

IN THE MATTER of the Fast-track Approvals Act 2024 (“**FTAA**”)

AND

IN THE MATTER of an application for approvals by Vineway Limited to subdivide and develop 109 hectares of Future Urban Zone land into approximately 1,250 residential dwellings and associated features such as parks, including delivery of the State Highway 1 Grand Drive interchange and Wainui area connection - Project FTAA-2502-1015 – Delmore (“**Delmore Application**”)

MEMORANDUM OF STRATEGIC AND PLANNING MATTERS FOR AUCKLAND COUNCIL

Dated: 25 June 2025

SECTION A: INTRODUCTION

1. This Planning Memorandum sets out Auckland Council’s Strategic and Statutory Planning Assessments of the substantive application for the Delmore project (**Application**) lodged by Vineway Limited (**Applicant**) under the Fast-track Approvals Act 2024 (**FTAA**), and a summary of assessment outcomes and proportionality conclusions.
2. The **Section B** Strategic Planning Assessment has been prepared by Ms Claire Gray, Auckland Council Manager Growth and Spatial Strategy, Ms Rosie Stoney, Senior Advisor Growth and Spatial Strategy, and Mr Dave Paul, Auckland Council Senior Policy Planner.
3. The **Section C** Statutory Planning Assessment has been prepared by Mr Dylan Pope, Consultant Planner for Auckland Council.
4. The summary of assessment outcomes and proportionality conclusions in **Section D** have been prepared by Mr Pope with input from Ms Gray.
5. This Planning Memorandum should be read alongside the Legal Memorandum prepared by Brookfields Lawyers dated 25 June 2025, which addresses the legal framework for decision-making under the FTAA, including the statutory tests and considerations that apply to the Panel’s assessment. To avoid duplication, legal framework matters are not restated in this memorandum.
6. For process clarity, this assessment is based on the Application materials and updates

received from the Applicant by 12 June 2025, as agreed between the parties to enable Council family comments to be provided by the 25 June 2025 deadline. Additional material provided by the Applicant after 12 June 2025 has not been assessed, given the volume and complexity of material involved and the limited time available for specialist review.

SECTION B: STRATEGIC PLANNING ASSESSMENT

7. This section is in two parts:
 - a. **Section B.1** addresses the strategic planning matters, with a focus on the Future Development Strategy 2023-2053 (**FDS**), as set out in a previous memo prepared by Ms Gray and Rosie Stoney dated 23 May 2025; and
 - b. **Section B.2** addresses the higher-order policy assessment provided by Mr Paul in a previous memo dated 23 May 2025.

SECTION B.1 – STRATEGIC / FDS MATTERS

8. The discussion in **Section B.1** below follows an initial memo prepared by Ms Gray and Ms Stoney dated 23 May 2025 (**Annexure 4**) outlining:
 - The council, in its Future Development Strategy 2023-2053 (**FDS**), anticipates urbanisation of this area in the future. However, the council does not anticipate development of the Upper Orewa future urban area until 2050 and beyond.
 - The FDS identifies the infrastructure prerequisites needed to enable development in the Upper Orewa future urban area:
 - Wainui Road upgrade (NoR 10)
 - Milldale and Grand Drive connection (NoR 6)
 - North Shore Rapid Transit (extension to Milldale) (NoR 2)
 - Army Bay Wastewater Treatment Plant Upgrade.
 - Bringing the timing of the proposed development forward has wide ranging local and subregional implications, particularly in terms of infrastructure investment and costs.
9. Following further consideration of the strategic issues, we highlight the additional points below.

Consideration of strategic planning matters

10. Strategic planning matters, in this case the FDS, are a relevant consideration in fast-track application decision-making under clause 17 of Schedule 5 to the FTAA, which 'imports' the decision-making provisions of the Resource Management Act 1991 (**RMA**), including section 104 of the RMA. The FDS was prepared using the special consultative

procedure in section 83 of the Local Government Act, and is an important growth document required by the National Policy Statement on Urban Development (**NPS-UD**). It is a relevant planning document for the Panel to have regard to under section 104(1)(c) of the RMA. The Legal Memorandum from Brookfields Lawyers addresses the status of the FDS further.

11. Section 85(4) of the FTAA states that a panel may not decline an approval solely because it is inconsistent or contrary to provisions in an Act or other document. This does not prohibit consideration of relevant planning documents. Along with other matters, such as actual adverse effects, inconsistency with planning documents may contribute to a decision to decline.

Integration of land use and infrastructure planning and decision-making

12. The FDS sets out Auckland Council's vision for how the region will grow and change over the next 30 years, and the infrastructure needed. The FDS communicates key strategic outcomes to better integrate land use planning with infrastructure planning and funding decisions.
13. In addition to, and aligned with the FDS, the council's [Auckland Growth Scenario 2023](#) (AGS23v1.1) provides a more detailed spatial distribution of growth (households, population and employment). In AGS, regional growth is distributed across 594 MSM zones, over the 30 year period of the FDS.
14. Development of the future urban area is anticipated by the council. The application proposes to bring the timing of the dwelling delivery forward, however it is not additional to the dwelling delivery anticipated in the FDS and AGS.
15. The council, and its CCOs as infrastructure providers, use the strategic direction in the FDS, along with the more granular distribution in the AGS to inform long-term investment planning and decisions.
16. Large scale, complex bulk infrastructure projects require long lead times. This means following a long-term plan is essential for delivery. Shifting priorities impact negatively on infrastructure providers' ability to deliver. If priorities shift to unplanned and out of sequence development, there are opportunity costs, such as displacing planned investment (both capex and opex), for planned and sequenced infrastructure and service provision.

Impacts of the Delmore application on the council's planned infrastructure and service provision

17. Auckland Council, Auckland Transport and Watercare Services Limited have not planned to service the proposed Delmore development at this time. The council does not anticipate the Upper Orewa future urban area development until at least 2050. This timing reflects when the council and its CCOs expect the required bulk infrastructure to be in place.
18. There is inadequate existing bulk infrastructure to support the application and there is

no funding allocated within current planning horizons. The council's priority is to deliver planned and sequenced infrastructure and service provision. The council and its CCOs will not shift priorities to service the Delmore development as it will negatively impact already committed servicing in existing live zoned areas and sequenced growth.

19. Memos from Watercare, Auckland Transport, the council's Infrastructure Funding and Financing team and Chief Economist Unit explain the specific impact of the Delmore application on housing supply, planned infrastructure provision and funding and financing. Summaries of these memos, as they relate to strategic planning matters, are outlined below.

Watercare Services Limited memo dated 13 June 2025 (Annexure 7)

20. Watercare's planning to upgrade the water and wastewater network to service future areas is aligned with the timing and anticipated scale of growth set out in the FDS and AGS.
21. Watercare have assessed the capacity of the existing and planned networks and re-confirm the earliest connections could be provided would be as set out in the FDS (from 2050+). Watercare state that shifting priorities to accommodate the infrastructure requirements for the Delmore application would negatively impacting Watercare's ability to deliver planned investment in existing live zoned areas and sequenced growth.

Auckland Transport memo dated 23 June 2025 (Annexure 20)

22. Auckland Transport have planned the transport network according to the timing and anticipated scale of growth set out in the FDS and AGS.
23. Auckland Transport have assessed the impacts of development occurring ahead of supporting infrastructure and conclude it is likely to result in poor transport outcomes, including adverse impacts on the State Highway network. In particular, the proposed partial and misaligned delivery NoR 6 (an infrastructure prerequisite identified in the FDS) further undermines transport outcomes and creates potentially significant cost implications for Auckland Transport and Auckland Council.

Funding and financing memo dated 25 June 2025 (Annexure 1)

24. No funding is allocated within the current planning horizons as Auckland Council, Auckland Transport and Watercare have not planned for bulk infrastructure in the application area until at least 2050 onwards. Providing infrastructure for this development could displace planned investment in other areas of Auckland where funding is already in place.
25. Significant infrastructure funding and financing gaps exist for the Delmore application and no agreements are in place to confirm the scope of proposed infrastructure and ongoing opex.

Addendum to review of economic assessment dated 25 June 2025 (Annexure 2)

26. The addendum memo discusses the 'significance' of the proposed dwelling yield and

notes that in the context of other regional developments, the significance of this proposal may be more modest. The memo concludes that the proposed additional housing supply may come at the cost of other developments being deferred or increased financing requirements to fund the infrastructure.

27. A peer review has been undertaken by economist Dr Richard Meade (**Annexure 3**) who agrees with the Auckland Council economics assessment and concludes that the Application's assessed benefits have not been reliably established. Dr Meade identifies fundamental methodological flaws including failure to use an appropriate counterfactual (comparing benefits now versus later rather than now versus never), lack of proper cost-benefit analysis accounting for all relevant costs and displacement effects, and inadequate assessment of latent demand that relies on overly simplistic assumptions. He concludes that a comprehensive cost-benefit analysis would be required before any assessment of the significance of claimed benefits could be undertaken.

Commenting on the Panel's economic questions (Minute 3)

28. The Panel's questions in Minute 3 under the Economics heading include questions relevant to strategic planning matters. We have provided brief responses to relevant questions in the table located at **Annexure 34**.

Conclusions on strategic planning assessment

29. The council's FDS is a relevant consideration under clause 17 of Schedule 5 to the FTAA. The proposed Delmore development is inconsistent with the anticipated FDS timing for development of 2050 onwards. Bringing forward development in this area comes at the expense of the delivery of other developments and is not possible without displacing planned investment and infrastructure service provision in existing live zoned areas and sequenced areas.

SECTION B.2 – POLICY ASSESSMENT

30. As noted, **Section B.2** addresses the higher-order policy assessment provided by Mr Paul in a previous memo dated 23 May 2025. For context, brief reference is made first to the Applicant's assessment.

Applicant's Assessment

31. B&A have provided an assessment of the relevant planning frameworks including an assessment of objectives and policies of the AUP(OP). This assessment concludes that the proposal will not be inconsistent with the objectives and policies of the AUP(OP).
32. A "Structure Plan" comprising a site plan only has been included with the application. This provides a high-level plan identifying the location of two suburban parks on the site, together with the location of the NoR6, and two collector roads.
33. The Applicant's response to Council strategic planning matters (RFI Item 5) states that the Delmore application leap-frogs the need to rezone the land before it can be

residentially developed. The Applicant states that the application has essentially been prepared based on the same inputs that would go into a structure plan, noting that an updated Structure Plan document will be provided on 2 July 2025.

Council's Assessment

34. Council's Policy Planner, Dave Paul, has undertaken a review of the application and prepared a Policy Memo dated 23 May 2025 which focuses on the policy framework having specific regard to the National Policy Statement on Urban Development 2020 (**NPS-UD**), the Regional Policy Statement (**RPS**) and the Future Urban Zone (**FUZ**) (**Annexure 5**). This review identifies four key concerns with the proposal and concludes that the proposal is contrary to key objectives and policies of the RPS and the Future Urban Zone:

a. Development Ahead of Structure Planning and Plan Change Process

The Policy Memo identifies this as a key concern, noting that as the land is Future Urban Zoned, the application is effectively seeking rezoning by resource consent rather than following the required structure plan and plan change process mandated by the RPS and FUZ zone. The Applicant's "Structure Plan" consists only of a site plan without the supporting technical documents, analysis or discussion required by Auckland Unitary Plan guidelines. Council considers that a comprehensive structure plan should have encompassed all FUZ land south to the Orewa River to enable proper integration, and should have addressed critical issues such as the provision of centres to serve residents, particularly those in western areas of the site who would have poor accessibility to existing facilities. The proper structure plan and plan change process would also enable wider public consultation and likely address many technical issues raised by Council specialists regarding parks, traffic congestion, and connectivity to adjoining areas.

b. Regional Significance Concerns

The Policy Memo questions the Applicant's claims of "regional significance" based on delivering part of the NOR 6 road connection. Council notes that the Applicant is only providing approximately 850 meters of a 2.2km route, yet is inconsistent in describing the route and in some places gives the impression it is providing the whole route. The statements are misleading as the Applicant is not providing all of the road between Grand Drive and Wainui Road, and the leg to the south is not provided so it does not connect to Milldale as suggested. The memo concludes that these statements overstate the regional importance of the section of road being delivered, and Council queries whether delivering even the whole of NOR 6 would be regionally significant.

The concerns expressed in the Policy Memo in this regard are reflected in the comments subsequently provided by Auckland Transport (**Annexure 20**).

c. *Infrastructure Integration Concerns*

The Policy Memo notes that the application identifies two possible options for wastewater disposal, commenting that this should be determined definitively for a resource consent stage, and that there is therefore uncertainty about which option will be used which makes it difficult to determine if the proposal is consistent with various levels of policy regarding the integrated provision of infrastructure.

There is continuing concern that the proposal will not provide an integrated approach for the provision of infrastructure, particularly wastewater (and water supply), noting that the proposal is not able to connect to the Watercare wastewater and water supply networks (refer to Watercare's comments (**Annexure 7**)).

d. *Underlying Zoning Problems*

A further key concern highlighted in the Policy Memo is that granting resource consent for urban development while the underlying zoning remains Future Urban is problematic for ongoing development. Future activity will be subject the underlying zone rules and Auckland Wide rules that relate to the FUZ. The activities provided for in the FUZ are much more restrictive than for the residential zones that the resource consent seeks to apply. It was noted that the Applicant needs to address how this situation will operate and be managed.

Discussion of NPS-UD, RPS, FUZ and High Court precedent

35. By way of brief summary in relation to other matters addressed in the Policy Memo:

a. *NPS-UD*

The Policy Memo notes that while the application claims the proposal will result in a well-functioning urban environment as required by the NPS-UD, Council has reservations due to uncertainty about infrastructure integration (particularly wastewater), and inadequate provision of parks, centres, public transport access, and integration with adjoining future urban land.

b. *AUP – Regional Policy Statement*

The Policy Memo concludes the proposal is contrary to key RPS objectives and policies, particularly Policies 2.2.2(3) and 2.2.2(8) which require structure planning and plan change processes for Future Urban zoned land conversion. While the Applicant claims a "structure plan approach", Council considers this inadequate and not done comprehensively, with the proposal contradicting the established regional process for urban development conversion.

c. *AUP – Future Urban Zone*

The Policy Memo emphasises that the FUZ is a transitional zone requiring rural use until proper rezoning for urban purposes. The proposal is contrary to multiple FUZ

objectives and policies as it represents urban development before rezoning, fails to retain rural activities, and directly contradicts Policy H18.3(6) which uses the strong directive to "avoid" the type of activities being proposed.

d. *High Court Precedent*

The Policy Memo references *Auckland Council v Matvin*, where the High Court established that the FUZ is a holding zone for rural activities until rezoning, stating "there are no provisions specifically allowing urban development" and that "it is not a question of weighing up various objectives and policies for and against urban development."

