

**Before the Panel Convener appointed under the
Fast-track Approvals Act 2024**

Under the Fast-track Approvals Act 2024

In the matter of Mt Welcome, Pukerua Bay

By Pukerua Property Group Limited Partnership

Response to Panel Minute 11

28 August 2026

INFORMATION REQUEST

- 1 This memorandum responds to directions from the Panel in Minute 11 (dated 14 August 2026) seeking further information on a range of matters.
- 2 The Applicant's team of technical experts has provided information to respond to matters relevant to their disciplines as follows:
 - 2.1 Torrey McDonnell (Incite) with regard to planning matters;
 - 2.2 Katy Grant (PDP) with regard to hydrology and water quality matters;
 - 2.3 Kyle Dirse (Envelope Engineering) with regard to civil engineering matters (**Appendix A**);
 - 2.4 Jamie Whittaker (Stantec) with regard to transport matters (**Appendix B**); and
 - 2.5 Adam Thompson (Urban Economics) with regard to economics (**Appendix C**).
- 3 In addition, a Memorandum of Counsel is provided as **Appendix D** responding to legal matters identified in the Panel's request.

DISCUSSION

- 4 Paragraph 1(a) of Minute 11 states:

(a) It is evident from the application documentation that the proposed subdivision is premised on land and assets being vested in Tiaki Wai and Porirua City Council. The subdivision is also premised on the site securing wastewater connections to Tiaki Wai's wastewater network. It appears from the comments received from those organisations that one or both may not agree to accepting the proposed vesting or (in Tiaki Wai's case) the proposed wastewater connection. Is that an option open to them? Assuming it is, and one or both organisations maintains that position, what action(s) would the applicant need to take to address the situation and allow the development to proceed as currently proposed?

- 5 The Panel's question regarding whether it is open to Tiaki Wai or PCC to decline the proposed vesting or connection is addressed in the memorandum of counsel attached as **Appendix D**.
- 6 Wastewater connections were discussed at expert conferencing, with a Joint Witness Statement produced by relevant experts dated 21 August 2026. As noted in the Memorandum of Counsel, there is general agreement that engineering solutions are available to ensure there is appropriate capacity in the network for wastewater, subject to agreeing conditions of consent regarding triggers to model capacity and undertake upgrades or onsite storage works as required. As such, it is highly unlikely that the Applicant will be in a position where Tiaki Wai is not accepting future wastewater connections.
- 7 With regard to Tiaki Wai's position on vesting of retention wetlands their experts state in the JWS that¹:
- Tiaki Wai's position is that it will not vest an ecological wetland. Tiaki Wai's role is limited to stormwater conveyance, treatment, and flood management, and Tiaki Wai has significant concerns about managing stormwater within an area subject to ecological covenants and monitoring conditions.*
- Whether the wetlands should be classified and vested as stormwater management wetlands or offset (ecological) wetlands is not agreed and is treated by Tiaki Wai as a precondition to agreeing Operation & Maintenance access requirements.*
- 8 There are two separate issues here, with one being the general acceptability of the stormwater system with regard to managing the adverse effects of stormwater, and the second being who is the correct entity to vest assets in if there is agreement that issue one is resolved.

¹ Refer Issue 2 page 5.

- 9 The Applicant notes that there is still disagreement amongst experts regarding the first issue, and notes that the Panel has indicated in Minute 9 that they wish to explore these matters further with experts.
- 10 Putting the first issue to one side, the second issue is which entity should appropriately hold and manage those assets if the stormwater effects are otherwise resolved.
- 11 The latest proposed scheme plan which was provided in response to s53 comments shows both the wetlands and raingardens as fee simple lots in response to comments².
- 12 If Tiaki Wai and PCC agree that Tiaki Wai is not the correct entity to vest the retention wetlands to, then it is a relatively simple matter for the Applicant to amend the retention wetlands on the scheme plan back to being recreation reserves to be vested in PCC (inclusive of offsetting areas to be protected through conservation covenants).
- 13 The Applicant considers recreation reserve status appropriate because the retention wetlands are primarily environmental and ecological assets, with a secondary stormwater management function. They would also provide amenity and recreation value consistent with the surrounding land proposed to vest as recreation reserve, including recreational walking trails and planting areas.
- 14 The raingardens would remain fee simple lots to be owned and managed by Tiaki Wai.
- 15 Paragraph 1(b) of Minute 11 states:

b) In relation to the Updated Infrastructure Report dated 4 June 2026:

² Appendix C1 to the Applicant's Response to s53 comments dated 7 August 2026.

(i) Section 10.3 records that the Tiaki Wai wastewater network has limited capacity above the 2018 baseline. This statement prompts the Panel to enquire:

(1) How much additional capacity did the network have above that baseline?

