

**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**”)

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**MEMORANDUM OF SUPPLEMENTARY STRATEGIC AND PLANNING MATTERS FOR  
AUCKLAND COUNCIL**

**Dated: 28 July 2025**

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**SECTION A: INTRODUCTION**

1. Following receipt of the Council Response dated 25 June 2025, the Applicant has provided an Updated Application Package dated 7 July 2025.
2. In paragraph 6 of Minute 9 of the Expert Panel, the Expert Panel has stated:

*“The Council is requested, pursuant to section 67 FTAA, to review the response from the Applicant and provide any further information that the Council considers is necessary for the Panel to consider. This includes the matters listed in the Council’s comments memorandum – but is not limited to those matters. Having said this, we do request that the Council is mindful of how much material that the Panel has to consider and that it keeps its response as succinct as possible.”*

3. This Supplementary Planning Memorandum sets out Auckland Council’s planning assessments in response to the Vineway Limited (**Applicant**) response package dated 7 July 2025.
4. Acknowledging the Expert Panel’s request for Council to keep the response succinct, the Supplementary Strategic and Planning Memorandum has been prepared in a tabular form that includes:
  - a. **Section B:** An updated table and summary of the Key Information Gaps;
  - b. **Section C:** An updated table and summary of the Adverse Impacts Assessment; and

- c. **Section D:** Provides a summary and conclusions.
5. The Supplementary Planning Memo does not repeat the more detailed evaluation of the Application undertaken in the Strategic and Planning Memorandum Memo dated 25 June 2025 where that still stands.
  6. The above-mentioned summary tables are to be reviewed in conjunction with the Supplementary Memos from Council Specialists.
  7. It is confirmed that all Council Specialists have reviewed the Applicant's updated Application package dated 7 July 2025 and, where relevant, have prepared Supplementary Memos.
  8. However, Council considers that it would be unhelpful to the Expert Panel to provide all Supplementary Memos, particularly where there are no issues in contention with the Applicant response, or where these are reiterating their previous assessments.
  9. With this in mind, the following Supplementary Council Memos have been received which inform the overall Supplementary Planning Assessment:
    - Funding and Financing – Brigid Duffield / Ian Kloppers (**Annexure 1**)
    - Economics – James Stewart (**Annexure 2**)
    - Strategic Planning – Claire Gray / Rosie Stoney (**Annexure 3**)
    - Healthy Waters – Hillary Johnston (**Annexure 4**)
    - Watercare (Wastewater Capacity and Water Supply Capacity) – Helen Shaw / Amber Taylor (**Annexure 5**)
    - Development Engineering – Flooding & OLFPs – Ray Smith (**Annexure 6**)
    - Wastewater – Dylan Walton (**Annexure 7**)
    - Regional Earthworks – Matt Byrne (**Annexure 8**)
    - Geotechnical – Frank Zhou (**Annexure 9**)
    - Groundwater and Dewatering – Hester Hoogenboezem (**Annexure 10**)
    - Stormwater, ITA, SWWWITA – Martin Meyer (**Annexure 11**)
    - Surface Water – Nick Hazard (**Annexure 12**)
    - Transport (Auckland Council) – Philips Augustine (**Annexure 13**)
    - Auckland Transport – Tessa Craig (AT) (**Annexure 14**), attaching reports by:
      - Craig Richards (Beca);<sup>1</sup> and
      - Paul Schischka (PTM Consultants)<sup>2</sup>
    - Freshwater Ecology – Antoinette Bootsma (**Annexure 15**)
    - Terrestrial Ecology – Rue Statham (**Annexure 16**)
    - Parks – Cas Hannink (**Annexure 17**)
    - Landscape – Helen Mellsop (**Annexure 18**).
  10. The Supplementary Planning Memo does not needlessly repeat the content of the

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<sup>1</sup> Beca's supplementary 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).

<sup>2</sup> PTM's supplementary report provides specialist road safety and traffic engineering comments.

Council's Specialist Memos.

11. The Supplementary Planning Memorandum has identified that the following significant issues remain under the following topic headings:
  - a. No / inadequate proposal for water supply servicing
  - b. Viability of wastewater servicing
  - c. Design and metrics of the Neighbourhood Parks
  - d. Delivery and alignment of NoR 6
  - e. Inadequate provision of collector roads, and general road Hierarchy, and potential need for further interim upgrades to address transport effects
  - f. High car dependency and fragmented urban form
  - g. Potential ecological effects
  - h. Sedimentation effects
  - i. Impact on planned investment and infrastructure provision
  - j. Uncertainty of infrastructure delivery and servicing.
12. The Supplementary Planning Memorandum should be read alongside the Fourth Legal Memorandum prepared by Brookfields Lawyers dated 28 July 2025, which includes the legal response to "Memorandum of Counsel for the Applicant with Response to Comments".
13. 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 the confirmation from the Expert Panel that it seeks comment on draft conditions before granting approval under Section 70. Notwithstanding this, where relevant, comments on the updated proposed conditions have been provided within the Supplementary 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. 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 First and Fourth Legal Memoranda, such conditions are unlawful. In addition, the Council considers that consent notice conditions are required to be included on the subdivision consent to ensure the subdivision consent is undertaken in accordance with the land use consent for the dwellings.