36. It is important to emphasise that the above concerns extend beyond policy inconsistency / contrariness to substantive deficiencies in the Application itself, which stem directly from the absence of a comprehensive structure planning / plan change approach, including the infrastructure integration issues identified in Council's technical assessments.

Conclusion in Policy Memo

37. The Policy Memo concludes that the proposal is contrary to key objectives and policies of the RPS and the FUZ in that a comprehensive structure plan and plan change process has not been followed. The proposal will not provide an integrated approach for the provision of infrastructure, particularly wastewater (and water supply), noting that the proposal is not able to connect to the Watercare wastewater and water supply networks.

SECTION C: STATUTORY PLANNING ASSESSMENT

38. As noted, **Section C** has been prepared by Mr Pope.
39. The following Council Memos have been received which inform the overall Statutory Planning Assessment:
- Funding and Financing – Brigid Duffield / Ian Kloppers (**Annexure 1**)
 - Economics – James Stewart (**Annexure 2**)
 - Economics (Peer Review) – Dr Richard Meade (**Annexure 3**)
 - Strategic Planning – Claire Gray / Rosie Stoney (**Annexure 4**)
 - Planning Policy – Dave Paul (**Annexure 5**)
 - Healthy Waters – Hillary Johnston (**Annexure 6**)
 - Watercare (Wastewater Capacity and Water Supply Capacity) – Helen Shaw / Amber Taylor (**Annexure 7**)
 - Development Engineering – Flooding & OLFPs – Ray Smith (**Annexure 8**)
 - Wastewater – Dylan Walton (**Annexure 9**)
 - Air Discharge – Louis Boamponsem (**Annexure 10**)
 - Hazardous Substance – Louis Boamponsem (**Annexure 11**)
 - Regional Earthworks – Matt Byrne (**Annexure 12**)
 - Noise and Vibration – Bin Qui (**Annexure 13**)

- Contamination – Duffy Visser (**Annexure 14**)
- Geotechnical – Frank Zhou (**Annexure 15**)
- Groundwater and Dewatering – Hester Hoogenboezem (**Annexure 16**)
- Stormwater, ITA, SWWWITA – Martin Meyer (**Annexure 17**)
- Surface Water – Nick Hazard (**Annexure 18**)
- Transport (Auckland Council) – Philips Augustine (**Annexure 19**)
- Auckland Transport – Tessa Craig (AT) (**Annexure 20**), attaching reports by:
 - Craig Richards (Beca);¹ and
 - Paul Schischka (PTM Consultants)²
- Waste – Jennifer Jack (**Annexure 21**)
- Freshwater Ecology – Antoinette Bootsma (**Annexure 22**)
- Terrestrial Ecology – Rue Statham (**Annexure 23**)
- Arborist – Rhys Caldwell (**Annexure 24**)
- Parks – Cas Hannink (**Annexure 25**)
- Heritage – Mica Plowman (**Annexure 26**)
- Maori Heritage – Dr Alex Jorgensen (**Annexure 27**)
- Landscape – Helen Mellsop (**Annexure 28**)
- Urban Design – Mustafa Demiralp (**Annexure 29**)
- Environmental Monitoring – Sian Farrell (**Annexure 30**)
- NZ Transport Agency – Peter Mitchell (**Annexure 31**)
- Rodney Local Board comments – Michelle Carmichael and Louise Johnston (**Annexure 32**)
- Comments from Councillor Hills (**Annexure 33**).

40. Responses to the Panel's questions contained in Appendix 4 to Minute 3 are provided in tabular form in **Annexure 34**.

41. As noted earlier, also accompanying this Planning Memorandum, is a Legal Memorandum prepared by Brookfields Lawyers.

42. The economics review by Mr Stewart (and peer review by Dr Meade) and the funding and financing memo by Ms Duffield and Mr Kloppers are referred to in **Section B** above and **Section D** below.

43. The Rodney Local Board comments and comments from Councillor Hills are not discussed in this **Section C**.

Outstanding Material from Applicant, and Review Limitations

44. The Applicant had foreshadowed that additional documentation would be made available by the end of the week of 16 June 2025, that would include the following:

- Updated landscape plans, including response to canopy coverage and root depth.

¹ Beca's report focuses on integration with strategic transport infrastructure planned to enable development in this area through the Supporting Growth Alliance (SGA), specifically Notices of Requirement 6 and 10 (NoR 6 and NoR 10).

² PTM's report provides specialist road safety and traffic engineering comments.

- Memo relating to retaining wall changes;
 - Traffic memo relating to PC79 and JOALs;
 - Addendum to AEE;
 - NPSIB assessment;
 - Geotechnical memo;
 - Drawings of secondary park location;
 - Drawings showing pedestrian pathways;
 - Updated RFI tables where changes have been made;
 - Groundwater memo;
 - Terrestrial ecology memo, including a draft Fauna Management Plan;
 - Economics memo that responds to the Panel comments;
 - Memo which provides a response to each of the requests from Council relating to conditions;
 - Draft set of proposed conditions;
 - Response to EPA Panel comments;
 - Response to Rodney Local Board comments;
 - Response to AC Policy comments; and
 - Response to Strategic Planning comments.
45. As noted in **Section A**, due to the timing of this material's provision relative to the 25 June 2025 deadline for the Council combined comments, insufficient time has been available for thorough review and analysis of these documents. This memo is therefore based on the Application material as lodged, together with the further information received from the Applicant on 12 June 2025.
46. It is highlighted that the updated draft proposed conditions have not been reviewed or commented on by Council, and a review will be undertaken following receipt of the full updated draft consent set. Notwithstanding this, where relevant, comments on the proposed conditions as lodged have been provided within the Memos by each Council Specialist. These include identification of where proposed conditions are deficient, where additional consent conditions required, and changes are required to proposed conditions. In addition, the updated proposed consent conditions have included certification to be provided by Council within 20 working days of receipt of the information being provided and if this is not provided within 20 working days, then this is considered to be deemed certification. Council does not accept this wording. Furthermore, as addressed in the Legal Memorandum, such conditions are unlawful.
47. In addition to the above, the Applicant has advised that the following additional documents will be provided to the Panel on the 2 July 2025:
- JOAL lighting plans;
 - Amendments to JOAL plans;
 - Memos for wastewater to be taken off-site (inputs to be provided from civil, wastewater engineer, noise, and air quality);
 - Comprehensive response to Watercare's comments;
 - Inputs from hydrologist, including culvert design;
 - Wetland Offset Plan;

- Full retaining wall packages;
 - 3D renders from 2 viewpoints;
 - Structure plan; and
 - Full updated set of plans that will incorporate all responses.
48. To the extent that the process may allow for it (e.g. through the Panel's use of its section 67 power), a supplementary review of this late material is considered necessary following the 25 June 2025 deadline to ensure all relevant matters have been properly considered in the Council's assessment of the Application.

SECTION C.1 CONSTRUCTION EFFECTS

Earthwork (sediment and erosion)

Applicant's Assessment

49. McKenzie and Co (on behalf of the Applicant) has provided a description of the proposed erosion and sediment control measures for the bulk earthworks in the Earthworks Report with further details in the submitted Erosion and Sediment Control Plans (**ESCP**).
50. The Applicant has confirmed that an Adaptive Management Plan (**AMP**) is not proposed and has advised this is not considered necessary, with sedimentation effects being able to be mitigated and managed through the preparation and implementation of Final ESCPs, which are included in the suite of proposed consent conditions.

Council's Assessment

51. The adverse effects (sedimentation) associated with the earthworks have been reviewed by Council's Regional Earthworks Specialist (**Annexure 12**) who has confirmed that the indicative ESCP are generally appropriate and that the preparation of final ESCP for certification by Council is acceptable.
52. Given the extent and duration of the earthworks activity within the receiving environment containing wetlands and streams, Council's Regional Earthworks Specialist has advised that an AMP is fundamental and necessary, and that proposal would not be supported in its current form without an AMP. This has been included as a consent condition in their Memo.
53. The Council's Regional Earthworks Specialist has recommended a number of changes/ additional consent conditions which include but are not limited to:
- Details of Staging including for each stage of subdivision following bulk earthworks; and
 - Inclusion of Chemical Treatment Management Plan(s).
54. It is noted that a consent condition for a maximum duration of 10 years with a seasonal restriction for the earthworks has been recommended.

Conclusions on Sedimentation Effects

55. An AMP is considered necessary given the extent and duration of the earthworks activity within the receiving environment that contains wetlands, streams, that specific conditions are required to ensure that adverse sedimentation effects are appropriately mitigated and managed, noting that without an AMP there are significant earthworks (sedimentation) impacts that require a proportionality assessment. See **Section D** below.
56. Changes to consent conditions are considered necessary.

Geotechnical and Land Stability

Applicant's Assessment

57. A Geotechnical Investigation prepared by Riley has been lodged with the Application. This includes a range of recommendations including the earthworks, retaining wall and foundation design for dwellings. These recommendations form part of the Application.

Council's Assessment

58. Council's Geotechnical Specialist has reviewed the proposed earthworks in respect to the geotechnical matters including land stability. There is broad agreement with the assessments undertaken and conclusions reached.
59. There are some information gaps as they relate to retaining wall design and locations which are required to be reviewed upon receipt, to ensure the slope stability and geotechnical risks are adequately managed and controlled so these do not create adverse safety or operational issues.
60. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability-related effects are avoided and mitigated.

Conclusions on Geotechnical and Land Stability Effects

61. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability related effects are avoided and mitigated.
62. There are no significant Geotechnical and Land Stability impacts that require proportionality assessment.

Groundwater Effects

Applicant's Assessment

63. The Applicant is seeking consent to take groundwater for dewatering purposes during earthworks and in the long-term for ground dewatering after earthworks with associated

drainage at the subject site for the proposed Delmore Development.

Council's Assessment

64. Council's Groundwater Specialist has reviewed the Application (**Annexure 16**), and has confirmed subject to the proposed consent conditions, and additional recommended conditions that groundwater effects (groundwater drawdown, dewatering and diversion) can be appropriately managed/ mitigated to extent that adverse effects would be no more than minor (i.e. not significant).
65. It is highlighted that the effects of proposed dewatering and groundwater diversion have been identified as being potentially adverse on the identified wetlands. The Applicant's assessment have not assessed wetland losses due to groundwater diversion and dewatering, which Council's Groundwater Specialist considers to be a significant omission.

Conclusions on Groundwater Effects

66. There is broad agreement between the Applicant and Council in respect to groundwater-related effects, however further assessment of the effects of dewatering and groundwater diversion is required to be undertaken as part of the application on the identified wetland areas.
67. Additional consent conditions are recommended to ensure that adverse groundwater-related effects are mitigated.
68. There are no significant residual groundwater impacts that require a proportionality assessment (subject to the outcome of the further assessment identified above as required in relation to effects on wetland areas).

Surface Water Effects

Applicant's Assessment

69. No specific methodologies or effects assessment are provided in the AEE for the temporary surface water diversion activity.

Council's Assessment

70. Council's Surface Water Specialist (**Annexure 18**) has confirmed the proposed temporary diversions could be constructed so that they will not adversely affect upstream wetlands and water levels beyond what is proposed for the permanent culvert crossings. No specific methodologies or effects assessment are provided in the AEE for the temporary surface water diversion activity.
71. A Streamworks Management Plan is proposed as a condition by the Applicant where methodologies for the temporary diversions are to be detailed. Additional standards should form part of the conditions to guide the preparation of methodology for the

temporary surface water diversions in the Streamworks Management Plan.

72. To address this, additional consent conditions have been recommended by the Council specialist.

Conclusions on Surface Water Effects

73. A Streamworks Management Plan is proposed by the Applicant where methodologies for the temporary diversions are to be detailed. Additional standards should form part of the conditions to guide the preparation of methodology for the temporary surface water diversions in the Streamworks Management Plan. To address this, additional consent conditions have been recommended.
74. There are no significant residual surface water impacts that require a proportionality assessment.

Construction Noise and Vibration

Applicant's Assessment

75. SLR has undertaken an assessment of the construction noise and vibration effects in the Noise Assessment Report provided with the Application. The proposal will exceed the permitted construction noise standards (E25.6.27) for the properties located to the south at 19A Kowhai Road, 59 Russell Road, and 90 Upper Ōrewa Road.
76. The Noise Assessment Report has stated that construction vibration can be managed to comply with construction vibration limits and has recommended vibration monitoring and careful compaction methods at locations close to 59 Russell Road and 90 Upper Ōrewa Road.
77. The Applicant has proposed that construction noise and vibration effects will primarily be mitigated/ managed through the preparation and implementation of a Construction and Vibration Management Plan (CNVMP), together with the installation of acoustic barriers/ screens.

Council's Assessment

78. The construction noise and vibration effects including on neighbouring properties have been reviewed by Council's Acoustic Specialist (**Annexure 13**) who has confirmed these effects have been appropriately addressed by SLR, and they are in broad agreement with the mitigation measures proposed.

Conclusions on Construction Noise and Vibration

79. Adverse construction noise effects can be appropriately addressed through the implementation of the CNMVP, and installation of acoustic screens/ barriers.
80. Council's Acoustic Specialist has recommended some minor changes to the Applicant's

consent conditions.

81. There are no significant residual construction noise and vibration impacts that require proportionality assessment.

Contamination

Applicant's Assessment

82. Williamson Water and Land Advisory have undertaken a Preliminary Site Investigation to understand if the site/ land is subject to contamination. This has confirmed based on previous historic land uses that the site is not subject to any land contamination.

Council's Assessment

83. The contamination matters have been reviewed by Council's Contamination Specialist (**Annexure 14**) who agreed with the Preliminary Site Investigation prepared by Williamson Water and Land Advisory.
84. Council's Contamination Specialist has confirmed that the proposed land disturbance/ earthworks would be a permitted activity under both the AUP(OP) and National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS). Notwithstanding this, they have advised given the age/ construction period of the existing buildings on the site and potential for asbestos that a specific condition is required to ensure this demolition material containing asbestos is disposed of an appropriate landfill.

Conclusions on Contamination

85. The proposed land disturbance/ earthworks would be a permitted activity under both the AUP(OP) and National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS). Council's Contamination Specialist has recommended a specific consent conditions relating to asbestos removal and disposal.
86. There are no significant residual contamination impacts that require a proportionality assessment.

SECTION C.2 ARCHAEOLOGICAL HERITAGE AND MAORI VALUES

Applicant's Assessment

87. Clough and Associates have prepared an Archaeological Assessment. This has confirmed that there are two recorded archaeological features (shell middens) within the property. Both of the recorded middens are located outside of the project's primary earthworks extent.
88. To manage effects on recorded and unrecorded archaeological sites, an Archaeological

Management Plan has been included with the Application that outlines specific operational procedures and requirements.

