

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

AND

IN THE MATTER Project **FTAA-2512-1164** – Delmore (“**Delmore Application**”)

MEMORANDUM OF PLANNING MATTERS FOR AUCKLAND COUNCIL

Dated: 4 May 2026

SECTION A: INTRODUCTION

1. This Planning Memorandum sets out Auckland Council’s 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 provides a summary of the Memos prepared by Ms Rosie Stoney, Auckland Council’s Senior Advisor Growth and Spatial Strategy, and Mr Austin Fox, Senior Policy Planner.
3. The **Section C** sets out the Council’s Statutory Planning Assessment.
4. The Summary of Assessment Outcomes and Proportionality Conclusions are set out in **Section D**.
5. For process clarity, this assessment is based on the Application materials and updates received from the Applicant up to 20 April 2026, as agreed between the parties to enable Council family comments to be provided by the 4 May 2026 deadline. Additional material provided by the Applicant after 20 April 2026 has not been assessed, given the volume and complexity of material involved and the limited time available for specialist review. It is noted that the Applicant and the Council are continually working towards resolving outstanding matters including various reviews such as to the Geomorphic Assessments and Dam Break Assessments.

REGIONAL / NATIONAL SIGNIFICANCE

6. The relevant provisions of the FTAA (including sections 81 and 85 and schedule 5 for RMA applications) require a Panel to give the greatest weight in evaluating relevant factors to the FTAA purpose in Section 3, namely to facilitate the delivery of infrastructure and development projects with significant regional or national benefits, and being able

to decline an application where the Panel is of the view that the adverse impacts are sufficiently significant to be out of proportion to those benefits. We note that simply being inconsistent with a relevant Plan provision would not be enough to decline an application (due to section 85(4)). In undertaking that assessment exercise, we acknowledge the Panel will have discretion as to what weight to place on the evidence/ information before it, including about the extent of the project's regional or national benefits and the significance of the adverse impacts.

7. As outlined within the accompanying Economic Assessment (**Annexure 2**), the Council's Chief Economist Unit has reviewed the Applicant's Economic Assessment and their memo notes that in the context of other regional developments, the significance of this proposal may be more modest. Council's Economist Mr Stewart has advised that: *"...overall, I am not convinced that the analysis in the report demonstrates that Delmore would result in a net benefit (benefits exceed costs), let alone whether it could be considered a regionally or nationally significant benefit."* Their conclusion is that the Applicant's Assessment requires extensive re-review and updates to determine if the proposal would result in a regionally significant economic benefit.
8. The Council believes that without this regional economic justification to support the development, the benefits have not been sufficiently demonstrated. In contrast, the Council's specialists have identified that there are a number of adverse effects associated with the scheme of a sufficient significance, scale and nature which either require additional information off the Applicant or agreed conditions to potentially resolve.

SECTION B.1 – STRATEGIC / FDS MATTERS

9. The discussion in **Section B.1** below provide a summary of the memo prepared by Ms Stoney dated 27 March 2026 (**Annexure 3**) 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 following 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.
10. Following further consideration of the strategic issues, we highlight the additional points below.

Consideration of strategic planning matters

11. 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.
12. 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.
13. This was also reflected within the recent Environment Court's decision in *Arvida Limited v Auckland Council* [2026] NZEnvC 049, which notes that Infrastructure providers such as Watercare must be able to rely on the FDS as a meaningful strategy to reliably inform their growth planning and funding priorities (para [95]). and, as outlined in the decision, it was therefore entirely reasonable for Watercare take the position that it did not support development out of sequence with the FDS which might impact its ability to fund and deliver infrastructure that had been committed and prioritised (para [90]).

Integration of land use and infrastructure planning and decision-making

14. 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.
15. 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.
16. Development of the Future Urban Area is anticipated by the Council. The application proposes to bring the timing of the dwelling delivery forward from 2050, however it is not additional to the dwelling delivery anticipated in the FDS and AGS.
17. 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.
18. 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.

19. The recently published Auckland City Deal (April 2026) also reflects this, supporting the coordination of sustainable land development (and focusing on enabling quality urban growth) and economic growth. It notes the importance of delivering ‘...*sustainable greenfield expansion*’ which is ‘*supported by sequencing, funding and infrastructure investment*’.
20. *The Arvida Limited v Auckland Council* [2026] NZEnvC 049 Environment Court decision also notes that infrastructure issues need to be addressed up front, and not left for a subsequent process. We note that the Applicant has sought to address the previous Panel’s concerns in regards to wastewater and water servicing, though wider infrastructure concerns and the lack of clear demonstration of regional benefits means that the wider potential adverse effects noted above need fully resolved by the Applicant upfront.

Impacts of the Delmore application on the Council’s planned infrastructure and service provision

21. 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.
22. 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.
23. The accompanying 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 23 April 2026 (Annexure 18)

24. 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.
25. 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.

26. The Environment Court's decision in *Arvida Limited v Auckland Council* [2026] NZEnvC 049 accepted Watercare's argument that providing connections to out of sequence development from the FDS timing might jeopardise Watercare's ability to service the existing live zoned areas within Warkworth (para [89]) and this was inconsistent with the NPS-UD and FDS. In summary, the development proposes significant new growth which is not infrastructure ready and not identified in the FDS for live zoning until 2050.

Auckland Transport memo dated 29 April 2026 (Annexure 21)

27. Auckland Transport have planned the transport network according to the timing and anticipated scale of growth set out in the FDS and AGS.
28. Auckland Transport have assessed the impacts of development occurring ahead of supporting infrastructure and conclude that there remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site for Stage 1. The proposal does not involve the portion of Designation 14108/ NoR 6 linking the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development, and the interim design solution is not supported. Auckland Transport have noted that consent condition is necessary that ensures the link is delivered prior to titles being issued if the arterial road being delivered is to be the intended indicative designation design and not an interim alternative. This is necessary to provide access for Stage 1, noting that this is the only access for this Stage. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site, PTM have advised that the proposal interim design of this link has a number of design deficiencies.

Funding and Financing memo dated 19 March 2026 (Annexure 1)

29. 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.
30. 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. It is noted that there is on-going engagement between the Applicant and the Auckland Urban Development Office, however at this time there is no formal agreement or agreed funding mechanisms.

Conclusions on Strategic Planning Assessment

31. As recognised within the previous Panel's draft decision of the original Delmore Fast-track application, 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

32. **Section B.2** addresses the higher-order policy assessment provided by Mr Fox in a previous memo dated 24 March 2026. For context, brief reference is made first to the Applicant's assessment.

Applicant's Assessment

33. 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).

Council's Assessment

34. Council's Policy Planner, Austin Fox, has undertaken a review of the application and prepared a Policy Memo 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 4**). 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. 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. 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.

c. *Infrastructure Integration Concerns*

The Policy Memo notes that the application identifies three 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.

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.
38. Importantly, the *Auckland Council v Matvin* decision confirmed that the overall purpose of the FUZ is as a holding zone and to provide a transition from rural to urban use and development. Until rezoned urban, the primary set of activities that are to occur in the FUZ are rural and that "*urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes*" (Objective H18.2(4)).

SECTION C: STATUTORY PLANNING ASSESSMENT

39. The following Council Memos have been received which inform the overall Statutory Planning Assessment:
- Earthworks – Matt Byrne (Annexure 5)
 - Geotechnical – Frank Zhou (Annexure 6)
 - Groundwater Diversion and Dewatering – Hester Hoogenboezem (Annexure 7)
 - Temporary Surface Water Diversion – Nick Hazard (Annexure 8)
 - Noise and Vibration – Duffy Visser (Annexure 9)
 - Contamination – Duffy Visser (Annexure 10)
 - Archaeology / Heritage – Mica Plowman (Annexure 11)
 - Māori Heritage – Dr Alex Jorgensen (Annexure 12)
 - Wastewater – Patrick O’Riordan (GWE Consultants) (Annexure 13)
 - Hazardous Substances – Louis Boamponsem (Annexure 14)
 - Air Quality – Louis Boamponsem (Annexure 15)
 - Groundwater Use – Marija Jukic (Annexure 16)
 - Water Treatment – Patrick O’Riordan (GWE Consultants) (Annexure 17)
 - Watercare (Wastewater Capacity and Water Supply Capacity) – Helen Shaw / Amber Taylor (Annexure 18)
 - Stormwater & Geomorphology – Martin Meyer & Danny Klimetz (Annexure 19)

- Healthy Waters – Hillary Johnston (Annexure 20)
 - Auckland Transport – Nadine Perera (AT) (Annexure 21), attaching reports by:
 - Craig Richards and Rob Mason (Beca); and
 - Paul Schischka (PTM Consultants)
 - Transport (Auckland Council) – Philips Augustine (Annexure 22)
 - Waste – Elizabeth Driver (Annexure 23)
 - Terrestrial Ecology – Nick Goldwater, Wildlands (Annexure 24)
 - Freshwater Ecology – Antoinette Bootsma (Annexure 25)
 - Arboriculture – Rhys Caldwell (Annexure 26)
 - Landscape – Helen Mellsop (Annexure 27)
 - Urban Design – Mustafa Demiralp (Annexure 28)
 - Parks – Cas Hannink (Annexure 29)
40. The Rodney Local Board comments (**Annexure 30**) are not discussed in this **Section C**.

Outstanding Material from Applicant, and Review Limitations

41. Following lodgement of the application, Council has provided initial feedback to the Applicant on the Application. This feedback has raised a range of issues, together with outstanding additional information that is considered necessary to be received by the Council's specialists to fully assess the application.
42. The Applicant has engaged with Council during the 20-working day period, with a number of meetings undertaken. The Applicant has advised that additional documents will be provided to the Panel on the 11 May 2026 in response to the matters raised by Council. These will include the following additional information and assessments:
- a. Vehicle tracking diagrams/ curves
 - b. Acoustic Insulation Memo in respect to road traffic noise from NoR to adjacent residential dwellings
 - c. Updated Landscape Plans and Ecological Management Plans
 - d. Dam Break Assessment
 - e. Additional Geomorphology Assessment
 - f. Water Treatment Response
 - g. Full updated draft set of proposed conditions;
 - h. Response to EPA Panel comments; and
 - i. Updated set of plans that will incorporate all responses.
43. 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 material is considered necessary following the 4 May 2026 deadline to ensure all relevant matters have been properly considered in the Council's assessment of the Application.
44. 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 and where relevant updated have been provided within the Memos by each Council Specialist. These include identification of where proposed conditions are deficient, where additional consent conditions are required, and changes are required to proposed conditions.