## **SECTION B: TABLE AND SUMMARY OF THE KEY INFORMATION GAPS**

14. The following table identifies residual information gaps that remain, having reviewed the current application material provided and the Applicant's response packages dated 12 June 2025 and 7 July 2025. Council considers that this information is necessary prior to determination and the Panel should request it is provided by the Applicant.
15. Where information provided has resolved previous information gaps, this is noted and shown in green shading (NB: in some instances, the table captures specific comments

in relation to green shaded items, e.g. noting that non-compliances highlighted in the further information provided by the Applicant are not agreed, or noting the need for further / amended conditions).

16. Rows with outstanding information are shown in orange shading.

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>1. Geomorphic Risk Assessment</b>	<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 set-backs 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 support existing ecological and geotechnical assessments.</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 proposed lots, potentially leaving insufficient space for the intended building platforms.</p>	<p>The riparian setbacks may result in insufficient space for the intended building platforms on residential lots.</p>	<p>McKenzie consider geomorphic risk assessment is not required, as outlined in their 'Erosion and Geomorphology Response Memo' (Appendix 52.4)</p>	<p><b>Information remains outstanding.</b></p> <p>The Applicant has provided a Geomorphic Response Memo and has not provided a detailed Geomorphic Risk Assessment.</p> <p>A Geomorphic Risk Assessment is required to inform appropriate riparian margins and ensure long-term resilience of stormwater and land development infrastructure. Refer to HW Supplementary Memo (<b>Annexure 4</b>).</p>

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<b>2. Parks:</b>  <b>Detailed neighbourhood park metrics have not been supplied or met.</b>	<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"> <li>The ability to facilitate an unobstructed 30x30 kick ball space at a gradient no greater than 3%.</li> <li>The rest of the land outside of the kick ball space should be of a gradient no greater than 5%.</li> <li>The land should be free from infrastructure and any proposed easements.</li> <li>The land should not include any utility devices within the land or within 30m of its road frontages.</li> <li>The land should not be subject to any flood risks, flood plains and overland flow paths (1 in 100 years scenario).</li> </ul>	<p>Cannot accurately assess the associated metrics.</p>	<p>Potential for inadequate provision of open space and acquisitions at a capital cost will not be conducted by Council's Property Provision Team.</p>	<p>For response refer to 'Terra Studio Response to AC Parks' provided as Appendix 48.3 which provides park metric detail.</p>	<p><b>Information remains outstanding.</b></p> <p>The majority of previously identified neighbourhood park deficiencies plans (metrics) have been addressed. However, further key information is required as follows:</p> <ol style="list-style-type: none"> <li>For the Stage 1 neighbourhood park, the current grading appears to slope downward into the central functional area. Clarification is required as to whether this presents any flooding or stormwater management implications.</li> <li>Specific flooding commentary and plans for both parks relating to a 1 in 10 and 1 in 100-year flood event is requested.</li> <li>Two cross-sections for both the Stage 1 and Stage 2 parks have not been provided (North-south &amp; East-West). Two cross sections for each park is please requested.</li> <li>Essential for clearly understanding park layout and functionality, and will be particularly useful during future workshops and engagement with the local board.</li> </ol>

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3. Parks: <b>A detailed and updated scheme plan</b>	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.	Refer to 'Updated Scheme Plans' provided by McKenzie & Co (Appendix 50)	<b>Information remains outstanding.</b>  Both neighbourhood parks are requested to be labelled as ' <b>Land in Lieu of Reserve (for the purpose of recreation)</b> '.  Intention of park lot references are unclear which may impact acquisition.  Potential for inaccurate vesting references.
4. Parks: <b>Retaining wall plans</b>	Relevant plans are to be submitted on 19/06/2025, including confirmation that no walls exceed 1 metre in height adjacent to any open space lots to vest.	Existing plans indicate retaining wall heights exceeding 1m adjacent to open space lots.	Potential for interfaces with poor quality CPTED and passive surveillance outcomes.	Refer to 'Retaining Wall Memo and Sections' (Appendix 44.5)	<b>Information now satisfactorily provided.</b>
5. Parks: <b>Interface details</b>	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.	For response refer to 'Terra Studio Response to AC Parks' provided as Appendix 48.3 and 'AC Parks Response Memo' provided as Appendix 44.1.	<b>Information now satisfactorily provided.</b>

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>6. Parks:</b> <b>Canopy closure confirmation</b>	<p>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%.</p> <p>In addition, Auckland Transport's Sustainability Strategy now sets a minimum 12% canopy coverage requirement for new road corridors.</p>	<p>Non-compliance may compromise alignment with Council's canopy coverage targets, including those set out in the Urban Ngahere Strategy (2019).</p> <p>Inadequate cover will affect biodiversity, amenity and climate change outcomes.</p>	Potential for limited tree provision and canopy coverage.	Refer to Greenwoods' 'Updated Landscape Plans' as Appendix 44.4	<b>Information now satisfactorily provided.</b>
<b>7. Parks:</b> <b>Service line depths</b>	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.	Refer to notes within Greenwoods' 'Updated Landscape Plans' as Appendix 44.4.	<b>Information now satisfactorily provided.</b>
<b>8. Parks:</b> <b>Public access easements</b>	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.	Addressed within 'Proposed Draft Conditions of Consent' prepared by B&A (Appendix 57).	<b>Information now satisfactorily provided.</b>



Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
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 encumbrance locations.	Due to the lack of information, a full assessment of functionality, accessibility, and compliance cannot be undertaken at this stage.	Failure to include these details may restrict maintenance access and future informal connections.	McKenzie & Co have provided vehicle tracking to demonstrate maintenance vehicles can access reserves (refer Appendix 58.4). Paths, bollards and fencing will be dealt with at detailed design stage. Further detail has been provided on retaining walls throughout the development in the 'Retaining Wall Memo and Sections' (Appendix 44.5).	Information now satisfactorily provided.
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>	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.	Can be altered at future engineering plan approval and subject to available tree stock.	Refer to Greenwoods' 'Updated Landscape Plans' as Appendix 44.4.	Information now satisfactorily provided.