89. To mitigate the risk of discovery of unrecorded subsurface archaeological within the project area, Clough and Associates advise that a general precautionary Archaeological Authority from Heritage New Zealand Pouhere Taonga (2014) be obtained prior to the commencement of earthworks.

Council's Assessment

90. The effects on Heritage values have been reviewed by Council's Heritage Specialist (**Annexure 26**) and Maori Heritage Specialist (**Annexure 27**) who are in agreement with the assessment undertaken by Clough and Associates.

Conclusions on Heritage Values

91. The proposed works areas including earthworks are located outside the two recorded archaeological features (shell middens) within the property. It is considered that adverse effects on heritage values included both recorded and unrecorded archaeological features can be appropriately managed through the implementation of the Archaeological Management Plan that has been lodged with the application.
92. No additional consent conditions or changes to conditions are necessary.
93. There are no significant residual impacts on archaeological heritage values that require proportionality assessment.

SECTION C.3 WASTEWATER TREATMENT PLANT (WWTP)

94. The Application anticipates the interim WWTP would only be required until the early 2030s. It is noted that Watercare have advised the WWTP would be required to be in place to 2050+ (**Annexure 7**).

Applicant's Assessment

95. An alternative wastewater solution for the site has been designed. This solution is to be used for either or both of Stages 1 or 2 if the proposal is not able to connect to the Watercare network. The on-site WWTP is described in the Wastewater Design Report prepared by Apex. The WWTP would be in place until such time Army Bay wastewater treatment plant has been upgraded. The Applicant proposes the WWTP would be in place on an "interim" basis only until the public bulk wastewater network has sufficient available capacity to service the development, after which the private WWTP would be decommissioned and the Site would connect to the public wastewater network.

Council's Assessment

96. The proposed WWTP has been designed to accommodate either Stage 1 or Stage 2, and this has been the basis for Council's assessment.

97. The WWTP has been reviewed by Council's Wastewater Engineer (**Annexure 9**), with concerns raised regarding the Reverse Osmosis (RO) Waste Stream and where this would be discharged, noting that no response from Apex has been provided in the Applicant's 12 June 2025 responses. If the RO Waste Stream was discharged on site, then this would likely require additional discharge consents that have not been applied for by the Applicant. This is a matter that is unresolved and is not able to be a consent condition noting the uncertainty of the adverse effects and outcomes.
98. Council's Wastewater Engineer has advised that final conditions are not able to be prepared until a Memo is provided upfront by the Applicant, confirming handling of reject water from the wastewater treatment plant. Notwithstanding this, they have recommended a suite of additional condition conditions relating to the WWTP including but not limited to the wastewater quality and irrigation fields.
99. As addressed further below in Section C.4, Watercare has advised that (**Annexure 7**):
- a. Public wastewater connections will not be available until 2050+ (not the early 2030s as proposed).
 - b. The complexity of connecting 1,250 individually owned dwellings to the public network some 25 years in the future, including vesting of private assets that have been operational outside of Watercare's control, means future connections may not be feasible and cannot be committed to now.
 - c. Any interim private servicing scheme relying on future connection to the public network is not supported given the complexity, unknown future costs, and risks.
 - d. The proposed condition 96 allowing off-site discharge of treated wastewater to the public wastewater network is not accepted, and Watercare does not support any tankering of wastewater to its network for treated wastewater that cannot be discharged on site (**Annexure 7**).
100. Council's Ecologist has reviewed the proposed irrigation field associated with the WWTP, and specifically where these are located with the covenanted bush areas on the site. They do not agree with the Applicant's assessments and responses, and have advised that insufficient assessment has been provided to demonstrate that adverse ecological effects including potential damage/ removal of bush associated with the covenanted areas have been mitigated or avoided.

Conclusions on WWTP Effects

101. There is outstanding information required from the Applicant in respect to the ecological effects and the Reverse Osmosis (RO) Waste Stream and where this would ultimately be discharged, noting that Watercare would not accept this being transported to the existing Army Bay wastewater treatment plant.
102. Watercare has recommended that if the Application is granted, it should include

conditions requiring a permanent private water supply and wastewater servicing solution, with current conditions relating to future public servicing connections removed.

103. As noted in **Section C.4** below in relation to wastewater, it is not yet clear whether there is viable long-term private wastewater solution. This requires further review and assessment, and is a potentially significant adverse impact requiring a proportionality assessment. See **Section D** below.

Hazardous Substance Effects

Applicant's Assessment

104. A Hazardous Substances Assessment report (**HSITA**) has been prepared by Williamson Water & Land Advisory which provides an assessment of effects on people, property and the environment arising from the use hazardous substances within the proposed WWTP. The HSITA includes a number of control and operational measures, including secondary containment, and a site-specific environmental management plan (to be conditioned). The HSITA concluded that with the implementation of the proposed measures that the release of hazardous substances will be unlikely.

Council's Assessment

105. The HSITA has been reviewed by Council's Hazardous Substances Specialist who is in broad agreement with the assessments undertaken and the conclusions reached. They have confirmed that the implementation of the proposed conditions will ensure hazardous substances will avoid or adequately mitigate any adverse effects, including risks to people, property and the environment.
106. The consent conditions as they relate to Hazard Substances are considered appropriate, noting that some minor changes are proposed to ensure the Wastewater Treatment Plan is certified by Council.

Conclusions on Hazardous Substance Effects

107. There is agreement between the Applicant and Council in respect to adverse effects of hazardous substances and the implementation of the proposed conditions will ensure that the use of hazardous substances can be managed to avoid or adequately mitigate any adverse effects, including risks to people, property and the environment.
108. There are no significant residual impacts as they relate to Hazardous Substances that require a proportionality assessment.

Air Discharge Effects

Applicant's Assessment

109. The Air Quality Report (**AQR**) prepared by Air Matters provides an assessment of the air discharge and resultant effects associated with the proposed WWTP. This includes an

assessment of likely discharge of odours and has assessed that adverse odour effects can be mitigated through the design the of the WWTP, preparation and implementation of the Air Quality Management Plan and Wastewater Treatment Plant Management Plan and the compliance with consent conditions.

Council's Assessment

110. The AQR has been reviewed by Council's Air Quality Specialist (**Annexure 10**) who is in broad agreement with the assessments undertaken and the conclusions reached. They have confirmed that air discharges are not likely to cause significant adverse effects at any location beyond the site boundaries
111. The consent conditions as they relate to air discharges are considered appropriate, noting that some minor changes are proposed to ensure the Wastewater Treatment Plan is certified by Council.

Conclusions on Air Quality Effects

112. There is agreement between the Applicant and Council in respect to air quality effects including odour related effects and the implementation of the proposed conditions will ensure air quality effects are avoided or appropriately mitigate.
113. There are no significant residual air quality impacts that require a proportionality assessment.

SECTION C.4 INFRASTRUCTURE EFFECTS

Water Supply Effects

Applicant's Assessment

114. The Application proposes to connect the site to the existing public water supply network in two phases utilising first the capacity of the Grand Drive watermain and then second via a network extension, utilising the capacity of the existing 250mm main at Wainui Road. However, Watercare notes that the Applicant has only considered the capacity of the local water supply network and not the bulk water supply network.

Council Assessment

115. The application has been reviewed by Watercare who have advised that connections to the public water supply network will not be available until 2038 at the earliest, dependent on completion of major bulk infrastructure projects including the North Harbour 2 (NH2) watermain (32 kilometres, anticipated completion 2034) and the Orewa 3 Watermain scheme (transmission watermain, reservoir and pump station, anticipated completion 2038 but dependent on NH2 completion). Watercare has noted there are risks associated with the NH2 delivery timeline that could extend beyond 2034, posing programme risk for the Orewa 3 Watermain.

116. The Applicant will need to demonstrate a permanent private water supply servicing solution will be available because Watercare is not able to confirm a future connection and acceptance of assets so far in advance. The application has not proposed any interim or a permanent private water supply servicing options for the proposal, and as such these have not been assessed by Council. Council understands that the Applicant will be providing a comprehensive response to the Watercare comments on the 2 July 2025, and a further review of this response will be required to be undertaken by Council including Watercare.
117. Watercare has advised that the existing bulk water supply network is limited in this area and does not have sufficient capacity to support growth in the existing live zoned areas in addition to the Delmore Project. If the site is connected to the public water supply network, Watercare have stated that this would have significant adverse effects and would reduce available capacity for servicing land within the already live zoned areas.
118. Constraints in the water supply network may lead to an inability to meet levels of service in peak demand, an inability to provide sufficient pressure and volumes of water for firefighting supply, or an inability to maintain network resilience during planned and unplanned events. These matters are considered potentially significant adverse effects. Watercare's position is that these potentially significant adverse effects may result in an inability to meet their statutory obligations and are therefore unacceptable.
119. In addition, the lots would not be serviced by water supply and therefore would be unable to obtain a s224(c) Certificate for the completion of subdivision.
120. Watercare has advised that even if the Application is granted, they may refuse water supply connections for the Delmore Project in accordance with their policies and under the Water Supply and Wastewater Bylaw 2015, including on grounds of insufficient network capacity. Proposed conditions by the Applicant relating to connections to the public water supply networks are not supported. The proposed conditions related to future connections to the public water supply network are required to be removed/deleted.

Conclusions on Water Supply Effects

121. The site cannot be connected to the public water supply network until 2038 at the earliest, with significant uncertainty around delivery timeframes for the required \$1.185 billion in bulk infrastructure upgrades (NH2 watermain \$785M and Orewa 3 Scheme \$400M). The site is not able to be connected to the public water supply network until 2038+. The Application has not proposed any interim or a permanent private water supply servicing options for the proposal, and as such these have not been assessed by Council.
122. The Application lacks a viable water supply solution, as:
- No private water supply option has been proposed or assessed
 - Public network connection is not available until 2038+ and cannot be guaranteed

- The development would compromise Watercare's ability to service existing live zoned areas
- Watercare may refuse connection even if the consent is granted.

123. There are significant residual water supply related impacts that require proportionality assessment. See **Section D** below.

Wastewater Effects

Applicant's Assessment

124. The Application proposes two wastewater solutions for the site:

- Option 1 is for the site to connect to the existing public wastewater network.
- Option 2 for the site has been designed and is to be consented as part of the Delmore Project. This solution is proposed to be used for either or both of Stage 1 or Stage 2 if connection to the Watercare network is not possible when construction of buildings is completed. The Application anticipates the interim WWTP would only be required until the early 2030s, after which the private WWTP would be decommissioned and the Site would connect to the public wastewater network.

Council Assessment

125. Watercare has confirmed that Option 1 (connection to the public wastewater network) is not supported and not feasible. The existing bulk wastewater network does not have sufficient capacity to support the existing live zoned areas and the Delmore Project. and connections would not be available until 2050+.

126. Watercare has identified the following bulk wastewater pre-requisites required before any capacity would be available for the Delmore Project:

- Army Bay WWTP Stage 1 Upgrade (anticipated completion 2031) - planned to support growth within existing live zoned areas and 2030+ to 2035+ FUAs only
- Army Bay WWTP Stage 2 Upgrade (anticipated delivery 2050+, currently unfunded, estimated \$163M)
- Orewa to Stanmore Wastewater Trunk Network Upgrade (anticipated completion 2033, funded \$65M).

127. Both Stage 1 and Stage 2 upgrades of Army Bay WWTP would be required before any capacity would be available for the Delmore Project.

128. Watercare has assessed the capacity of the existing and planned bulk infrastructure required to support the proposal ahead of the 2050+ timing in the Future Development Strategy and confirm that the earliest connections could be provided without precluding development of the existing live zoned areas and sequenced growth would be from 2050+.

129. Watercare does not support wastewater connections to the Future Urban Zone where providing those connections would jeopardise Watercare's ability to provide connections for development of existing live zoned land and sequenced growth. If connected to the Watercare networks, the Application would have adverse effects on Watercare's wastewater network and consequently the natural environment, including:
- Increased frequency and volume of untreated wastewater overflows into the natural environment
 - Controlled overflows at engineered overflow points or uncontrolled overflows at manholes or other locations
 - Potential system failures that may result in Watercare's inability to meet statutory obligations.
130. Watercare has advised that even if the Application is granted, they may refuse wastewater connections for the Delmore Project in accordance with their policies and under the Water Supply and Wastewater Bylaw 2015, including on grounds of insufficient network capacity. The proposed conditions by the Applicant related to future connections to the public wastewater network are required to be removed/ deleted.
131. In respect to Option 2, given that connections to the public wastewater network from this area will not be available until 2050+, the site will need to demonstrate a permanent private wastewater servicing solution.
132. Watercare does not support any tankering of wastewater, whether treated or untreated, for a range of reasons (see page 6 of Watercare's memo).
133. Watercare notes the inclusion of an option for off-site discharge of treated wastewater to the public wastewater network as a solution for treated wastewater that cannot be discharged on site (condition 96) is not accepted by Watercare.
134. Proposed conditions relating to connections to the public wastewater networks are not supported.

Conclusions on Wastewater Effects

135. The site is not able to be connected to the public wastewater network until 2050+. Watercare does not support wastewater connections to the Future Urban Zone where providing those connections would jeopardise Watercare's ability to provide connections for development of existing live zoned land and sequenced growth.
136. Based on the current assessment, it is not yet clear whether there is viable long-term private wastewater solution. This requires further review and assessment, and is a potentially significant adverse impact requiring a proportionality. See **Section D** below.

Stormwater Effects

Applicant's Assessment

137. A draft Stormwater Management Plan has been developed/ prepared in conjunction with Healthy Waters, noting this has not been approved/ accepted.
138. The Applicant has provided detention and retention to a minimum of SMAF-Flow1 levels as per recommendations made by Healthy Waters.

Council's Assessment

139. Council's Stormwater Specialist (**Annexure 17**) has undertaken a review of the proposal from a regional discharge stormwater perspective. This assessment sits alongside the stormwater assessments undertaken by Healthy Waters and Auckland Transport in addition to comments from the Development Engineer. The regional perspective is to specifically assess, mitigate and authorise discharges from private or jointly owned assets into the environment.
140. In respect to the Stormwater Discharge and Diversion, the proposed Stormwater Management Plan (SMP) has not yet been accepted by Healthy Waters. The discharge cannot be accepted under the Regional Network Discharge consent at this time due to the SMP status. However, Healthy Waters have worked with the Applicant to facilitate a network that in principle in future where the SMP is accepted/plan change go ahead, may be vested to Auckland Council. At this stage this vested network will become authorised by the NDC and no longer be under the private discharge consent.
141. Council's Stormwater Specialist has noted that there are particular uncertainties remaining for erosive effects, flooding impacts and overland flow path changes. Healthy Waters are currently undertaking assessment of the flood model, and a geomorphic assessment is required to further clarify risks of erosion.
142. Council's Stormwater Specialist has noted that the existing wetlands on the site may have a hydrological function and the proposal may adversely affect their hydrological function. Additional hydrological assessment and analysis is required to understand any associated adverse stormwater effects that may occur from the proposal.
143. Additional stormwater conditions have been recommended by Council's Stormwater Specialist to ensure that stormwater is appropriately mitigated and managed, including Operation and Maintenance Plans for stormwater management and treatment devices.
144. Healthy Waters has also reviewed the application (**Annexure 6**), and have assessed the stormwater effects from a wider catchment perspective. They have identified the following key assessment issues and findings:
 1. **Water quality management:** The development adopts a *Treatment Train* approach and includes direct discharge of treated stormwater to adjacent streams and a public stormwater network with flow splitters and communal bioretention

devices for water quality treatment and hydrology mitigation. However, specific areas (including JOAL 01, JOAL 016, and ROAD 01) do not appear to receive stormwater treatment, creating compliance concerns. Additionally, the implementation of roof tanks for non-potable reuse is described as "optional" in the Stormwater Management Plan, creating uncertainty about the overall stormwater management approach.