(2) How much of that capacity has been used up by the population increases detailed in the Economic assessment between 2018 and 2026?

(3) How much capacity is there currently taking account of consented and/or permitted development in the catchment?

(ii) Section 10.10 states that the Mt Welcome development alone, excluding Muri Road Stage 2 can discharge 32 l/s by gravity without causing new overflows downstream, which prompts the following questions:

(1) Would it exacerbate existing overflows, and if so, to what extent?

(2) What is the status of Muri Road Stage 2?

(iii) Section 10.10 also states that 8 hours of storage across the proposed pump stations provides the best performance balance. What storage volume does 8 hours equate to and what condition requires that outcome?

(iv) Section 12.3 references an electricity report. Is a copy available? More generally, does the Scheme Plan provide for ancillary above ground electrical equipment if required?

16 Mr Dirse addresses these matters in his memorandum attached as **Appendix A.**

17 Paragraph 1(c) of Minute 11 states:

(c) In relation to Stantec's 4 June 2026 commentary on District Plan Standard TR-S5, what minimum driveway separation does the author consider appropriate, and why, and what minimum sightlines are appropriate at a vehicle crossing?

18 Mr Whittaker addresses these matters in his memorandum attached as **Appendix B.**

19 Paragraph 1(e) of Minute 11 states:

(e) The NES-F Assessment (Appendix 6) records that 660 lots is not a viable yield. What is a viable yield?

20 Appendix 6 examines other practicable alternative locations for development within the Site in line with the National Environmental Standard for Freshwater. Concept A (660 lots) was an alternative design that was with regard to minimising stream and wetland disturbance that was considered by the project team. This alternative was discounted for the following three reasons³:

While this alternative concept resulted in less wetland reclamation than the other alternative concepts below it:

- *Only provides 660 lots which falls short of a viable yield for the Applicant;*
- *Does not provide the amount of housing anticipated by the Council that the Northern Growth Development Area (NGDA) will deliver, noting that Council's Growth Strategy anticipates 1,500 dwellings between the Muri Road and Mt Welcome site,³ of which the Mt Welcome development is expected to bring the larger share; and*
- *Results in a much smaller commercial centre, so it creates a less well-functioning urban environment with regard to clause (c) of Policy 1 of the NPS-UD.*

21 A viable yield is the level for development yield that enables the overall development to be commercially and financially feasible, having regard to the relationship between development yield, infrastructure and servicing costs, land development, environmental mitigation, other delivery costs, land acquisition costs, and anticipated revenue

³ Refer page 7 of Appendix 6 to the Substantive Application.

generated. The Applicant's position is that 660 lots would not provide a viable yield for the project when assessed against these factors.

22 While commercial viability is one relevant lens, the Applicant notes that the other two matters identified in Appendix 6 are also important. A 660-lot yield would not deliver the level of housing anticipated for the Northern Growth Development Area in Porirua's Growth Strategy, and would create a less well-functioning urban environment with regard to the NPS-UD.

23 Paragraph 1(f) of Minute 11 states:

(f) Section 6.3 of the Flood Risk Report (Appendix 11, Part B) records the expectation that a modelled backflow effect in the upper Kakaho catchment will be resolved as the development proceeds. What condition directs that resolution to occur, and what is the ongoing effect if that doesn't occur?

24 Mr Dirse addresses these matters in his memorandum attached as **Appendix A.**

25 Paragraph 1(g) of Minute 11 states:

(g) The Wastewater Modelling Report (Appendix 12) notes (e.g. Figure 2) that the model cut off is at the Paremata bridge. Are there any relevant network constraints downstream of that point?

26 Mr Dirse addresses these matters in his memorandum attached as **Appendix A.**

27 Paragraph 1(h) of Minute 11 states:

(h) In relation to the Economic Report (Appendix 13):

(i) What parameters noted in Figure 2 are materially different in surrounding developments, so as to produce the price differences predicted in section 2.3? If there are other reasons for the predicted differences, what are they?

- (ii) How do actual demand figures over the period 2021 to date compare with the predictions in Figure 10?*
- (iii) In relation to section 8, are there other potential reasons for the observed steady population growth?- e.g. the availability of relatively affordable greenfield housing?*
- (iv) Are the estimates of value added in Figures 17-23 Net Present Values? If not, what would the relevant NPVs be, applying discount rates consistent with Treasury Guidelines? If the author considers that alternative discount rates should be preferred, please supply those figures as well, with an explanation of reasons for not applying Treasury Guidelines.*

