified natural inland wetland and approximately 133 m of modified natural watercourse. These effects are relevant to the objectives of Te Ture Whaimana concerning ecological health, cumulative effects, fisheries, flora and fauna and the principle that the River should not be required to absorb further degradation.
- The effects management hierarchy has been applied to these losses. Approximately 1.2 ha of existing wetlands will be retained and restored, more than 0.75 ha of new wetland habitat will be created, approximately 134 m of new stream channel will be established, and existing modified streams and riparian areas will be restored and planted.
- The proposed ecological compensation package is predicted to deliver a 13.2% net positive outcome for wetland habitat value and a net positive outcome for stream habitat. Indigenous riparian planting, fish-management measures, pest control and improved habitat connectivity will further support freshwater ecological values and taonga species.
- Potential effects on wetland hydrology will be managed by directing appropriately treated stormwater to retained wetlands where necessary to support their water balance. Groundwater, wetland condition and ecological outcomes will be monitored, with adaptive management available where performance does not accord with the assessed outcomes.
- The principal reticulated water supply will be provided through Hamilton City Council's IAWAI network under an existing authorisation to take up to 1,323 m³/day from the Waikato River. Water demand, efficiency and supply infrastructure have been assessed, and the Project will incorporate measures such as rainwater retention and reuse. The separate groundwater abstraction proposed for the Stage 1A firefighting supply is addressed through the regional consents sought.
- Construction effects will be managed through erosion and sediment controls, staged earthworks, progressive stabilisation, dust management, contaminated-soil controls and

monitoring. These measures will minimise the potential for sediment or contaminants to enter wetlands, watercourses and the downstream receiving environment.

- The stormwater and landform design also responds to natural-hazard and climate-change risks. Attenuation, flood storage and controlled discharge will generally limit post-development peak flows to no more than 80% of corresponding pre-development flows, while safe overland-flow paths will be maintained through the Site.
- The proposal has been informed by site-specific scientific assessments and the cultural knowledge and values recorded in the Cultural Impact Assessment. The proposed monitoring and adaptive-management framework will enable the response to be refined where actual environmental performance differs from that anticipated.
- The development will provide substantial housing, infrastructure, employment and community benefits. These benefits are proposed alongside a significant ecological-restoration and freshwater-management programme rather than at the expense of unmitigated further degradation of the catchment.

Overall, the Project will result in modification and loss of some existing freshwater features and therefore does not avoid all adverse effects relevant to Te Ture Whaimana. However, those effects have been expressly recognised and addressed through the effects management hierarchy, ecological compensation, integrated stormwater treatment, restoration, monitoring and ongoing mana whenua involvement.

The Project is consequently considered, as a whole, to be consistent with and supportive of Te Ture Whaimana. In particular, it promotes integrated catchment management, recognises the relationships of mana whenua with wai and taonga species, manages cumulative effects and is predicted to deliver net positive wetland and stream habitat outcomes. A full assessment of Te Ture Whaimana, together with the relevant Treaty settlement and iwi planning documents, is contained in **Attachment 9**.

9.5 Waikato Regional Plan

The Waikato Regional Plan ('WRP') implements the objectives and policies of the Waikato Regional Policy Statement by establishing objectives, policies, methods and rules for managing land, freshwater, river and lake beds, discharges and air quality within the Waikato Region. The WRP does not apply within the coastal marine area, which is managed under the Waikato Regional Coastal Plan.

The resource consents required under the WRP are identified in **Section 4.1**, and a detailed assessment of the relevant objectives and policies is contained in **Attachment 7**. The principal conclusions are summarised below.

Matters of Significance to Māori

- Ngaati Maahanga are recognised as mana whenua and kaitiaki in relation to the Site's whenua, wai, wetlands and taonga species. The Cultural Impact Assessment in **Appendix 24** identifies relevant cultural values and provides a basis for their ongoing involvement in detailed design, ecological restoration, cultural monitoring and environmental management.

- The Project recognises the interconnected nature of the Site's wetlands, watercourses, groundwater and the upper Ohote Stream catchment and, ultimately, the Waikato River. This is reflected in the integrated stormwater, ecological-restoration and monitoring framework.
- Cultural monitoring, the Accidental Discovery Protocol and Kōiwi Tangata Discovery Protocol will provide for an appropriate response if archaeological material, taonga tūturu or kōiwi tangata are encountered during earthworks.
- Ongoing engagement and monitoring provide a mechanism for mana whenua knowledge and values to inform implementation of the Project and support the continued exercise of kaitiakitanga.

Water Module

- The principal reticulated water supply for the Project will be provided through Hamilton City Council's IAWAI network. An existing resource consent authorises a take of up to 1,323 m³/day from the Waikato River for this purpose, without requiring new intake infrastructure within the River.
- In addition to that authorised surface-water supply, the Project includes temporary construction dewatering of up to approximately 1,500 m³/day, ongoing groundwater interception of approximately 48 m³/day associated with the stormwater wetlands, and abstraction from the existing bore for the Stage 1A firefighting supply. The effects of these takes are assessed in the Hydrogeological Assessment and will be managed through the regional consents and proposed monitoring conditions.
- Construction-dewatering water will be appropriately treated before discharge to land, drains or watercourses. Discharge locations, treatment requirements and monitoring will be managed through the relevant construction and erosion and sediment control plans.
- Operational stormwater will be managed through an integrated treatment train incorporating on-lot retention and reuse, infiltration, rain gardens, sediment forebays, constructed wetlands, extended detention, attenuation and controlled discharge.
- The stormwater system is intended to manage sediment, metals and other urban contaminants before discharge, maintain downstream hydraulic function and avoid further degradation of the upper Ohote Stream catchment. Some treated stormwater will discharge to retained wetlands and modified watercourses, and these discharges have been expressly assessed rather than treated as being avoided.
- The proposal includes diversions associated with culverts, modified watercourses, stormwater outlets, construction dewatering and drainage works. These activities will be undertaken in accordance with detailed engineering design and the applicable erosion, sediment and ecological management measures.
- Changes to landform and imperviousness have the potential to alter groundwater recharge and wetland hydrology. The stormwater network will direct appropriately treated flows to retained wetlands where required to support their water balance. Groundwater levels and wetland condition will be monitored, with adaptive management available if actual outcomes differ materially from those predicted.

- Approximately 0.514 ha of modified natural inland wetland will be removed. Higher-value wetland areas have been retained where practicable, and approximately 1.2 ha of retained wetland habitat will be protected and restored.
- The residual wetland effects will be addressed through ecological compensation rather than a biodiversity offset. More than 0.75 ha of new wetland habitat will be established, together with indigenous planting, buffering, livestock exclusion and weed and animal pest control. The Biodiversity Compensation Model predicts a 13.2% net positive outcome for wetland habitat value.
- Drilling below the groundwater table may be required for temporary dewatering wells, wellpoints, wastewater pipelines, pump stations, stormwater wetlands and other below-ground infrastructure. Drilling fluids and discharges will be managed to prevent uncontrolled contaminant or sediment discharges.
- Overall, the Project adopts an integrated approach to water allocation, groundwater, stormwater, wetlands and water quality. Subject to the proposed treatment, monitoring, management plans and consent conditions, the relevant effects can be appropriately managed in accordance with the direction of the Water Module.

River and Lake Bed Module

- The Project includes culverts, a bridge, stormwater outlets, erosion-protection structures, planting and associated disturbance within or near modified natural watercourses and Council-managed drains.
- The proposed approximately 12 m single-span Road 1 bridge will span the existing Council drain. The bridge and associated approaches have been designed to maintain flood conveyance and minimise direct disturbance of the bed.
- Culverts have been sized to accommodate the applicable design flows and will be embedded by approximately 25% of their diameter where required. Appropriate gradients, substrate and transitions will be provided to maintain fish passage for indigenous fish and, where relevant, trout.
- Fish passage and fish recovery will be managed through detailed culvert design, construction sequencing and the Fish Management Plan. Any fish present within affected reaches will be captured and relocated before works proceed.
- Approximately 74 m of riprap and associated erosion-protection works will be installed at culvert inlets, outlets and other locations. These works will manage flow velocities, scour, erosion and bed destabilisation while limiting the area of bed disturbance to that necessary for the structures.
- Approximately 133 m of modified ephemeral watercourse W2a will be removed. This effect will be addressed through the creation of approximately 134 m of new stream channel, restoration of retained modified watercourses and indigenous riparian planting.
- The created stream and restoration measures are predicted to deliver a net positive outcome for stream habitat and ecological function. The response therefore goes beyond simply replacing the length of watercourse removed.

- Structures and planting near Council-managed drains will be located and designed to maintain practicable maintenance access. Where the applicable permitted standards cannot be met, consent is sought and the effects on drainage-system operation have been assessed.
- The relevant bed works will be undertaken subject to erosion and sediment controls, fish-management procedures, construction monitoring and cultural and accidental-discovery protocols.

Land and Soil Module

- The Project involves approximately 70.1 ha of earthworks, including bulk cut and fill, preloading, road construction, formation of building platforms, installation of three-waters infrastructure, stormwater wetlands and other site-development works.
- Approximately 296,710 m³ of engineered fill is expected to be imported. Imported material will be subject to acceptance criteria and testing to confirm that it is suitable for its intended use and meets the applicable definition and consent requirements for cleanfill.
- Geotechnical constraints include compressible and expansive soils, shallow groundwater, liquefaction-related settlement and local slope-stability considerations. These will be managed through preloading, consolidation, engineered fill, foundation design, stable batter formation and detailed geotechnical design.
- The Geotechnical Effects Management Plan in **Appendix 18** provides for groundwater and settlement monitoring and establishes a Trigger Action Response Plan. This will enable construction methods or mitigation measures to be adjusted where monitoring indicates that specified thresholds are being approached or exceeded.
- The scale and duration of earthworks create a risk of accelerated erosion and sediment discharge to wetlands, drains and watercourses. Erosion and sediment controls will be designed and implemented in accordance with Waikato Regional Council guidance and the Project's Earthworks and Erosion and Sediment Control Plans.
- Controls will include staged earthworks, clean- and dirty-water separation, stabilised entrances, diversion bunds and channels, sediment-retention devices, chemical treatment where appropriate, progressive stabilisation and monitoring before and following significant rainfall.
- Stormwater discharged to land through soakage trenches, recharge pits, rainwater-tank overflows and other infiltration devices will be appropriately treated and located to avoid erosion, land instability, contamination of groundwater and adverse effects on adjoining properties or freshwater habitats.
- Localised contamination associated principally with the former cottage and stockyard areas has been identified through the Detailed Site Investigation in **Appendix 21**. Identified contaminants include organochlorine pesticides and heavy metals.
- Contaminated soils will be remediated or managed under the Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**. These plans provide for soil segregation, testing, reuse or disposal, controls on exposure and discharges, validation reporting and procedures for unexpected contamination.