2. **Riparian margins:** The proposed riparian yards are considered insufficient due to the site's steep terrain and unstable soils. A minimum of 20m, ideally 30-50m, is recommended, determined through a Geomorphic Risk Assessment. The proposed use of multiple T-bar outlets may further compromise streambank stability. Healthy Waters notes particular concern given the site's East Coast Bays formation characteristics and references problems with the nearby Ara Hills development, which has experienced gully failure and stability failures of stormwater management devices despite relatively recent construction.
3. **Raingardens:** A number of communal raingardens are proposed, intended for vesting to Auckland Council. There are concerns with the current proposed design sizing, long-term maintenance, and the suitability of multiple small devices. Further design optimisation and clarification are needed before Engineering Plan Approval. Healthy Waters Operations Team have noted that maintenance access and sufficient sediment drying areas appear inadequate for some proposed devices, and no operation and maintenance plan has been provided.
4. **Land to vest:** Stormwater assets and associated land are proposed to be vested as "land in lieu of reserve - for drainage purposes". Healthy Water's preference is for any land intended to be vested as "land in lieu of reserve – for drainage purposes".
5. **Flood management:** The proposal does not include attenuation of the 1% AEP event. However, the Applicant's flood assessment concludes minimal risk with adequate floor levels and flow paths. HW has not yet been afforded sufficient time to review the flood model (provided only on 12 June 2025) to accurately verify and assess upstream and downstream effects, ensure the reliability of model outputs, and confirm Healthy Waters' support for the proposed stormwater management strategy.

145. Healthy Waters have advised that a Geomorphic Risk Assessment is essential and must be provided to assist in establishing effective riparian set-backs and assess the potential risks associated with the use of multiple T-bar outlets. Additional consent conditions are required to ensure that all raingardens are designed in accordance with GD01 requirements and will deliver the intended water quality mitigation, retention, and detention outcomes.

- Further discussion with the Applicant's Engineers, involving the HW Operations Team, is needed as the detailed design progresses to clarify preliminary design queries, optimise the design of the raingardens, as well as ensure sufficient maintenance access is provided. These matters must be agreed prior to lodgement of Engineering Plan Approval.
- Detail on the final extent of land and design of stormwater assets proposed to be vested must be agreed prior to lodgement of Engineering Plan Approval. Healthy Waters notes that granting of resource consent does not imply acceptance of proposed land or assets for vesting, which remains subject to detailed assessment

and may be declined.

Conclusions on Stormwater Effects

146. While Council's Stormwater Specialist is in broad in-principle agreement with the proposed stormwater management approach, significant technical uncertainties and unresolved issues remain that prevent full assessment and acceptance of the proposal at this time including uncertainties remaining for erosive effects, flooding impacts and overland flow path changes.
147. The Healthy Waters assessment identifies material concerns requiring resolution, including:
- Incomplete technical assessment due to insufficient review time for critical flood modelling information
 - Missing essential technical documentation, particularly the Geomorphic Risk Assessment requested in May 2025
 - Unresolved compliance gaps where specific development areas lack stormwater treatment
 - Concerns about long-term stream and device stability, informed by problems experienced at the nearby Ara Hills development.
148. The stormwater effects can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the stormwater management strategy is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters.

Natural Hazards (Flooding and Overland Flowpaths)

Applicant's Assessment

149. A Flood Assessment Report prepared by McKenzie & Co. This has included a Flooding Hazard Assessment.

Council's Assessment

150. The Flood Assessments and updated flood modelling have been reviewed by Council's Development Engineer (**Annexure 8**) from a Development Engineering perspective, in conjunction with Healthy Waters and Auckland Transport.
151. Council notes that NZTA has recently provided feedback (**Annexure 31**) and has recommended that an upgraded inlet is installed to the existing culvert situated under State Highway 1 to mitigate increased flows and blockage potential. This is supported by Council's Development Engineer, and specific consent conditions are required to capture this.

152. Council's Development Engineer has recommended additional consent conditions relating to lots/ dwellings that are subject to overland flowpaths.
153. Auckland Transport has raised concerns regarding a range of stormwater matters including there being no assessments of Overland Flowpath within the roads, assessment of culvert designs and the scope of the Flooding Assessment Report as it relates to roads. Further assessment of flooding matters has been provided under Transportation as they relate to roading.

Conclusions on Natural Hazards (Flooding and Overland Flowpaths) Effects

154. There are fundamental information gaps in the Applicant's assessment for the Council to be able to confirm if the proposal would satisfy s106 of the RMA as it relates to natural hazards.
155. The natural hazard effects relating to flooding and overland flowpaths can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the flooding and overland flowpaths is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters and Auckland Transport.

SECTION C.5 TRANSPORT EFFECTS

Applicant's Assessment

156. The proposal includes the construction of an Arterial Route (NoR6), together with 28 new local roads together with a series of new shared driveways/ JOALs, vehicle crossings. The Structure Plan prepared by B&A that has been lodged with the application has identified two indicative locations for Collector Roads.
157. An Integrated Transportation Assessment Report prepared by Commute has assessed the transport related effects in respect to the road network, public transport, safety, trip generation, modelling, parking, servicing, access and construction. This has stated the proposal provides good pedestrian, cyclist and potentially public transport connectivity; and the proposed road network integrates effectively with the existing network without producing adverse safety effects. Intersection modelling demonstrates that proposed roundabouts will be able to accommodate the anticipated generated trips. The internal road and JOAL layout, crossing locations, widths and gradients, and on-site parking and access are safe and appropriate.

Council's Assessment

158. The application including the Integrated Transportation Assessment Report and Applicant responses provided on 12 June 2025 have been reviewed by Auckland

Transport (**Annexure 20**). The application has also been reviewed by PTM Consultants and Beca in respect to road safety / traffic engineering and the NoR6 matters respectively.

159. The application has also been reviewed by Council's Traffic Engineer (**Annexure 19**), who has assessed other traffic matters as they relate to shared driveway/ JOAL's, vehicle crossings together with a broader review of the transport/ traffic matters. There are various overlaps between the reviews undertaken by Council's traffic specialists. Council's Traffic Engineer has confirmed that there are various outstanding information matters that were not provided in the 12 June 2025 Applicant responses. These include additional traffic related assessments (plus outstanding SIDRA data), lighting plans and design plans of the shared driveways. These matters remain outstanding and a full assessment of the broader traffic/ transport effects has not been able to be undertaken.
160. Auckland Transport have advised that the proposal will deliver only a portion of the NoR 6. This is not considered a regionally significant benefit as it would only serve the development site and provide no efficiency or wider arterial corridor benefits. Auckland Transport have stated that (paragraph 3, Auckland Transport comments (**Annexure 20**)):

The benefits contended by the Applicant could only be considered regionally beneficial if the entire NoR 6 Connection between Milldale and Grand Drive Ōrewa corridor were to be delivered. The arterial road cannot operate with its intended function (as an arterial corridor supporting urban growth and improving access) until it is fully constructed and does not have any regional benefit until it can operate as an arterial corridor. The Project is considered likely to result in adverse impacts related to cumulative effects, capacity, safety, public transport serviceability, active modes provision and stormwater hazards.

161. Auckland Transport and Beca have also raised that the proposed NoR 6 alignment deviates from the Supporting Growth Alliance (SGA) concept, potentially increasing construction costs (e.g. longer bridge spans, dual stream crossings) and creating additional cost liabilities for Auckland Transport.
162. In their assessment, PTM Consultants have advised that the proposal will result in a car dependent development. The proposal does not provide an appropriate road hierarchy with the one arterial road (NoR6) and 28 local roads. No collector roads are proposed, which are roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal. Auckland Transport have identified that the following connecting roads are required to accommodate buses together with related infrastructure (bus stops and bus shelters):

- Road 1
- Road 17 Upper Orewa Road to Road 14
- Road 14 from Road 17 to Road 05
- Road 05.

163. Auckland Transport has noted in respect to active transport modes that the active modes bridge over State Highway One is required to be constructed prior to occupation of the dwellings. Without this bridge connection, Auckland Transport and Beca have confirmed that the development will be effectively severed for active modes, meaning no safe or practical pedestrian or cycling connections to key destinations.
164. Auckland Transport has raised concerns regarding Upper Ōrewa Road which would need to accommodate traffic volumes expected on an urban road after Stage 2 of the development forms a connection. Auckland Transport has flagged that significant safety issues are likely to result with the likely additional traffic volumes and would need to be upgraded by the Applicant. Further details and assessment of this is required as part of the application.
165. Auckland Transport has also identified significant traffic safety effects at the Upper Ōrewa Road/ Russell Road intersection and the Upper Ōrewa Road/ Wainui Road intersection, together with potential safety effects with Jointly Owned Access Lot and local road access onto the arterial Road (NoR 6). The Jointly Owned Access Lot access onto NoR6 is not supported by Auckland Transport.
166. Beca has identified that some interim upgrades may be necessary to support safe access by all modes.
167. PTM Consultants have undertaken a safety audit/ traffic engineering review that has assessed vehicle tracking issues, sight distance assessment, visibility splays, gradients, speed calming, turning heads and Approach Sight Distance (ASD). In their assessment PTM Consultants have raised a number of concerns in regarding to the current road designs including interactions. A suite of additional consent conditions has been recommended which have been included in the Auckland Transport and PTM Memos.
168. Auckland Transport has confirmed that a Safe Systems Audit is required to be completed prior to the Engineering Approval stage; and that all frontages to existing roads including Upper Ōrewa Road, and Russell Road must be upgraded to an urban standard.
169. Auckland Transport has raised concerns regarding a range of stormwater matters including there being no assessments of Overland Flowpath within the roads, assessment of culvert designs and the scope of the Flooding Assessment Report as it relates to roads.
170. Auckland Transport also notes that the project is to gain access via a connection to be formed by an adjacent residential development (as per section 7.4.1.1 of the Applicants AEE). Given the reliance on delivery of this road by a third party, consideration should be had under section 106 of the RMA, as to whether sufficient provision will be made for legal and physical access to each allotment.
171. Notwithstanding that Auckland Transport do not support the proposal, and that the proposal will generate significant adverse effects, they have included in their Memo a number of additional consent conditions that would be necessary. Additional consent conditions have also been recommended by Council's Traffic Engineer, noting that

further additional conditions may be required pending review of the additional information that has/ will be provided post 12 June 2025.

Conclusions on Transport Effects

- 172. There are various outstanding information gaps as they relate to transport matters that have not been provided by the Applicant and have not been assessed by Council.
- 173. The proposal will result in significant adverse transport effects including safety risks, poor transport outcomes, car dependency, unplanned cost burdens, and inefficiencies at the SH1 interchange.
- 174. The formation of only part of NoR 6, combined with the proposed alignment deviation, not only undermines transport outcomes but also creates potentially significant cost implications for Auckland Transport and the Council.
- 175. There are significant residual transport impacts that require proportionality assessment. See **Section D** below.

Waste Management

Applicant's Assessment

- 176. The proposal waste management includes Council kerbside collection and the majority of JOALS/ shared driveways will be by private collection. All dwellings directly accessed from the proposed vested roads will use public collection. JOALS/ Shared Driveways will be a combination of public and private waste collection. Where public, residents will wheel their bins to the (public) road, and where private they will be placed within the JOAL.
- 177. The landscape plans prepared by Greenwood Associates include bin storage details.
- 178. The Applicant has confirmed that a Waste Management Plan for private collection will be provided and this has been included as conditions of consent 94 and 95.

Council's Assessment

- 179. The proposed waste management including both public and private collection has been reviewed by Council's Waste Solutions Specialist who has confirmed the proposal is acceptable.
- 180. It is noted that the longitudinal gradient of the turning heads for Roads 03, 08, 09, 16 and 21 have been identified as being too steep for rubbish trucks to turn safely. This has been addressed in the assessment undertaken by PTM with consent conditions recommended to address this.

Conclusions on Waste Management Effects

181. There is agreement between the Applicant and Council in respect to waste management and the consent conditions proposed are appropriate.
182. There are no significant residual waste management impacts that require a proportionality assessment.

SECTION C.6 ECOLOGY EFFECTS

183. This section includes:
- Freshwater Ecology (Streams and Wetlands)
 - Arboricultural
 - Terrestrial Ecology

Applicant's Assessment

184. An Ecological Impact Assessment prepared by Viridis has assessed the adverse effects on ecology values. This has included assessments of both freshwater (wetlands and streams) and terrestrial ecology.

Terrestrial Ecology

185. The Application includes a range of mitigation measures associated with terrestrial ecology including proposed protection and enhancement of the SEA-T and other NPS-IB priority restoration areas, riparian and natural inland wetland buffer planting, and the natural inland wetland recreation.
186. The Ecological Impact Assessment had stated the proposed revegetation planting would achieve a net gain in riparian and wetland vegetation and habitat and a net gain in vegetation associated with SEA-Ts.
187. At the time of lodgement, the Application has proffered a Fauna Management Plan as a condition of consent. It is understood that additional assessments/ identification of wetland areas and Site-Specific Fauna (birds, bats and lizards) and Flora assessments are currently being undertaken by the Applicant.

Freshwater Ecology

188. The Ecological Impact Assessment has included an assessment as they relate to stream works/ construction of culverts and wetlands including works within the wetland extent and modification/ loss of existing wetlands.
189. To mitigate the effects of the works within wetlands, the Applicant proposes that new wetlands are created at a 3:1 ratio.

Arboricultural

190. An Arboricultural Assessment prepared by Peers Brown Miller has assessed the adverse effects of tree removal and where trees that are proposed to be retained and are located within proximity to the proposed works.