45. This memo is therefore based on the Application material as lodged, together with the further information that has been provided post lodgement.

SECTION C: STATUTORY PLANNING ASSESSMENT

SECTION C.1.1 CONSTRUCTION EFFECTS

Earthwork (sediment and erosion)

Applicant's Assessment

46. McKenzie & 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**).
47. The application has agreed to Adaptive Management Plan (**AMP**) conditions, noting that a specific review condition is required and the wording of this will be prepared in conjunction with input/ agreement with the Applicant.

Council's Assessment

48. The adverse effects (sedimentation) associated with the earthworks have been reviewed by Council's Regional Earthworks Specialist (**Annexure 5**) who has confirmed that the indicative ESCP are generally appropriate and that the preparation of final ESCP for certification by Council is acceptable.
49. Given the extent and duration of the earthworks activity within the receiving environment containing streams, Council's Regional Earthworks Specialist considers that an AMP is necessary.
50. The Council's Regional Earthworks Specialist as part of their initial review and Memo had recommended a number of changes/ additional consent conditions which include but are not limited to changes to the AMP and details of the ESCP, which have been accepted by the Applicant.

Conclusions on Sedimentation Effects

51. There are no significant Earthwork (sediment and erosion) impacts that require proportionality assessment.
52. The application has agreed to Adaptive Management Plan (AMP) conditions, noting that a specific review condition is required and the wording of this will be prepared in

conjunction with input/ agreement with the Applicant.

Geotechnical and Land Stability

Applicant's Assessment

53. 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 future dwellings. These recommendations form part of the Application.

Council's Assessment

54. Council's Geotechnical Specialist has reviewed the proposed earthworks in respect to the geotechnical matters, including land stability (**Annexure 6**). There is broad agreement with the assessments undertaken and conclusions reached.
55. There are some information gaps as they relate to assessment of geomorphic risks, which will require geotechnical review and assessment. There are on-going communications and meetings with the Applicant in respect to geomorphic and associated geotechnical matters to resolve outstanding issues/ address key information gaps.
56. Some minor changes to 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

57. Some minor changes consent conditions are recommended to ensure that adverse geotechnical and land stability related effects are avoided and mitigated, and we await confirmation off the Applicant if the requested changes have been accepted.
58. There are no significant Geotechnical and Land Stability impacts that require proportionality assessment.

Groundwater Effects

Applicant's Assessment

59. The Applicant is seeking consent to take groundwater for diversion purposes during earthworks at the subject site for the proposed Delmore Development.

Council's Assessment

60. Council's Groundwater Specialist has reviewed the Application (**Annexure 7**), 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).

61. It is highlighted that the effects of proposed dewatering and groundwater diversion are potentially adverse on the identified wetlands. The Applicant's assessments (Riley Consultants and Viridis) have 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.

Conclusions on Groundwater Effects

62. There is broad agreement between the Applicant and Council in respect to groundwater-related effects, including adverse effects on wetlands.
63. A specific review condition is recommended to ensure that adverse groundwater-related effects are mitigated, and we await confirmation off the Applicant that this is acceptable.
64. There are no significant residual groundwater impacts that require a proportionality assessment.

Surface Water Effects

Applicant's Assessment

65. The specific methodology for the temporary surface water diversion activity is set out in the Earthworks Report prepared by McKenzie & Co. This includes a methodology for the construction of temporary diversions for the construction of permanent culverts.
66. It is noted that the Applicant is currently preparing additional Dam Break Assessments, and which will need sufficient time to be allocated to enable Council Specialists to review.

Council's Assessment

67. Council's Surface Water Specialist (**Annexure 8**) has confirmed that the proposal will not result in adverse surface water related effects.
68. Changes to conditions (condition 168) are required to specifically reference the "Delmore – Methodology for Culvert Works within Stream", Appendix D, Earthworks Report, McKensie & Co dated 15 December 2025.

Conclusions on Surface Water Effects

69. There are no significant residual surface water impacts that require a proportionality assessment.

Construction Noise and Vibration

Applicant's Assessment

- 70. 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 property located to the south at 59 Russell Road.
- 71. 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.
- 72. 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.
- 73. The Noise Assessment Report has stated that the WWTP can be designed to comply with the operational noise limits.

Council's Assessment

- 74. The construction noise and vibration effects including on neighbouring properties have been reviewed by Council's Acoustic Specialist (**Annexure 9**) who has confirmed these effects have been appropriately addressed by SLR, and they are in broad agreement with the mitigation measures proposed, with some minor condition amendments required.

Conclusions on Construction Noise and Vibration

- 75. Adverse construction noise effects can be managed to comply with the vibration and noise limits, and has recommended installation of temporary noise barriers.
- 76. Council's Acoustic Specialist has recommended some minor changes to the Applicant's consent conditions.
- 77. There are no significant residual construction noise and vibration impacts that require proportionality assessment.

Contamination

Applicant's Assessment

- 78. Williamson Water and Land Advisory have undertaken a Preliminary Site Investigation which has confirmed, based on previous historic land uses, that the site is not subject to any land contamination.

Council's Assessment

79. The contamination matters have been reviewed by Council's Contamination Specialist (**Annexure 10**) who agreed with the Preliminary Site Investigation \.
80. 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 at an appropriate landfill.

Conclusions on Contamination

81. 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.
82. There are no significant residual contamination impacts that require a proportionality assessment.

SECTION C1.2 ARCHAEOLOGICAL HERITAGE AND MĀORI VALUES

Applicant's Assessment

83. 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.
84. 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.
85. 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

86. The effects on Heritage values have been reviewed by Council's Heritage Specialist (**Annexure 11**) and Māori Heritage Specialist (**Annexure 12**) who are in agreement with the assessment undertaken by Clough and Associates.

Conclusions on Heritage Values

87. The proposed works areas including earthworks are located outside the two recorded archaeological features. 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.
88. No additional consent conditions or changes to conditions are necessary.
89. There are no significant residual impacts on archaeological heritage values that require proportionality assessment.

SECTION C1.3 WASTEWATER TREATMENT PLANT (WWTP)

90. The Application proposes an interim WWTP which it anticipates 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+ and on a permanent basis (**Annexure 13**).

Applicant's Assessment

91. The Applicant's wastewater servicing strategy includes three design options. Option 1 involves a private low-pressure sewer (LPS) system that conveys wastewater to an onsite private wastewater treatment and disposal scheme. This would provide for the initial 475 dwellings (equivalent of Stage 1 of the development), and then could be scaled up to accommodate Stage 2. A portion of treated wastewater is not able to be disposed of on-site during the summer months, and therefore, this will be trucked off-site to be disposed of at an appropriate facility.
92. A wastewater disposal field is proposed for Stage 1, with a consent condition offered for the Stage 2 off-site wastewater disposal.
93. The on-site WWTP is described in the Wastewater Design Report prepared by Apex. The WWTP would be in place until such time that the 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

94. Watercare have provided an assessment of the WWTP as it relates to adverse wastewater infrastructure related effects. Please refer to **Section C1.4 Infrastructure Effects**. Watercare have advised that: "*Watercare fundamentally does not support the establishment of permanent long-term private water or wastewater treatment facilities for servicing of FUZ land.*"
95. The WWTP has been reviewed by Council's Wastewater Engineer (**Annexure 13**). As

part of their initial review various information gaps were identified. Council's Wastewater Engineer has confirmed that with the exception of one matter that these have now been satisfactorily addressed. The principal outstanding matter is the proposed review / trigger condition relating to off-site disposal for Stage 2, noting that the Applicant has indicated acceptance in principle of this condition, however no formal final wording or a complete response has been provided and this is awaited off the Applicant.

96. 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.
97. As addressed further below in **Section C.4**, Watercare has advised that (**Annexure 18**):
 - 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. Watercare does not support any tankering of wastewater to its network for treated wastewater that cannot be discharged on site (**Annexure 18**).

Conclusions on WWTP Effects

98. Whilst Watercare does not support private WWTP for servicing FUZ land, it is considered given the site/ development cannot connect to the public reticulated wastewater system that a permanent private WWTP is the only viable option for the Delmore Project (noting that a temporary solution is proposed).
99. It is considered that adverse effects associated with the WWTP including the overall management of this can be appropriately mitigated through a suite of consent conditions, noting that further review conditions are required. In addition, it is understood that the Applicant is currently reviewing/ preparing changes to the conditions in respect to the Residents Society and how the WWTP will be operated/ managed. Council has not yet reviewed these updated conditions.
100. 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.

Hazardous Substance Effects

Applicant's Assessment

101. 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

102. 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.
103. The consent conditions as they relate to Hazard Substances are considered appropriate.

Conclusions on Hazardous Substance Effects

104. 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.
105. There are no significant residual impacts as they relate to Hazardous Substances that require a proportionality assessment.

Air Discharge Effects

Applicant's Assessment

106. 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

107. The AQR has been reviewed by Council's Air Quality Specialist (**Annexure 15**) 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

108. 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

109. 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.
110. There are no significant residual air quality impacts that require a proportionality assessment.

SECTION C1.4 INFRASTRUCTURE EFFECTS

Water Supply Effects

Applicant's Assessment

111. The Site is not currently serviced by the public water supply network.
112. The water servicing strategy for Delmore is included in the Infrastructure Report prepared by McKenzie and Co and includes both short-term and long-term solutions for water supply.
113. The water servicing strategy includes two options:
- (a) Option 1 is an on-site, private potable water supply system including four groundwater bores, a water treatment plan (WTP) and on-site reservoirs.
 - (b) Option 2 is a two-phase approach connecting to the existing public watermain adjacent to the site. Phase 1 is a connection to an existing main east of the site located on Grand Drive. Phase 2 is an additional connection to the south that is required at ~550 lots.