- Potential acid sulphate soils will be separately managed through the Acid Sulphate Soil Management Plan, including identification, handling, treatment, monitoring and contingency measures.

Air Module

- Bulk earthworks, preloading, road construction, infrastructure installation and building works have the potential to generate temporary dust emissions.
- Dust will be managed through staging and limiting exposed surfaces, progressive stabilisation, water carts, reduced vehicle speeds, maintenance of haul routes and, where necessary, approved soil stabilisers or temporary covers.
- Dust suppressants will be applied at rates and under weather conditions that avoid ponding or contaminated runoff. Waste oil will not be used.
- Any agrichemicals used for vegetation management or earthworks treatment will be applied in accordance with the relevant permitted-activity requirements and manufacturer specifications.
- Subject to these measures, dust and other construction-related air discharges are expected to comply with the applicable boundary-effect standards and will not result in offensive or objectionable effects beyond the Site.
- Overall, the Project involves activities of a scale and nature requiring regional consent for groundwater takes, dewatering and other discharges, operational stormwater, diversions, wetland effects, drilling, river- and stream-bed structures and disturbances, large-scale earthworks and cleanfill placement. The relevant activity statuses and the overall regional bundling conclusion are set out in **Section 4.1**.
- Although the Project will result in the loss and modification of some freshwater features, these effects have been expressly assessed and will be addressed through avoidance where practicable, treatment and mitigation, ecological compensation, monitoring and adaptive management. Subject to the proposed consent conditions and management plans, the Project is considered generally consistent with the relevant objectives and policies of the WRP.

9.6 Waikato District Plan Operative In Part

The Waikato District Plan Operative in Part ('WDP-OiP') contains the objectives, policies and rules that manage subdivision, land use and development within the Waikato District, including the majority of the Site.

The resource consents required under the WDP-OiP are identified in **Section 4.1**, and a detailed assessment of the relevant objectives and policies is contained in **Attachment 7**. The principal conclusions are summarised below.

Strategic Direction

- Brymer will make a substantial economic contribution to the District and the wider Hamilton-Waikato economy. The Economic Assessment in **Appendix 30** estimates approximately \$552 million of construction expenditure and approximately \$278 million in discounted value added over the development period.

- Once established, expenditure associated with net additional Brymer households is estimated to generate approximately \$475 million in value added. The neighbourhood centre is expected to support an average of approximately 67 jobs, increasing to approximately 82 jobs by 2055.
- The Project recognises and provides for Ngaati Maahanga's relationships with their ancestral lands, waterways, cultural landscapes and taonga. The Cultural Impact Assessment in **Appendix 24** and ongoing engagement have informed the design and provide for wetland restoration, cultural monitoring, accidental-discovery procedures and continued mana whenua involvement in environmental management.
- Brymer will provide approximately 1,043 dwellings and make a meaningful contribution to housing supply within the Waikato District and wider Hamilton housing market. The Economic Assessment identifies materially higher projected housing demand than previously anticipated and potential greenfield-capacity shortfalls across the lower Waikato District.
- A broad range of dwelling types, sizes and price points will be provided, including apartments, terraced housing, duplexes, detached dwellings, compact lots and larger residential lots. This will materially increase housing choice for different household sizes and stages of life.
- Land use and infrastructure have been planned together. The transport, three-waters and utility networks have been integrated into the masterplan and staging framework so that development proceeds in step with the infrastructure required to service it.
- The Site is not identified for future urban growth in the WDP-OiP and remains predominantly within the General Rural Zone. The Project is therefore not anticipated by the operative zoning framework.
- The Site contains LUC 3 land for the purposes of the transitional NPS-HPL provisions. However, the site-specific Soil and Land Use Capability Assessment identifies only approximately 2.5 ha, or 3.2% of the Site, as meeting the separate WDP-OiP definition of "high class soil". Those areas occur as small and discrete pockets rather than as a large or cohesive high-class-soil resource.
- The Rural Productivity Assessment identifies significant constraints on viable primary production, including poorly drained soils, elevated seasonal groundwater, wetness and flooding, fragmentation and reverse-sensitivity pressures associated with the adjoining urban environment. It concludes that the Site is not economically viable for land-based primary production over the assessed 30-year period.
- Potential reverse-sensitivity effects between the proposed residential community, surrounding rural activities, State Highway 23 and existing Hamilton residential areas have been assessed. These effects will be managed through graduated density, separation, landscaping, boundary treatment and acoustic mitigation.
- Climate-change effects have been incorporated into the stormwater and flood assessment using a conservative future-rainfall scenario. The proposed blue-green network, attenuation and overland-flow system will support long-term resilience.
- Overall, Brymer will establish a comprehensively planned, compact and connected urban neighbourhood that provides substantial social and economic benefits, housing choice, local services, transport connections, open space and recognition of tangata whenua values. These outcomes support several of the district-wide strategic objectives, notwithstanding the Project's departure from the operative rural zoning.

Energy, Infrastructure and Transport

- Brymer is a comprehensively planned and staged development supported by new and upgraded transport, water-supply, wastewater, stormwater, electricity and telecommunications infrastructure.
- The principal water supply will connect to the IAWAI reticulated network. A new approximately 6 million-litre reservoir and associated infrastructure will be provided to service the later stages of development. The existing bore will provide the proposed Stage 1A firefighting supply, subject to the relevant regional consent.
- The eight rural-residential lots in Stage 1A will be serviced by individual onsite wastewater-treatment and disposal systems. The balance of the Project will connect to the reticulated wastewater network and ultimately discharge to the Western Interceptor.
- Stormwater infrastructure will integrate on-lot retention and reuse, infiltration, piped reticulation, forebays, artificial wetlands, attenuation and controlled discharge. Existing catchment inflows and principal flow paths have been incorporated into the design so that downstream flood risk is not materially increased.
- The internal transport network will comprise collector and local roads, footpaths, cycleways and shared paths connected to Grandview Road, Brymer Road, Harrogate Place, O'Brien Road and State Highway 23. Bus-capable routes and provision for future public-transport services are also incorporated.
- The Integrated Transport Assessment in **Appendix 16** concludes that the proposed network and mitigation measures can accommodate the development without unacceptable effects on the safety or efficiency of the surrounding transport network.
- Transport infrastructure will be delivered progressively in accordance with identified staging triggers. In particular, development beyond approximately 200 dwellings reliant on the Grandview Road connection cannot occur until the proposed State Highway 23 access is available.
- The proposed State Highway 23 access and other vehicle connections have been assessed through detailed traffic modelling and designed having regard to the classification and strategic function of the adjoining roads.
- Infrastructure resilience is addressed through climate-adjusted stormwater design, ground improvement and foundation measures, emergency storage at wastewater pump stations and provision for secondary stormwater conveyance.
- Potential construction, ecological, noise, vibration, safety and amenity effects associated with infrastructure delivery will be managed through the relevant management plans and proposed consent conditions.
- Overall, the Project is considered to support the WDP-OiP direction for coordinating subdivision and land use with the timely and efficient provision of infrastructure.

Hazards and Risks

- The Detailed Site Investigation in **Appendix 21** identifies localised contamination associated principally with the former cottage and stockyard areas. The Remedial Action Plan and

Contaminated Site Management Plan in **Appendix 22** provide for remediation, soil handling, testing, disposal, validation and unexpected contamination.

- Geotechnical hazards and constraints include liquefaction, lateral spreading, compressible and expansive soils, settlement, shallow groundwater and local slope instability. These have been investigated through the Geotechnical Investigation Report and Hydrogeological Assessment.
- The proposed response includes preloading and consolidation, ground improvement, engineered fill, appropriate foundation design, stable batter formation, retaining-wall design and further detailed assessment where required.
- Flooding and overland-flow paths have been assessed through site-specific hydraulic modelling. The proposed stormwater system will provide attenuation, flood storage, controlled discharge and safe secondary conveyance without materially increasing flood risk on neighbouring or downstream properties.
- Residential buildings will provide appropriate minimum floor levels, including 500 mm freeboard above the modelled 1% AEP flood level.
- The modelling incorporates a conservative climate-change scenario extending to 2100–2120 and considers sensitivity and blockage scenarios. Sea-level rise and coastal hazards are not relevant because the Site is inland and outside the coastal environment.
- The Geotechnical Effects Management Plan in **Appendix 18** provides for groundwater and settlement monitoring and establishes a Trigger Action Response Plan. This will enable construction methods and mitigation measures to respond to observed conditions.
- Overall, the relevant contaminated-land, flooding and geotechnical risks have been identified and can be appropriately managed through location, design, remediation, monitoring and the proposed consent conditions.

Subdivision

- The subdivision establishes a coordinated framework for residential, mixed-use, open-space, ecological and infrastructure activities rather than simply dividing the land. Future development will be guided by the Residential Core Standards and Residential Design Guidelines.
- The masterplan uses the blue-green network of wetlands, watercourses, stormwater reserves and open spaces as a principal organising element. Housing densities and typologies respond to topography, movement routes, open space and surrounding interfaces.
- The Project will be delivered progressively through 12 stages. Roads, pedestrian and cycle connections, services and open spaces will be provided alongside the relevant stages.
- A deliberate range of lot sizes and dimensions has been provided to correspond with the intended housing typologies and character outcomes. These extend from compact terrace and duplex lots to detached and rural-residential lots.
- The subdivision will be comprehensively serviced with roads, public-transport provision, pedestrian and cycle connections, reserves, telecommunications, electricity, stormwater, wastewater and water-supply infrastructure.