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<b>11. Hydrological assessment in respect to wetlands</b>	The Hydrological Assessment has not assessed the loss of wetlands	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.	Potential for adverse downstream stormwater effects	Refer to the 'WW&LA Culvert Memo' (Appendix 42.4).	<p><b>Information remains outstanding.</b></p> <p>Refer to Freshwater Ecology Supplementary Memo (<b>Annexure 15</b>).</p> <p>The WWLA Memo does not discuss the effect of increased flow velocity in culverts and how this may erode wetlands in the case of culverts 1, 7 and 10. Also, the applicant's specialists indicate that no geomorphic risk assessment is required to address general stream erosion risks.</p> <p>Unable to assess whether risk of stream erosion and associated wetland loss is adequately mitigated.</p>
<b>12. Dewatering and groundwater diversion effects on Wetlands</b>	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>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.</p> <p>Consent triggers and management of effects cannot be fully assessed by Council.</p>	Potential for additional adverse effects on identified wetlands.	Refer to Riley's 'Response to AC Groundwater' (Appendix 43.1).	<p><b>Information now satisfactorily provided.</b></p> <p>Riley Consultants and Viridis confirmed that the size of the water catchment is not proposed to be altered, and groundwater is proposed to be discharged into the wetlands at discrete locations via appropriate designed energy dissipation devices ensuring less than minor change to the existing catchment.</p>

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<b>13. Ecology - stream morphology assessment</b>	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 freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including wetland off-set being proportionate to the adverse effects.	Potential local and downstream loss of stream value.	Refer to the 'Erosion and Geomorphology Response Memo' (Appendix 52.4) and the 'Viridis Response to AC Freshwater Ecology' (Appendix 42.3).	<b>Information remains outstanding.</b> Refer to Healthy Waters Supplementary Memo ( <b>Annexure 4</b> ).
<b>14. Wetland off-set calculations</b>	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.	Refer to the 'Viridis Response to AC Freshwater Ecology' (Appendix 42.3) and 'WW&LA Hydrology Memo' (Appendix 42.5)	<b>Information remains outstanding.</b> Refer to Freshwater Ecology Supplementary Memo ( <b>Annexure 15</b> ).  No clarification is provided on the wetland loss/offset implications of this application in the context of the NoR 6 arterial road.  The lack of assessment precludes an assessment against Appendix 6 of the NPS-FM – Principles for Aquatic Offsetting, and therefore the effects management hierarchy may not be adhered to. This is a requirement of NES-F regulation 45C(6)(c).
<b>15. Retaining Walls (Geotechnical)</b>	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.	Refer to Riley's 'Response to AC Geotechnical' (Appendix 43.2).	<b>Information now satisfactorily provided.</b> Additional consent conditions recommended.

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>16. Retaining walls (generally)</b>	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.	Refer to Terra Studio's 'Retaining Wall Memo and Sections' and updated retaining wall package within the 'Updated Landscape Plans' (Appendix 44.4).	<b>Information now satisfactorily provided.</b>
<b>17. WWTP Reverse Osmosis (RO) Waste Stream</b>	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.	Refer to the on-site wastewater response memorandums (Appendix 46).	<p><b>Information remains outstanding.</b></p> <p>The Applicant proposes to tanker away some treated wastewater (and raw wastewater on occasion), along with RO reject water and lists several treatment plants that it could be tankered to.</p> <p>However, this is not supported by Watercare. An alternative suggested location for the RO water and treated wastewater (on occasion) is Wainui golf club. However, no detail or approvals for this were provided. In the absence of certainty around this issue, that material adverse effects concerning wastewater discharge may arise.</p>

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
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.	Refer to the 'Viridis Response to AC Terrestrial Ecology' (Appendix 42.2).	<p><b>Information remains outstanding.</b></p> <p>The applicant has not provided ecological justification for the disturbance and alteration of covenanted areas; notably the location of the wastewater field and alternative design for crossing / culvert 9.</p> <p>Council's Terrestrial Ecologist has noted in <b>Annexure 16</b> that:</p> <p><i>I remain of the opinion that the "light clearance of low-growing understory" is not anticipated by the covenant obligations and is not commensurate to works that "would occur under standard pest plant management practices". The response is unconceivable by an ecologist given that none of the species to be removed / altered are pest plants and the removal of invasive species will improve habitat values. Whereas the removal and alteration of indigenous species will have the opposite effect.</i></p> <p><i>The applicant does not provide clarification of whether the dispersal system is to remain in place or be removed once a fully reticulated wastewater system comes available. Noting that the removal will likely cause further damage, but the retention of the lines would not be supported.</i></p>