Council Assessment

Option 1

114. The Applicant has obtained consents for groundwater take and use consent WAT60456696 to take 1,385m³/d and 195,707m³/yr for domestic supply for up to 1,217 dwellings from the underlying Orewa Waitemata Aquifer – these were applied for and approved after the draft decline of the original Delmore Fast-track application. The Council's assessment of the groundwater take consent application concluded that the proposed bores on site are likely capable of producing the daily and annual abstraction

limits based on yields from neighbouring bores in the area. Additionally, two land use consents LUC60456721 and LUC60456730 to drill the two proposed groundwater production bores within proposed Stage 1 of the Delmore development have been granted. The implementation of either one of the two water servicing options developed by the Applicant will secure an adequate water supply for both stages of the proposed Delmore development.

115. The application has been reviewed by Watercare who have advised in respect to Option 1 that the proposed private water system is incompatible with Watercare's network servicing plan for the wider area which may preclude future connection to the public network. In addition, Watercare have noted that the Application does not set out whether the proposed private WTP, headworks and bores would be decommissioned prior to future connection to the public system. Watercare's preference, if the system is to connect to the wider public network in the future, is for the WTP, headworks and bores to be decommissioned prior to connection.
116. Watercare have advised that there are likely to be higher operational and water safety risks associated with connecting a private serviced area to the public network at a future time. These risks, including significant water quality risks to connected customers, may mean the system needs to remain independent from the wider public network which may mean it becomes permanently private. Watercare have stated that:

"Watercare fundamentally does not support the establishment of permanent long-term private water or wastewater treatment facilities for servicing of FUZ land. This is due to the lack of efficiency and long-term sustainability of private infrastructure including the different legislative obligations of private bodies corporate versus public bodies, the impact on funding of planned public infrastructure to support planned growth, and the risk of sub-standard process units being installed, incurring costs to homeowners or the public sector later if the infrastructure is proposed to be vested to Watercare (assuming Watercare were to decide to accept vesting of such infrastructure)."

117. Council's Water Engineer (**Annexure 17**) has advised that the principal issue for assessment is whether the proposed water supply, treatment process, storage and private reticulation arrangements have been sufficiently demonstrated to provide a reliable and resilient potable and firefighting supply.
118. There are some key information gaps in the application material to ascertain whether the proposed private water supply and treatment is acceptable and that this provides a long-term solution. These are information gaps are identified as:
 - a. No water quality data for design of the treatment plant.
 - b. The application does not provide a water balance sufficient to demonstrate how the water shall be supplied reliably to the development during increased use periods, which will typically coincide with drought conditions.
 - c. A "Hydroloop" system is also referred to, however the figure of 30-40% water re-use is not tested, nor detailed as to how this would be integrated into the

overall water supply for the development.

- d. There is likely to be a waste stream from the water treatment plant, while this is likely to be small when compared to the wastewater from the balance of the development. This is required to be qualified and the management of/ this confirmed.
- e. The application material indicates that the proposed reticulation network and treatment plant are to remain in private ownership of a private infrastructure company that will seek network operator status. However, the application does not clearly identify the proposed legal entity that will own the water and wastewater assets, nor does it explain whether ownership and governance will sit with a network utility operator, body corporate, incorporated society, or another structure.
- f. The application also does not clearly allocate long-term responsibility for operation, maintenance, renewal, compliance, auditing, customer interface, charging/revenue collection, emergency response, and asset replacement across the proposed private water and wastewater systems. The supporting material refers variously to a private infrastructure company, a utility company, Apex as operator, and the owner of the plants carrying out audits, but without a single clear governance and responsibility framework.

Option 2

- 119. The application has been reviewed by Watercare who have advised in respect to Option 2 that the existing bulk water supply network is limited in this area and does not have sufficient capacity to support the anticipated growth in the existing live zoned areas in addition to the Delmore Project. Furthermore, Watercare have advised of the potential programme risk associated with the future planned upgrades of the wider water supply network which may extend beyond 2035+.
- 120. Option 2 is not supported given the likely timeframes for the upgrades to the wider water supply network.

Conclusions on Water Supply Effects

- 121. The Applicant has demonstrated that Option 1 is potentially feasible solution to enable water supply for the Delmore project, noting that this is likely to be a long-term solution and that Watercare may not enable future water supply connections.
- 122. However, there are some key information gaps in the application material to ascertain whether the proposed private water supply and treatment is acceptable and that this provides a long-term solution.
- 123. There are significant residual water supply related impacts that require proportionality assessment.

Wastewater Effects

Applicant's Assessment

124. The Site is not currently serviced by the public wastewater network.

125. The Applicant's wastewater servicing strategy includes three options:

- a. Option 1 involves a private low-pressure sewer (LPS) system that conveys wastewater to an onsite private wastewater treatment and disposal scheme.
- b. Option 2 utilises a LPS system which will connect to Watercare's network.
- c. Option 3 uses a LPS system to collect untreated wastewater and store it in a holding tank prior to tanker trucks collecting the raw sewage and trucking it to an off-site disposal facility.

Council Assessment

Option 1

- 126. Watercare has advised that they do not support the decommissioning of the private WWTP and disposal area once connection to Watercare's network is available. The proposed wastewater servicing is required to be treated as a permanent private solution and designed, consented, and operated on that basis, without reliance on a future connection to the public network.
- 127. Watercare have noted that the provision of permanent private water/wastewater systems in the FUZ will affect Watercare's planning, and that this may result in a down-size and/or loss of efficiency and economic feasibility of planned networks for the area, ultimately increasing the price of servicing for others in the area.
- 128. Watercare has confirmed that any treated (or untreated) wastewater would not be accepted at an existing Watercare Wastewater Treatment Plant.

Option 2

- 129. Watercare has confirmed that Option 2 (connection to the public wastewater network) is not supported and not feasible. Planned upgrades to the Army Bay WWTP are intended to service forecast growth and committed developments in accordance with the Auckland Growth Strategy, and cannot be relied upon to accommodate out-of-sequence developments such as Delmore without adversely affecting the wider catchment, including existing live zones.
- 130. 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+.

Option 3

131. Watercare has confirmed that Option 3 where untreated wastewater is stored and then trucked to a Watercare Wastewater Treatment Plant is not supported.

Conclusions on Wastewater Effects

132. 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. Therefore, permanent private wastewater solution such as permanent WWTP is required.
133. Regardless of the above, Watercare have provided a suite of changes to consent conditions in respect to future wastewater connections to ensure these do not result in effects to the public wastewater network.

Stormwater Effects including Natural Hazards (Flooding and Overland Flowpaths)

Applicant's Assessment

134. A draft Stormwater Management Plan has been developed/ prepared in conjunction with Healthy Waters, noting this has not been approved/ accepted.
135. The Applicant has provided detention and retention to a minimum of SMAF-Flow1 levels as per recommendations made by Healthy Waters.
136. A Rapid Geomorphic Erosion Assessment prepared by Morphem has been lodged with the application.
137. Council have circulated the feedback from Council's Geomorphological Specialist to the Applicant. This includes details on various fundamental information gaps. A number of meetings and communications have been undertaken with the Applicant and it is understood that the Applicant is currently preparing a Geomorphic Response to the matters raised. This has not been reviewed by Council, and as such the Geomorphological Specialist Memo (**Appendix A to Annexure 19**) has been prepared based on the lodged application documentation.

Council's Assessment

138. Council's Stormwater Specialist (**Annexure 19**) 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. The regional perspective is to specifically assess, mitigate and authorise discharges from private or jointly owned assets into the environment.
139. 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 (NDC) 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.

140. Council's Geomorphological Specialist has advised that there are fundamental information gaps, which are required to be addressed by the Applicant. A number of meetings and communications have been undertaken with the Applicant and it is understood that the Applicant is currently preparing a Geomorphic Response to address the matters raised. This has not been reviewed by Council. Furthermore, given the information gaps relate to flood hazard risks, these matters cannot be addressed by consent conditions, and this information is required to be provided in order for Council to undertake an assessment of the extent and degree of adverse effects, and to inform consent conditions should consent be granted.
141. The Applicant has identified that 6 of the 12 proposed culverts will be inadvertent dams and it is understood that the Applicant is currently preparing further assessments to investigate the risk of dam failure to demonstrate what hazardous conditions people may be exposed to. Auckland Transport's Stormwater Engineer (**Annexure 21**) has stated that the culverts cannot be conditioned, and full assessments of the culverts demonstrating compliance with the Stormwater Code of Practice, and therefore compliance with the Building Act 2004 and Building (Dam Safety) Regulations 2022 is required upfront. This information is required to be provided so that flood hazards effects on people can be assessed. It is understood that the Applicant will be providing this information in their 11 May 2026 responses.
142. 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 – we are awaiting confirmation off the Applicant that these conditions are acceptable.
143. Healthy Waters has reviewed the application (**Annexure 20**), and have assessed the stormwater effects from a wider catchment perspective. They have identified the following key assessment issues and findings:

- 1. Operation and Maintenance – Legal Access**

Acceptable ground slopes within Lieu of Reserve – for Drainage Purposes land have not been presented. For example, the updated plans 3725-1-4300 and 375-2-4300 now show retaining walls and 1 in 1 batter slopes located within Lieu of Reserve – for Drainage Purposes areas, some of which are supporting the proposed public stormwater management devices. Similarly, the ability to safely track maintenance vehicles remains unclear as no access gradients are shown on plans, and it appears that limited space has been provided to accommodate turning of maintenance vehicles notably for RG03 but also for RG02, RG06 and RG25.

Should the Panel grant the consent, HWFR would not accept the transfer of land

to public ownership and would not accept vesting of the stormwater management devices, and the connecting upstream stormwater network as public infrastructure, where the Council stormwater infrastructure and land requirements cannot be addressed at Engineering Plan approval stage.