Council's Assessment

Terrestrial Ecology Effects

191. The Terrestrial Ecology matters have been reviewed by Council's Ecologist (**Annexure 23**), who have raised concerns in respect to the adequacy of the ecological assessments provided in the application.
192. Council's Ecologist has identified a number of information gaps in the Applicant's assessment which are set out in detail their memo. This information has meant that a full and robust ecological review assessment has not been able to be undertaken. This information includes but is not limited to:
- Site Specific Fauna and Flora Surveys and Reporting/ assessment, without adequate survey and appropriate urban design, that responds to those values, there is the likelihood that this development may have significant adverse effects on fauna and flora, including Regionally and Nationally threatened species.
 - Assessments of covenant bush areas including wastewater irrigation fields.
 - Assessment of Significant Ecological Areas and whether existing terrestrial and freshwater habits should be included as Significant Ecological Areas (SEA).
 - Covenant/ habitat management.
 - Ecological Effects associated with the NoR alignment including ecological effects associated with existing covenant areas (including adjacent sites).
 - Restrictions on Domestic Pets.
193. Council's Ecologist does not agree with the Applicant's ecological assessment and has found that adverse terrestrial biodiversity effects have not been appropriately assessed, mitigated or avoided.
194. Council's Ecologist has reviewed the proposed irrigation field associated with the WWTP, and specifically where these are located with the protected covenant bush areas on the site. They do not agree with the Applicants assessments and responses, and have advised that insufficient assessment has been provided to demonstrate the extent of adverse ecological effects including potential damage/ removal of bush associated with the covenanted areas.
195. Concerns have been raised by Council Ecologist in respect to the ownership structure of private covenant areas. Council understands that the Applicant is currently reviewing the legal mechanisms for the future ownership and management of covenant areas, however the proposed conditions of consent have not been updated to reflect this.

196. Council's Ecologist has also noted that the proposed pedestrian connections within existing and proposed covenant areas would create potential maintenance issues and enforcement issues for Council.
197. Council's Ecologist concludes that, while the planting of freshwater and terrestrial habitats is beneficial for the site, the total of ~32ha of terrestrial and freshwater enhancement is not locally, regionally or nationally significant.
198. Notwithstanding that there are information gaps as it relates to terrestrial ecology, additional conditions have been recommended by Council's Ecologist to ensure that ecological effects are avoided, mitigated and managed, noting based on the Applicant's assessment that currently no net ecological loss is able to be confirmed.

Fresh Water Ecology

199. The freshwater/ aquatic ecology matters have been reviewed by Council's Freshwater Ecologist (**Annexure 22**) who has advised that there are significant gaps in the Applicant's assessment including how expected groundwater drawdown will affect wetlands. This means that consent triggers and management of effects cannot be fully assessed by Council. In addition, the Applicant has not adequately assessed how stream morphology will be protected from increased erosion pressure and that inadequate controls are likely to lead to local and downstream loss of stream value. These information gaps result in the extent and degree of adverse freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including wetland off-set are proportionate to the adverse effects.
200. Council's Freshwater Ecologist has identified a number of additional reasons for consent that not been applied for by the Applicant.
201. Notwithstanding that there are information gaps as it relates to freshwater ecology, additional conditions have been recommended by Council's Ecologist to ensure that ecological effects are avoided, mitigated and managed.

Arboricultural Effects

202. In respect to arboricultural related effects, the Arboricultural Assessment prepared by Peers Brown Miller and relevant application documentation has been reviewed by Council's Arborist (**Annexure 24**). They have advised that the removal/ loss of trees from the site including those protected trees which are located within close proximity to streams and are protected by a consent notice, can be appropriately mitigated from an arboricultural perspective through the implementation of the replacement planting (as proposed in the landscape plans), and through tree protection measures as proposed in the application, and set out a suite of conditions proposed by the Applicant.

Conclusions on Ecology

203. There are a number of information gaps in the application assessment which result in the adverse effects as they relate to terrestrial ecology and freshwater ecology not able

to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid ecological effects, and to confirm the proposal will provide a no net ecological loss.

204. The adverse ecological impacts are potentially significant and these require a proportionality assessment to be undertaken. See **Section D** below.

SECTION C.7 LANDSCAPE AND VISUAL EFFECTS

Applicant's Assessment

205. A Landscape Assessment prepared by Greenwood Associates has assessed the landscape and visual effects of the proposal. This has concluded that the landscape effects would be low (i.e. less than minor), and that visual effects on wider views would be very low to low-moderate; and on close proximity views would be low.
206. The landscape and visual effects has been summarised in the AEE prepared by B&A who have considered landscape character effects and visual amenity effects are less than minor and these have been appropriately mitigated.

Council's Assessment

207. The Application including a landscape assessment and landscape plans prepared by Greenwood and Associates have been reviewed by Council's Landscape Architect (**Annexure 28**). Council's Landscape Architect has identified the following adverse effects, noting as part of their assessment they have also assessed other broader landscape related matters, including connectivity within the site and to the surrounds:
- The visual and rural amenities of adjoining properties directly south of the proposal would be significantly compromised by the proposal, particularly during the construction period.
 - The proposal would result in moderate-high (more than minor) adverse effects on landscape character and values during construction, and moderate (more than minor) adverse effects on completion (scheduled timeframe for completion 10+ years), reducing to low-moderate (minor) over time as street tree and revegetation planting matures.
 - The proposal has poor connectivity (vehicular and pedestrian/cyclist) both within the site and with surrounding rural and urban areas. While pedestrian connectivity has been improved with additional connections proposed, further additional pedestrian connections are recommended.
208. The updated documentation provided by the Applicant on 12 June 2025 has not included the requested retaining wall details, and specifically the retaining wall/ design at public interfaces. This information is outstanding and an assessment of these matters has not been fully undertaken by Council, including in relation to the landscape assessment.
209. Council considers that further changes/ updates to the proposed consent conditions are

required to mitigate adverse landscape effects. These include updates to the landscape plans, future owner structure of landscape areas including revegetation areas, existing bush, walkways.

210. Council understands that the Applicant is currently reviewing the legal mechanisms for the future ownership and management of protected bush/ revegetation areas, however the proposed conditions of consent have not been updated to reflect this.

Conclusions on Landscape and Visual Effects

211. The visual and rural amenities of adjoining properties directly south of the proposal would be significantly compromised by the proposal, particularly during the construction period. The proposal would result in moderate-high (more than minor) adverse effects on landscape character and values during construction and moderate (more than minor) adverse effects on completion (scheduled timeframe for completion 10+ years), reducing to low-moderate (minor) over time as street tree and revegetation planting matures. The proposal has poor connectivity (vehicular and pedestrian/cyclist) both within the site and with surrounding rural and urban areas.
212. The adverse impacts related to landscape and visual effects are not considered significant. However, the adverse impacts of connectivity are significant and these require a proportionality assessment to be undertaken. See **Section D** below.

SECTION C.8 URBAN FORM AND NEIGHBOURHOOD CHARACTER

Applicant's Assessment

213. An urban design assessment prepared by Barker & Associates sets out the design response and assessment against key urban design principles. The Applicant's assessment states that the proposal will provide for a high-quality urban environment, with a good level of amenity and positive urban design outcomes. Whilst the proposal is on Future Urban Zone land the Applicant's design approach has sought to apply the standards/ outcomes for the Residential: Mixed Housing Suburban zone.
214. A "Structure Plan" comprising a site plan only has been included with the application. This provides a high-level plan identifying the location of two suburban parks on the site, together with the location of the NoR6, and two collector roads.
215. It is noted following lodgement that the Application has been updated to address/ respond to a number of urban design related concerns raised by Council. Of note these updates include an additional neighbourhood park within Stage 1, and a new commercial / neighbourhood centre within Stage 2. The Applicant's 12 June 2025 response included an Accessibility / Connectivity Analysis that provides further details on the accessibility and connectivity to social infrastructure including the neighbourhood parks and neighbourhood centres both within the site and wider surrounding environment.

Council's Assessment

216. The Application including the Urban Design Assessment has been reviewed by Council's Urban Designer (**Annexure 29**). Council's Urban Designer considers the proposal of the scale proposed for a new development on Future Urban Zone land has not been appropriately developed through a private plan change process, which is the appropriate mechanism for coordinating land use, infrastructure, and open space outcomes, and which informs urban form and infrastructure coordination.
217. By not undertaking a private plan change process this limits the opportunity to strategically test and coordinate key urban design outcomes such as block layout, density distribution, open space hierarchy, and infrastructure integration. These are important considerations to ensure the development supports a coherent and enduring urban form over time.
218. Council's Urban Designer has raised concerns regarding the proposed fragmented street network with limited connection options. The current design is fragmented, with a high number of cul-de-sacs that reinforce a car-dominated movement network. These align with concerns raised by Auckland Transport in respect to the road hierarchy and the development being car dependent. Whilst the "Structure Plan" identifies two collector roads, these have not been included in the proposal.
219. Council's Urban Designer has raised concerns regarding the topographical challenges, the extent of tall retaining walls and elevated lots that limit street-level interaction. Additional information from the Applicant relating to retaining walls remains outstanding including design of retaining walls at the street frontages and at other public interfaces.
220. In addition, concerns have been raised in respect to the design of the proposed shared driveways/ JOAL's including the width and absence of pedestrian pathways.
221. Council does not consider that the proposal in this location contributes to a well-functioning urban environment:
- The proposal is for 1250 residential dwellings with no/ limited social infrastructure. i.e. residential only.
 - The site provides only limited commercial or community spaces (now proposed as part of the 12 June 2025 responses) and relies on other commercial uses outside the site.
 - The road hierarchy provides only limited opportunities for public transport, i.e. no collector roads proposed.
 - The proposal is private car dominated which is unlikely to support reduction in greenhouse gas emissions.

Conclusions on Urban Form and Neighbourhood Character Effects

222. The proposal for a new development on Future Urban Zone land has not been developed through a private plan change process, which is the appropriate mechanism

for coordinating land use, infrastructure, and open space outcomes, and which will inform urban form and infrastructure coordination. the proposed fragmented street network with limited connection options. The current design is fragmented, with a high number of cul-de-sacs that reinforce a car-dominated movement network. These align with concerns raised by Auckland Transport in respect to the road hierarchy and the development being overly car dependent. Council does not consider that the proposal in this location contributes to a well-functioning urban environment.

223. The adverse impacts related to urban form and neighbourhood character, particularly as they relate to the land not being developed through a private plan change process, and the fragmented urban form results in a car dependent development which are significant and these require a proportionality assessment to be undertaken. See **Section D** below.

SECTION C.9 PARKS AND RESERVES

Applicant's Assessment

224. At the time of lodgement the Applicant had proposed one Neighbourhood Park (circa 3,200m² area) located within the Stage 2 area.
225. In the Applicant's response dated 12 June 2025, an additional Neighbourhood Park (circa 2,500m²) is proposed in the Stage 1.
226. It is noted that the Applicant has advised that key metrics and cross sections for each Park would be provided on 19 June 2025, however these have not been reviewed by Council's Parks Specialist to inform their assessment.
227. In respect to other reserves including those associated with drainage, it is understood the scheme plans are proposed to be updated which will include details of vesting of land. These have not been received or reviewed by Council.

Council's Assessment

228. Council's Parks Planning Specialist has identified the following four fundamental/significant matters which are described in the further detail in their memo:
- No/inadequate metric confirmations for neighbourhood park locations.
 - Unclear interfaces and boundary treatments.
 - Encumbered street tree locations.
 - Disconnected open space network and fragmented route legibility.
229. Council's Parks Planning Specialist has advised that the design of the Neighbourhood Park in Stage 2 has limited utility, noting the steep topography of part of the park land. In respect to the (new) Stage 1 Neighbourhood Park, the area does not meet open space provisions (3,000m² minimum); and limited details have been provided in the application and Applicant responses in terms of the key metrics. The site-specific measures need to be met while accommodating a high level of useability for the land. If these key metrics

are not met, it would be considered to have adverse effects on the wider and regional open space provision and future communities open space needs.

230. It is understood the scheme plans are proposed to be updated which will include details of vesting of land. These have not been received or reviewed by Council.
231. Details of the updated retaining walls and fencing at the site interfaces has not been included in the Applicant's 12 June 2025 response including details of interfaces with reserve land.
232. The location of proposed street trees conflicts with the location of infrastructure within the street berms, noting the overall landscape strategy places significant weight on the success of street trees. It is considered that the location of street trees and infrastructure can be addressed at by consent conditions and through detail design at the Engineering Approval Stage.
233. There are information gaps in the Application as they relate to connectivity within the site, including between the proposed parks and the roads.

Conclusions on Parks Effects

234. The adverse impacts related to parks, particularly the absence of adequate neighbourhood park provision details and metrics are significant and these require a proportionality assessment to be undertaken. See **Section D** below.

SECTION D: SUMMARY OF ASSESSMENT OUTCOMES AND PROPORTIONALITY CONCLUSIONS

Overview

235. This concluding section provides a brief joint overview of the outcome of the overall Council assessment of the application, based on an objective assessment of the application material as at 25 June 2025.
236. The section is structured as follows:
- **Section 85 adverse impacts / proportionality assessment:** Analysis under section 85(3) of the Fast Track Approvals Act, examining whether adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.
 - **Key information gaps:** Identification of residual information deficiencies and their implications for decision-making by the Panel.
 - **Key findings:** Again, as at the date of providing these comments (25 June 2025), with our joint recommendation to the Panel.

Section 85 adverse impacts / proportionality assessment

237. Under section 85(3) of the FTAA, the Panel **may** decline an approval where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.

238. This assessment requires consideration of:

- The nature and significance of adverse impacts identified through the section 81(2) process;
- The project's regional or national benefits as assessed under section 81(4);
- Whether proposed conditions or Applicant modifications could adequately address adverse impacts;
- Whether the proportionality threshold is met even after accounting for mitigation measures, compensation etc.

239. For the avoidance of doubt, the Council's assessment has not identified any reasons why the application **must** be declined in terms of section 85(1) of the FTAA.

Headline issues identified

240. Based on the detailed analysis in **Sections B and C** above, the following adverse impacts have been identified, individually and collectively, as potentially meeting the section 85(3) threshold:

- **Issue 1: No / inadequate proposal for water supply servicing** - The absence of a clear proposal for water supply servicing is a key infrastructure deficit, creating significant uncertainty as to the feasibility of development, and concerns (if consent is granted) as potential public health risks for the future community.
- **Issue 2: Viability of Wastewater Servicing** - Watercare has assessed the capacity of the existing and planned bulk infrastructure required to support the proposal ahead of the 2050+ timing in the Future Development Strategy and confirm that the earliest connections could be provided without precluding development of the existing live zoned areas and sequenced growth would be from 2050+. It is not yet clear whether there is viable long-term private wastewater solution, which (if there is no such solution) is a potentially significant adverse impact.
- **Issue 3: Design and metrics of the Neighbourhood Parks** - The design of the Neighbourhood Park in Stage 2 has limited utility noting the steep topography of part of the park land. In respect to the Stage 1 Neighbourhood Park, the area does not meet open space provisions (3,000m² minimum); and limited details have been provided in the application and Applicant responses in terms of the key metrics. The site-specific measures need to be met while accommodating a high level of

useability for the land. If these key metrics are not met, it would be considered to have adverse effects on the wider and regional open space provision and future communities open space needs.