- Although the Site is not within an approved structure-plan area, the required infrastructure, staging, funding and delivery arrangements have been comprehensively assessed. The Applicant will deliver the infrastructure required to service the Project, subject to the relevant agreements and approvals.
- The proposed road hierarchy, walking and cycling network and connections to adjoining streets and open spaces will establish a legible, permeable and walkable neighbourhood and avoid reliance on an isolated cul-de-sac pattern.
- Public parks, recreational areas, stormwater reserves and ecological areas will be integrated into the wider blue-green network and connected through pedestrian and cycle routes.
- Reverse-sensitivity effects on adjoining rural land and State Highway 23 will be managed through graduated density, separation, landscaping and acoustic treatment for dwellings within the State Highway Corridor Noise Control Boundary.
- The subdivision will permanently remove rural land from production, including areas of LUC 3 land and approximately 2.5 ha meeting the WDP-OiP high-class-soil definition. The significance of this effect is reduced by the limited and fragmented nature of the high-class-soil resource and the Site's wider physical and economic constraints on viable primary production.
- Overall, the subdivision will provide a comprehensively planned, connected and serviced urban neighbourhood. However, its location within the General Rural Zone and outside an approved growth or structure-plan area remains a material departure from the subdivision outcomes ordinarily anticipated by the WDP-OiP.

Natural Environment Values

- The Site is highly modified by historic pastoral and agricultural use. Pasture and cropping land has negligible botanical value, while most existing terrestrial vegetation has low ecological value.
- The Site's ecological value is not negligible overall. The natural inland wetlands are highly modified but have moderate ecological value, while long-tailed bats are a Threatened – Nationally Critical species of very high ecological value that have been recorded passing through the Site.
- No terrestrial vegetation within the Site is identified as an SNA or meets the relevant terrestrial significance criteria. The modified natural watercourses are also not assessed as significant. However, the natural wetlands meet the relevant WRPS significance criteria because wetlands are a threatened and under-represented habitat type.
- The existing 1.52 ha kānuka treeland will be retained and legally and physically protected. Approximately 1.2 ha of existing natural wetland will also be retained, protected and restored.
- Approximately 26.7 ha of the Site, excluding residential-lot and streetscape planting, will be planted or ecologically enhanced across retained wetlands, riparian and wetland buffers, hillsides and stormwater reserves.
- The Project will remove approximately 0.514 ha of natural inland wetland. The residual effect will be addressed through ecological compensation, including creation of more than 0.75 ha of new wetland habitat and restoration and enhancement of retained wetlands. The Biodiversity Compensation Model predicts a 13.2% net positive outcome for wetland habitat value.

- Approximately 133 m of modified ephemeral watercourse will be removed. Approximately 134 m of new stream channel will be created, together with restoration of retained modified watercourses and indigenous riparian planting. The EclA predicts a net positive outcome for stream habitat.
- Indigenous-fauna effects will be managed through bird-nesting checks, lizard salvage and relocation, bat-roost protocols, fish recovery and relocation, habitat enhancement and plant and animal pest control.
- Biosecurity procedures will manage the risk of spreading pest plants and soil-borne pathogens during earthworks and planting.
- Subject to implementation of the proposed ecological management plans, monitoring and long-term protection measures, the Project is expected to deliver net positive outcomes for wetland, stream, botanical and fauna habitat values over time.

General District-Wide Matters

- Earthworks are required to form building platforms, roads, infrastructure corridors, reserves and stormwater facilities and to undertake the necessary ground improvement. The current Project assessment identifies approximately 70.1 ha of ground disturbance.
- The earthworks and ground-improvement strategy responds to the Site's compressible soils and shallow groundwater through preloading, consolidation, engineered fill, treatment of unsuitable materials and geotechnical supervision by suitably qualified and experienced practitioners.
- Erosion and sediment controls will be established before earthworks commence and maintained until affected areas are stabilised. Measures will include clean- and dirty-water diversions, sediment-retention devices, stabilised entrances, chemical treatment where appropriate and progressive stabilisation.
- Preload areas and finished landform have been coordinated with proposed wetlands, stormwater facilities and overland-flow paths. Preload material will be reused within the development where practicable to reduce additional material movements.
- Groundwater and settlement monitoring will be undertaken under the Geotechnical Effects Management Plan, including application of the Trigger Action Response Plan to manage potential effects on adjoining properties and infrastructure.
- Construction noise, vibration, dust, traffic, contamination, ecology and cultural effects will be managed through the applicable management plans and consent conditions.
- Overall, the scale of earthworks is considerably greater than that ordinarily anticipated as a permitted activity in the General Rural Zone. Nevertheless, the proposed design, supervision and management framework will ensure that the resulting stability, erosion, sediment, amenity and adjoining-property effects are appropriately managed.

General Rural Zone

- The Project will permanently transition predominantly General Rural-zoned land from pastoral and agricultural use to an urban residential neighbourhood. It will therefore result in the loss of the Site's existing rural use, open pastoral character and productive capacity.

- The proposal is not consistent with the specific outcome sought by Objective GRUZ-O1 because it does not maintain a rural environment in which rural activities predominate. It is also inconsistent with Objective GRUZ-O2 and Policies GRUZ-P1, GRUZ-P2 and GRUZ-P4 because urbanisation will permanently remove the productive function of soils and reduce the land available for productive rural activities.
- The significance of those inconsistencies is reduced by the site-specific evidence. Only approximately 2.5 ha, or 3.2% of the Site, meets the WDP-OiP definition of high-class soil, with those areas occurring as small and discrete pockets. Approximately 48% of the Site is subject to soil-wetness limitations, and the wider Site is affected by drainage, groundwater, flooding, fragmentation and reverse-sensitivity constraints.
- The Rural Productivity Assessment concludes that the Site is not economically viable for land-based primary production over the next 30 years and that the alternative productive uses assessed would not overcome its physical, locational and economic constraints.
- The Project does not create an ad hoc or dispersed rural subdivision pattern. The Site directly adjoins Hamilton's established western urban boundary and the Project will form a contiguous, comprehensively planned extension of the existing urban area.
- The Project will change the Site's rural character and amenity and is therefore not fully consistent with Objective GRUZ-O3. However, the Landscape and Visual Assessment identifies the Site as a modified rural-edge landscape already influenced by adjoining urban development.
- The blue-green and open-space network, graduated densities, setbacks and boundary planting will manage the transition to the surrounding rural environment and reduce landscape and visual effects as vegetation establishes.
- Reverse-sensitivity effects on adjoining rural activities and State Highway 23 will be minimised through separation, graduated residential density, landscaping, boundary treatment and acoustic mitigation. The proposal is therefore generally consistent with Policy GRUZ-P13.
- The significant housing, economic, social, infrastructure and environmental-restoration benefits of a comprehensively planned urban development adjoining Hamilton must be weighed against the acknowledged loss of rural character, rural land and productive capacity.

Overall, the Project supports a number of the WDP-OiP's district-wide strategic objectives relating to economic wellbeing, housing supply and choice, tangata whenua relationships, infrastructure integration, natural-hazard management and comprehensively designed subdivision. It also provides significant ecological-restoration and open-space outcomes.

However, the Project is not anticipated by the operative zoning and is materially inconsistent with the General Rural Zone objectives and policies that seek to maintain rural character, retain the productive value of soils and enable productive rural activities. Those inconsistencies are reduced, but not eliminated, by the Site's limited and fragmented high-class-soil resource, significant physical and economic constraints on primary production, immediate relationship with Hamilton's urban boundary and the comprehensive form and substantial benefits of the Project.

Having regard to those matters and the detailed assessment in **Attachment 7**, the Project is considered acceptable in the particular circumstances of the Site, notwithstanding its identified departure from the General Rural Zone framework.

9.7 Waikato District Plan Operative

A limited number of provisions from the Operative District Plan (Waikato Section) ('ODP') continue to apply to the Site. The relevant objectives and policies address the Waikato District Growth Strategy, natural resources, natural hazards, the built environment, land transport, contaminated land, social, cultural and economic wellbeing and amenity values.

The resource consents required under the ODP are identified in **Section 4.1**, and a detailed assessment of the relevant objectives and policies is contained in **Attachment 7**. The principal conclusions are summarised below.

Waikato District Growth Strategy (Chapter 1A)

- The Site is outside the towns, villages and defined growth areas identified by the ODP and remains predominantly rural-zoned. The Project is therefore not directly consistent with Objective 1A.2.1 and Policies 1A.2.2, 1A.2.6 and 1A.2.12, which direct urban residential and other non-rural development to identified growth areas.
- The Project is also inconsistent with the provisions seeking to retain rural areas for productive rural activities, as urbanisation will permanently remove the Site from rural production.
- Notwithstanding these inconsistencies, the Site directly adjoins Hamilton's established western urban boundary and the Project will form a contiguous extension of the existing urban area. It does not represent an isolated or dispersed pocket of urban development within the wider rural environment.
- The Project will provide approximately 1,043 dwellings across a range of apartments, terraces, duplexes and detached dwellings. It therefore strongly supports the Growth Strategy's housing and lifestyle-choice outcomes and responds to the identified need for additional housing capacity within the wider Hamilton and lower Waikato housing market.
- The Site's productive potential is materially constrained by poorly drained soils, elevated seasonal groundwater, wetness and flooding, fragmentation and reverse-sensitivity pressures associated with the adjoining urban environment. The Rural Productivity Assessment concludes that the Site is not economically viable for land-based primary production over the assessed 30-year period.
- Only approximately 2.5 ha, or 3.2% of the Site, meets the separate WDP-OiP definition of high-class soil. Although the Site also contains LUC 3 land, the higher-quality soil areas are fragmented and do not form a large or cohesive productive resource.
- The Project integrates residential development with approximately 2,184 m² of neighbourhood-scale commercial gross floor area, employment opportunities, public open space, walking and cycling connections and provision for future public transport. It therefore supports the integrated urban-development outcome sought by Policy 1A.2.5.
- Reverse-sensitivity effects on adjoining rural activities and State Highway 23 will be minimised through lower-intensity development at rural interfaces, separation, larger edge lots, landscaping, boundary treatment and acoustic mitigation.
- Overall, the Project represents a clear departure from the ODP's identified growth pattern. However, its contiguous relationship with Hamilton, comprehensive design, ability to be

served, limited long-term rural productive potential and contribution to identified housing demand provide a strong site-specific basis for the proposed development.