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<b>19. Adequacy of Structure Plan</b>	The "Structure Plan" that has been included with the application has not been undertaken in accordance with Structure Plan Guidelines in Appendix 1 of the AUP and does not include supporting technical documents, supporting analysis or discussion.	The Structure Plan is a high level document that assists in informing the overall design approach (and outcomes) including how the proposal will sit 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.	A Structure Plan that has not been prepared in accordance with the relevant guidelines and does not provide a detailed and integrated approach with other FUZ land.	A Structure Plan has been produced by B&A and appended as part of the application material (Appendix 47.1)	<p><b>Information now satisfactorily provided.</b></p> <p>A Structure Plan prepared by B&amp;A has been included with the Applicant response.</p> <p>It is acknowledged that this has provided a more detailed analysis in respect to how the site will be integrated with other FUZ land.</p> <p>However, the Delmore project continues to provide an uncoordinated approach for the delivery and coordination of infrastructure and roading.</p>
<b>20. Ecology Site Specific Fauna and Flora Surveys</b>	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,	Refer to the 'Viridis Response to AC Terrestrial Ecology' (Appendix 42.2).	<p><b>Information remains outstanding.</b></p> <p>Refer to Terrestrial Ecology Supplementary Memo (<b>Annexure 16</b>).</p> <p>Site-Specific Fauna and Flora Surveys and Reporting/ assessment have not been provided.</p>

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<b>21. Ecology:</b>  <b>Assessment of Significant Ecological Areas</b>	<p>Ecology Assessment of Significant Ecological Areas and whether existing terrestrial and freshwater habits should be included as SEA's.</p> <p>The lack of identification of significant ecological areas (SEAs) pursuant of AUP(OP) Policy B7.2 and National Policy Statement for Indigenous Biodiversity.</p>	<p>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.</p>	<p>The identification of Significant Ecological Areas would assist in whether these are protected as SEAs and would afford a greater level of protection.</p>	<p>Refer to 'B&amp;A Response to Ecology' (Appendix 42.7) and 'Viridis Response to AC Terrestrial Ecology' (Appendix 42.2).</p>	<p><b>Information remains outstanding.</b></p> <p>Refer to Terrestrial Ecology Memo (<b>Annexure 16</b>).</p>
<b>22. Ecology:</b>  <b>Ecological Effects associated with the alignment including ecological effects associated with existing covenant areas (including adjacent sites)</b>	<p>The assessment provided has not included an assessed the ecological effects of the realignment on other existing covenants on adjacent sites.</p>	<p>The realignment of NoR6 will result in a greater ecological impact than what has been assessed.</p> <p>This has implications in respect to preparing consent conditions to ensure ecological effects are appropriately avoided and mitigated.</p>	<p>The realignment of NoR6 will result in a greater ecological impact than what has been assessed.</p>	<p>Refer to the 'McKenzie AT Response Memo' (Appendix 51.4).</p>	<p><b>Information remains outstanding.</b></p> <p>Response does not provide any of the ecological evaluations.</p> <p>Refer to Terrestrial Ecology Memo (<b>Annexure 16</b>).</p>

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23. Ecology:  Covenant habitat management	An assessment has not been provided on the inclusion of the covenanted areas into the Incorporated Society.	There are significant issues with individual private ownership and the maintenance of covenants where there is residential development	There are significant issues with individual private ownership and the maintenance of 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.	Refer to Proposed Draft Conditions prepared by B&A (Appendix 57).	<b>Details have been provided.</b>  Further Council comments will be provided on the Proposed Draft conditions.
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.	A condition to this effect is not considered necessary.	<b>Information remains outstanding.</b>  Refer to Terrestrial Ecology Supplementary Memo ( <b>Annexure 16</b> ).  Council remains of the view that consent conditions/ covenants are required to ban cats for all future owners and this to be managed by the residents association/ incorporated society.



<p><b>25. Cost Benefit analysis as part of the Economic Assessment</b></p>	<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"> <li>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"> <li>a. An appropriate counterfactual / 'business as usual' scenario</li> <li>b. An appropriate scenario outlining the differences the proposed development represents</li> <li>c. Identified costs and benefits arising from the difference</li> <li>d. The spatial and temporal extents the costs and benefits are being measured over</li> <li>e. Which segments of society are likely to bear these costs or enjoy these benefits</li> </ol> </li> <li>2) quantification of costs and benefits where practicable</li> <li>3) a qualitative assessment of costs and benefits that are not able to be quantified and</li> </ol>	<p>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.</p>	<p>The Economic Assessment to assess and understand the benefits of the proposal and whether these are regionally significant.</p>	<p>Refer to UE's 'Updated Economic Memorandum' (Appendix 53.1)</p>	<p><b>Information remains outstanding.</b></p> <p>Please refer to Economics Memo (Annexure 2).</p> <p>A cost-benefit analysis has not been conducted or supplied.</p> <ol style="list-style-type: none"> <li>a. Cannot weigh up the resource trade-offs involved.</li> <li>b. Cannot assess whether the Proposed Development is net beneficial.</li> <li>c. Cannot determine if the Proposed Development would result in "significant regional or national benefits".</li> </ol>
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	<p>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>				
<b>26. Auckland Transport: Overland Flowpath Assessment relating to roading</b>	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.	Refer to Overland Flow Path Memo provided by McKenzie & Co (Appendix 52.1).	<b>Information remains outstanding.</b> Please refer to Auckland Transport Memo (Annexure 14).
<b>27. Auckland Transport: Culvert Assessment</b>	An assessment for the proposed culverts has not been provided and has not demonstrated that the culverts are appropriately sized or enable non-hazardous conveyance of stormwater.	If the culverts are identified to be insufficiently sized and require upsizing, this could affect lot boundaries near the culvert and channels.	Culvert are required to be designed ensure stormwater/ flood effects are avoided.	Refer to 'Culvert and Hydrological Suitability Memo' provided by McKenzie & Co (Appendix 49.6).	<b>Information remains outstanding.</b> Please refer to Auckland Transport Memo (Annexure 14).