2. Land in Lieu of Reserve – for Drainage Purposes

HWFR appreciates the overall reduction in area, however there are still disproportionate areas proposed to be transferred to public ownership which are not acceptable. These include:

- Land (including riparian margins) which is not required to support the device and its function, or accommodate its ancillary elements (including maintenance access, spillways and outfalls).*
- Structures (including walls and earth reinforced batters) which are supporting surrounding private land and public roads.*

HWFR notes that resource consents cannot obligate the Council to accept or vest land for stormwater management, even at no capital cost, due to the associated financial implications of ongoing maintenance cost in perpetuity. Delegated approval from HWFR must be obtained before land can be transferred or vested. This is consistent with the Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy.

3. Flood Risk Assessment – Habitable Floors

The updated model scenarios have shown that under the NZTA culvert blockage scenario the proposed public roads will be inundated up to approximately 2.5m. This means that several proposed lots cannot safely evacuate under such scenario.

As the proposed development internal culverts are much larger than the existing NZTA motorway culvert this blockage scenario is considered likely and would result in culvert inundation of over 15m. Unblocking the culvert following such event is expected to be challenging, which means that the subject lots may be affected for a prolonged period.

To ensure safe egress is accommodated for the proposed development, HWFR requests for a new condition to be included in the consent that requires the provision of a relief inlet riser or alternative mitigation measures to minimise the risk of NZTA culvert blockages. This condition is proposed in addition to the Culvert Management and Monitoring Conditions 23-25.

Conclusions on Stormwater Effects

144. 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 in respect to Geomorphic related effects.

145. The Healthy Waters assessment identifies material concerns requiring immediate resolution (which cannot be conditioned), including:
1. Operation and Maintenance – Legal Access
 2. Land in Lieu of Reserve – for Drainage Purposes
 3. Flood Risk Assessment – Habitable Floors
146. Council's Geomorphological Specialist identified fundamental information gaps that are required to be addressed upfront, in order to ascertain the extent and degree of adverse hazard/ flooding related effects.
147. The Applicant has identified that 6 of the 12 proposed culverts will be inadvertent dams and it is understood that the Applicant is currently preparing further assessments to investigate the risk of dam failure to demonstrate what hazardous conditions people may be exposed to. This information is required to be provided upfront by the Applicant and sufficient time provided for the Council and other specialists so that flood hazards effects on people can be fully assessed.
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, Council's Geomorphological Specialist and Auckland Transport Stormwater Specialist.
149. 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.
150. The proposal may result in significant adverse stormwater effects, and the extent and degree of these effects are not able to be fully assessed given the fundamental information gaps. There are significant stormwater impacts that require proportionality assessment. This is reviewed further within Section D below.

SECTION C1.5 TRANSPORT EFFECTS

Applicant's Assessment

151. The proposal includes the construction of roading and transport infrastructure, including a significant portion of the arterial road known as the AT Designation 14108/ NoR6 (New connection between Milldale and Grand Drive); together with new collector and local roads, and a series of new shared driveways/ JOALs and vehicle crossings.
152. 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

153. The application, including the Integrated Transportation Assessment Report and the various Applicant responses submitted to Council post lodgement, have been reviewed by Auckland Transport (**Annexure 21**). The application has also been reviewed by PTM Consultants and Beca in respect to road safety / traffic engineering and the NoR6 matters respectively.
154. The application has also been reviewed by Council's Traffic Engineer (**Annexure 22**), 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.
155. Council's Traffic Engineer has confirmed that there are various outstanding information matters that were not provided in the various Applicant responses provide post lodgement. These include additional traffic related assessments/ details/ plans, lighting plans and vehicle tracking. These matters remain outstanding and a full assessment of the broader traffic/ transport effects has not been able to be undertaken.
156. Auckland Transport have advised that the proposal will deliver several transport network upgrades including the partial delivery of AT Designation 14108/ NoR 6 (New connection between Milldale and Grand Drive) that bisects the site as an arterial, a further collector route from Grand Drive through to Upper Ōrewa Road, and various upgrades to surrounding transport infrastructure.
157. Auckland Transport have stated that:

However, there remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site. The Project does not involve the portion of Designation 14108 linking the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development. This part of the designation comprises legally vested road together with a portion in private ownership with the constructed portion terminating prior to the project site boundary. Without the delivery of the arterial connector link to Grand Drive (the link) which forms part of designation 14108 there is no practical or physical access to the site from Grand Drive. The applicants Integrated Traffic Assessment (ITA) (refer applicant lodged Appendix 4) notes this deficiency and suggests that an interim road could provide the connection to Grand Drive. The interim road is not consistent with the indicative design for designation 14108 or the portion of the designation within the site that is being delivered by the Project. In any case given that the interim road is

not part of the Project, additional resource consents will need to be obtained by the applicant.

158. Auckland Transport have confirmed that they would only be supportive of a consent condition that ensures the link is delivered prior to titles being issued if the arterial road is designed/delivered in accordance with the intended indicative designation design and not an interim alternative. This is necessary to provide access for Stage 1, noting that this is the only access for this Stage, and is deemed to be a critical condition and requires acceptance from the Applicant.
159. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site.
160. PTM have also advised that the proposed interim design of this link has several design deficiencies that are summarised in the Auckland Transport Memo as:

- *It is not clear how the temporary road can be rebuilt with the permanent designation layout at a later date without closing it for a protracted period.*
- *Front and back berms have been removed. Potential effects; loss of amenity – discourages active modes as a travel choice. Absence of buffer between carriageway and cycleways/footpaths increases crash risk for pedestrians somewhat. Absence of buffer between the shared path and handrail on top of the retaining wall on the north side means that there is less usable space for cyclists resulting in a risk of handle bars or peddles getting caught on the barrier. Streetlight poles (and potentially other service poles or cabinets) will need to go in the footpath / shared path rather than the berm.*
- *3m wide shared path replaces two-way separate offroad cycle path and separate footpath on the north side. Potential effects; increased risk of collision between cyclist and pedestrian. Some pedestrians may be less willing to use this path due to perceived risk of a collision with a cyclist. Note that a 3m wide shared path would need a departure from standards as it does not conform to the Auckland Transport's Transport Design Manual.*
- *Flush median removed. Potential effects; reduced separation between opposing traffic lanes means increased risk of head-on type crashes. Vehicles turning right into the vehicle crossing on the north side must wait in the westbound lane blocking it, resulting increased delays and increased rear-end crash risk.*
- *The drawings show a retaining wall on the north side which would become an Auckland Transport asset to maintain. A barrier able to restrain both errant vehicles (road safety barrier) as well as being able to prevent falling from heights Memorandum for pedestrians and cyclists will be needed but is not indicated on the drawing provided by the applicant.*
- *On the south side a batter slope is shown next to the footpath with*

gradients ranging from 1 in 3 to 1 in 1 (reinforced earth). This will need a similar barrier to the north side. It is not clear if the applicant has included space for the barrier.

- *The drawings show a vehicle crossing which clashes with a proposed retaining wall for the temporary layout.*

161. Auckland Transport have identified in Section 6.5 of their Memo key information gaps and further details that are required to be provided upfront and prior to the determination of this Fast-Track application. These relate to the following matters:

- Stormwater Management and Culvert Design (please also refer to Section Stormwater Effects under **Section C1.4**)
- Transport Infrastructure including active mode provision
- Bus-stops
- Staging and Paper Roads / Road Stopping
- Integration of the Projects partial delivery of designation 14108 and future designation works
- Integration of the site with the remaining Paper Road and Ara Hills Development.
- Consent conditions.

162. Notwithstanding the initial assessments provided by Auckland Transport, PTM and Beca, a number of changes to conditions and new conditions are also required to address transport related effects. These are set out/ summarised in Section 9 of the Auckland Transport Memo.

163. 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 regard 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. It is noted that requested updated Vehicle Tracking Curves from the Applicant have not yet been reviewed by PTM who had flagged that in some instances vehicle tracking would extend over kerblines and that this would likely require some reconfiguration of the roading alignment and consequential changes to the subdivision design and layout.

164. It is specifically noted that PTM have recommended in para, 53 and 54 of their Memo that Road 1 is designed as cycle routes and cycle infrastructure in the form of off-road cycle paths, separate from the footpath, are provided on each side. This is necessary to assist with mitigating the adverse effects of a car dependant development. This will require additional space within the road reserve, and this is not able to be addressed via consent conditions. PTM have recommended that further design work is required to be undertaken to address various transport related matters that include but are not limited to bust stop design/ location including pedestrian facilities, turning heads, future bridge design in relation to the NOR6 and Upper Orewa Road intersection.

165. Beca has identified that some interim upgrades may be necessary to support safe

access by all modes.

166. Auckland Transport has also raised concerns regarding a range of stormwater matters including Dam Break Assessment as it relates to hazards effects on people.
167. Auckland Transport have stated that there remains fundamental information missing from the application, and that adverse transport effects have not been appropriately mitigated. Notwithstanding, this Auckland Transport have included in their Memo a number of additional consent conditions and changes to consent conditions that would be necessary regardless of these information gaps. 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 from the Applicant.

Conclusions on Transport Effects

168. 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. Notwithstanding, this Auckland Transport have included in their Memo a number of additional consent conditions and changes to 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 from the Applicant.
169. There also (as noted as an issue with the original Delmore Fast-Track application) remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site for Stage 1. The proposal does not involve the portion of Designation 14108/ NoR 6 linking the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development, and the interim design solution is not supported.
170. Auckland Transport have noted that they would only be supportive of a consent condition that ensures the link is delivered prior to titles being issued if the arterial road being delivered is to be the intended indicative designation design and not an interim alternative. This is fundamental and deemed necessary to provide access for Stage 1, noting that this is the only access for this Stage. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site, PTM have advised that the proposal interim design of this link has a number of design deficiencies
171. The proposal will result in significant adverse transport effects. There are significant residual transport impacts that require proportionality assessment. See **Section D** below.