Natural Resources (Chapter 4)

- Urbanisation and earthworks will permanently remove the productive use and life-supporting capacity of soils within the development footprint. The proposal is therefore inconsistent with Policies 4.2.1–4.2.4 and Objective 4.4.1, which seek to retain the productive potential of soils and rural land, particularly high-quality soil.
- The significance of that inconsistency is reduced by the Soil and Land Use Capability Assessment and Rural Productivity Assessment in **Appendix 29**. These identify a limited and fragmented high-class-soil resource and substantial physical and economic constraints on viable primary production.
- Where suitable topsoil, including soil from areas of higher quality, is disturbed, it will be stripped, separately stockpiled and beneficially reused within landscaping, open-space and restoration areas where practicable. This responds to Policy 4.2.5, although it does not retain the soil in its original location or preserve its productive-rural function.
- The Project is inconsistent with Policy 4.4.3 because it subdivides rural land outside a defined growth area for urban purposes. However, it differs from the incremental fragmentation of rural land into small rural or rural-residential holdings that the policy principally seeks to discourage.
- The Site occupies an urban-fringe location. The masterplan establishes a coherent and connected neighbourhood structure and does not compromise the future urban-development potential of adjoining land. Roads, infrastructure corridors, open spaces and pedestrian and cycle connections provide opportunities for future integration.
- The proposal therefore supports Objective 4.8.1 and Policy 4.8.2, which seek to avoid impeding the future urban-development potential of Hamilton and other urban areas.
- Although non-rural activities within the urban fringe are discouraged by Policy 4.8.3, Brymer represents a comprehensively planned urban extension rather than ribbon development or piecemeal urban encroachment.
- The masterplan includes a substantial blue-green and open-space network while enabling efficient urban-density development. It therefore maintains future connectivity and avoids sterilising adjoining land.

Natural Hazards (Chapter 5)

- Flooding, liquefaction, compressible soils and slope instability have been investigated and can be appropriately managed through geotechnical measures, engineered fill and an integrated stormwater system.
- Flooding, overland flow, liquefaction, lateral spreading, compressible and expansive soils, settlement, shallow groundwater and local slope instability have been investigated through the stormwater, geotechnical and hydrogeological assessments.
- The proposed responses include stormwater attenuation and flood storage, safe overland-flow conveyance, appropriate minimum building levels, preloading and consolidation, ground

improvement, engineered fill, foundation design and detailed slope and retaining-wall assessment.

- Residential buildings will provide 500 mm freeboard above the modelled 1% AEP flood level. The stormwater system will generally limit post-development peak flows to no more than 80% of the corresponding pre-development peak flows.
- Climate-adjusted hydraulic modelling has assessed existing and post-development flood behaviour and downstream effects through to 2100–2120. The modelling indicates that the Project will not materially increase flood risk on neighbouring or downstream properties.
- Residual groundwater and settlement effects will be monitored under the Geotechnical Effects Management Plan and Trigger Action Response Plan, allowing additional mitigation to be implemented where specified thresholds are approached or exceeded.
- No natural hazard has been identified that precludes development, provided the recommended engineering, monitoring and detailed-design measures are implemented. The Project is therefore considered consistent with the relevant natural-hazard objectives and policies.

Built Environment (Chapter 6)

- The masterplan coordinates land use, transport, water supply, wastewater, stormwater, utilities, open space and ecological restoration. Infrastructure will be delivered progressively in accordance with the proposed staging framework.
- Residential densities are distributed in response to the neighbourhood centre, open spaces, movement routes, topography and surrounding interfaces. Higher-density housing is generally concentrated near local services, parks and principal connections.
- The Project will establish a compact, connected and walkable neighbourhood adjoining Hamilton's existing urban area. While the Site is rural-zoned, the proposed form is a contiguous urban extension rather than isolated or ribbon development.
- The Residential Core Standards and Residential Design Guidelines will guide future development and provide for appropriate building scale, outlook, outdoor living, landscaping, access, parking and streetscape relationships.
- The integrated design and staging approach supports efficient use of land and infrastructure and provides for a high-quality internal urban environment.

Land Transport Network (Chapter 8)

- The Integrated Transport Assessment in **Appendix 16** confirms that the Project can be accommodated within the existing and proposed transport network, subject to the identified upgrades, staging triggers and travel-demand measures.
- Access will be provided through connections to Grandview Road, Brymer Road, Harrogate Place, O'Brien Road and State Highway 23. The internal collector and local-road network will distribute traffic between these connections.
- Development beyond approximately 200 dwellings reliant on the Grandview Road connection cannot occur until the proposed State Highway 23 access is available. This will ensure that transport infrastructure is delivered in step with development.

- The State Highway 23 intersection and other access arrangements have been designed having regard to road hierarchy, safety and the strategic transport and freight function of the State Highway.
- The internal network includes footpaths, cycleways, shared paths and bus-capable routes, supporting transport choice and future public-transport provision.
- The Project does not directly interface with or adversely affect the rail network.
- Subject to the proposed staging, intersection and network improvements, the transport effects are considered capable of being appropriately managed and the Project is generally consistent with the relevant land-transport provisions.

Contaminated Land (Chapter 9)

- The Detailed Site Investigation in **Appendix 21** identifies localised contamination associated principally with the former cottage and stockyard areas. Identified contaminants include organochlorine pesticides and heavy metals.
- The affected areas will be remediated or managed under the Remedial Action Plan and Contaminated Site Management Plan in **Appendix 22**.
- The proposed controls include soil delineation, segregation, testing, reuse or disposal, protection of workers and the receiving environment, unexpected-contamination procedures and validation reporting.
- Contaminated soil requiring removal will be disposed of at a facility authorised to receive the relevant material.
- Validation will confirm that remediated areas are suitable for their intended residential, commercial, open-space or infrastructure use before those areas are occupied or otherwise used for that purpose.
- Subject to implementation of the proposed remediation and management measures, contaminated-land effects on human health and the environment will be appropriately managed in accordance with the Chapter 9 provisions.

Social, Cultural and Economic Wellbeing (Chapter 11)

- The masterplan delivers a coherent, well-serviced neighbourhood with diverse housing choice, supported by significant construction and ongoing economic benefits that outweigh the Site's constrained rural productive value.
- Cultural values have been addressed through the CIA, recognising Ngāti Māhanga's mana whenua status and providing for wetland protection and ongoing involvement.

Amenity Values (Chapter 13)

- Amenity effects from noise, lighting, traffic and construction are appropriately managed through design guidelines, staged infrastructure and management plans, achieving compatibility with both rural and adjoining residential acoustic environments.
- The comprehensive masterplan avoids fragmented rural subdivision, providing a graduated urban-rural interface that limits cumulative effects on the wider rural environment.

Overall, the Project is consistent with many of the ODP provisions relating to integrated development, infrastructure, natural-hazard management, transport, contaminated land, future urban connectivity and social, cultural and economic wellbeing.

However, the Project is not consistent with the provisions directing urban development to defined growth areas and seeking to retain rural land, productive soils, rural activities and rural character. Those inconsistencies are material and arise because the ODP does not anticipate urban development of the Site.

The significance of those inconsistencies is reduced, but not eliminated, by the Site's immediate relationship with Hamilton, limited and fragmented high-class-soil resource, constrained long-term productive potential, comprehensively planned urban form and substantial housing and wider public benefits. Having regard to those particular circumstances and the detailed assessment in **Attachment 7**, the Project is considered acceptable notwithstanding its departure from the operative growth and rural-resource framework.

9.8 Hamilton City District Plan

The Hamilton City Operative District Plan applies only to the part of the Project involving the proposed road connection to Harrogate Place within Hamilton City. The relevant activities comprise earthworks, construction of a new transport corridor, subdivision to create the road allotment, and the subsequent vesting and formation of that allotment as legal road. The wider residential development is located within Waikato District and is not assessed against the Hamilton City District Plan.

The relevant objectives and policies are principally contained in Chapters 18 (Transport Corridor Zone), 23 (Subdivision), and 25.2 and 25.14 (Earthworks and Transportation). The Project is considered to be generally consistent with those provisions for the reasons set out below.

Transportation and the New Transport Corridor

- The proposed connection will extend the local transport network from Harrogate Place and provide a direct, legible and appropriately designed connection between the Brymer development and Hamilton's existing urban area.
- The new corridor has been assessed through the Integrated Transport Assessment and designed as part of the wider road hierarchy, rather than as an isolated access. Its alignment, cross-section and intersection arrangements respond to its anticipated function and the volume and type of traffic it will accommodate.
- The road will support an integrated and multimodal transport network by providing for vehicle movements, pedestrians, cyclists, infrastructure services and streetscape planting within a coordinated corridor.
- The connection will improve permeability and route choice and integrate the Project with the existing Hamilton transport network. It will also support access to existing neighbourhoods, services, employment and future public transport routes.
- The design provides for the safety and accessibility of all users, including pedestrians, cyclists and people with impaired mobility. Detailed design will be undertaken in accordance with Hamilton City Council's applicable infrastructure and transportation standards.

- The transport assessment concludes that the connection can operate safely and efficiently without compromising the function of Harrogate Place or the wider Hamilton transport network. Any consequential intersection, signage, marking or traffic-management requirements can be secured through detailed engineering approval and conditions of consent.
- Potential effects on adjoining properties, including changes in traffic movement, noise, lighting and streetscape character, have been considered. These effects will be managed through the road alignment and cross-section, landscaping, lighting design, speed environment and construction-management measures.
- The proposed works are therefore consistent with Objective 25.14.2.1 and Policies 25.14.2.1a–25.14.2.1e, which seek an integrated, safe, accessible, efficient and sustainable transport network while minimising the adverse effects of new transport infrastructure.