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>28. Auckland Transport: Flood Modelling</b>	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	Refer to 'McKenzie AT Response Memo' Appendix 51.4).	<b>Information remains outstanding.</b> Please refer to Auckland Transport Memo ( <b>Annexure 14</b> ).
<b>29. Design/ upgrade of Upper Orewa Road</b>	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.	Refer to the 'Commute Response Memo' (Appendix 51.2).	<b>Information remains outstanding.</b> Please refer to Transport Memo ( <b>Annexure 13</b> ) and Auckland Transport Memo ( <b>Annexure 14</b> ).  An upgrade of Upper Orewa Road, i.e. road widening with shoulders, is necessary to safety  accommodate traffic and cyclists from the proposed development.  Road widening required at Upper Orewa Road and Russell Road intersection and three horizontal curves on Russell Road to accommodate wastewater trucks accessing Russell Road.

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>30. Lighting plans for shared driveways</b>	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.	Refer to 'Updated Proposed Draft Conditions' prepared by B&A (Appendix 57).	No lighting plans provided but can be included as consent conditions, noting that these will need to be updated to included JOALS.
<b>31. Design plans of the Shared Driveways.</b>	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.	Updated JOALs are reflected across the plan sets, refer to the 'Updated Cross-Sections (Appendix 51.1), 'Commute Response Memo' (Appendix 51.2) and 'PC79 Memorandum (Appendix 51.3).	The updated information package has included design plans for the shared driveways, however no loading space is proposed. Refer to item 33.
<b>32. Vehicle Tracking Plans</b>	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.	Refer to the 'Commute Response Memo' (Appendix 51.2)	<b>Information now satisfactorily provided.</b>  However, non-compliances with tracking identified are not supported.
<b>33. Details of mobility parking and loading</b>	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.	PC 79 Assessment has been provided, refer to the 'PC79 Memorandum' provided by Commute (Appendix 51.3).	Please refer to Transport Memo ( <b>Annexure 13</b> ).  The responses have confirmed that no loading bays are proposed in JOAL or anywhere as part of the proposal. This is not supported by the Council Traffic Engineer.

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created	Applicant Response	Council Response 28 July 2025
<b>34. Road 17/ Upper Orewa Road Sight Distance</b>	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.	Refer to the 'Commute Response Memo' (Appendix 51.2).	<b>Information now satisfactorily provided.</b>  However, Council's Traffic Engineer does not support this non-compliance.
<b>35. Draft Management Plans</b>	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.	Draft Management Plans have been provided. Refer to Draft Management Plans and Draft Management Plan Tracker, provided by B&A (Appendix 55).	Further details of the Draft Management Plans can be addressed as requested changes consent conditions.

Following the Council review of the updated Application package provided on 7 July 2025 the following new Information Gaps have been identified:

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
<b>1. Retaining wall alignment discrepancy.</b>	<ul style="list-style-type: none"> <li>Riley indicates a tiered wall along the northern boundary of NOR 6 Stage 1 to support return cuts—this is omitted on the Terra Studio drawing.</li> <li>A retaining wall within Lots 764–769 (Stage 2) is shown on Riley's sketches but is missing from the Terra Studio drawing.</li> <li>For Lots 6–10 and Lot 473, Terra Studio shows a 2.5–3.0m high retaining wall along the northern</li> </ul>	<p>Cannot accurately assess the remediation scope or suitability for these areas.</p> <p>It is unclear if cut ground will be adequately retained.</p>	While variations in retained height can be addressed at the detailed design stage, the alignment discrepancies raise concerns about how cut ground will be managed long-term where no retention is currently shown. It would be beneficial for Riley to review the updated earthworks and retaining wall plans and confirm

	<p>boundary, which is not shown on Riley's sketches.</p> <ul style="list-style-type: none"> <li>The earthworks plan (Drawing No. 3725-1-2103 Rev J, dated 02/07/2025) indicates cuts up to 6.5m, which contradicts the retained heights shown on Terra Studio drawings.</li> </ul>		whether their proposed remediation measures remain valid.
<b>2. The majority of Parks Planning conditions have not been included within the updated conditions set (appendix 57).</b>	<p>Key conditions relating to pre-implementation, development, and post-development, including maintenance responsibilities, have not been included.</p> <p>Key recommendations ensuring that the future residents' society will be responsible for the ongoing management and maintenance of the publicly accessible open space if not vested to Council have not been included and instead, referenced as being developed into residential lots if no agreement is in place with Council.</p>	Lack of clarity on whether open space will be secured, managed, or delivered as part of the subdivision. Prevents informed decision-making regarding long-term outcomes for public amenity and Council involvement.	Risk that land identified for public access and recreational benefit may be lost to private development. Ongoing uncertainty over maintenance responsibilities and future use, potentially resulting in poor community outcomes.
<b>3. The Stage 2 neighbourhood park includes access points that must be fully contained within the development footprint.</b>	<p>There is a lack of clarity around how park access from surrounding private lots will be managed, as all identified access points in Figure 1 below must be contained within the private development boundaries.</p>	<p>While this issue does not pose an immediate barrier to decision-making, it should be flagged for attention during the detailed design phase to ensure this is appropriately resolved.</p> <p>Access points must be contained within private property and access doors/gates must open inward into the private development (not the park).</p>	This could lead to suboptimal operational and maintenance burdens for Council as well as confusion regarding owner responsibilities.
<b>4. Sensitivity testing of modelling at interchange and consideration of required mitigation</b>	Potential trip generation rate is too low.	Cannot accurately assess the associated effects.	Potential for serious delays for existing residents of Ōrewa and queuing onto Grand Drive (AT network).
<b>5. Stormwater modelling</b>	No demonstration that this development will be safe for pedestrians and road users. As the applicant has not provided any quantification.	Cannot determine stormwater hazards.	Potential for serious road user and pedestrian safety effects caused by stormwater.