Waste Management

Applicant's Assessment

172. 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.

173. The landscape plans prepared by Greenwood Associates include bin storage details.

Council's Assessment

174. 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.

175. It is noted that the vehicle tracking provided with the Application identify that there is insufficient space for vehicles to pass a rubbish truck. This has been addressed in the assessment undertaken by PTM with consent conditions recommended to address this. This is proposed to be addressed by a consent condition as agreed by the Applicant.

Conclusions on Waste Management Effects

176. There is agreement between the Applicant and Council in respect to waste management and the consent conditions proposed are appropriate.

177. There are no significant residual waste management impacts that require a proportionality assessment.

SECTION B1.5 ECOLOGY EFFECTS

178. This section includes:

- Terrestrial Ecology
- Freshwater Ecology (Streams and Wetlands)
- Arboricultural

Applicant's Assessment

179. 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

180. 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.
181. 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.

Freshwater Ecology

182. 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.
183. To mitigate the effects of the works within wetlands, the Applicant proposes that new wetlands are created at a 3:1 ratio.

Arboricultural

184. 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

185. The Terrestrial Ecology matters have been reviewed by Council's Ecologist (**Annexure 24**), who is in broad agreement with the Applicants Ecological Impact Assessment and the additional information and clarification in respect to Terrestrial Ecology matters that have been provided in the Applicant's post lodgement documentation.
186. However, Council's Terrestrial Ecologist has raised concerns in respect to the potential effects of terrestrial and freshwater receiving environments should the WWTP suffer a serious failure. Whilst this has not been addressed by the Applicant as part of their post lodgement responses, Council's Terrestrial Ecologist has recommended an additional consent condition to address this which would provide a proportionate safeguard. This is set out in Section 4 of their Memo and would require a proposed offset area (equivalent to the covenanted area within the irrigation field) to be provided prior to commencement of wastewater discharge. In addition, changes to conditions are required to address enforceable cat and pest animal prohibition, noting that changes/ additional conditions proposed by the applicant are broadly accepted.
187. The updated documentation provided by the Applicant post lodgement has not included updated Ecological Management Plans. It is understood that these plans will be issued

as part of the Applicants 11 May 2026 response, including separate landscape plan and ecological management plan sets. This information is outstanding and an assessment of these matters has not been fully undertaken by Council, including in relation to the terrestrial ecology assessment.

Fresh Water Ecology

188. The freshwater/ aquatic ecology matters have been reviewed by Council's Freshwater Ecologist (**Annexure 25**) who has advised that the application satisfactorily addresses the potential loss of stream and wetland value.
189. It is noted that matters in respect to geomorphic effects and dam related effects have not been fully assessed as there are fundamental information gaps as previously identified and discussed. These details as they relate to culverts and fish passage may require further assessment.

Arboricultural Effects

190. 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 26**). 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

191. Potential adverse terrestrial effects have been identified should the WWTP suffer a serious failure. An additional consent condition is required to address this, which would provide a proportionate safeguard. In addition, changes to conditions are required to address enforceable cat and pest animal prohibition, noting that changes/ additional conditions proposed by the Applicant are broadly accepted.
192. The adverse impacts ecology effects are not considered significant and do not require a proportionality assessment to be undertaken.

SECTION C.7 LANDSCAPE AND VISUAL EFFECTS

Applicant's Assessment

193. 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.
194. 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.

195. It is understood that the Applicant is currently updating the landscape plans which include details of the implementation of the proposed landscape planting and ecological planting. These updated plans have not been reviewed by Council and sufficient review time is requested to ensure these are able to be fully assessed.

Council's Assessment

196. The Application, including a landscape assessment and landscape plans prepared by Greenwood and Associates, have been reviewed by Council's Landscape Architect (**Annexure 27**). This has identified the following adverse effects, noting as part of their assessment they have also reviewed 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.
- Detailed soft and hard landscape design plans would be required for communally owned bush and riparian areas, the Significant Ecological Area, walkways and any other community facilities.
- The draft specifications for landscape implementation and maintenance do not currently cover all required aspects.
- The proposed conditions of consent do not currently provide sufficient certainty that the existing SEA and proposed walkways and any other community facilities on communally owned land would be consistently maintained and protected in perpetuity.

197. The updated documentation provided by the Applicant post lodgement has not included the full updated landscape plans or details in respect to landscape implementation and maintenance. It is understood that these plans will be issued as part of the Applicants 11 May 2026 response, including separate landscape plan and ecological planting plan sets. This information is outstanding and an assessment of these matters has not been fully undertaken by Council, including in relation to the landscape assessment.

198. In respect to pedestrian connectivity matters raised, these are appropriately addressed and assessed in the Urban Design Memo (**Annexure 28**) and more generally in the Auckland Transport Memo (**Annexure 21**). The proposal provides an appropriate level of pedestrian connectivity through the site and to the wider surrounding area. This is achieved through the street and park network noting that the block lengths are acceptable and provide permeability having regard to the site and topographical

constraints.

Conclusions on Landscape and Visual Effects

199. 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.
200. The adverse impacts related to landscape and visual effects are not considered significant.

SECTION C.8 URBAN FORM AND NEIGHBOURHOOD CHARACTER

Applicant's Assessment

201. 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.
202. 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.

Council's Assessment

203. The Application including the Urban Design Assessment and updated information has been reviewed by Council's Urban Designer (**Annexure 28**).
204. Council's Urban Designer broadly supports the proposal and confirms that this provides an improved and positive design outcome. However, the shared driveway access/ JOAL design remains a key outstanding design issue, particularly in respect to JOAL's that function as primary access streets serving a significant number of dwellings, and where grade separation and pedestrian priority are not clearly demonstrated. More specifically the following further design changes/ updates are necessary to ensure an appropriate design outcome and pedestrian environment:
- a. There remain several JOALs that function as primary access streets serving a significant number of dwellings, where grade separation and pedestrian priority are not clearly demonstrated. Examples include JOAL 1 (serving approximately 20 units) and JOAL 4A (serving approximately 23 units).
 - b. Whilst some JOAL profiles/ cross sections introduce landscape strips of approximately 0.5m to 1m in width, this is not consistent across all JOALs. For example, JOAL 40 (serving approximately 25 units) does not appear to provide

additional landscape amenity space.

- c. JOAL environments will benefit from adjoining lot landscaping. However, front yard spaces are fenced directly along the boundary, which limits the extent to which private planting contributes positively to the JOAL environment.
- d. Landscape plans indicate that waste bins are to be located within pedestrian paths on collection days, which has the potential to obstruct pedestrian movement and reduce safety, particularly in JOALs that operate as primary access routes.
- e. The application does not clearly demonstrate how the JOAL design as a whole aligns with the intent of PC79 transport provisions, particularly in relation to pedestrian priority and the quality of the shared environment.
- f. Given the number of dwellings reliant on these JOALs, a higher level of amenity, spatial definition, and pedestrian prioritisation is expected. On this basis, the concerns previously raised regarding the design and functionality of JOAL environments remain relevant.

Conclusions on Urban Form and Neighbourhood Character Effects

- 205. The proposal provides a broadly acceptable urban form and design response, and will not result in more than minor adverse effects on the neighbourhood character. However further design work is required in respect to the JOAL/ shared driveways to ensure that these provide a level of pedestrian amenity and safety that is commensurate with the outcomes sought for a residential development of the scale and nature proposed.
- 206. The adverse impacts related to urban form and neighbourhood character, are broadly acceptable and these do not require a proportionality assessment to be undertaken.

SECTION C1.7 PARKS AND RESERVES

Applicant's Assessment

- 207. The Applicant has proposed one Neighbourhood Park (Lot 1800 - circa 3,044m² area) located within the Stage 1 area, and one Neighbourhood Park (Lot 5020 - circa 3,075m² area) located within the Stage 2 area.
- 208. In addition, various drainage reserves have been proposed, noting that these have been previously assessed within the Stormwater section.

Council's Assessment

- 209. Councils Parks Planning Specialist (**Annexure 29**) has identified the following three fundamental/ significant matters which are described in the further detail in their memo:
 - a. Landscaping, encumbered street tree locations and species selection;
 - b. Interfaces, boundary treatments and gradients for reserves; and
 - c. Neighbourhood parks and metrics and future acquisition.

210. The Applicant has applied residential society conditions to Lot 5020, but not to Lot 1800. As a result, if Council acquisition does not proceed, the open space outcome is only secured for Lot 5020 and not for Lot 1800.
211. 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.
212. As noted in Section C1.4 Infrastructure Effects, Healthy Waters have advised in respect to the Land in Lieu of Drainage Reserves that there are disproportionate areas proposed to be transferred to public ownership which Healthy Waters consider are not acceptable. These include:
- a. Land (including riparian margins) which is not required to support the device and its function, or accommodate its ancillary elements (including maintenance access, spillways and outfalls).
 - b. Structures (including walls and earth reinforced batters) which are supporting surrounding private land and public roads

Conclusions on Parks Effects

213. The adverse impacts related to parks, particularly as they relate to the absence of, residential society conditions for Lot 1800 are significant and these require a proportionality assessment to be undertaken. In addition, there are disproportionate areas proposed to be transferred to public ownership which Healthy Waters consider are not acceptable. See **Section D** below.

SECTION D: SUMMARY OF ASSESSMENT OUTCOMES AND PROPORTIONALITY CONCLUSIONS

Overview

214. This concluding section provides a brief overview of the outcome of the overall Council assessment of the application, based on an objective assessment of the application material.
215. 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 (04 May 2026), with Council's recommendation to the Panel.

Section 85 adverse impacts / proportionality assessment

216. 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.

217. 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.

218. 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

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

Issue 1: Geomorphic related effects - There are a number of key information gaps in the application. These information gaps result in adverse impacts as they relate to geomorphological related effects not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects. The riparian setbacks may result in insufficient space for the intended building platforms on residential lots; and the degree and extent of adverse effects on infrastructure, stormwater management and other related effects are not able to be assessed with certainty.