28 Mr Thompson addressed these matters in his memorandum attached as **Appendix C.**

29 Paragraph 1(i) of Minute 11 states:

- (i) In relation to the Integrated Traffic Assessment (Appendix 14):*
 - (i) Please supply the assessments noted as 'TBC' on page 20*
 - (ii) In relation to section 7.1.2, what is the maximum posted speed at which an at grade cycling and pedestrian crossing would be viable?*
 - (iii) In relation to section 7.3, is the active mode connection to Pukerua Bay and the Railway Station dependent on the Muri Block development being completed? If so, what is the fallback if that doesn't happen?*
 - (iv) On a related point, comment the Panel has received suggest that the railway station carpark is at capacity and there is no scope to enlarge it. Does the author agree, and if so, what are the implications for development of the site in terms of relevant policy direction around access to public transport. It is noted that the latter could be considered a planning question within Mr McDonnell's sphere.*
 - (v) In relation to the comments at page 39, please provide a plan showing the location of the over-gradient stretches of road identified, and more specific examples (location and gradient) of the Wellington and Porirua comparators referenced*

(vi) In relation to the discussion at page 40, what does the author consider to be the likely rationale for District Plan Standards INF25.5 and 6?

30 Mr Whittaker addresses these matters in his memorandum attached as **Appendix B.**

31 In the table at the end of the Mr Whittaker's memorandum, the compliance table finds that the street trees may not be able to comply with the requirements of INF-S23.10 in every instance. Mr McDonnell has reviewed this from a planning perspective. He has reviewed the potential compliance against the rule assessment provided in Appendix 4 to the Substantive Application where it was indicated that the proposal would comply with this standard. He advises that regardless of the non-compliance with this standard, the construction of new roads is correctly identified in the Application as a Discretionary Activity under Rule INF-R27.

32 Paragraph 1(j) of Minute 11 states:

(j) In relation to the Hydrology Assessment (Appendix 18)

(i) The executive summary notes that the modelling discussed in the report was based on assumptions and limited data, and recommends baseline monitoring continues with modelling compared against the results. Has that occurred, and if so, what was the outcome?

(ii) If remodelling available now or in the future indicates materially different outcomes, how would or could those outcomes be addressed?

(iii) Page 30 refers to monitoring and mitigation strategies in the Taupo Stream Catchment. Where are those strategies set out, and what trigger points are specified in conditions for their implementation?

(iv) Section 8.3.2 references trigger points in the Kakaho West catchment. Where are those trigger points set out?

- 33 Ms Grant confirms that the baseline monitoring is ongoing and a Baseline Monitoring Report for the monitoring data available to date was attached to PDP's memorandum in response to comments⁴. This summarises the data collected to date, which was broadly in accordance with the original conceptual understanding used for the Hydrology Assessment. However, the modelled flows were much more responsive to small rainfall events than the measured baseline so it did recommend recalibrating the model, which was undertaken as part of the response to comments. The results from the updated model runs were included in PDP's response memorandum and indicated that the general conclusions remained unchanged, but there were some minor variations in localised areas.
- 34 The updated model more accurately represents the wetland and stream hydrology of the site, but there are still limitations associated with the assessment. For example, the model consistently underestimates groundwater baseflow into the streams, particularly in the Kakaho East catchment. However, as noted in the memo the outcomes from the updated model are not materially different from those presented in the original assessment.
- 35 Monitoring and mitigation strategies for the on-site wetlands will be included in the Eco-Hydrological Management, Offsetting and Monitoring Plan (EHMP) which will be a requirement of conditions. This will include low and high-water trigger values within the wetlands to ensure that the wetland health is maintained. These will be developed as part of the EHMP using the baseline data which is still to be collected at the site. The trigger values will be tied to actions and mitigation measures to ensure that the wetland extent and health is maintained.

⁴ Refer to Appendix F of the Applicant's Response to comments dated 7 August 2026.

(k) In relation to the Water Quality Report (Appendix 19):

(i) Section 4.1 notes that limited on site monitoring has occurred. Can the applicant please provide an addendum report detailing any subsequent monitoring, including specifically a discussion of any conclusions that might be drawn from that modelling that would modify the findings presented in the original report;

(ii) The discussion on page 25 records that the operation of the proposed raingardens is critical to achieve removal of copper and zinc from stormwater, but that if they operate as designed, they should be sufficient to ensure no increase in average discharges of those contaminants. This conclusion prompts the following additional questions:

- (1) What ongoing monitoring of heavy metal discharges is proposed?*
- (2) What minimum levels of copper and zinc leaving the site should be specified?*
- (3) Related, against a regional planning policy framework seeking water quality improvements downstream, is a 'no increase' outcome appropriate or acceptable? Again, the latter might be a question for Mr McDonnell rather than the author.*

37 As noted above in relation to 1(j), Ms Grant notes that further monitoring of water quality has been undertaken and is summarised in the Baseline Monitoring Report attached to the PDP memorandum in response to comments⁵. As noted within the baseline report, the results of the water quality monitoring were not significantly different from those presented in the original Water Quality Assessment so there were no changes to the findings from the original report.