The establishment of a new transport corridor is a restricted discretionary activity under the activity-status table in Rule 25.14.3. This status provides for detailed consideration of the corridor's design, function, integration, safety and effects. The restricted discretionary status does not indicate inconsistency with the transportation objectives and policies; the technical assessments demonstrate that the proposed corridor will achieve the outcomes sought by those provisions.

Earthworks

- Earthworks within Hamilton City are limited to those required to form the proposed road connection, associated batters, drainage infrastructure, utilities and tie-ins with Harrogate Place.
- The earthworks will exceed the permitted volume of 1,000 m³ per calendar year specified by Rule 25.2.4.1(h) for earthworks associated with subdivision in the applicable zone. Restricted discretionary activity consent is therefore required.
- The earthworks have a necessary and defined functional purpose: to establish a safe and stable road formation, provide appropriate grades and sightlines, accommodate underground services, and establish effective stormwater conveyance.
- Geotechnical investigations confirm that the earthworks can be safely undertaken through appropriate subgrade preparation, engineered fill placement, compaction, batter formation, drainage and construction monitoring.
- The works have been designed so that they do not create or exacerbate instability, settlement, flooding or other natural-hazard risks on the road corridor or adjoining land.
- Existing drainage patterns and overland-flow paths will be appropriately managed through the detailed road and stormwater design. The works will not result in uncontrolled diversion of runoff or an increased flood risk to adjoining properties.
- Erosion, sediment, dust, noise and construction-traffic effects will be managed through the proposed erosion and sediment controls and construction-management measures. Exposed areas will be progressively stabilised, sediment will be retained within the works area, and clean fill will be used where imported material is required.

- The works will also be coordinated with existing and proposed network utilities to avoid damage to infrastructure and ensure that utilities can be safely accommodated within the future road corridor.

Accordingly, although resource consent is required due to the volume of earthworks, the works are consistent with Objective 25.2.2.1 and the associated policies because they have been designed to minimise effects on people, property, drainage, land stability, amenity and the receiving environment.

Subdivision and Vesting of the Road

- The subdivision within Hamilton City is limited to the creation of an allotment for the proposed transport corridor. The road allotment will subsequently be vested in Hamilton City Council as legal road.
- Subdivision to accommodate a transport corridor is a restricted discretionary activity under Table 23.3a(iv). The subdivision does not create an additional residential or developable allotment within Hamilton City.
- The road allotment is appropriately configured for its intended public-infrastructure purpose. The conventional minimum area and shape requirements applying to developable fee-simple allotments are not relevant to a parcel created solely for road vesting.
- The proposed corridor will comply with the applicable road-width requirements, having regard to the number of lots ultimately served and the corridor's function within the wider transport network.
- The subdivision promotes connectivity and integration between the Brymer road network and Hamilton's existing transport network and provides appropriate facilities for walking, cycling, vehicle movement and network utilities.
- Creation and vesting of the road allotment will provide a clear and enduring framework for public ownership, operation, maintenance and management of the corridor. Detailed engineering design and construction will be subject to Hamilton City Council approval before vesting.
- The balance land and existing development within Hamilton City will remain functional following subdivision, and no consequential effects have been identified that would make the balance allotment unsuitable.
- The subdivision will not increase natural-hazard risks or compromise the capacity, efficiency, safety or long-term affordability of the wider transport or infrastructure networks.

The proposed road subdivision is therefore consistent with Objectives 23.2.1, 23.2.2 and 23.2.4 and their associated policies, which seek safe and suitable subdivision, connected transport networks, appropriate infrastructure provision and effective long-term management of public assets.

Overall, the proposed earthworks, road construction, subdivision and vesting are considered consistent with the relevant objectives and policies of the Hamilton City District Plan. The restricted discretionary activity consents required under Chapters 23, 25.2 and 25.14 enable the detailed

design and effects of the corridor to be assessed and appropriately controlled. Subject to the proposed mitigation, detailed engineering approval and consent conditions, the works will establish a safe, connected and fit-for-purpose public transport corridor without unacceptable adverse effects on adjoining land or the wider Hamilton transport network.

9.9 Statutory Considerations Summary

Overall, the Project is considered generally consistent with the relevant national environmental standards and policy statements, Te Ture Whaimana o Te Awa o Waikato, the Waikato Regional Policy Statement, the Waikato Regional Plan, the relevant Waikato district plans and the Hamilton City Operative District Plan.

The Project provides a comprehensively planned and serviced extension to Hamilton's urban environment, delivering substantial housing capacity and choice, local services, integrated transport and three-waters infrastructure, and a connected blue-green and open-space network. Freshwater, biodiversity, cultural, natural-hazard, geotechnical and contaminated-land effects have been addressed through the design, the effects management hierarchy, management plans, monitoring and proposed consent conditions.

Although the wetland works have prohibited activity status under the NES-F because the Site does not presently meet the definition of an urban environment, the Project has been assessed against the urban-development pathway as a relevant guide. The proposed restoration and compensation package is expected to deliver net positive wetland and stream outcomes.

The limited works within Hamilton City comprise earthworks and the construction, subdivision and vesting of the Harrogate Place road connection. While restricted discretionary activity consent is required, the works support a safe, efficient and integrated transport network.

Accordingly, notwithstanding the consents required and the NES-F activity status, the Project accords with the overall direction of the relevant statutory documents and will provide significant benefits while appropriately managing its adverse effects.

10 The FTAA Decision Making Framework

Section 81 of the Fast-track Approvals Act 2024 ('FTAA') governs the Panel's decisions on the approvals sought in a substantive application. The Project seeks resource consents that would ordinarily be sought under the Resource Management Act 1991 ('RMA'). The applicable decision-making provisions are therefore contained in Schedule 5 of the FTAA.

The Panel must also apply sections 83–85 of the FTAA when determining the application and imposing conditions. These provisions require conditions to be no more onerous than necessary, provide for conditions relating to Treaty settlements and supporting infrastructure, and prescribe the circumstances in which an approval may or must be declined.

10.2 Approvals Relating to Resource Consents Ordinarily Sought Under the RMA

Clause 17 of Schedule 5 requires the Panel, when considering the resource consent applications and proposed conditions, to take into account:

- the purpose of the FTAA;

- the provisions of Parts 2, 3, 6 and 8–10 of the RMA that direct decision-making on resource consent applications; 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, which is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

For this assessment, the reference to Part 2 of the RMA excludes section 8, and the reference to Part 6 excludes section 104D. Accordingly, the ordinary gateway test for non-complying activities does not apply. If another relevant RMA provision would ordinarily require an application to be declined, the Panel may consider that provision but must not treat it as requiring decline. This is relevant to the prohibited activity status of the proposed wetland works under the NES-F.

The relevant RMA considerations include the actual and potential effects of the Project, the applicable statutory planning documents, other relevant matters under section 104(1)(c), and the purpose and principles of the RMA. Consideration under section 104(1)(c) must include any relevant mana whakahono ā rohe or joint management agreement. Relevant Treaty settlements, Te Ture Whaimana, iwi planning documents and cultural assessments are also addressed in this application.

10.3 Conditions

Under clause 18 of Schedule 5, the provisions of Parts 6, 9 and 10 of the RMA that are relevant to setting resource consent conditions apply to the Panel.

Section 83 of the FTAA requires that a condition must not be more onerous than necessary to address the reason for which it is imposed. Section 84 enables conditions to recognise or protect a relevant Treaty settlement. Section 84A also enables the Panel to impose conditions to ensure that infrastructure within the Project area, or other infrastructure on which the Project relies, is or can be made adequate to support the Project or a particular stage. Any obligation imposed under section 84A may apply only to the Applicant.

The proposed conditions have been prepared to address the effects and mitigation identified in the technical assessments, provide for monitoring and management, recognise relevant cultural and Treaty settlement matters, and ensure that the infrastructure required to support each stage of the Project is available or can be made adequate.

10.4 Decisions on the Approvals

The Panel must apply the mandatory decline requirements in section 85(1) and (2) of the FTAA. None of those circumstances is considered to apply to the Project.

Subject to those mandatory requirements, section 85(3) provides that the Panel may decline an approval only where it considers that the Project's adverse impacts, after taking account of proposed conditions, are sufficiently significant to be out of proportion to its regional or national benefits.

The assessment in this AEE demonstrates that the Project will deliver significant regional benefits, particularly through housing supply and choice, employment and economic activity, coordinated transport and three-waters infrastructure, ecological restoration and a comprehensively planned extension to Hamilton's urban environment. Its adverse effects can be appropriately managed

through the proposed design, mitigation measures and conditions and are not out of proportion to those benefits.

10.5 Approvals Progressed Separately

A Wildlife Act 1953 approval for the handling, capture and relocation of protected wildlife is being progressed separately and is not sought through this substantive application. An archaeological authority is also being sought separately from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

Accordingly, the Panel is not required to make a decision under Schedule 7 or Schedule 8 of the FTAA as part of this application.

11 Assessment on FTAA Decision-Making Framework

This section assesses the Project against the decision-making framework in sections 81–85 and Schedule 5 of the Fast-track Approvals Act 2024 ('FTAA'). It addresses the information relevant to the Panel's decision, the grounds on which an approval must or may be declined, and the extent to which the Project achieves the purpose of the FTAA.

11.2 Information considered

This Section 81(2)(a) identifies the information that the Panel must consider when deciding whether to grant the approvals sought. This includes the substantive application and supporting information, together with comments, reports, advice and other information properly received through the FTAA process.

This AEE and the wider application have been prepared having regard to all relevant information presently available, including:

- the application documents, plans, proposed conditions and technical assessments;
- the referral application, the Minister's referral decision dated 4 September 2025 and the associated Ministry for the Environment assessment;
- the relevant national, regional and district statutory documents;
- the applicable Treaty settlement legislation, Te Ture Whaimana o Te Awa o Waikato and iwi planning documents;
- the Cultural Impact Assessment prepared by Ngaati Maahanga, the Memorandum of Understanding with Ngaa Uri o Maahanga Trust Board and the wider cultural and Treaty settlement assessments; and
- feedback received through engagement with Waikato-Tainui, Ngaati Maahanga, Waikato Regional Council, Waikato District Council, Hamilton City Council, government agencies, infrastructure providers, adjoining landowners and other interested parties.