Issue 2: Dam Break Assessment - There are a number of key information gaps in the application. These information gaps result in adverse effects as they relate to stormwater related effects not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects.

Issue 3: Traffic/ Transport related effects - There remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site for Stage 1. The proposal does not involve the portion of Designation 14108/ NoR 6 linking

the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development, and the interim design solution is not supported. Auckland Transport have noted that they would only be supportive of a consent condition that ensures the link is delivered prior to titles being issued if the arterial road being delivered is to be the intended indicative designation design and not an interim alternative. This is necessary to provide access for Stage 1, noting that this is the only access for this Stage. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site. PTM have advised that the proposal interim design of this link has a number of design deficiencies. In addition, there are various key outstanding information gaps as they relate to transport matters that have not been provided by the Applicant. These matters need resolved prior to the review of conditions stage.

Issue 4: Water Treatment - There are a number of key information gaps in the application. These details are required to ensure the water treatment plant provides the necessary and safe water infrastructure for the proposal; and to ensure there are appropriate legal mechanism, for future ownership, maintenance and management. There is potentially significant risk associated with the provision of private water infrastructure.

Issue 5: Parks Related Effects - The applicant has applied residential society conditions to Lot 5020, but not to Lot 1800. As a result, if Council acquisition does not proceed, the open space outcome is only secured for Lot 5020 and not for Lot 1800 which is considered significant. In addition, Healthy Waters (**Annexure 20**) consider in respect to Land in Lieu of Drainage Reserves that there are disproportionate areas proposed to be transferred to public ownership which Healthy Waters consider are not acceptable.

Issue 6: 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. It is noted that there is on-going engagement between the Applicant and the Auckland Urban Development Office, however at this time there is no formal agreement or funding mechanisms.

220. 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 Geomorphic effects and Dam Break Assessments

Project benefits summary

221. 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.

222. However, the Council's assessment 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.
223. No national benefits have been claimed by the Applicant.
224. The assessment of claimed regional benefits has been considered holistically across all adverse impact assessments, and informs the tabular proportionality assessment below.
225. This assessment draws on:
- The Applicant's Assessment of Environmental Effects and supporting technical reports, including the Applicant's economic assessment;
 - The Council's economics review by Mr Stewart (**Annexure 2**);
 - Auckland Transport's Memo (**Annexure 21**);
226. In summary, our assessment is that:
- a. Mr Stewart in his Economic Review (**Annexure 2**) has significant reservations in the Applicant's Economic analysis that he considers undermines the results and the conclusions reached. The "Major Issues" identified by Mr Stewart are:
 - i. Counterfactual not properly defined or applied.
 - ii. Cost-benefit framework unclear and inconsistently applied.
 - iii. Inappropriate and repeated use of multiplier analysis.
 - iv. Assumption of additionality is not demonstrated
 - v. Calculation errors in "Method A" – magnitude and direction
 - vi. Lower marginal cost producer claim not evidenced in "Method B"
 - vii. Elasticity-based price suppression mis-specified and implausible
 - viii. Construction activity is treated as a benefit rather than a cost – partly a function of relying on multiplier analysis
 - ix. Opportunity costs not properly assessed
 - b. The Applicant's Economic Assessment requires updates to demonstrate that the proposal would result in a regionally significant economic benefit. Mr Stewart has advised that: *"Overall, I am not convinced that the analysis in the report demonstrates that Delmore would result in a net benefit (benefits exceed costs) let alone whether it could be considered a regionally or nationally significant benefit."*
 - c. In addition, there remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site for Stage 1 (and this remains an issue which was flagged within the original Fast-track application). The proposal does not involve the portion of Designation 14108/ NoR 6 linking the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development, and the interim design solution is not supported. Auckland Transport have noted that a

consent condition is necessary that ensures the link is delivered prior to titles being issued if the arterial road being delivered is to be the intended indicative designation design and not an interim alternative. This is necessary to provide access for Stage 1, noting that this is the only access for this Stage. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site, PTM have advised that the proposal interim design of this link has a number of design deficiencies

- d. It is acknowledged that the proposal will deliver net ecological and biodiversity benefits that include revegetation planting which would achieve a net gain in riparian and wetland vegetation and habitat and a net gain in vegetation associated with SEA-Ts. This will also include new wetlands are created at a 3:1 ratio.
227. 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 potential benefits.

Assessment

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

Adverse impacts	Section 85 assessment
1. Geomorphic related effects	Significance Assessment: As noted in the Council Stormwater Specialist memo (Appendix A of Annexure 19) and as set out in further detail within the next Key Information Gap table, there are a number of outstanding gaps in the application. These information gaps result in adverse effects as they relate to geomorphological related effects not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects. The riparian setbacks may result in insufficient space for the intended building platforms on residential lots; and the degree and extent of adverse effects on infrastructure, stormwater management and other related effects are not able to be assessed with certainty. Regional/National Benefits Considered: See Project Benefits Summary above. 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 Geomorphology assessments to inform these. Proportionality Conclusion: Adverse stormwater impacts may potentially be significant and are unable to be fully assessed until this information is provided. The riparian setbacks may result in insufficient space for the intended building platforms on residential lots; and the degree and extent of adverse effects on infrastructure, stormwater management and other related effects are not able to be assessed with certainty.
2. Dam Break Assessments	Significance Assessment: As noted in the Auckland Transport memo (Annexure 21) 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 stormwater related effects not able to be fully assessed; and

	whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects. Regional/National Benefits Considered: See Project Benefits Summary above. 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 culvert/ dam assessments to inform these. Proportionality Conclusion: Adverse stormwater impacts including flood hazard effects on people and infrastructure may potentially be significant and are unable to fully assessed until this information is provided.
3. Traffic/ Transport related effects	Significance Assessment: As noted in the Auckland Transport and PTM memos (Annexure 21) there remains a transport infrastructure deficit in both delivery and funding in relation to the provision of access to the site for Stage 1. The proposal does not involve the portion of Designation 14108/ NoR 6 linking the project site to the recently delivered portion of Grand Drive in the north that is part of the Ara Hills development, and the interim design solution is not supported. Auckland Transport have noted that they would only be supportive of a consent condition that ensures the link is delivered prior to titles being issued if the arterial road being delivered is to be the intended indicative designation design and not an interim alternative. This is necessary to provide access for Stage 1, noting that this is the only access for this Stage. Auckland Transport have noted that there is no Council funding for the delivery of the link to the site. PTM have advised that the proposal interim design of this link has a number of design deficiencies. In addition, there are various key outstanding information gaps as they relate to transport matters that have not been provided by the Applicant. Regional/National Benefits Considered: See Project Benefits Summary above. Proposed Conditions/Mitigation/Compensation: Additional consent conditions and changes to 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 from the Applicant. Proportionality Conclusion: Adverse impacts remain significantly out of proportion to benefits. The adverse impacts related to the design of interim and collector roads and public transport opportunities are significant.
4. Water Supply	Significance Assessment: As noted in Water Treatment memo (Annexure 17), there are a number of key information gaps in the application. These details are required to ensure the water treatment plant provides the necessary and safe water infrastructure for the proposal; and to ensure there are appropriate legal mechanism, for future ownership, maintenance and management. Potentially significant adverse impacts associated with the provision of private water infrastructure Regional/National Benefits Considered: See Project Benefits Summary above. Proposed Conditions/Mitigation/Compensation: Additional consent conditions and changes to consent conditions that would be necessary. Proportionality Conclusion: Adverse impact remains potentially out of proportion to benefits. The adverse impacts related to private water infrastructure are potentially significant.
5. Parks related effects	Significance Assessment: As noted in Parks memo (Annexure 29), the applicant has applied residential society conditions to Lot 5020, but not to Lot 1800. As a result, if Council

	acquisition does not proceed, the open space outcome is only secured for Lot 5020 and not for Lot 1800 which is considered significant. In addition, Healthy Waters (Annexure 20) consider in respect to Land in Lieu of Drainage Reserves that there are disproportionate areas proposed to be transferred to public ownership which Healthy Waters consider are not acceptable. Regional/National Benefits Considered: See Project Benefits Summary above. Proposed Conditions/Mitigation/Compensation: Conditions of consent are required to ensure the residential society conditions are applied to Lot 1800 should Council acquisition not proceed. In respect to the Land in Lieu of Drainage Reserves. There are still disproportionate areas proposed to be transferred to public ownership which are not acceptable. Proportionality Conclusion: Adverse impact remains significantly out of proportion to benefits. The adverse impacts related to parks are significant.
6. Impact on planned investment and infrastructure provision	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 addresses these matters further (Annexure 1). It is noted that there is on-going engagement between the Applicant and the Auckland Urban Design Office, however at this time there is no formal agreement or funding mechanisms. Regional/National Benefits Considered: See Project Benefits Summary above. 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. 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.