⁵ Refer Appendix F of the Applicant's Response to s53 comments dated 7 August 2026.

- 38 Baseline monitoring for heavy metal concentrations in the streams is currently being collected. GWRC proposed some additional monitoring of the retention wetland water quality which included these parameters and the applicant has agreed to include this in the EHMP.
- 39 It is assumed that 1(k)(ii)(2) refers to maximum rather than minimum levels (concentrations). These will be developed and detailed in the EHMP using the baseline data.
- 40 It is agreed that 1(k)(ii)(3) is more of a planning query. However, Ms Grant notes that it should be noted that overall it is considered that the water quality will improve, although there may be little change in some chemical parameters. The reduction in the sediment load and nitrogen from the site post development will be a significant improvement.
- 41 Mr McDonnell has reviewed item 1(k)(ii)(3) and advises that the relevant regional planning policy framework is set out in Appendix 5 to the Substantive Application. This policy framework contains various objectives and policies that seek both the maintenance and, in some cases, the improvement of water quality.
- 42 Mr McDonnell considers that, while the specific performance objective of the raingardens is to ensure there is no increase in average copper and zinc discharges, the proposal as a whole is expected to contribute towards the broader policy direction for water quality improvement through improved stormwater treatment, restoration of degraded waterways and wetlands, removal of existing pastoral contaminant sources, and enhancement of freshwater habitats. On that basis, he considers that the proposal is consistent with the objectives and policies in Appendix 5 to the Substantive Application that seek the maintenance and improvement of water quality.
- 43 Paragraph 1(l) of Minute 11 states:

(I) The applicant is proposing a two step lapse arrangement, with Stage 1 having a five year lapse period and the balance of district consents a 15 year lapse period. What is the legal basis for this arrangement given that a single set of consents governs all stages (i.e. Stage 1 is not proposed to be the subject of separate consents)? Put another way, if the secondary lapse date is triggered, what is the status of Stage 1?

44 The matter is addressed in the Memorandum of Counsel attached **Appendix D.**

Appendices index

Appendix A: Engineering Memorandum Prepared by Envelope Engineering
Appendix B: Transport Memorandum Prepared by Stantec
Appendix C: Economic Memorandum Prepared by Urban Economics
Appendix D: Memorandum of Counsel

Appendix A: Engineering Memorandum Prepared by Envelope Engineering



RESPONSE TO EXPERT PANEL MINUTE 11

MT WELCOME, PUKERUA BAY

TO	Pukerua Property Group LP	DATE	28 August 2026
PROJECT NAME	Mt Welcome, Pukerua Bay	ENVELOPE REF	1753-02
ATTENTION	William Dorset	FROM	Kyle Dirse
EMAIL ADDRESS	william.dorset@classicdevelopments.co.nz		

INTRODUCTION

This memorandum responds to the requests for information in Minute 11 of the Expert Panel (FTAA-2603-1181, 14 August 2026) that relate to Envelope Engineering's assessments.

Item	Matter
(a)	Vesting and wastewater connection
(b)	Updated Infrastructure Report
(f)	Flood Risk Report – Kakaho backflow
(g)	Wastewater model cut-off

ITEM (A) – VESTING AND WASTEWATER CONNECTION

Is declining the proposed vesting or wastewater connection an option open to Tiaki Wai or Porirua City Council, and if so, what actions would the applicant need to take to allow the development to proceed as currently proposed?

Response:

From an engineering perspective, the wastewater assets are designed to Tiaki Wai's standards and are suitable for vesting.

The key concern was whether reserve Lot 1300 could accommodate a worst-case storage solution. The Applicant has agreed to enlarge Lot 1300 to provide this flexibility. It was generally agreed during expert conferencing that an engineering solution is available, with the final PS1 configuration and design to be confirmed through detailed design.

ITEM (B) – UPDATED INFRASTRUCTURE REPORT

(b)(i)(1) How much additional capacity did the Tiaki Wai wastewater network have above the 2018 baseline?

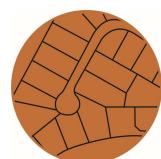
Response:

The available wet-weather flow capacity above the 2018 baseline was approximately 20 L/s for the piped bulk network. This is governed by two critical DN250 trunk sewer sections, each with an estimated total capacity of approximately 39 L/s. and 60 L/s.

The latest hydraulic model provided by Tiaki Wai adopts a PS13 discharge rate of 68 L/s, reduced from 99 L/s. This limits the flows and reduces pressure on the downstream network. PS13 therefore now controls the discharge, and limits the capacity for Mt Welcome.