- **Issue 4: Delivery and alignment of NoR 6** - The proposal will deliver only a portion of the NoR 6. This is not considered a regionally significant benefit as it would only serve the development site and would provide no efficiency or wider arterial corridor benefits. The benefits contended by the Applicant could only be considered regionally beneficial if the entire NoR 6 Connection between Milldale and Grand Drive Ōrewa corridor were to be delivered. The arterial road cannot operate with its intended function (as an arterial corridor supporting urban growth and improving access) until it is fully constructed and does not have any regional benefit until it can operate as an arterial corridor. The formation of only part of NoR 6, combined with the proposed alignment deviation, not only undermines transport outcomes but also creates potentially significant cost implications for Auckland Transport and the Council.
- **Issue 5: Inadequate provision of collector roads, and general road Hierarchy, and potential need for further interim upgrades to address transport effects** - The proposal does not provide an appropriate road hierarchy with the one arterial road (NoR6) and 28 local roads. No collector roads are proposed, which are roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal. The proposal has poor connectivity (vehicular and pedestrian/cyclist) both within the site and with surrounding rural and urban areas. The contributes to poor connectivity, car dependency and lack of public transport opportunities which are considered to be significant. Beca has identified the potential need for further interim upgrades to the road network to provide safe and efficient access for the development, i.e. road widening, footpath/cycle paths, intersection upgrades etc.
- **Issue 6: High car dependency and fragmented urban form** - The proposed site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development. The current design is fragmented, with a high number of cul-de-sacs that reinforce a car-dominated movement network. These issues create poor urban design outcomes which are considered to be significant. The proposal does not contribute to a well-functioning urban environment.
- **Issue 7: Potential Ecological Effects** - There are a number of key information gaps in the application including but not limited to lack of stream assessments, insufficient site-specific surveys and limited justification for the proposed 3:1 offsetting. These information gaps may result in adverse effects as they relate to terrestrial ecology and freshwater ecology and are not able to be fully assessed; and consideration given to whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects.
- **Issue 8: Sedimentation Effects** - An Adaptive Management Plan is considered necessary given the extent and duration of the earthworks activity within the

receiving environment that contains wetlands, streams. Specific AMP conditions are required to ensure that adverse sedimentation effects are appropriately mitigated and managed, but not supported by the Applicant.

- **Issue 9: Adequacy of Structure Plan** - The absence of a properly prepared Structure Plan creates a potential ad-hoc / piece-meal approach to future development of the wider area and integration with other land including Ara Hills, poor quality outcomes and a non-integrated approach for the delivery/ coordination of infrastructure, and roading which are considered to be significant.
- **Issue 10: Impact on planned investment and infrastructure provision** - Bringing forward the timing of the proposed development comes at the expense of the delivery of other developments and is not possible without displacing planned investment and infrastructure service provision in existing live zoned areas and sequenced areas. There are significant infrastructure funding and financing gaps for the application and no agreements are in place to confirm the scope of proposed infrastructure and ongoing opex.
- **Issue 11: Uncertainty of infrastructure delivery and servicing** – The absence of resolved water supply, wastewater and transport infrastructure delivery and servicing creates significant uncertainty and risk that, if the application is approved, interim solutions may be required. The Application does not adequately address these concerns, and there is insufficient certainty that Council will not bear (or be placed under pressure to bear) the short, medium or long term operational and capital costs, which Council is not in a position to absorb. Also see Issues 1, 2, 4 and 5 above.

241. Having identified the above headline issues, it is important that we signal that there is the potential for other material issues to arise as a result of further assessment. For example, see the comments in **Section C** above concerning potential groundwater impacts on wetlands.

Project benefits summary

242. The Applicant contends that the project will deliver regional benefits through housing supply (approximately 1,250 dwellings), partial delivery of roading infrastructure (namely part of the NoR 6 corridor), ecological enhancement, and associated economic activity.

243. However, the Council's assessment – informed by expert reviews in economics, transport, and ecology – is that these alleged regional benefits are overstated, should be treated with caution, and do not appear to meet the threshold of regional benefits under the FTAA.

244. No national benefits have been claimed by the Applicant.

245. The assessment of claimed regional benefits has been considered holistically across all adverse impact assessments, and informs the tabular proportionality assessment below.

246. This assessment draws on:

- The Applicant's Assessment of Environmental Effects and supporting technical reports, including the Applicant's economic assessment;
- Auckland Transport's comments on the claimed transport-related benefits of the partial construction of NoR 6 (**Annexure 20**);
- The Council's ecological review by Mr Statham (**Annexure 23**);
- The Council's economics review by Mr Stewart (**Annexure 2**);
- The economics peer review by Dr Meade (**Annexure 3**).

247. In summary, our assessment is that:

- a. The scale of housing supply proposed is modest relative to regional demand and does not clearly meet a regionally significant threshold. As Mr Stewart notes (at page 7 of his 25 June addendum) the development would contribute around 1.4% of annual regional dwelling growth over a seven-year timeframe, or 1.1% on a nine-year timeframe, which is small compared to other developments such as Hobsonville Point and Milldale. Mr Stewart notes that any economic assessment of the Application must assess the Application's benefits relative to those arising under an appropriate counterfactual. Dr Meade agrees with Mr Stewart, noting (at para 3.1) that *"any benefits of the Application must be assessed relative to a suitable counterfactual, which in this case involves the Delmore development likely occurring later rather than not at all if the Application is not approved."*
- b. The claimed economic benefits are not supported by a robust net-benefit analysis. As Mr Stewart concludes (page 7), the Applicant's assessment has not provided a robust assessment which answers the question of net benefit or net cost. Dr Meade concurs, noting (at para 3.3) that a *"full cost-benefit analysis (CBA) of the Application's benefits is warranted and feasible"*. He concludes (at para 4) that *"the Application's assessed benefits have not been reliably established."*
- c. Mr Stewart contends that the benefits have also been overstated as they relate to delivery of housing on greenfield land and affordability, and the Applicant's assessments have not considered the likely trade-offs of greenfield locations which are located further from the city centre (employment) and other amenities with higher associated transport costs. More generally, and as discussed previously, the proposal has a reliance private cars which results in a level of car dependency with associated transport costs and adverse CO2 gas emissions. Dr Meade agrees with Mr Stewart, noting (at para 29) also that *"home-buyers or renters must trade off a range of costs and benefits when choosing between greenfield and infill housing - the cost of buying or renting a house is an important factor, but must be weighed against many others when assessing overall affordability."*

- d. The Applicant's Economic Report has stated that the proposal will provide for regionally significant economic benefits through the creation of approximately 2,290 full-time equivalent jobs in the construction sector and the contribution of approximately \$304.2 million to the construction sector's GDP. Mr Stewart does not agree with the Applicant's adopted methodology in terms of these contributions and has advised (at page 3 of his initial report) that: *"The methodology (input-output analysis) employed in calculating these numbers does not acknowledge the costs involved and assumes significant latent capacity in the economy that would otherwise not be employed e.g., the employees are assumed to be idle without the proposed development. In economic terms these numbers are meaningless without the context of these costs."* Dr Meade agrees (para 27) *"that these are limitations of the approach Mr Thompson has used, which can serve to overstate assessed benefits."*
- e. The partial provision of NoR 6 is not considered a regional benefit for several reasons:
 - o The arterial road cannot function as intended until it is fully constructed – As Ms Craig says at paragraph 3 of AT's 23 June comments, *"[t]he arterial road cannot operate with its intended function (as an arterial corridor supporting urban growth and improving access) until it is fully constructed and does not have any regional benefit until it can operate as an arterial corridor"*.
 - o The partial road would only serve the development site itself rather than providing any broader network connectivity and efficiency benefits.
 - o The proposed alignment deviates from the Supporting Growth Alliance concept design, potentially requiring more expensive dual stream crossings and steeper gradients, while also shifting outside the Applicant's land ownership, which would force Auckland Transport to bear additional land acquisition costs.
 - o Without the complete connection to Upper Ōrewa Road and the wider arterial network, the partial NoR 6 fails to deliver the regional transport benefits relied upon to support the application, essentially creating a local access road rather than the envisaged strategic transport corridor.
- f. The AEE and Ecological Impact Assessment have stated that the proposal will make a regionally significant contribution to addressing Auckland's significant environmental issue of indigenous biodiversity loss and degradation. As discussed/ assessed previously in Section C of this Memo, there are various information gaps in the Applicant's ecological assessments to accurately and robustly quantify the adverse ecological effects, and whether the proposed ecological benefits (protection, restoration and enhancement) would sufficiently outweigh the adverse ecological impacts of the proposal. Council's Terrestrial Ecologist concludes that, while the planting of freshwater and terrestrial habitats is beneficial for the site, the total of ~32ha of terrestrial and freshwater enhancement is not locally, regionally or nationally significant (**Annexure 23**).

248. Having noted the above matters, even if the Panel were to accept the Applicant's assessment of regional benefits, the Council's assessment is that there remain a number of adverse impacts that are sufficiently significant to be out of proportion to those benefits.

Assessment

249. A detailed assessment is provided below in tabular form.

Adverse impacts	Section 85 assessment
<p>1. No / inadequate proposal for water supply servicing</p>	<p>Significance Assessment: As noted in Watercare memo (Annexure 7), the absence of a clear proposal for water supply servicing is a key infrastructure deficit, creating significant uncertainty as to the feasibility of development, and concerns (if consent is granted) as potential public health risks for the future community.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: Network upgrade costs are prohibitive with no public funding programmed until much later. A condition precedent preventing development until water servicing is available would essentially frustrate the consent, making it unviable. Alternative measures (roof collection/tankered water) are not appropriate or sustainable options for large-scale new urban development. Proposed staged development cannot address the fundamental capacity deficit.</p> <p>Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. The water servicing deficit cannot be practically resolved through conditions - either the conditions would frustrate the consent entirely or would rely on inappropriate interim measures unsuitable for urban development at this scale. This conclusion applies regardless of whether economic benefits are assessed in accordance with the Applicant's assessment or Mr Stewart's review, as the fundamental infrastructure constraint cannot be overcome within any reasonable development timeframe.</p>
<p>2. Viability of Wastewater Servicing</p>	<p>Significance Assessment: As noted in Watercare memo (Annexure 7), Watercare has assessed the capacity of the existing and planned bulk infrastructure required to support the proposal ahead of the 2050+ timing in the Future Development Strategy and confirm that the earliest connections could be provided without precluding development of the existing live zoned areas and sequenced growth would be from 2050+. It is not yet clear whether there is viable long-term private wastewater solution.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: The proposed conditions related to future connections to the public wastewater network are required to be removed/deleted. If the project is approved, the conditions must require a permanent private wastewater system (without tankering).</p> <p>Proportionality Conclusion: It is not yet clear whether there is viable long-term private wastewater solution, which (if no such solution is available) is a potentially significant adverse impact.</p>

<p>3. Design and metrics of the Neighbourhood Parks</p>	<p>Significance Assessment: As noted in Parks memo (Annexure 25), the design of the Neighbourhood Park in Stage 2 has limited utility noting the steep topography of part of the park land. In respect to the Stage 1 Neighbourhood Park, the area does not meet open space provisions (3,000m² minimum); and limited details have been provided in the application and Applicant responses in terms of the key metrics. The site-specific measures need to be met while accommodating a high level of useability for the land. If these key metrics are not met, it would be considered to have adverse effects on the wider and regional open space provision and future communities open space needs.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: Subject to key metrics not being met, acquisitions at a capital cost will not be conducted by Council's Property Provision Team for the two neighbourhood park locations.</p> <p>Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. The adverse impacts related to parks, particularly the absence of adequate neighbourhood park provision details and metrics are significant.</p>
<p>4. Delivery and alignment of NoR 6</p>	<p>Significance Assessment: As noted in the Auckland Transport and BECA memos (Annexure 20) the proposal will deliver only a portion of the NoR 6. This is not considered a regionally significant benefit as it would only serve the development site and provide no efficiency or wider arterial corridor benefits. The benefits contended by the Applicant could only be considered regionally beneficial if the entire NoR 6 Connection between Milldale and Grand Drive Ōrewa corridor were to be delivered. The arterial road cannot operate with its intended function (as an arterial corridor supporting urban growth and improving access) until it is fully constructed and does not have any regional benefit until it can operate as an arterial corridor.</p> <p>The formation of only part of NoR 6, combined with the proposed alignment deviation, not only undermines transport outcomes but also creates potentially significant cost implications for Auckland Transport and the Council.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: Not applicable.</p> <p>Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. The adverse impacts related to the partial delivery and realignment of NoR 6 are significant.</p>
<p>5. Inadequate provision of collector road, and general road Hierarchy, and potential need for further interim upgrades to address transport effects</p>	<p>Significance Assessment: As noted in the Auckland Transport and PTM memos (Annexure 20) the proposal does not provide an appropriate road hierarchy with the one arterial road (NoR6) and 28 local roads. No collector roads are proposed which are roads to accommodate public transport (buses) and enable appropriate bus transport connections and connectivity for the proposal. The proposal has poor connectivity (vehicular and pedestrian/cyclist) both within the site and with surrounding rural and urban areas. The contributes to poor connectivity, car dependency and lack of public transport opportunities which are considered to be significant. Beca has also noted the potential need for further interim upgrades to the road network to provide safe and efficient access for the development, i.e. road widening, footpath/cycle paths, intersection upgrades etc.</p>

	<p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: Additional conditions are required to provide for collector roads (including Road 1, Road 17, Road 14, and Road 05) and so these are designed to accommodate buses (including appropriate carriageway widths and turning facilities), include separated cycling infrastructure, and provide for bus stops with shelters; and that no dwellings are occupied until the active mode connection across SH1 is complete and open for public use. Additional interim upgrades may also be required.</p> <p>Proportionality Conclusion: Adverse impacts remain significantly out of proportion to benefits. The adverse impacts related to the non-provision of collector roads, public transport opportunities and lack of road hierarchy are significant.</p>
<p>6. High Car Dependency and fragmented urban form</p>	<p>Significance Assessment: As noted in the Urban Design memo (Annexure 29) the proposed site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development. The current design is fragmented, with a high number of cul-de-sacs that reinforce a car-dominated movement network. These creates poor urban design outcomes which are considered to be significant.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: N/A</p> <p>Proportionality Conclusion: Adverse impacts remain significantly out of proportion to benefits. The adverse impacts associated with site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development are significant. Council does not consider that the proposal in this location contributes to a well-functioning urban environment.</p>
<p>7. Potential Ecological Effects</p>	<p>Significance Assessment: As noted in the Freshwater and Terrestrial Ecology memos (Annexures 22 and 23) and as set out in further detail within the Key Information Gap table, there are a number of key information gaps in the application. These information gaps result in the adverse effects as they relate to terrestrial ecology and freshwater ecology not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: The details of proposed conditions and adequacy of mitigation measures are not able to be currently ascertained given the significant gaps in the Applicant's ecology assessments to inform these.</p> <p>Proportionality Conclusion: Adverse ecological impacts may potentially be significant and are unable to fully assessed until this information is provided.</p>
<p>8. Sedimentation Effects</p>	<p>Significance Assessment: As noted in Earthworks memo (Annexure 12), an AMP is considered necessary given the extent and duration of the earthworks activity within the receiving environment that contains wetlands, streams. Specific conditions are required to ensure that adverse sedimentation effects are appropriately mitigated and managed.</p>