Key information gaps

229. The following table identifies residual information gaps that remain having reviewed the current application material provided, including the application documents, 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 and sufficient time is provided for the Council and other specialists to review these:

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
1. Economic Assessment	The Economic Assessment is required to be updated as follows: i. Counterfactual not properly defined or applied. ii. Cost-benefit framework unclear and inconsistently applied. iii. Inappropriate and repeated use of multiplier analysis. iv. Assumption of additionality is not demonstrated v. Calculation errors in “Method A” – magnitude and direction vi. Lower marginal cost producer claim not evidenced in “Method B” vii. Elasticity-based price suppression mis-specified and implausible viii. Construction activity is treated as a benefit rather than a cost – partly a function of relying on multiplier analysis ix. Opportunity costs not properly assessed.	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.
2. Updated Conditions including review conditions	There are a range of consent conditions that are required to be updated to address matters that are flagged in the Council Specialist Memos. It is understood that the Applicant will be providing a further updated condition set in their 11 May 2026 response. It is noted that the Residents Society Conditions are being updated by the Applicant, however these have not been reviewed by Council.	Consent conditions are required to ensure that these appropriately mitigate and manage a range of adverse effects.	Uncertainty that the consent conditions are appropriate, robust and enforceable.
3. Plans	The applicant has confirmed that the full updated plans have not been provided in their previous post lodgement responses. It is understood that this will be provided as part of the Applicants 11 May 2026 response. These have not been reviewed by Council Specialists.	Plans are required to be updated to reflect the various changes/ updates to the proposal.	Plans are required to be updated to reflect the various changes and updated assessments.
4. Geomorphic Assessment Scope and Methodology	Additional Geomorphic Assessment is required to address the following: • Scope and Methodology • Setback Adequacy and Riparian Margins	Cannot accurately assess the necessary riparian setbacks for dwellings/ buildings. Furthermore, the degree	The riparian setbacks may result in insufficient space for the intended building platforms on residential lots; and

	• Post-Development Hydrology and Geomorphic Response • Stormwater Management, Culverts, and Geomorphic Interaction • Geotechnical Structures: Design, Ownership, and Liability • Wetland Channelisation Risk • Property Documentation and LIM Notations Please refer to full details set out in Appendix A of the Stormwater Specialist Memo (Annexure 19)	and extent of adverse effects on infrastructure, stormwater management and other related effects are not able to be assessed with certainty.	the degree and extent of adverse effects on infrastructure, stormwater management and other related effects are not able to be assessed with certainty.
5. Dam Break Assessments	The Applicant has identified that 6 of the 12 proposed culverts will be inadvertent dams. Further assessments are required to investigate the risk of dam failure to demonstrate what hazardous conditions people may be exposed to. Full assessments of the culverts demonstrating compliance with the Stormwater Code of Practice, and therefore compliance with the Building Act 2004 and Building (Dam Safety) Regulations 2022 is required. It is understood that the Applicant will be providing this information in their responses. Please refer to full details set out in Appendix A of the Auckland Transport Stormwater Specialist Memo (Annexure 21).	This information is required so that flood hazards effects on people can be assessed. These assessments are required and cannot be conditioned.	Potentially significant adverse hazard effects on persons and infrastructure.
6. Operation and Maintenance – Legal Access	To resolve concerns regarding legal access to stormwater management devices for operation and maintenance purposes, revised scheme plans are required that locate the devices and all its ancillary elements, including the maintenance access, to be located within the Lieu of Reserve – for Drainage Purposes.	In the absence of these changes HW may not be able to support acceptance of the stormwater assets for vesting in public ownership. HW would not accept the transfer of land to public ownership and would not accept vesting of the stormwater management devices, and the connecting upstream stormwater network as public infrastructure, where the Council stormwater infrastructure and land	Uncertainty for legal access for operation and maintenance of stormwater assets.

		requirements cannot be addressed at Engineering Plan approval stage	
7. Vesting of Land in Lieu of Reserve – for Drainage Purposes	Revised scheme plans are required to clearly delineate the extent of land proposed to be vested for drainage purposes, demonstrating that the land is limited to that reasonably necessary to accommodate the public stormwater devices and associated access, and excludes disproportionate areas of adjacent stream corridors and riparian batters. In addition, where land is proposed to be vested or transferred to Council, conditions have been recommended that require the Applicant to enter into a sale and purchase agreement with Council for the relevant land no later than the time of application for approval of the survey plans under Section 223 of the RMA. This is necessary to confirm Council's agreement in principle to the acquisition and to ensure that vesting outcomes are resolved prior to subdivision approval.	There are still disproportionate areas proposed to be transferred to public ownership which are not acceptable. Cannot ascertain the extent of land for drainage purposes. Required to ensure accurate information is identified on the scheme plans.	Uncertainty around the extent of vesting of land.
8. Flood Risk Assessment – Habitable Floors	The flood model and the Flood Risk Assessment are required to be updated to ensure that the assessments are based on the peak flood levels under the existing NZTA culvert full blockage scenario. In addition, the Flood Risk assessment must reflect the consented landform and finished levels of the Ara Hills development.	This is necessary to confirm that flood hazard risk is not increased to the existing consented built environment under the assessed blockage scenario, and to determine whether any additional mitigation measures are required to achieve this outcome, including, but not limited to, the provision of a secondary relief inlet to the existing NZTA culvert.	Potential flood hazard risk to existing NZTA culvert and other infrastructure.
9. Confirmation of Attenuation	Clarification of whether 1% AEP attenuation is proposed for this application. In case attenuation is proposed, then the Applicant must provide updated conditions of consent that will ensure the outcomes are achieved in perpetuity, including any necessary corresponding specific design requirements and legal mechanisms.	This is required to inform consent conditions, and that these are appropriate and robust.	Potential risk that consent conditions are not "fit for purpose".
10. Open Space outcome for Lot 1800 is not protected	The residential society mechanism applied to Lot 5020 has not been extended to Lot 5020.	Unclear long-term ownership, management, and public access arrangement.	Loss of intended open space outcome.

11. Maintenance period requirements for native species	No confirmation of extended (3-year) maintenance period for slow-establishing natives. A 3-year maintenance period is now considered the standard Parks Planning practice for street trees as per the COP Chapter 7 Landscape.	Uncertain establishment success and long-term canopy development	Can be addressed by consent condition requiring 3-year maintenance period.
12. No gradient confirmations in drainage reserves including a 1:1 slope in Lot 1800 (park)	No confirmation that gradients meet safe use and maintenance requirements. - 1:5 maximum gradient for grass - 1:3 maximum gradient for planting A small eastern portion of Lot 1800 adjacent to the covenanted vegetation maintains a 1:1 slope.	Uncertain compliance with vesting and safety standards.	Slips, erosion, unsafe public access and maintenance risk
13. Access to drainage reserves for maintenance	Lack of clarity on whether maintenance access meets required standards given access through private lots for the below lots: - Lot 1624 provides a right of way for maintenance access over private lots	Uncertain compliance with vesting and safety standards. Slips, erosion, unsafe public access and maintenance risks. Healthy Waters may reject the proposed drainage assets	Potential non-compliant or unsafe access and future.
14. Flooding of Lot 1800 during culvert blockages	Insufficient hydraulic modelling and supporting technical information.	Uncertain compliance with vesting and safety standards.	Potential for unmitigated flood risk to public land and users under blockage conditions.
15. Canopy coverage optimization and calculation.	No clear strategy to maximise canopy in berms with available space or canopy coverage calculations.	Uncertain delivery of long-term canopy coverage outcomes	Can be addressed at detailed design but limits the ability to assess whether the design will support mature canopy tree growth as intended.
16. Confirmation of available soil volumes and rooting space	Documentation does not clearly demonstrate how recommended soil volumes will be achieved within the constrained corridor between planting areas and vehicle crossings.	Uncertain delivery of long-term canopy coverage outcomes.	Can be addressed at detailed design but limits the ability to assess whether the design will support mature canopy tree growth as intended.
17. Species selection not supported	Species selection required to be updated on landscape plans. B. tarairi proposed despite known high failure rates after ~10 years. Raupō and Carex secta proposed despite long-term maintenance and performance issues (Stormwater pond edge species selection).	Reduces confidence in species resilience and suitability.	Can be addressed at EPA for detailed design changes.

18. Fencing adjacent to drainage reserves	The landscape plans indicate 1.8m solid fencing adjacent to specific drainage reserve locations (Lots 1623 & 1605). Other locations appear to provide 1.8m open security fencing (50% permeable). Plan depictions do not match Applicants' commentary.	Constrains the ability to confirm that passive surveillance and CPTED outcomes are appropriately achieved across adjoining informal recreation drainage reserves.	Risk of reduced passive surveillance, poor safety outcomes, and creation of inactive edges along reserves, potentially leading to CPTED concerns and reduced safety.
19. Root management or engineering solutions near vehicle crossings	No clear information is provided on whether design responses (e.g. structural soils, soil cells, or connected trench systems) will be used to expand rooting space beneath hard surfaces	Uncertain delivery of long-term canopy coverage outcomes.	Can be addressed at detailed design but limits the ability to assess whether the design will support mature canopy tree growth as intended.
20. Stormwater line location measurement depth not demonstrated	The depth appears to exceed 1m at a minimum of 1.7m in depth at a high-level measurement. Drawing Number 3725-1-3610 on Appendix 26 Stage 1 and SW line depth measurements under front berm for collector road and N/O.R 6). Original lodgement documentation depicted a measured 1.7m separation distance. Street tree locations and updated plans do not confirm a measured vertical distance.	Unclear whether required soil volumes and root zones can be achieved above services	Potential redesign at EPA stage and a risk of tree failure or service conflicts
21. Appendix 9.1 Retaining walls do not include an assessment on retaining walls adjacent to lots to vest for reserve areas	Appendix 9.1 does not include assessment of retaining walls adjoining reserve boundaries. Plan depictions do not match Applicants' commentary. No further detailed retaining wall indications or plans have been provided for the landscape plans	Uncertain whether reserve gradients, maintenance access, and CPTED outcomes can be achieved.	Over-steep batters, inaccessible reserves, long-term maintenance burden.
22. Interface with new commercial lot requires clarification for Lot 5020.	No detail is provided on how level changes between park and commercial lot will be managed. One retaining wall under 1m is depicted. Plan depictions do not match Applicants' commentary. No further detailed retaining wall indications or plans have been provided for the landscape plans	Uncertain accessibility and CPTED outcomes with possible opportunity of positive reserve and commercial interaction lost.	Potential for a poor Park interface, reduced passive surveillance and accessibility issues.