The most recent hydraulic model provided by Tiaki Wai represents Pump Station 13 (PS13) as operating at an adopted discharge rate of 68 L/s, this is a reduction from 99 L/s. This reduction to 68 L/s takes pressure off the downstream network. PS13 controls discharge into the downstream network, with the engineered overflow indicating when available downstream capacity has been exceeded.

Spare capacity above the 2018 baseline is assessed by whether the PS13 engineered overflow spills



(b)(i)(2) How much of that capacity has been used up by the population increases detailed in the Economic assessment between 2018 and 2026?

Response:

The Economic Assessment reports population growth at a city-wide level and does not quantify demand within the NGA and PS13 catchment.

However, the strategic NGA wastewater model shows total network dry-weather flow increasing by only approximately 1 L/s between the base 2018, and 2027 current scenarios. As the NGA remained largely undeveloped in this time.

(b)(i)(3) How much capacity is there currently taking account of consented and/or permitted development in the catchment?

Response:

A single fixed capacity figure has not been determined. Available capacity varies with the development staging and rainfall event, with network upgrades and/or detention introduced progressively as required.

Capacity is generally governed by Pump Station 13 (PS13) at Plimmerton Roundabout, which now has a reduced pump rate capacity of 68 L/s and an engineered overflow. We have assessed capacity at this overflow point using the Porirua Strategic Wastewater Model (HAL, May 2026).

Capacity with the CUR 2027 scenario which includes 220 Plimmerton Farms lots and shows no PS13 overflow during the 1-year ARI event. We have modified that scenario with initial Mt Welcome stages, these scenarios show:

- 100 Mt Welcome lots can be serviced without overflow during the 6-month or 1-year ARI events.
- 200 Mt Welcome lots can be serviced without overflow during the 6-month ARI event, with a minor overflow during the 1-year ARI event.

(b)(ii)(1) Would the 32 L/s gravity discharge exacerbate existing overflows, and if so, to what extent?

Response:

The earlier 32 L/s figure represented the modelled peak gravity discharge from the completed 950-lot development. The Applicant has since received an updated model incorporating additional network constraints. Accordingly, the initial stages are now proposed to discharge by gravity, with detention brought forward from the original staging. The timing and capacity of that detention will be confirmed using the final Porirua wastewater model once available.

The updated model includes the PS13 engineered overflow and revised rainfall scenarios. The initial staging results are:

- 100 lots: Peak discharges of 2.32 L/s during the 6-month ARI event and 2.41 L/s during the 1-year ARI event, with no overflow during either event.
- 200 lots: A peak discharge of 4.35 L/s during the 6-month ARI event, with no overflow, and 4.46 L/s during the 1-year ARI event, producing approximately 23.8 m³ of overflow.

It is our understanding the 6-month ARI event is the containment target for an engineered overflow within the bulk main. Further details are provided in Envelope Memo M012, *Updated Wastewater Modelling Assessment*.

(b)(ii)(2) What is the status of Muri Road Stage 2?

Response:

Muri Road Stage 2 is not consented, and its current status and programme are uncertain. However, the initial stages are consented and under construction, and the land is zoned for development and owned by an active developer. It is therefore considered likely that the development will continue to progress.

The Mt Welcome infrastructure design includes an allowance for up to 500 Muri Road Stage 2 lots. A cost-sharing arrangement between the developers is also being explored.

Due to its constrained legal frontage to Muri Road, the Muri Road development is expected to rely on Mt Welcome for bulk services and access.



(b)(iii) What storage volume does 8 hours equate to and what condition requires that outcome?

Response:

Tiaki Wai's *Regional Standard for Water Services*, section 5.2.4(o), requires wastewater pump stations to provide maintenance storage equivalent to eight hours of average dry-weather flow (ADWF).

This is a design-standard requirement rather than a separate detention requirement. PS2-PS6 provide maintenance storage for pumping purposes only and do not perform a detention function. Wet-weather detention is provided entirely at PS1, where peak flows are detained before discharge to the bulk main.

(b)(iv) Section 12.3 references an electricity report. Is a copy available? Does the Scheme Plan provide for ancillary above-ground electrical equipment if required?

Response:

The report referenced is a High-Level Report (HLR) has been commissioned from Wellington Electricity Limited; it is not yet available.

Power servicing will be implemented progressively to match the development programme, with the details set out in the HLR. No major above-ground electrical equipment is expected to be required to service the initial stages. Any larger zone-level network upgrades will be designed, consented and delivered by Wellington Electricity Limited, and do not form part of this application or the Scheme Plan.

ITEM (F) – UPPER KAKAHO BACKFLOW EFFECT

What condition directs the resolution of the modelled backflow effect in the upper Kakaho catchment, and what is the ongoing effect if that doesn't occur?