## SECTION C: TABLE AND SUMMARY OF THE ADVERSE IMPACTS ASSESSMENT

17. The following table sets out the key adverse impacts/ issues that were identified in the Council Strategic and Statutory Planning Memorandum dated 25 June 2025, and whether these adverse impacts/ issues have been resolved following the Council review of the updated Application package provided on 7 July 2025.

Adverse impacts/ Identified Issue	Council further response (28 July) following review of updated Application package provided on 7 July 2025.
<p><b>Issue 1: No / inadequate proposal for water supply servicing</b> - 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><b>Remains a Significant Issue/ Adverse Impact</b></p> <p>The Applicant's 7 July 2025 response has stated that there are no constraints to the water supply servicing for the Delmore project.</p> <p>Watercare have confirmed that connections to the public water supply network will not be available until 2038 at the earliest, and that the Delmore Project will need to demonstrate a permanent private water supply servicing solution. No permanent water supply servicing solution is proposed as part of the Application including in the Applicant's 7 July 2025 response.</p> <p>The absence of a clear proposal for water supply servicing remains 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>The FDS states that the key bulk infrastructure projects required to support development readiness (infrastructure prerequisites) is not an exhaustive list and is based on current information and may be subject to change as further strategic planning is developed. Further, the FDS states that the timing of the individual infrastructure prerequisite projects will be included in the FDS Implementation Plan and reviewed annually to ensure they reflect latest information.</p> <p>Please see Issue 2 below in respect to the Applicant's 7 July 2025 response re: Capacity Assessments, and that approach adopted is flawed.</p> <p>Refer to the Watercare memo (<b>Annexure 5</b>).</p>
<p><b>Issue 2: Viability of Wastewater Servicing</b> - Watercare has assessed the capacity of the existing and planned bulk infrastructure required to support</p>	<p><b>Remains a Significant Issue/ Adverse Impact</b></p>

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.

The Applicant's 7 July 2025 response has provided Wastewater Capacity Assessments that have examined the number of resource consents already granted for development with a defined catchment area. This is considered to be a flawed analysis as this excludes additional demand that will arise from zone-enabled and sequenced development. Furthermore, this also excludes resource consent applications that have been lodged but not yet approved/ granted, and other development that is permitted and does not require resource consent. The approach undertaken in the Applicant's assessments risks undermining strategic region-wide planning and the efficient operation of network services. The capacity assessments must account for the full scope of both consented and zone-enabled demand such as infill housing, as well as sequenced development.

The planning and servicing methodology without allowance for broader infrastructure obligations raised a number of fundamental issues which are set out in paragraph 13 of the Watercare Memo. Refer to the Watercare memo (**Annexure 5**).

Watercare's network capacity mapping is designed to identify constraints affecting live zoned areas and does not extend to Future Urban Zone (FUZ) land including the Delmore land. This land falls outside the scope of current network capacity mapping.

Watercare's assessment confirms that the earliest wastewater connections could be provided without precluding development of existing live zoned areas and sequenced growth would be from 2050+. There is currently no spare capacity within the public wastewater network to enable the Delmore development to be serviced.

In respect to the planned Army Bay WWTP upgrades, the Stage 1 upgrade is programmed for approximately 2031, which is required to support zoned and sequenced land in the near-term pipeline. The Delmore development is located in a FUZ area timed for 2050+, and therefore is not included within that capacity planning.

In respect to the tankering of treated (and potentially untreated waste) Watercare have stated that the only wastewater treatment plants equipped with facilities to receive wastewater from tankers are Rosedale and Pukekohe WWTP. However, Watercare would not accept discharge from Delmore's tankered effluent.

Any interim private servicing scheme relying on a future connection to the public network some 25 years in the future is not supported by Watercare given the complexity, unknown future costs, and risks associated with the provision of future connections.