	<p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: A consent condition requiring an Adaptive Management Plan should be imposed. This has been included in the Council Earthworks Memo. An AMP condition is not supported by the Applicant.</p> <p>Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. The adverse impacts related to earthworks (sedimentation) are significant without an AMP.</p>
9. Adequacy of Structure Plan	<p>Significance Assessment: Whilst the Structure Plan is not an adverse effect/impact in itself, the Structure Plan that has been provided with the Application has not been prepared in accordance with the relevant guidelines, and this does not provide a detailed and integrated approach with other FUZ land including roading and infrastructure. This creates a potential ad-hoc / piece-meal approach to future development in the wider area, poor quality outcomes and non-integrated approach for the delivery/ coordination of infrastructure and roading.</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: N/A.</p> <p>Proportionality Conclusion: The absence of a properly prepared Structure Plan creates a potential ad-hoc / piece-meal approach to future development in the wider area, poor quality outcomes and non-integrated approach for the delivery/ coordination of infrastructure and roading which are considered to be significant.</p>
10. Impact on planned investment and infrastructure provision	<p>Significance Assessment: Bringing forward the timing of the proposed development comes at the expense of the delivery of other developments and is not possible without displacing planned investment and infrastructure service provision in existing live zoned areas and sequenced areas. There are significant infrastructure funding and financing gaps for the application and no agreements are in place to confirm the scope of proposed infrastructure and ongoing opex. The funding and financing memo of Ms Duffield and Mr Kloppers addresses these matters further (Annexure 1).</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: If the Application is granted, conditions should be imposed requiring certainty of infrastructure financing and funding before the Development proceeds. These conditions should ensure that the Development demonstrates how infrastructure will be paid for and confirms that required infrastructure provision will not displace planned investment in other areas of Auckland. Consideration could be given to conditions or covenants such as requiring private funding and private operational responsibility for infrastructure, and / or deferring development stages until infrastructure is funded and delivered. Agreements such as 'Infrastructure Agreements' may increase funding & financing certainty as well as timing certainty for infrastructure to be delivered.</p> <p>Proportionality Conclusion: The impact of displaced development, planned investment and infrastructure service provision in existing live zoned and sequenced area are considered to be significant.</p>
11. Uncertainty of infrastructure	<p>Significance Assessment: The absence of resolved water supply, wastewater and transport infrastructure delivery and servicing creates significant uncertainty and risk</p>

delivery and servicing	<p>that, if the application is approved, interim solutions may be required. The Application does not adequately address these concerns, and there is insufficient certainty that Council will not bear (or be placed under pressure to bear) the short, medium or long term operational and capital costs, which Council is not in a position to absorb. Also see Adverse impacts 1, 2, 4 and 5 above. The funding and financing memo of Ms Duffield and Mr Kloppers addresses these matters further (Annexure 1).</p> <p>Regional/National Benefits Considered: See Project Benefits Summary above.</p> <p>Proposed Conditions/Mitigation/Compensation: As discussed under Adverse impacts 1, 2, 4 and 5 above.</p> <p>Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. Unresolved infrastructure delivery and servicing creates significant uncertainty and risk, and interim solutions may be required. The council is not satisfied it will not be at risk of bearing the short, medium and long term opex and capex costs.</p>
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Key information gaps

250. The following table identifies residual information gaps that remain having reviewed the current application material provided including the application documents, and the Applicant's response package dated 12 June 2025, and explains their significance for decision-making. Council considers that this information is necessary prior to determination and the Panel should request these are provided by the Applicant:

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
1. Geomorphic Risk Assessment	<p>A Geomorphic Risk Assessment is required to confirm acceptability (or otherwise) of the proposed riparian setbacks.</p> <p>Geomorphic Risk Assessment is prepared to assist in establishing effective riparian setbacks and assess the potential risks associated with the use of multiple T-bar outlets.</p> <p>Riparian setbacks should be variable and based on a Geomorphic Risk Assessment, not a uniform buffer. A Geomorphic Risk Assessment is required to</p>	<p>Cannot accurately assess the necessary riparian setbacks for dwellings/ buildings.</p> <p>The site has areas with moderate to high geotechnical constraints, including soil creep, existing slip scarps, and complex subsurface geology (e.g., Northland Allochthon). Given the site's steep topography, unstable soils, and dynamic watercourses a 20m riparian margin may be insufficient. Appendix 12-1, drawing No 3725-1-4000, indicates that the 20m riparian margin will occupy a significant portion of many of the</p>	<p>The riparian setbacks may result in insufficient space for the intended building platforms on residential lots.</p>

	support existing ecological and geotechnical assessments.	proposed lots, potentially leaving insufficient space for the intended building platforms.	
2. Parks: Detailed neighbourhood park metrics have not been supplied or met.	<p>Detailed neighbourhood park plans and cross sections for both neighbourhood parks are to be provided by 19/06/25, showing interfaces, gradients, planting, and infrastructure. Acquisition is dependent on the Applicant to meet site specific criteria, these include:</p> <ul style="list-style-type: none"> • The ability to facilitate an unobstructed 30x30 kick ball space at a gradient no greater than 3%. • The rest of the land outside of the kick ball space should be of a gradient no greater than 5%. • The land should be free from infrastructure and any proposed easements. • The land should not include any utility devices within the land or within 30m of its road frontages. • The land should not be subject to any flood risks, flood plains and overland flow paths (1 in 100 years scenario). 	Cannot accurately assess the associated metrics.	Potential for inadequate provision of open space and acquisitions at a capital cost will not be conducted by Council's Property Provision Team.
3. Parks: A detailed and updated scheme plan	It is currently unclear which lot numbers and associated references apply to the future lots proposed for vesting.	Assessment of all proposed lots for vesting with accurate referencing is currently not possible. Notably, the neighbourhood park in Stage 1 lacks an identified lot reference. Intentions of Park 1 lot is unclear given underlying lot layout provided.	Potential for inaccurate vesting references. Will create confusion when drafting conditions and outcome to be achieved.
4. Parks: Retaining wall plans	Relevant plans are to be submitted on 19/06/2025,	Existing plans indicate retaining wall heights	Potential for interfaces with poor quality CPTED

	including confirmation that no walls exceed 1 metre in height adjacent to any open space lots to vest.	exceeding 1m adjacent to open space lots.	and passive surveillance outcomes.
5. Parks: Interface details	Additional neighbourhood park in Stage 1 maintains no clear interface details.	The absence of these details may compromise passive surveillance, CPTED outcomes, and the potential acquisition of the Stage 1 park. In addition, the lack of clear information on shading and unresolved interface treatments remains a concern that must be addressed.	Potential for interfaces with poor quality CPTED and passive surveillance outcomes.
6. Parks: Canopy closure confirmation	The road corridor must align with the Urban Ngahere Strategy with a minimum canopy coverage target of 15%, with a broader mix target of 30%. In addition, Auckland Transport's Sustainability Strategy now sets a minimum 12% canopy coverage requirement for new road corridors.	Non-compliance may compromise alignment with Council's canopy coverage targets, including those set out in the Urban Ngahere Strategy (2019). Inadequate cover will affect biodiversity, amenity and climate change outcomes.	Potential for limited tree provision and canopy coverage.
7. Parks: Service line depths	Service line depths must be confirmed or relocated away from front berms to enable a tree-lined streetscape, consistent with the Urban Ngahere Strategy (2019) and relevant provisions under E17.2, E17.3, E38.2(8), and E38.3(17), as well as Auckland Transport's sustainability requirements.	Failure to address this may restrict street tree provision.	Potential for encumbered street trees growth and associated future maintenance costs to underlying infrastructure.
8. Parks: Public access easements	Easements must be provided for all paths and maintenance access.	Without easements, long-term public access and maintenance cannot be guaranteed.	Potential for a disconnected network with no public access connections.
9. Parks: There is insufficient detail on drainage reserve elements.	Lack of details provides uncertainty in future maintenance and operation of maintenance paths, bollards, fencing, retaining and	Due to the lack of information, a full assessment of functionality, accessibility, and compliance cannot be undertaken at this	Failure to include these details may restrict maintenance access and future informal connections.

	encumbrance locations.	stage.	
10. Parks: Updated landscape plans	<p>Must include detailed planting proposals for both neighbourhood parks and changes to non-supported tree species.</p> <p>These include the replacement of <i>Corynocarpus laevigatus</i>, <i>Cordyline australis</i> and <i>Rhopalostylis sapida</i>.</p> <p>In addition, appropriate species must be selected for both the upper and lower riparian zones within drainage reserves to ensure the functional requirements of each zone is met.</p>	<p>Currently, Council cannot confirm compliance with key documentation being the Urban Ngahere Strategy (2019) and The Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape.</p>	<p>Can be altered at future engineering plan approval and subject to available tree stock.</p>
11. Hydrological assessment in respect to wetlands	<p>The Hydrological Assessment has not assessed the loss of wetlands</p>	<p>The existing wetlands on the site may have a hydrological function and the proposal may adversely affect their hydrological function. Additional hydrological assessment and analysis is required to understand any associated downstream adverse stormwater effects that may occur from the proposal.</p>	<p>Potential for adverse downstream stormwater effects</p>
12. Dewatering and groundwater diversion effects on Wetlands	<p>The proposed dewatering and groundwater diversion have been identified as being potentially adverse on the identified wetlands. The Applicants assessment have not assessed wetland losses due groundwater diversion and dewatering.</p>	<p>This information gap results in the freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including whether the wetland off-set are proportionate to the adverse effects. Consent triggers and management of effects cannot be fully assessed by Council.</p>	<p>Potential for additional adverse effects on identified wetlands.</p>
13. Ecology - stream morphology assessment	<p>The Applicant has not adequately assessed how stream morphology will be protected from increased erosion pressure and that inadequate controls are</p>	<p>These information gaps result in a freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation</p>	<p>Potential local and downstream loss of stream value.</p>

	likely to lead to local and downstream loss of stream value.	measures including wetland off-set being proportionate to the adverse effects.	
14. Wetland off-set calculations	The Applicant has proposed 3:1 offset ratio as opposed to the more rigorous BOAM offset calculation which is based on site specific calculations.	This information is required to ensure the loss/ modification of wetlands are appropriately mitigated.	Potential for loss/ modification of wetland areas to not be adequately mitigated through wetland off-setting.
15. Retaining Walls (Geotechnical)	There are some information gaps as they relate to retaining wall design	These are required to ensure the slope stability and geotechnical risks are adequately managed and controlled so these do create adverse safety or operational issues	Potential for geotechnical/ land stability effects for future owners.
16. Retaining walls (generally)	There are some information gaps as they relate to retaining wall design.	These are required to understand the adverse effects of the retaining walls as the site interfaces including within the streetscapes and park/ reserve areas.	Potential for poor design outcomes including visual amenity/ dominance effects; and passive surveillance outcomes.
17. WWTP Reverse Osmosis (RO) Waste Stream	There is outstanding information in respect to the Reverse Osmosis (RO) Waste Stream and where this would ultimately be discharged. noting that Watercare would not accept this being transported to the existing Army Bay plant.	Details are of RO Waste Stream are required to ensure discharge consents have been applied for and have been assessed including appropriateness of consent conditions	Potential for discharge effects including water quality.
18. Details of wastewater irrigation field within the covenant bush area.	Insufficient assessment has been provided to demonstrate that adverse ecological effects including potential damage/ removal of bush associated with the covenanted areas.	The details of the irrigation fields including however these are installed are insufficient to assess the likely adverse ecological effects including potential damage/ removal of bush associated with the covenanted areas.	Unable to assess the likely adverse ecological effects including potential damage/ removal of bush associated with the covenanted areas.
19. Adequacy of Structure Plan	The "Structure Plan" that has been included with the application has not been undertaken in accordance with Structure Plan Guidelines in	The Structure Plan is a high level document that assists in informing the overall design approach (and outcomes) including how the proposal will sit	A Structure Plan that has not been prepared in accordance with the relevant guidelines and does not provide a detailed and integrated

	Appendix 1 of the AUP and does not include supporting technical documents, supporting analysis or discussion.	within the wider site context. The Structure Plan has not been prepared in accordance with the relevant guidelines, and this does not provide a detailed and integrated approach with other FUZ land including roading and infrastructure.	approach with other FUZ land.
20. Ecology Site Specific Fauna and Flora Surveys	No Site-Specific Fauna and Flora Surveys and Reporting/ assessment.	Without adequate survey and appropriate urban design, that responds to those values, there is the likelihood that the development may have significant adverse effects on fauna and flora, including Regionally and Nationally threatened species.	Site Specific Fauna and Flora Surveys and Reporting/ assessment are required to ensure adverse ecology (terrestrial) effects can be assessed,
21. Ecology: Assessment of Significant Ecological Areas	Ecology Assessment of Significant Ecological Areas and whether existing terrestrial and freshwater habits should be included as SEA's. The lack of identification of significant ecological areas (SEAs) pursuant of AUP(OP) Policy B7.2 and National Policy Statement for Indigenous Biodiversity.	The identification of existing terrestrial and freshwater habitats (including the covenants) may meet SEA Criteria / Factors for their connectiveness to protected areas (covenants / reserves), the presence of indigenous wetland, and/or presence of regionally / nationally threatened species. The identification and protection would afford a greater level of protection.	The identification of Significant Ecological Areas would assist in whether these are protected as SEAs and would afford a greater level of protection.
22. Ecology: Ecological Effects associated with the NoR alignment including ecological effects associated with existing covenant areas (including adjacent sites)	The assessment provided has not included an assessed the ecological effects of the realignment on other existing covenants on adjacent sites.	The realignment of NoR6 will result in a greater ecological impact than what has been assessed. This has implications in respect to preparing consent conditions to ensure ecological effects are appropriately avoided and mitigated.	The realignment of NoR6 will result in a greater ecological impact than what has been assessed.
23. Ecology: Covenant / habitat management	An assessment has not been provided on the inclusion of the covenanted areas into the	There are significant issues with individual private ownership and the maintenance of	There are significant issues with individual private ownership and the maintenance of

	Incorporated Society.	covenants where there is residential development	covenants where there is residential development. Private Lot owners are then liable for any degradation, damage or losses to those habitats through adjacent activities, including dumping of greenwaste, construction materials or household items, which are common issues in Council Reserves. Easements created through covenants will not restrict public access to only those areas.
24. Ecology: Restrictions on Domestic Pets	The ownership and unrestricted access to indigenous habitats (including covenants) has not been assessed by the ecologist.	Assessment and details are required to inform consent conditions.	Consent conditions/ covenants are required to ban on cats for all future owners and this to be managed by the residents association/ incorporated society.
25. Cost Benefit analysis as part of the Economic Assessment	<p>The economic assessment should be structured to explicitly acknowledge the trade-offs (the costs and benefits) arising from of the proposed development. The economic assessment should contain:</p> <ol style="list-style-type: none"> 1) a framework of how the costs and benefits of the proposed development will be assessed, with acknowledgement of: <ol style="list-style-type: none"> a. an appropriate counterfactual / 'business as usual' scenario b. an appropriate scenario outlining the differences the proposed development represents c. identified costs and benefits arising from the difference 	The Economic Assessment needs to be detailed and set out in manner whereby the benefits of the proposal are appropriately quantified and whether these benefits are regionally significant.	The Economic Assessment to assess and understand the benefits of the proposal and whether these are regionally significant.