Response:

The modelled effect is a localised backwater effect caused by the proposed 900 mm culvert SW-IN 74-2 near the northern boundary, which increases the 1% AEP flood depth within the adjoining gully.

This will be addressed through the coordinated detailed design of the Muri Road and Mt Welcome infrastructure, likely by increasing the culvert size and capacity to remove the flooding effects. If the culvert is not upgraded, the localised increase in flood depth would likely remain.

The culvert detailed design and confirmation of no material worsening beyond the site boundary are already addressed through the proposed engineering approval condition.

ITEM (G) – WASTEWATER MODEL CUT-OFF AT THE PAREMATA BRIDGE

Are there any relevant network constraints downstream of the Paremata bridge?

Response:

Yes. Known downstream constraints are represented through the model's PS13 pump rate and boundary conditions.

PS13's adopted capacity was reduced to 68 L/s by Tiaki Wai to limit flows entering the downstream network and mitigate existing capacity constraints and overflows, including at Mana Esplanade.

The updated model supplied on 19 August 2026 also includes the PS13 engineered overflow, which is now the primary control point and basis for assessing the development's overflow effects.

Wider downstream constraints, including rising-main and treatment-plant capacity, are managed through network pump rates and overflow controls. Assessment of those wider network interactions remains the responsibility of Tiaki Wai as the network operator.



Appendix B: Transport Memorandum Prepared by Stantec

Project: Mt Welcome Subdivision Project No. 310206500
To: Incite
From: Stantec NZ Date: 28 August 2026

Reference: Mt Welcome: Minute 11 Transport Matters Response

1 Purpose and Scope

This memorandum addresses the transport-related matters raised by the Panel in Minute 11. For ease of reference, each question is reproduced using the Panel's original wording and numbering, followed by a response and references to the supporting technical material. Where a response relies on information or conclusions provided by other experts, this is clearly identified.

2 Code of Conduct Statement

While this is not a matter before the Environment Court, the authors of this report have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 ('Code'). The authors have complied with the Code in the preparation of this report.

The data, information, facts and assumptions the authors have considered as part of this report are set out in this report. The reasons for the conclusions reached are also set out in this report. Unless stated otherwise, this report is within the author's expertise and the authors have not omitted to consider material facts known to them that might alter or detract from the opinions expressed.

3 Transport Comments

Panel Comment:

- (c) *In relation to Stantec's 4 June 2026 commentary on District Plan Standard TR-S5, what minimum driveway separation does the author consider appropriate, and why, and what minimum sightlines are appropriate at a vehicle crossing?*

Traffic volumes associated with individual residential driveways will be very low, averaging say one movement an hour and, as a result, the potential for turning conflicts between adjacent driveways will be minimal. There is no road safety basis therefore requiring a prescribed minimum separation distance between individual residential accesses with respect to vehicle turning conflicts.

A review of district plans across the Wellington region, including Wellington City, Upper Hutt City, and Kāpiti Coast District, identified no minimum separation requirements between adjacent residential

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

vehicle crossings. The Hutt City District Plan requires a minimum separation of 1m between crossings. Similarly, the Porirua District Plan (TR-S5.11) requires a minimum separation of 2m along the footpath between crossings serving adjacent sites. This requirement is considered appropriate, as it provides a clear physical distinction between adjacent vehicle crossings.

With respect to minimum sight distance requirements at vehicle crossings, further detail on the recommended assessment methodology and amended condition wording is provided within the updated memorandum to Council dated 2 July. Under the expanded assessment of TR-S5.7 in the table (pages 5-6), it is recommended that minimum sight distance should be assessed against the Austroads 'Stopping Sight Distance' (SSD) criteria, based on adopting the operating speed of vehicles on the adjacent section of road. Where the required SSD cannot be achieved, appropriate speed management measures would be required to reduce operating speeds on the frontage road to a level at which the sight distance requirements can be satisfied.

Panel Comment:

(i) *In relation to the Integrated Traffic Assessment (Appendix 14)*

i. *Please supply the assessments noted as 'TBC' on page 20*

A response on the District Plan Standards INF-23.9 and INF-23.10 has been provided by the civil engineers (Envelope Engineering) and the Landscape Architects (Blac) respectively, in the table appended to this memorandum.

Panel Comment:

ii. *In relation to section 7.1.2, what is the maximum posted speed limit at which an at grade cycling and pedestrian crossing would be viable?*

We are not aware of any published guidance in New Zealand that prescribes a maximum operating speed for an at-grade pedestrian and cycle crossing. Neither the New Zealand Transport Agency Waka Kotahi guidance or Austroads publications identify a specific speed threshold beyond which at-grade crossings are considered inappropriate.