<p><b>Issue 3: Design and metrics of the Neighbourhood Parks</b> - 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 (3,000m<sup>2</sup> 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><b>Remains a Significant Issue/ Adverse Impact</b></p> <p>The majority of previously identified neighbourhood park deficiencies plans (metrics) have been addressed. However, further key information is required as follows:</p> <ul style="list-style-type: none"> <li>a. For the Stage 1 neighbourhood park, the current grading appears to slope downward into the central functional area. Clarification is required as to whether this presents any flooding or stormwater management implications.</li> <li>b. Specific flooding commentary and plans for both parks relating to a 1 in 10 and 1 in 100-year flood event is requested.</li> <li>c. Two cross-sections for both the Stage 1 and Stage 2 parks have not been provided (North-south &amp; East-West). Two cross sections for each park are requested please.</li> <li>d. Essential for clearly understanding park layout and functionality, and will be particularly useful during future workshops and engagement with the local board.</li> </ul> <p>Council acknowledges that the above information could be provided and may address this Issue, however currently this is considered to remain a Significant Issue that is required to be addressed.</p>
<p><b>Issue 4: Delivery and alignment of NoR 6</b> - 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.</p>	<p><b>Remains a Significant Issue/ Adverse Impact</b></p> <p>The adverse impacts related to the partial delivery and realignment of NoR 6 remain significant. Only providing a section of NoR 6 is not considered a regional benefit and could only be considered regionally beneficial if the entire NoR 6 Connection between Milldale and Grand Drive Ōrewa. Auckland Transport have confirmed in their AT Memo (<b>Annexure 14</b>) that they do not have any funding to construct the southern section of NoR 6, allowing the actual regional benefits to be realised until 2048+.</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>The resulting development, if consented, will have poor transport outcomes due to the congestion caused at the Grand Drive/SH1 interchange, the inability to service via public transport until the full NoR 6 is constructed and road safety impacts at the tie into the existing rural network, unsuitable to accommodate the traffic volumes from Delmore proposal.</p> <p>In addition, the proposal realignment of NoR 6 from land that the applicant owns and a paper road (owned by AT) to an alternative alignment on neighbouring land, would require AT to acquire land at the time the southern extent</p>

	<p>of NoR 6 is able to be constructed.</p> <p>Significant adverse impacts remain in relation to delivery and alignment of NoR 6.</p>
<p><b>Issue 5: Inadequate provision of collector roads, and general road hierarchy, and potential need for further interim upgrades to address transport effects</b> - 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</p>	<p><b>Remains a Significant Issue/ Adverse Impact</b> Refer to Auckland Transport and PTM memos (<b>Annexure 14</b>).</p> <p>It is acknowledged that the proposal has now incorporated "main local road", however no collector roads are proposed, which are roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal. The main local roads are not able to accommodate public transport and connectivity for the Site.</p> <p>Significant adverse impacts remain in relation to the provision of collector roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal and ensure an appropriate road hierarchy.</p> <p>Interim upgrades are required along the existing rural network on Upper Ōrewa Road and Russell Road to provide safe and efficient access for the development.</p>
<p><b>Issue 6: High car dependency and fragmented urban form</b> - 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.</p>	<p><b>Remains a Significant Impact</b> The Applicant's response has noted that a level of car dependency is expected when dealing with the outer edge of the urban environment.</p> <p>It is acknowledged that a level of car dependency is anticipated for development such as the Delmore project. Council also acknowledges that there are site constraints such as topography, and ecology features (terrestrial and freshwater) that inform the site layout. However, the level of car dependency and fragmented urban form is exacerbated through the number/ extent of cul-de-sacs which contribute to a poor urban form and car dependant development.</p> <p>These issues have not been addressed and the proposal will create poor urban design outcomes which are considered to be significant. The proposal does not contribute to a well-functioning urban environment.</p>
<p><b>Issue 7: Potential Ecological Effects</b> - 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.</p>	<p><b>Remains a Significant Impact</b> The Applicant's response has provided further assessments to a range of Key information gaps. The Freshwater and Terrestrial Ecology memos (<b>Annexures 15 and 16</b>) identify that broadly the Applicant's responses do not provide sufficient information or assessments to be able to fully assess the extent and degree of adverse terrestrial ecology and freshwater ecology effects.</p> <p>The details of proposed conditions and adequacy of</p>

	mitigation measures are not able to be currently ascertained given the significant gaps in the Applicant's ecology assessments to inform these.
<p><b>Issue 8: Sedimentation Effects</b> - 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.</p>	<p><b>Remains a Significant Impact</b></p> <p>The Applicant response has stated that an AMP is not necessary and adverse sedimentation effects from earthworks will be managed and mitigated through the implementation of the finalised ESCP.</p> <p>As set out in further detail in the Earthworks memo (<b>Annexure 12</b>), whilst the overall earthworks and erosion and sediment control measures are generally appropriate, the preparation and implementation of an AMP is necessary to ensure the proposal's potential sediment related effects did not exceed the level anticipated by the consent. The AMP is considered necessary given the extent of the proposed earthworks, the duration of the earthworks and the sensitivity of the receiving environment.</p> <p>The adverse impacts related to earthworks (sedimentation) are significant without an AMP. However, the Panel is able to resolve this issue by imposing the recommended AMP condition.</p>
<p><b>Issue 9: Adequacy of Structure Plan</b> - 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.</p>	<p><b>Resolved</b></p> <p>A Structure Plan prepared by B&amp;A has been included with the Applicant response. It is acknowledged that this has provided a more detailed analysis in respect to how the site will be integrated with other FUZ land.</p> <p>However, the Delmore project continues to provide an uncoordinated approach for the delivery and coordination of infrastructure and roading. Refer to issues 1, 2, 4, 10 and 11.</p>
<p><b>Issue 10: Impact on planned investment and infrastructure provision</b> - 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</p>	<p><b>Remains a Significant Impact</b></p> <p>The Supplementary funding and financing memo of Ms Duffield and Mr Kloppers addresses these matters further (<b>Annexure 1</b>) noting the following summary:</p> <ol style="list-style-type: none"> <li>There are significant funding and financing gaps to service the proposal with the infrastructure required to enable this.</li> <li>The proposal creates significant implementation risks and cost implications, and may cause adverse effects on the environment and on existing network infrastructure.</li> <li>It is necessary to understand the costs, timing and who is responsible for delivery of the requisite infrastructure components now.</li> </ol>
<p><b>Issue 11: Uncertainty of infrastructure delivery and servicing</b> – 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</p>	<p><b>Remains a Significant Impact</b></p> <p>Refer to the Supplementary funding and financing memo of Ms Duffield and Mr Kloppers which addresses these matters further (<b>Annexure 1</b>), noting the following summary:</p> <ol style="list-style-type: none"> <li>The absence of resolved water supply, wastewater</li> </ol>