23.	Delineation of park boundary with residential lots is unclear for Lot 5020.	Private/public boundaries are not accurately demonstrated with fencing or post locations in relation to Lot 5020. Plan depictions do not match Applicants' commentary.	Unclear responsibility for maintenance and public access	Risk of Council maintenance responsibility for a private function. Removal of private pathways required.
24.	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.
25.	Lighting Plan condition	Further condition details required to ensure appropriate lighting design outcomes. Details are missing regarding which proposed areas lighting plans would relate to.	Pedestrian amenity and safety outcomes.	Uncertainty of outcomes which potentially create pedestrian safety risk/ effects.
26.	Safe Intersection Site Distance information	Information is required for some Lots (e.g. Lots 183-186 and similar) including dimensions of affected areas which will inform required mitigation such as planting and fencing heights,	Potential vehicle and pedestrian safety issues.	Potential for traffic and pedestrian safety effects.
27.	One-way routes (two vehicle crossing) or with turning heads (D-area).	Further details are required as the updated design of stage 1- JOAL 34 and 5A doesn't provide a turnable head.	Required to ensure safe vehicle manoeuvring/ tracking.	Potential for traffic functionality and safety effects.
28.	Plan details for garage widths.	Plan information required to ensure minimum design dimensions for single and double garages	Required to ensure functional parking garage spaces.	Can be addressed by consent conditions.
29.	Transport Infrastructure including active mode provision	Road 1 is required to be designed with cycle routes and cycle infrastructure in the form of off-road cycle paths, separate from the footpath on each side.	This will require additional space within the road reserve, and this is not able to be addressed via a consent conditions.	Uncertainty regarding lot boundaries and whether changes are required to the subdivision scheme plans.
30.	Bus-stops details and Assessment	Bus-stop requirements and indicative locations detailed on the application drawings require further details and	Required to ensure appropriate provision of bus stops and associated	Ensure safe and functional public transport facilities.

	changes. These include details of barriers and further assessment of road safety effects of not providing a pedestrian facility near the stops.	facilities.	
31. Staging and Paper Roads / Road Stopping	The timetabling/staging of road vesting should ensure that alternate access along a vested or paper road is provided where portions of paper road are to be stopped and that adequate paper road widths are available for linkage of proposed road to remaining paper road corridors	Whilst the road stopping approval occurs outside the resource consenting process, this issue is required to be considered to ensure future changes to any approved consent, additional or new consents are not needed	Risk associated with ensuring all consent required have been applied and that no changes are required to existing consents.
32. Integration of the Projects partial delivery of designation 14108 and future designation works	The proposed interim design solution has various design deficiencies that are required to be addressed through updated design documents. The interim road is not consistent with the indicative design for designation 14108 or the portion of the designation within the site that is being delivered by the Project.	Interim solution provides a design solution that creates significant adverse transport related effects and is not supported by Auckland Transport.	Significant Traffic safety effects and does not provide a solution that is consistent with the designation/ NoR6.
33. Integration of the site with the remaining Paper Road and Ara Hills Development.	This is required to include frontage upgrades to the paper road, including provision of an active mode path and potentially vehicular access.	Required to be addressed to ensure connectivity to adjacent land.	Uncertainty in respect to active modes and connections.
34. Active Modes to Future School	Details required to include active modes to access the intended school on Upper Ōrewa Road.	There is no provision within the application material for active modes to enable future residents to access the intended school on Upper Ōrewa Road. This school is likely to encompass both a primary and secondary school and although the land is not yet designated planning is well advanced.	Uncertainty regarding long term connectivity to future educational activities.
35. Transport related consent conditions	A suite of consent conditions including changes to the Applicant's consent conditions and additional conditions are required to address various traffic/ transport related adverse effects, and were appropriate to address additional required design outcomes/ assessment	Transport related conditions are required to ensure that transport effects are mitigated/ avoided, and to ensure appropriate design outcomes.	Required to ensure transport effects are mitigated/ avoided, and to ensure appropriate design outcomes.

	Please refer to Section 9 of Auckland Transport Memo (Annexure 21).		
36. Turning head design; and Future bridge design in relation to the NOR6 and Upper Orewa Road intersection.	Temporary turning heads are required to be included on application drawings. Design work required to ensure that adjacent residential super Lots 606 and 609 which are located close to the future bridge and it is not clear how development of these lots can be undertake while integrating with the adjacent bridge abutments and future road levels.	Required to ensure feasibility of future development on superlots, and to delivery of transport infrastructure.	Uncertainty regarding future development and transport infrastructure.
37. Final updated landscape plans, an updated planting and maintenance plan,	Final landscape plans and updated planting and maintenance plans required to ensure the intended landscape outcomes are achieved.	Final landscape plans and updated planting and maintenance plans required to ensure the intended landscape outcomes are achieved.	
38. JOAL Design	Further design details (and changes) are required to be JOAL design. Please refer to previous Urban Design assessment (Annexure 28).	Required to ensure appropriate pedestrian amenity and safety outcomes.	These are important to ensure a safe and functional development.
39. Additional consent condition in respect to WWTP.	An additional consent condition is necessary should the WWTP suffer a serious failure. This would require a proposed offset area (equivalent to the covenanted area within the irrigation field) to be provided prior to commencement of wastewater discharge.	Additional condition required to ensure potential terrestrial effects are mitigated.	Potential risk in the event of WWTP failure.
40. Updated Ecological Management Plans	Updated/ separate Ecological Management Plans are required to ensure appropriate ecological outcomes including implementation and maintenance.	Required to address ecological revegetation areas and associated ecological outcomes.	Potential risk in terms of implementation and maintenance, and securing the ecological outcomes.
41. Condition relating to trucking of wastewater off site	The proposed review / trigger condition relating to off-site disposal for Stage 2 is necessary to enable Council to review the trucking / off-site disposal conditions if truck movements materially exceed those anticipated, complaints are received, a receiving facility changes its acceptance criteria, or monitoring indicates that off-site disposal is being used more extensively than assessed.	Required to ensure appropriate review consent conditions are included in any decision.	Required to ensure appropriate review consent conditions are included in any decision
42. Additional details	1. The Water take consent has been granted, however there is no water	These details are required to ensure the water	Potentially significant risk associated with

required for the Water treatment.	quality data for design of the treatment plant. The sample used is from 2016, from a bore located outside of the property. 2. The application does not provide a water balance sufficient to demonstrate how the water shall be supplied reliably to the development during increased use periods, which will typically coincide with drought conditions. Water harvesting is mentioned but not detailed. 3. A “Hydroloop” system is also referred to, however the figure of 30-40% water re-use is not tested, nor detailed as to how this would be integrated into the overall water supply for the development. Is this going to be a condition for developing dwellings on the site? 4. There is likely to be a waste stream from the water treatment plant, while this is likely to be small when compared to the wastewater from the balance of the development, can this please be quantified and its management confirmed? 5. The application material indicates that the proposed reticulation network and treatment plant are to remain in private ownership of a private infrastructure company that will seek network operator status. However, the application does not clearly identify the proposed legal entity that will own the water and wastewater assets, nor does it explain whether ownership and governance will sit with a network utility operator, body corporate, incorporated society, or another structure. 6. The application also does not clearly allocate long-term responsibility for operation, maintenance, renewal, compliance, auditing, customer interface, charging/revenue collection, emergency response, and asset replacement across the proposed private water and wastewater systems. The supporting material refers variously to a private infrastructure company, a utility company, Apex as operator, and the owner of the	treatment plant provides the necessary and safe water infrastructure for the proposal; and to ensure there are appropriate legal mechanism, for future ownership, maintenance and management.	the provision of private water infrastructure.
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	plants carrying out audits, but without a single clear governance and responsibility framework.		
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Key Findings – Potential Adverse Effects

230. The Council acknowledges that the application has made a significant number of positive updates from the original application which was lodged and recommended for draft decline, notably in addressing water and wastewater supply matters and ecological effects. However, the identified information gaps (detailed above) create uncertainty in the assessment of adverse impacts, and the Council is not able to fully assess the extent and degree of the potential adverse impacts, and specifically whether the Application meets the section 85(3) threshold.
231. A number of potential (based on the Application materials) adverse impacts have been identified in the Council's reporting, and without the key information being provided, the Council are not able to confirm whether the documentation is at a requisite standard and that these can be addressed adequately through conditions of consent, or whether these outweigh the project's benefits. This includes but is not limited to the Geomorphic related effects, Dam Break Assessments, Traffic/ Transport related effects, Private Water Supply Infrastructure, Parks related effects and Impact on planned investment and infrastructure provision. The Council are of the view that, as with the original Delmore Fast-Track, whilst a number of the adverse effects may potentially be addressed by way of conditions (which would need to be fully agreed to by the Applicant), a number cannot and these effects could be fundamental. On this basis, and until the required information is provided by the Applicant, the Council are unable to support the approval of the application.
232. Aligned with this, we note there is a fundamental disagreement with the economic matters and the regional significance arguments from the Applicant and Council specialists. As a result, there may be a need for an independent economic specialist to be appointed to undertake a peer review – we respectfully request that the Panel considers this request by the Council.

Section 85(4) consideration

233. Council's assessment has considered that the 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.

Relevance of information gaps to assessment

234. 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

235. Based on our assessment, Council have identified potential (based on the Application materials received to date) adverse impacts, though without the key information / a sufficient response being provided by the Applicant, are not able to confirm whether these can be addressed adequately through conditions of consent, and also whether these outweigh the project's benefits. This includes, but is not limited to, the Geomorphic related effects, Dam Break Assessments Traffic/ Transport related effects, Private Water Supply Infrastructure, Parks related effects and impacts on planned investment and infrastructure provision. Of particular relevance, we also note that the Council consider further economic assessment and analysis is required to understand whether the project will deliver the claimed regionally significant benefits.
236. Without this information, the Council considers that a decision under the relevant provisions of the FTAA (including sections 81 and 85 and schedule 5 for RMA applications) cannot be undertaken and the Panel are unable to fully evaluate or weigh up whether the delivery of this development project can demonstrate significant regional or national benefits and if the adverse impacts are of a sufficient significance, scale and nature to be out of proportion to those benefits.
237. As a result, and on the basis that all outstanding information is fully provided by the Applicant on 11 May, we request that sufficient time is allocated to enable the Council and specialists to undertake a thorough assessment upon receipt, with potential requirement for Conferencing to review any matters.

DATED the 4th day of May 2026

Dylan Pope

Planning Consultant for Auckland Council