Notwithstanding the absence of a prescribed threshold, higher vehicle operating speeds are associated with increased risk of likelihood and injury severity. In this context, a posted speed limit of approximately 60km/h is considered to represent the practical upper limit at which an uncontrolled at-grade pedestrian and cycle refuge crossing could reasonably be accommodated, having regard to both safety and operational considerations.

Panel Comment:

iii. *In relation to section 7.3, is the active mode connection to Pukerua Bay and the Railway Station dependent on the Muri Block development being completed? If so, what is the fallback if that doesn't happen?*

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

The proposed shared path connection between the Site and the rail station is intended to be provided via the Muri Block land to the north. This approach reflects the constraints associated with providing a direct connection across State Highway 59 under the current 100km/h speed environment, which prevents a safe at-grade pedestrian and cycle crossing that would link with the Ara Harakeke shared path on the western side of the Highway. The connection via the Muri Block land therefore provides the most practical opportunity to achieve a connected active transport link to the rail station. While the ultimate delivery of this active mode route is dependent on the progression of development within the Muri Block, the land is being actively developed with initial stages consented and under construction.

Notwithstanding, the proposed Site earthworks design has been developed to preserve a potential alternative connection. Specifically, sufficient corridor width is available along the eastern side of SH59, extending from the proposed Site access roundabout to the northern Site boundary (approximately 220m), to accommodate a future shared path. Should the Muri Block connection not eventuate, this would provide the basis for an alternative active mode connection extending north along the eastern side of the Highway (rather than crossing it) to Gray Street / Taumata Road. The Applicant understands that Council and NZTA are preparing a Transport Masterplan for this SH59 corridor in consideration of responding to the Northern Growth Development Area, and that delivery of such a connection could form part of this planning.

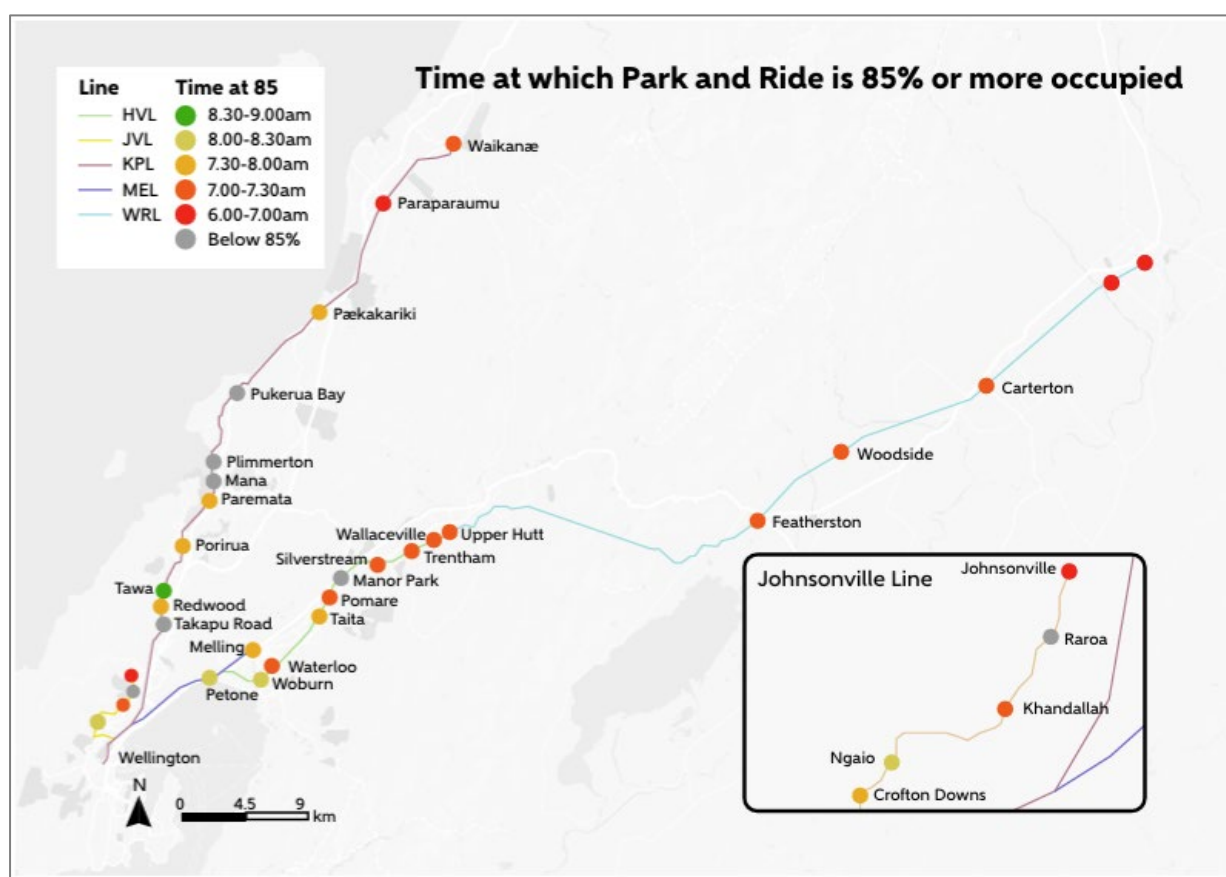
Accordingly, the active mode connection is not reliant on a single outcome, and a potential alternative corridor can be achieved as an extension of the proposed Site access roundabout should the preferred Muri Block connection not proceed.