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.	<p>and transport infrastructure delivery and servicing creates significant uncertainty and risk that, if the application is approved, interim solutions may be required.</p> <p>b. The proposal creates significant implementation risks and cost implications, and may cause adverse effects on the environment and on existing network infrastructure.</p> <p>c. There remains 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.</p>
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## SECTION D: SUMMARY AND CONCLUSIONS

### Project benefits summary

18. Council's Assessment following the review of the Additional Application Information package dated 7 July 2025 including the updated AEE and economic assessment, is that the regional benefits are overstated, should be treated with caution, and do not meet the threshold of significant regional benefits under the FTAA.
19. In summary, the Council's assessment is that:
  - a. The claimed economic benefits are not supported by a robust net-benefit analysis. Mr Stewart remains of the view that the Applicant's assessment has not provided a robust assessment which addresses the fundamental question of net benefit or net cost.
  - b. Mr Stewart has reiterated that the benefits have also been overstated as they relate to delivery of housing on greenfield land and affordability, and that greenfield development such as Delmore competes with opportunities across the existing urban area and not just other greenfield sites, which is a reason why this may contribute to improved affordability.
  - c. 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 on private cars which results in a level of car dependency with associated transport costs and adverse CO2 gas emissions.
  - d. The partial provision of NoR 6 is not considered a regional benefit for several reasons:
    - The arterial road cannot function as intended until it is fully constructed.
    - The partial NoR arterial road would only serve the development site itself rather than providing any broader network connectivity and efficiency benefits.

- The proposed alignment deviates from the Supporting Growth Alliance concept design, 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.
  - 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 arterial transport corridor.
- e. 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 assessed previously in **Section C** of this Memo, there remain 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 16**). Council's Terrestrial Ecologist has further noted that the ecological protection and enhancement proposed as part of the Application would be required for any similar resource consent application, and within this context the Applicant's ecological benefits would not provide additional ecological benefits that are regionally significant beyond those that would typically be secured for the urbanisation of land.
20. 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 remains a number of adverse impacts that are sufficiently significant to be out of proportion to those benefits.

#### Identified Information Gaps

21. The identified information gaps (detailed in **Section B** above) create additional uncertainty in the assessment. However, the following adverse impacts identified meet the section 85(3) threshold even accounting for this uncertainty, as the core constraints are sufficiently clear and significant.

#### Outstanding Issues identified

22. Based on the review of the Applicant's 7 July 2025 response package, and the further analysis in **Section C** above, the following adverse impacts remain, individually and collectively, as 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. The tankering of treated (and potentially untreated waste) would not be accepted at Watercare WWTPs. The Applicant's Wastewater Capacity Assessments are considered to be fundamentally flawed as these have only examined resource consents already granted for development with defined catchment area. The Applicant's assessments have excluded additional demand that will arise from zone-enabled and sequenced development. Furthermore, this also excludes resource consent applications that have been lodged but not yet approved/ granted, and other development that is permitted and does not require resource consent. The capacity assessments must account for the full scope of both consented and zone-enabled demand such as infill housing, as well as sequence development.
- **Issue 3: Design and metrics of the Neighbourhood Parks** – The majority of previously identified neighbourhood park deficiencies plans (metrics) have been addressed. However, further key information as set out in **Section B** is required to ensure that the Neighbourhood Parks provide the necessary regional open space provision and future communities open space needs. Council acknowledges that the above information could be provided and may address this Issue, however currently this is considered to remain a Significant Issue that is required to be addressed.
- **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. It is acknowledged that the proposal has now

incorporated a “main local road”, however no collector roads are proposed, which are roads to accommodate buses and enable appropriate bus transport connections and connectivity for the proposal. The main local roads are not able to accommodate public transport and connectivity for the Site. 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 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** - It is acknowledged that a level of car dependency is anticipated for development such as the Delmore project. Council also acknowledges that there are site constraints such as topography, and ecology features (terrestrial and freshwater) that inform the site layout. However, the level of car dependency and fragmented urban form is exacerbated through the number/ extent of cul-de-sacs which contribute to a poor urban form and car dependant development. The proposed site and road layout contributes to poor connectivity, a fragmented urban form and a car dependent development. 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 remains 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. However, the Panel is able to resolve this issue by imposing the recommended AMP condition.
- **Issue 9: Adequacy of Structure Plan** – This issue has been resolved, noting the Delmore project continues to provide an uncoordinated approach for the delivery and coordination of infrastructure and roading. Refer to issues 1, 2, 4, 10 and 11.
- **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.

### Recommendation and Conclusion

23. Based on the assessment undertaken and following Council's review of the Applicant's updated Application Package dated 7 July 2025, Council reiterates that the previous recommendations and conclusion set out in the Strategic and Statutory Planning Memorandum remain unchanged and to **RECOMMEND DECLINE**, on the grounds that:
- a. The Supplementary Planning 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 design 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, and impact on planned investment and infrastructure provision and the uncertainty of infrastructure delivery and servicing.
  - b. Even taking into account the project's contended 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.

**DATED** the 28<sup>th</sup> day of July 2025

**Dylan Pope**

Planning Consultant for Auckland Council