	<p>d. the spatial and temporal extents the costs and benefits are being measured over</p> <p>e. which segments of society are likely to bear these costs or enjoy these benefits</p> <p>2) quantification of costs and benefits where practicable</p> <p>3) a qualitative assessment of costs and benefits that are not able to be quantified and justification of the potential scale of these unquantified costs and benefits</p> <p>4) a calculus of the net cost or net benefit of the proposed development to societal welfare and accompanying statement of the 'net' effect</p> <p>5) appropriate sensitivity testing of underlying assumptions; particularly under what assumptions the headline results invert (where net benefits become net costs, or vice versa)</p>		
26. Auckland Transport: Overland Flowpath Assessment relating to roading	A complete Over Land Flow Path (OLFP) assessment has not been undertaken and has not demonstrated that flood hazards associated with the OLFP within the road corridor are safely managed.	This is required to ensure flood hazard risks are appropriately avoided within the road network	Potential flood risk on roads that may create road safety issues.
27. Auckland Transport: Culvert Assessment	An assessment for the proposed culverts has not been provided and has not demonstrated that the culverts are appropriately	If the culverts are identified to be insufficiently sized and require upsizing, this could affect lot	Culvert are required to be designed ensure stormwater/ flood effects are avoided.

	sized or enable non-hazardous conveyance of stormwater.	boundaries near the culvert and channels	
28. Auckland Transport: Flood Modelling	The Applicant's Flood Assessment Report does not provide a suitable assessment of flooding within the development. The hydraulic modelling has not been demonstrated as appropriate for use and validation method has only been compared to the Healthy Waters Rapid Flood Hazard Assessment (RFHA) in a single location.	The flood modelling is required to ensure roads are safe for vehicles and pedestrians.	The flood modelling is required to ensure roads are safe for vehicles and pedestrians
29. Design/ upgrade of Upper Orewa Road	No design details provided for the upgrade of Upper Orewa Road to urban standard.	Upper Orewa Road which would need to accommodate traffic volumes expected on an urban road after Stage 2 of the development. This creates significant safety issues that are likely to result with the likely additional traffic volumes and would need to be upgraded by the Applicant. art of the application	Design details are required for the upgrade of Upper Orewa Road to ensure this is designed to urban standards.
30. Lighting plans for shared driveways	No Lighting plans have been provided for the shared driveways	Lighting Plans for the shared driveways are required to ensure pedestrian and traffic safety.	These can be included as consent conditions, however Council preference is to review lighting plans as part of the application process to ensure these are fit for purpose.
31. Design plans of the Shared Driveways.	Updated design plans of shared driveways are required.	Design plans of shared driveways/ JOALs are required to understand traffic safety, and ensure pedestrian safety and amenity is provided.	Potential for traffic and pedestrian amenity effect.
32. Vehicle Tracking Plans	Vehicle tracking plans are required to demonstrate tracking for all vehicles including heavy vehicles	Vehicle tracking (heavy vehicles) overlaps with kerb built out at some intersections and this creates potential traffic safety and maintenance issues.	Potential traffic safety and maintenance issues.

33. Details of mobility parking and loading	Assessment has not been provided by the Applicant including Plan Change 79.	These are important to ensure a safe and functional development.	These are matters that could be conditioned and addressed at Engineering Approval Stage.
34. Road 17/ Upper Orewa Road Sight Distance	No vehicle tracking or visibility study has been provided for this intersection.	These details need to be provided to ensure appropriate traffic safety at this intersection.	The vehicle tracking and visibility study is required to ensure traffic safety at this intersection. The final design can be addressed at Engineering Approval Stage.
35. Draft Management Plans	The application had included consent conditions that had sought for a range of Management Plans to be prepared. This had not included any specific details of the contents of the Management Plans including the key objectives and parameters of each management plan. Details have been provided for some management plans but others remain outstanding.	Details of Draft Management Plans are required to inform consent conditions.	Details of Draft Management Plans are required to inform consent conditions.

Key Findings

251. A number of adverse impacts have been identified in the Council's reporting, which either can be addressed adequately through conditions of consent, or which do not outweigh the project's benefits.
252. However, the Council's assessment has identified the following adverse impacts meeting the section 85(3) threshold, individually and collectively (i.e. where the adverse impacts are significantly significant to be out of proportion to the regional, even after taking into account mitigation etc):
- 1. No / inadequate proposal for water supply servicing** - The absence of a clear proposal for water supply servicing is a key infrastructure deficit, creating significant uncertainty as to the feasibility of development, and concerns (if consent is granted) as potential public health risks for the future community.
 - 2. Viability of Wastewater Servicing** - Watercare has assessed the capacity of the existing and planned bulk infrastructure required to support the proposal ahead of the 2050+ timing in the Future Development Strategy and confirm that the earliest

connections could be provided without precluding development of the existing live zoned areas and sequenced growth would be from 2050+. It is not yet clear whether there is viable long-term private wastewater solution, which (if there is no such a solution) is a potentially significant adverse impact.

3. **Design and metrics of the Neighbourhood Parks** - The design of the Neighbourhood Park in Stage 2 has limited utility noting the steep topography of part of the park land. In respect to the Stage 1 Neighbourhood Park, the area does not meet open space provisions (3,000m² minimum); and limited details have been provided in the application and Applicant responses in terms of the key metrics. The site-specific measures need to be met while accommodating a high level of useability for the land. If these key metrics are not met, it would be considered to have adverse effects on the wider and regional open space provision and future communities open space needs.
4. **Delivery and alignment of NoR 6** - The proposal will deliver only a portion of the NoR 6. This is not considered a regionally significant benefit as it would only serve the development site and provide no efficiency or wider arterial corridor benefits. The benefits contended by the Applicant could only be considered regionally beneficial if the entire NoR 6 Connection between Milldale and Grand Drive Ōrewa corridor were to be delivered. The arterial road cannot operate with its intended function (as an arterial corridor supporting urban growth and improving access) until it is fully constructed and does not have any regional benefit until it can operate as an arterial corridor. The formation of only part of NoR 6, combined with the proposed alignment deviation, not only undermines transport outcomes but also creates potentially significant cost implications for Auckland Transport and the Council.
5. **Inadequate provision of collector road, and general road hierarchy, and potential need for further interim upgrades to address transport effects** - The proposal does not provide an appropriate road hierarchy with the one arterial road (NoR6) and 28 local roads. No collector roads are proposed which are roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal. The proposal has poor connectivity (vehicular and pedestrian/cyclist) both within the site and with surrounding rural and urban areas. The contributes to poor connectivity, car dependency and lack of public transport opportunities which are considered to be significant. Beca has noted the potential need for further interim upgrades to the road network to provide safe and efficient access for the development, i.e. road widening, footpath/cycle paths, intersection upgrades etc.
6. **High Car dependency and fragmented urban form** - The proposed site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development. The current design is fragmented, with a high number of cul-de-sacs that reinforce a car-dominated movement network. These creates poor urban design outcomes which are considered to be significant. The proposal does not contribute to a well-functioning urban environment.

7. **Potential Ecological Effects** - There are a number of key information gaps in the application. These information gaps result in the adverse effects as they relate to terrestrial ecology and freshwater ecology not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects
8. **Sedimentation Effects** - An Adaptive Management Plan is considered necessary given the extent and duration of the earthworks activity within the receiving environment that contains wetlands, streams. Specific conditions are required to ensure that adverse sedimentation effects are appropriately mitigated and managed.
9. **Adequacy of Structure Plan** - The absence of a properly prepared Structure Plan creates a potential ad-hoc / piece-meal approach to future development of the wider area and integration with other land including Ara Hills, poor quality outcomes and a non-integrated approach for the delivery/ coordination of infrastructure, and roading which are considered to be significant.
10. **Impact on planned investment and infrastructure provision** - Bringing forward the timing of the proposed development comes at the expense of the delivery of other developments and is not possible without displacing planned investment and infrastructure service provision in existing live zoned areas and sequenced areas. There are significant infrastructure funding and financing gaps for the application and no agreements are in place to confirm the scope of proposed infrastructure and ongoing opex. The impact of displaced development, planned investment, infrastructure service provision, and significant funding and financing gaps are considered to be significant.
11. **Uncertainty of infrastructure delivery and servicing** – The absence of resolved water supply, wastewater and transport infrastructure delivery and servicing creates significant uncertainty and risk that, if the application is approved, interim solutions may be required. There is insufficient certainty that Council will not bear (or be placed under pressure to bear) the short, medium or long term operational and capital costs, which Council is not in a position to absorb. The impact of this uncertainty is considered to be significant.

Section 85(4) consideration

253. Our assessment has considered that the identified adverse impacts cannot be found to meet the section 85(3)(b) threshold solely because they are inconsistent with provisions of specified Acts or other documents. The proportionality assessment is based on the substantive significance of impacts relative to benefits, not (for instance) mere policy inconsistency.

Relevance of information gaps to assessment

254. The identified information gaps (detailed above) create additional uncertainty in the assessment. However, the adverse impacts identified above meet the section 85(3)

threshold even accounting for this uncertainty, as the core constraints are sufficiently clear and significant.

Recommendation and Conclusion

255. Based on our assessment, we **RECOMMEND DECLINE**, on the grounds that:
256. The adverse impacts identified above, particularly in respect to no / inadequate proposal for water supply servicing, connection to the Watercare wastewater network design and metrics of the Neighbourhood Park, delivery and alignment of NoR 6, inadequate provision of collector roads, and general road hierarchy/possible need for interim upgrades, high private car dependency and fragmented urban form, potential ecological effects, sedimentation potential adverse effects associated with the WWTP, adequacy of the proposed Structure Plan, and impact on planned investment and infrastructure provision and the uncertainty of infrastructure delivery and servicing, are sufficiently significant to be out of proportion to the project's regional benefits, even accounting for proposed conditions, mitigation and / or compensation measures.
257. Our assessment and this recommendation have been made in accordance with the FTAA. In particular, the assessment has had regard to all matters identified through the section 81(2) process and has been guided by the statutory purpose of the FTAA to facilitate infrastructure and development projects with significant regional or national benefits. While that purpose directs decision-makers to place greatest weight on enabling such projects, it does not override the requirement to assess whether adverse impacts are sufficiently significant to outweigh those benefits.
258. In this case, the assessment has identified adverse impacts that are significant in both scale and nature. These include no / inadequate proposal for water supply servicing, connection to the Watercare wastewater network design and metrics of the Neighbourhood Park, delivery and alignment of NoR 6, inadequate provision of collector roads, and general road hierarchy/possible need for interim upgrades, high private car dependency and fragmented urban form, potential ecological effects, sedimentation, potential adverse effects associated with the WWTP, the adequacy of proposed Structure Plan, and impact on planned investment and infrastructure provision and the uncertainty of infrastructure delivery and servicing. Even taking into account the project's claimed regional benefits – which, as noted, are considered to be overstated and may not be significant at a regional scale – these adverse impacts are of a level that outweighs the benefits in substantive terms. Again, this conclusion is not based merely on inconsistency with statutory instruments or policy (section 85(4)), but reflects a substantive assessment that the adverse impacts are disproportionate to the benefits once all relevant factors are weighed.
259. We consider this recommendation to be consistent with the purpose of the FTAA, which is to enable significantly beneficial projects, not those where adverse impacts are so significant as to outweigh the benefits.
260. We have also given consideration to the purpose and principles in sections 5 to 7 of Part 2 of the RMA. In doing so, we have taken into account that the RMA's purpose is

afforded lesser weight than the FTAA's purpose (in section 3, FTAA).

261. It is our assessment that the proposal does not meet the purpose of the RMA which is to promote the management of natural and physical resources. The proposed site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development. The proposal does not contribute to a well-functioning urban environment. We consider the proposal also does not promote sustainable management of natural and physical resources as it has not been demonstrated that the proposal will avoid or mitigate adverse ecological effects resulting from the subdivision (and future development) on the environment.
262. Furthermore, relying on the assessment by the Council's ecologists, the proposal does not meet section 6(c) as the Applicant has not demonstrated how the proposal will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.
263. In relation to section 7 of the RMA:
- a. It is questionable whether the proposal achieves the efficient use and development of natural and physical resources in terms of section 7(b), given the non-integrated approach for the delivery/coordination of infrastructure and roading, the fragmented urban form, and the potential displacement of planned investment from sequenced development areas;
 - b. The proposal will not maintain and enhance the amenity values including those amenity values (section 7(c)), for instance given the car-dependent design, poor connectivity, high number of cul-de-sacs, and fragmented urban form that creates poor urban design outcomes; and
 - c. The proposal will not maintain and enhance the quality of the environment (section 7(f)), given the unresolved ecological effects, sedimentation risks, and the non-integrated approach to infrastructure delivery that may compromise environmental outcomes.
264. Overall, the application is not considered to meet the relevant provisions of Part 2 of the RMA or achieve the purpose of the RMA being sustainable management of natural and physical resources. While we acknowledge that Part 2 of the RMA is afforded lesser weight than the FTAA's purpose, the proposal's failure (in our opinion) to meet the RMA's purpose and a number of important principles reinforces our assessment of the significance of the adverse impacts identified.
265. The proposal's inconsistency with the RMA's purpose of sustainable management, its failure to protect significant indigenous vegetation and habitats under section 6(c), and its poor alignment with several section 7 matters, collectively underscore the substantive nature of the adverse impacts that outweigh the claimed regional benefits. This Part 2 assessment provides additional support for the conclusion that the adverse impacts are sufficiently significant to warrant decline under the FTAA framework.

DATED the 25th day of June 2025

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