The application has been progressively refined in response to this information. The final design, technical assessments, mitigation measures and proposed conditions reflect the outcomes of that process. The Panel will also consider any further comments, reports, advice or responses received following lodgement in accordance with the FTAA.

11.3 S85 Situations when panel must or may decline approvals

None of the circumstances in which the Panel must decline an approval under section 85(1) or (2) are considered to apply:

- The Project does not involve an ineligible activity under section 5 of the FTAA. The Minister accepted the Project for referral after considering the statutory eligibility requirements, agency advice and comments from invited parties.
- Granting the approvals would not breach section 7 of the FTAA. The Project has been assessed against the relevant Treaty settlement legislation and recognised customary rights. The Site is within the Waikato River catchment but is not within or adjacent to a protected customary rights area. The Project recognises the relationship of Waikato-Tainui and Ngaati Maahanga with the whenua and wai through CIA-informed design, freshwater and ecological restoration, cultural monitoring and ongoing mana whenua involvement.
- Clause 17(5) of Schedule 5 does not apply because the Project does not include an application for a coastal permit for aquaculture activities.

Subject to those mandatory requirements, section 85(3) provides that the Panel may decline an approval only if it considers that the Project's adverse impacts, after taking account of proposed conditions, are sufficiently significant to be out of proportion to its regional or national benefits.

The technical assessments demonstrate that the Project's adverse effects have been identified and can be appropriately addressed through design, staging, mitigation, ecological compensation, management plans, monitoring and conditions. Although the Project will result in material changes to the Site, including urbanisation, disturbance of highly productive land and the loss or modification of some wetland and watercourse habitat, those effects are not considered sufficiently significant to be out of proportion to the substantial regional benefits described below.

11.4 The Purpose of the Fast-track Approvals Act

Section 3 provides that the purpose of the FTAA is:

"to facilitate the delivery of infrastructure and development projects with significant regional or national benefits."

Under clause 17 of Schedule 5, the Panel must give the greatest weight to this purpose. Section 81(4) also requires the Panel, when considering the FTAA purpose, to consider the extent of the Project's regional or national benefits.

The Minister's decision to refer Brymer confirms that the Project was considered eligible and appropriate to enter the fast-track process. Referral does not determine the substantive merits of the application or guarantee that the approvals will be granted. The Panel must independently assess the extent of the Project's benefits, its adverse impacts and the effectiveness of the proposed conditions.

The considerations in section 22(2)(a), while principally relevant to referral, provide a useful framework for identifying the nature and extent of the Project's benefits. The benefits of Brymer are most directly relevant to housing supply, economic activity, infrastructure, environmental outcomes and the efficient development of natural and physical resources.

Housing Supply and Urban Growth

The Project will deliver approximately 1,043 dwellings on Hamilton's western urban edge. These will comprise apartments, terraced housing, duplexes, detached dwellings and a limited number of larger lots, providing materially greater housing choice across a range of sizes, densities and anticipated price points.

The Economic Assessment identifies projected shortfalls in Hamilton's greenfield housing capacity of approximately 1,900 dwellings over the medium term and 6,700 dwellings over the long term. Approximately 380 Brymer dwellings are expected to represent a net addition to housing supply by the end of the medium term, with the full development representing a net addition over the long term.

The dwelling mix is also expected to improve housing accessibility relative to other greenfield developments. Modelling identifies the potential for at least 141 duplex and terrace dwellings to fall within the applicable first-home-buyer affordability benchmark, with up to approximately 24% of all dwellings potentially falling within that benchmark once apartments are included. These are anticipated market outcomes rather than guaranteed affordable-housing commitments.

The Project will therefore make a substantial contribution to housing capacity, choice and competition in the Hamilton and lower Waikato housing market.

Efficient Urban Development and Highly Productive Land

The Site adjoins Hamilton's existing urban environment and is identified through the regional strategic planning framework as being within an area suitable for future urban expansion. Its development represents a contiguous and comprehensively planned urban extension rather than dispersed or ad hoc rural-residential growth.

Approximately 44.4 ha of the Site is mapped as highly productive land. However, the site-specific soil and land-use assessment identifies significant wetness, drainage, fragmentation, reverse-sensitivity and economic constraints. Only approximately 2.5 ha meets the Waikato District Plan definition of high-class soil, and the productive-land assessment concludes that the Site is unlikely to support an economically viable land-based primary-production activity.

The Economic Assessment estimates the discounted value of lost production at approximately \$628,000, while the operational assessment indicates that continued rural use would be likely to operate at a loss. The productive opportunity cost is therefore limited when compared with the housing, infrastructure, employment, environmental and community benefits of the Project.

Economic Activity and Employment

The Project is expected to generate approximately \$552 million in construction expenditure between 2028 and 2045. That expenditure is estimated to support approximately \$278 million in value added, discounted at 8%, and approximately 4,736 job-years of employment. Around 80% of the construction-related value added is expected to accrue within Hamilton City.

Over the first 30 years of occupation, expenditure by Brymer households is projected at approximately \$2.4 billion, supporting approximately \$475 million in net value added after allowing for initial displacement effects. Approximately 86% of that value is expected to accrue within Hamilton City.

The proposed neighbourhood centre will provide local employment and is expected to sustain an average of approximately 67 positions over 20 years. Overall, the Economic Assessment concludes

that the Project will produce significant regional economic benefits that exceed its identified economic costs.

Local Services and Community Outcomes

The Project includes two mixed-use sites providing approximately 2,184 m² of retail floorspace, together with office and residential activities. The neighbourhood centre will provide convenience goods and services, support local employment and reduce the need for some day-to-day trips beyond the Site. Its scale is proportionate to the future resident catchment and is not expected to undermine the role or function of established centres at Nawton or Dinsdale.

The Project will also provide two public parks, recreation reserves, pedestrian and cycling connections and links to Te Kootii Park and surrounding neighbourhoods. These elements will contribute to community identity, recreation, accessibility, walkability and residential amenity.

Transport and Connectivity

The Project will establish a connected transport network incorporating public roads, private accessways and walking and cycling routes. A principal benefit is the collector-road connection between State Highway 23 and Grandview Road, which will improve north-south connectivity through the Site and integrate the development with Hamilton's existing urban network.

The movement network will connect housing with the neighbourhood centre, open spaces and surrounding communities and provide for future public transport. The road hierarchy and active-mode network have been integrated with land use, housing density and open space to create a legible and accessible neighbourhood.

Three-Waters and Supporting Infrastructure

The Project will deliver the water-supply, wastewater, stormwater, transport and utility infrastructure needed to support its staged development. This includes connections to the IAWAI water-supply and wastewater networks, internal reticulation, reservoirs, pump stations, stormwater-treatment and attenuation facilities, and underground utility infrastructure.

Infrastructure will be delivered progressively and coordinated with development staging. The proposed conditions and infrastructure agreements will ensure that each stage proceeds only when the infrastructure required to support it is available or can be made adequate.

Freshwater, Ecological Restoration and Biodiversity

The Project will establish an integrated blue-green network comprising retained and restored wetlands, newly created wetland habitat, restored and created watercourses, stormwater reserves, riparian planting, hillside planting and ecological corridors.

Approximately 1.2 ha of existing natural inland wetland and the 1.52 ha kānuka treeland will be retained and enhanced. The unavoidable loss of approximately 0.514 ha of natural inland wetland will be addressed through the creation of more than 0.75 ha of new wetland habitat, restoration of retained wetlands, indigenous planting, pest management, buffering and permanent protection. Ecological modelling predicts an approximately 13.2% net gain in wetland habitat value.

The loss of approximately 133 m of modified watercourse will be addressed through new stream-channel creation, restoration of retained watercourses and riparian enhancement. Approximately

26.7 ha of the Site will be incorporated into wetland, riparian, hillside, stormwater and other ecological enhancement areas, excluding residential-lot and streetscape planting.

Species-specific management measures will address effects on bats, lizards, fish and indigenous birds. Collectively, these measures are expected to improve habitat extent, condition and connectivity and deliver net positive outcomes in important respects.

Stormwater, Natural Hazards and Climate Resilience

The integrated stormwater system will provide treatment, attenuation, conveyance, soakage, wetlands and water-sensitive design measures. It has been designed using climate-adjusted rainfall modelling to manage runoff quality and quantity, maintain safe overland-flow paths and avoid an increased flood risk to adjoining or downstream properties.

The wider blue-green network will provide additional flood-storage, ecological, landscape and recreational functions. Geotechnical, groundwater and flood risks will be managed through engineered earthworks, landform design, monitoring and staged infrastructure delivery. These measures will improve the resilience of the development and receiving environment to future climate conditions.

Cultural Recognition and Partnership

Ngaati Maahanga are mana whenua and kaitiaki of the Site. Their cultural values and relationship with the whenua, wetlands, waterways and taonga have informed the Project through the CIA, consultation and Memorandum of Understanding with Ngaa Uri o Maahanga Trust Board.

The Project provides for continuing mana whenua involvement in detailed design, naming, landscaping, ecological restoration, cultural monitoring and environmental management. It also responds to Te Ture Whaimana through measures intended to protect and restore freshwater health and recognise the relationship of Waikato-Tainui with the Waikato River and its catchment.

Overall Assessment

Brymer is a substantial, comprehensively planned housing and infrastructure project that will provide significant regional benefits. Those benefits include approximately 1,043 additional dwellings, increased housing choice and accessibility, substantial construction and household expenditure, employment, local services, improved transport connectivity, coordinated three-waters infrastructure, public open space and extensive ecological restoration.

The Project will also give rise to adverse effects, including the conversion of rural and highly productive land, changes in landscape and amenity, construction effects and the loss or modification of some freshwater and ecological habitat. Those effects have been expressly identified and addressed through the design, effects management hierarchy, technical mitigation, ecological compensation, management plans, monitoring and proposed conditions.

When the residual adverse impacts are considered against the scale, certainty and duration of the Project's regional benefits, they are not sufficiently significant to be out of proportion to those benefits. Granting the approvals, subject to the proposed conditions, will therefore facilitate the delivery of a development project with significant regional benefits and achieve the purpose of the FTAA.

11.5 Schedule 5 - Approvals relating to Resource Management Act 1991

Clause 17(1) of Schedule 5 of the FTAA requires the Panel, when considering the resource consent applications and proposed conditions, to take into account:

- the purpose of the FTAA;
- the provisions of Parts 2, 3, 6 and 8–10 of the RMA that direct decision-making on a resource consent application; 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. For this assessment, the reference to Part 2 excludes section 8 of the RMA and the reference to Part 6 excludes section 104D. If another relevant RMA provision would ordinarily require an application to be declined, the Panel may take that provision into account but must not treat it as requiring decline.

The relevant RMA provisions are assessed below.

Part 2 of the Resource Management Act 1991

Part 2 contains the purpose and principles of the RMA. Section 5 defines sustainable management as managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural wellbeing and their health and safety while:

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of 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 will enable approximately 1,043 dwellings, a neighbourhood centre, public open spaces and supporting transport and three-waters infrastructure. It will make a substantial contribution to housing supply and choice and generate significant employment, investment and household expenditure within Hamilton and the wider Waikato region.

The Project will change the Site from a predominantly rural environment to an urban neighbourhood and will result in adverse effects, including the conversion of rural and highly productive land, modification of landscape character, construction effects and the loss or modification of some wetland, watercourse and habitat values. Those effects have been identified and addressed through the design, effects management hierarchy, technical mitigation, ecological compensation, management plans, monitoring and proposed conditions.

The Project will also establish approximately 26.7 ha of wetland, riparian, hillside, stormwater and ecological enhancement areas, excluding residential-lot and streetscape planting. Retained wetlands and the existing kākūka treeland will be protected and enhanced, new wetland and stream habitat will be created, and indigenous planting and pest management will improve ecological connectivity and habitat values over time.

The Project is therefore considered to enable the use and development of land and infrastructure for substantial social and economic benefits while safeguarding environmental values and

appropriately addressing adverse effects. It is consistent with the sustainable-management purpose in section 5.

Section 6 – Matters of National Importance

The matters in section 6 relevant to the Project have been recognised and provided for as follows:

- The natural character and values of the Site's wetlands and watercourses have informed the masterplan. Higher-value features are retained where practicable, while unavoidable wetland and watercourse effects are addressed through habitat creation, restoration, indigenous planting, buffering and permanent protection.
- No mapped terrestrial Significant Natural Area is present within the Site, and the Ecological Impact Assessment concludes that the terrestrial vegetation does not meet the applicable criteria for identification as a Significant Natural Area. The natural inland wetlands are nevertheless recognised as significant habitats because wetlands are threatened and under-represented ecosystems. Their values have been addressed through the effects management hierarchy and the proposed compensation and restoration package.
- Public access and recreational opportunities will be improved through the connected open-space network, walking and cycling routes and access to wetlands, restored watercourses and ecological areas where compatible with their protection and stormwater functions.
- The relationship of Māori with ancestral land, water, sites and taonga has been recognised through engagement with Waikato-Tainui and Ngaati Maahanga, the Ngaati Maahanga Cultural Impact Assessment and the Memorandum of Understanding with Ngaa Uri o Maahanga Trust Board. The Project provides for continuing mana whenua involvement in detailed design, naming, ecological restoration, cultural monitoring and environmental management.
- Archaeological and historic heritage values have been investigated. No recorded archaeological site is located within the development footprint, but the Site forms part of a wider ancestral landscape. Potential effects will be managed through cultural monitoring, accidental-discovery and kōiwi tangata protocols and the archaeological authority being progressed separately.
- Flooding and geotechnical hazards have been investigated through site-specific modelling and assessment. The proposed landform, stormwater system, engineered earthworks, monitoring and design controls will ensure that the Project does not create or exacerbate significant risks to people, property or the environment.

Section 7 – Other Matters

Particular regard has been given to the relevant section 7 matters:

- Kaitiakitanga has been recognised through mana whenua engagement, the CIA-informed design response and provision for ongoing Ngaati Maahanga involvement.
- The Site will be used efficiently by providing a compact and comprehensively planned urban extension adjoining Hamilton, with coordinated housing, local services, infrastructure, open space and transport connections.
- The finite characteristics of the soil resource have been assessed. Although mapped highly productive land is present, the site-specific assessment identifies substantial wetness,

drainage, fragmentation and economic constraints. The productive opportunity cost has been weighed against the Project's housing, infrastructure, economic, community and environmental benefits.

- Amenity values and the quality of the environment are addressed through the Urban Design Assessment, Landscape and Visual Assessment, Development Controls and Residential Design Guidelines. These provide for an integrated street network, varied housing, landscaped interfaces, public spaces and a graduated transition to adjoining rural land.
- The intrinsic values of ecosystems are recognised through the retention, restoration and creation of wetland, stream, riparian and terrestrial habitats and the proposed management of indigenous fauna.
- The effects of climate change have been taken into account through climate-adjusted flood modelling, stormwater attenuation, safe overland-flow paths, blue-green infrastructure and the long-term restoration of wetlands and riparian areas.

Section 8 of the RMA is expressly excluded from the clause 17 assessment. Treaty settlements, customary rights and relevant iwi interests are instead addressed through sections 7, 81, 84 and 85 of the FTAA, the applicable settlement legislation and the information requirements in Schedule 5.

Overall, the Project is considered consistent with the relevant provisions of Part 2 of the RMA.

Part 3 of the Resource Management Act 1991

Part 3 establishes duties and restrictions relating to land use, subdivision, the beds of rivers and lakes, water, discharges and unreasonable noise.

The Project requires approvals under sections 9, 11, 13, 14 and 15 of the RMA. Those approvals are identified in the rules assessments accompanying the application and are sought as part of the substantive application.

In particular:

- Land-use consents are sought for activities that do not comply with the applicable district-plan standards, including residential and commercial development, earthworks, infrastructure and associated activities.
- Subdivision consents are sought for the creation of residential and mixed-use allotments, superlots, reserves, infrastructure lots and roads to vest.
- Regional consents are sought for earthworks, stormwater discharges, the diversion and discharge of groundwater, and works involving watercourses, culverts and associated bed disturbance.
- The Project involves works affecting natural inland wetlands and watercourses. The relevant approvals are sought under the NES-F and the Waikato Regional Plan, and the effects are assessed in the EclA and supporting freshwater and hydrological assessments.
- The Detailed Site Investigation identifies localised soil contamination associated principally with the former cottage and stockyard areas. Restricted discretionary activity consent is sought under regulation 10 of the NES-CS for subdivision, change of use and

soil disturbance. The affected areas will be remediated and managed in accordance with the Remedial Action Plan and Contaminated Site Management Plan.

- Construction noise and vibration have been assessed and will be managed through the Construction Noise and Vibration Management Plan, good-practice construction methods, monitoring and communication with affected receivers. These measures will ensure that the duty to adopt the best practicable option to avoid unreasonable noise under section 16 is met.
- The wider suite of design measures, management plans and proposed conditions gives effect to the general duty in section 17 to avoid, remedy or mitigate adverse effects.

The Project is therefore consistent with the relevant duties and restrictions in Part 3, subject to the approvals and conditions sought through this application.

11.5.1 Part 6 of the Resource Management Act 1991

Part 6 contains the principal RMA provisions governing resource consent applications. Clause 17 of Schedule 5 applies those provisions subject to the modifications made by the FTAA, including the exclusion of section 104D.

Section 104

Section 104 requires consideration of:

- the actual and potential effects of allowing the activities;
- any measures proposed to offset or compensate for adverse effects;
- the relevant provisions of national environmental standards, national policy statements, the New Zealand Coastal Policy Statement, regional policy statements and regional and district plans; and
- any other matter considered relevant and reasonably necessary to determine the application.

The effects of the Project are assessed in this AEE and the supporting technical reports. The assessment addresses positive and adverse effects, proposed mitigation, ecological compensation, monitoring and the conditions required to secure the proposed outcomes.

The Project is generally consistent with the overall direction of the relevant statutory documents. In particular, it will contribute to housing supply and a well-functioning urban environment, provide coordinated infrastructure, manage natural-hazard and contaminated-land risks, improve transport connectivity and establish an integrated blue-green and ecological network.

There are aspects of the Project that are not directly anticipated by the existing planning framework. The Site remains rurally zoned, areas of highly productive land will be urbanised, and the wetland works have prohibited activity status under the NES-F because the Site does not presently meet the regulatory definition of an urban environment. Those matters have been expressly recognised and assessed rather than treated as compliance outcomes.

The wider statutory framework nevertheless identifies the western edge of Hamilton as suitable for managed urban expansion, and the Project has been designed as a comprehensively planned and infrastructure-supported extension to the existing urban environment. The effects management hierarchy has been applied to freshwater and biodiversity effects, and the proposed

restoration and compensation package is expected to produce net positive wetland and stream outcomes.

Under clause 17, these statutory provisions must be taken into account, but a provision that would ordinarily require decline must not be treated as requiring the Panel to decline the application. Section 104D also does not apply. The relevant policy tensions must therefore be considered alongside the Project's effects, mitigation and compensation, proposed conditions and significant regional benefits within the overall FTAA framework.

Section 105

Section 105 applies to the applications for discharge permits. It requires the Panel to have regard to the nature of the discharge and the sensitivity of the receiving environment, the Applicant's reasons for the proposed method of discharge and any possible alternative methods.

Construction-phase discharges will principally comprise sediment-laden stormwater from earthworks and associated construction areas. These will be managed through erosion and sediment controls, progressive stabilisation, monitoring and contingency measures.

Operational stormwater will be managed through an integrated treatment train incorporating on-lot retention and soakage, conveyance devices, sediment forebays, constructed wetlands, attenuation and controlled discharge. The proposed approach has been selected following consideration of the Site's topography, groundwater, receiving environments, ecological values and the need to manage both stormwater quality and quantity.

Direct, untreated discharge was not considered appropriate. The proposed system provides a practicable and integrated method that combines stormwater treatment and attenuation with wetland restoration, landscape, ecological and open-space functions. The requirements of section 105 have therefore been appropriately addressed.

Section 106

Section 106 enables subdivision consent to be refused or conditions imposed where there is a significant risk from natural hazards, where the subdivision could accelerate or worsen erosion, falling debris, subsidence, slippage or inundation, or where sufficient provision has not been made for legal and physical access.

Flooding, liquefaction, cyclic softening, settlement, compressible and expansive soils, groundwater and slope stability have been assessed. The investigations conclude that the Site can be developed subject to the proposed engineered earthworks, ground-improvement and foundation measures, stormwater design, monitoring and geotechnical oversight.

Each allotment will have legal and physical access through the proposed road and access network. There is therefore no basis under section 106 to refuse the subdivision consents, subject to the proposed conditions.

Section 107

Section 107 restricts the grant of certain discharge permits where, after reasonable mixing, the discharge is likely to result in specified conspicuous or objectionable effects or significant adverse effects on aquatic life.

The stormwater, ecological and erosion and sediment assessments conclude that the proposed discharges, subject to the treatment system and management measures, will not produce the

effects listed in section 107 after reasonable mixing. Conditions will require construction controls, treatment-device performance, monitoring and maintenance. Section 107 therefore does not prevent the grant of the discharge permits.

Overall, the assessment under Part 6 supports the grant of the resource consents subject to the proposed conditions.

Part 8 of the Resource Management Act 1991

Part 8 relates to designations and heritage orders. No designation or heritage order applies to the Site and no designation or heritage order is sought as part of the Project.

The limited road works within Hamilton City and the proposed connections to existing infrastructure are sought through land-use and subdivision approvals rather than a notice of requirement. Part 8 does not otherwise materially affect the approvals sought.

Part 9 of the Resource Management Act 1991

Part 9 addresses water conservation orders, freshwater farm plans and nitrogenous fertiliser. The Project does not seek to amend or revoke a water conservation order, does not involve an approval relating to a freshwater farm plan and does not involve the application of nitrogenous fertiliser of a type requiring assessment under Part 9.

Part 9 is therefore not directly engaged by the approvals sought.

Part 10 of the Resource Management Act 1991

Part 10 contains the RMA provisions relating to subdivision and reclamations. No reclamation is proposed, but the subdivision provisions are relevant.

The proposed subdivision conditions provide for:

- certification of survey plans under section 223;
- completion of subdivision works and issue of certificates under section 224(c);
- conditions imposed under section 220;
- consent notices under section 221 where ongoing obligations are required;
- vesting of roads, reserves and infrastructure allotments;
- creation of easements for infrastructure, access, drainage and other relevant purposes; and
- the staging and sequencing of subdivision in conjunction with the delivery of supporting infrastructure.

The proposed allotments, roads, reserves, easements and vesting arrangements are shown on the scheme and engineering plans. The subdivision can therefore be implemented consistently with Part 10.

Other Relevant Legislation

Clause 17(1)(c) requires the Panel to take into account the relevant provisions of other legislation that directs decision-making under the RMA.

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 is relevant because the Site is located within the Waikato River catchment and the Project will obtain water from the

Waikato River through Hamilton City Council's authorised network. That Act gives statutory effect to Te Ture Whaimana o Te Awa o Waikato and requires it to be reflected through the regional planning framework.

The Project has been assessed against Te Ture Whaimana and the relevant settlement provisions. Its integrated stormwater-management system, wetland and watercourse restoration, erosion and sediment controls, ecological enhancement and ongoing involvement of Ngaati Maahanga are consistent with the restoration and protection outcomes sought for the Waikato River and its catchment.

The Heritage New Zealand Pouhere Taonga Act 2014 is also relevant to the protection of archaeological values. An archaeological authority is being progressed separately and is not an approval sought through this substantive application. Archaeological effects are nevertheless addressed through the Archaeological Assessment, cultural monitoring and proposed discovery protocols.

Relevant regulations made under the RMA, including the NES-CS and NES-F, have been assessed separately in this AEE.

Conclusion

The Project is considered consistent with the purpose and relevant principles of the RMA and generally consistent with the overall direction of the applicable national, regional and district statutory documents.

There is some tension with provisions relating to urban development of rurally zoned land, highly productive land and the protection of natural inland wetlands. Those matters have been fully identified and assessed. The Project responds through its location adjoining Hamilton's existing urban boundary, its alignment with the regional strategic direction for urban expansion, the limited productive potential of the Site, comprehensive infrastructure provision and the application of the effects management hierarchy.

Under the FTAA, section 104D does not apply and provisions that would ordinarily require decline must not be treated as requiring decline. The identified policy tensions must therefore be weighed with the Project's residual effects, proposed conditions and significant regional benefits.

Having undertaken that assessment, the Project's adverse effects can be appropriately managed and are not sufficiently significant to be out of proportion to its benefits. The assessment required by clause 17(1)(b) and (c) of Schedule 5 therefore supports granting the resource consent approvals subject to the proposed conditions.

11.6 Decision on Whether to Grant the Approvals Sought in the Application

Resource Consent Approvals

As assessed above, none of the circumstances in which the Panel must decline an approval under section 85(1) or (2) of the FTAA applies to the Project.

The assessment under sections 81–85 and Schedule 5 supports granting the resource consent approvals subject to the proposed conditions. In particular, the Project will deliver significant regional benefits through:

- approximately 1,043 additional dwellings and increased housing choice;

- substantial construction investment, employment and ongoing economic activity;
- a neighbourhood centre and public open spaces;
- coordinated transport and three-waters infrastructure;
- improved connections between State Highway 23, Grandview Road and Hamilton's existing urban area; and
- extensive wetland, watercourse, riparian and terrestrial ecological restoration.

Under clause 17 of Schedule 5, the Panel must give the greatest weight to the purpose of the FTAA. Section 81(4) requires the Panel, when considering that purpose, to consider the extent of the Project's regional or national benefits. The scale, duration and certainty of the benefits identified above weigh strongly in favour of granting the approvals.

The Project's adverse effects have been identified through the technical assessments and addressed through the design, staging, effects management hierarchy, mitigation and compensation measures, management plans, monitoring and proposed conditions. The conditions will also ensure that the infrastructure required to support each stage is available or can be made adequate.

The Project is generally consistent with the overall direction of the applicable statutory documents. There is some tension with provisions concerning urban development of rurally zoned land, the protection of highly productive land and natural inland wetlands. Those matters have been expressly recognised and assessed. The Project responds through its location adjoining Hamilton's urban boundary, alignment with the regional direction for managed urban expansion, comprehensive infrastructure provision, the limited productive potential of the Site and the proposed freshwater and biodiversity restoration and compensation package.

Under the FTAA, section 104D of the RMA does not apply, and a provision that would ordinarily require decline may be taken into account but must not be treated as requiring decline. Section 85 also provides that the Panel cannot conclude that an adverse impact is sufficiently significant to be out of proportion to the Project's benefits solely because that impact is inconsistent with a planning or policy document.

Having regard to the Project as a whole, its residual adverse impacts are not sufficiently significant to be out of proportion to its regional benefits. The assessments under section 104 and the other applicable RMA provisions, considered within the FTAA framework, therefore support granting the resource consent approvals subject to the proposed conditions.

12 Proposed Conditions

This section is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 of the FTAA. The proposed conditions for the resource consent approvals are included in **Attachment 10**.

The conditions have been prepared to:

- define the authorised activities, plans and staging framework;
- implement the mitigation and compensation measures identified in the AEE and supporting technical assessments;

- prevent or reduce adverse effects during and following construction, in accordance with clause 6(1)(d) of Schedule 5;
- provide for the monitoring required under clause 6(1)(g), including reporting, review and adaptive-management responses where appropriate;
- secure the preparation, certification and implementation of the relevant construction, ecological, geotechnical, contaminated-land, cultural and infrastructure management plans;
- ensure that the infrastructure required to support each stage is available or can be made adequate before that stage proceeds; and
- provide for subdivision certification, road and reserve vesting, easements, consent notices and other implementation requirements.

Clause 18 of Schedule 5 applies the provisions of Parts 6, 9 and 10 of the RMA that are relevant to setting resource consent conditions. The proposed conditions have been drafted consistently with those provisions and the matters the Panel must consider under section 81 of the FTAA.

In accordance with section 83, the conditions are considered no more onerous than necessary to address the reasons for which they are imposed. They also provide for relevant Treaty settlement and cultural matters under section 84 and the adequacy and staged delivery of supporting infrastructure under section 84A.

Overall, the proposed conditions provide an appropriate, proportionate and enforceable framework for implementing the Project, managing its adverse effects and securing the mitigation, monitoring, infrastructure and environmental outcomes relied on in this application.

13 Conclusion

The proposal involves the development of a comprehensively planned residential subdivision, neighbourhood centre, open spaces, greenway and supporting infrastructure within the Brymer development.

Based on the above assessment and the information included in the Overview Report (Volume 1), it is considered that:

- Appropriate consultation and engagement has been undertaken with relevant stakeholders, including Waikato District Council, Hamilton City Council, Waikato Regional Council, mana whenua and the relevant administering agencies;
- Relevant Treaty settlements and planning documents recognised by iwi authorities and lodged with the relevant local authorities have been considered;
- The actual and potential effects of the proposal have been appropriately assessed and can be avoided, remedied, mitigated or otherwise managed through the proposed design, management measures and conditions of consent;
- The proposal is generally consistent with the relevant objectives and policies of the Waikato Regional Policy Statement, Waikato Regional Plan and applicable district plans;

- The proposal is generally consistent with the NPS-FM, NPS-UD, NPS-HPL, NPS-IB and NPS-NH, subject to the specific tensions and qualifications identified in this assessment;
- The proposal achieves the purpose of the FTAA by facilitating the delivery of a development project with significant regional benefits; and
- The proposal is consistent with the relevant provisions of Parts 2, 3, 6 and 8–10 of the RMA, as applied through the FTAA decision-making framework.

It is therefore concluded that the proposal satisfies the matters the Panel is required to assess and that the resource consent approvals can be granted under the FTAA, subject to the proposed conditions.