Panel Comment:

- iv. *On a related point, comment the Panel has received suggest that the railway station carpark is at capacity and there is no scope to enlarge it. Does the author agree, and if so, what are the implications for development of the site in terms of relevant policy direction around access to public transport. It is noted that the latter could be considered a planning question within Mr McDonnell's sphere.*

It is acknowledged that the park and ride at Pukerua Bay is popular. In this regard, the Wellington 'Regional Public Transport Plan 2025-2035' (RPTP) provides some useful data on typical capacity of park and ride stations across the Wellington region during the AM commuter travel peak, including those local to the development Site, as illustrated in the figure below from that report. This data indicates the Park and Ride facilities at Pukerua Bay, Plimmerton and Mana (being those stations most proximate and likely to be used by Site residents) exhibit some residual capacity at 9am, sitting below 85% of available spaces occupied.

Reference: Mt Welcome: Minute 11 - Response on Transport Matters



Park and Ride Data from 'Wellington Regional Public Transport Plan 2025-2035 (Pg.139)

Whilst expansion of the current park and ride facility at Pukerua Bay is constrained, a preliminary review of the current carparking arrangements suggests that with some removal of vegetation within the western carpark, there is potential to provide an additional 10-11 spaces as illustrated below. This would increase the existing capacity of around 30 parks within the current park and ride facility by approximately 35%.

Reference: Mt Welcome: Minute 11 - Response on Transport Matters



Whilst the potential for some additional park-and-ride demand at Pukerua Bay Station is recognised, noting residents from the Site can be expected to use a range of travel modes, this demand will be added incrementally as the Site is developed over a 10+ year build out period. Of note too in the RTP is that 50% of users of park and ride facilities live within 1-3km of their local park and ride, and that 50% use the closest station meaning 50% drive to a further park and ride location (in some cases to access a cheaper fare zone). Accordingly, while park-and-ride demand is likely to increase, this issue is more appropriately considered as part of regional public transport planning and investment rather than as a

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

constraint on this development itself, noting that there are many contributors to and influences for these future considerations by Greater Wellington Regional Council (GWRC), as part of Porirua's Northern Growth Area.

Panel Comment:

- v. *In relation to the comment at page 39, please provide a plan showing the location of the over-gradient stretches of road identified, and more specific examples (locations and gradient) of the Wellington and Porirua comparators referenced.*

The attached plan prepared by Envelope Engineering identifies those sections of the proposed internal roading network which are steeper than the permitted activity standards under INF-S23.7 of the District Plan. The plan separately shows sections of the collector and local roads that exceed the maximum 10% and 12.5% gradient envisaged by INF-S23.7.

As outlined in the ITA at Section 8.2 (pg.39), two sections of the Site's collector roads (Roads #1 and #20) are proposed with gradients designed at between 10% and 11%. In addition, five local roads are proposed with gradients of between 10% and 12.5%, whilst two local road cul-de-sacs incorporate gradients of between 12.5% and 14.3%.

To provide further context regarding road gradients within the wider region, the table below presents examples of existing roads within Wellington and Porirua that exceed the 10% gradient referenced in INF-S23.7, together with an indication of whether those roads form part of the GWRC bus network. These examples have been identified through a review of the Councils' 'Road Assessment and Maintenance Management' (RAMM) databases, which include detailed information on road gradients.

Area	Road Name	Maximum Gradient (%)	Bus Route
Wellington, Mt Victoria	Hawker Street	17	Yes
Wellington, Brooklyn	Washington Avenue	14	Yes
Wellington, Melrose	Manchester Street	14	Yes
Wellington, Miramar	Maupuia Road	12	Yes
Wellington City	The Terrace	13	Yes
Wellington, Roseneath	Grafton Road	14	Yes
Wellington, Houghton Bay	Hungerford Road	16	Yes
Wellington, Island Bay	Jackson Street	16	No
Wellington, Hāitaitai	Upoko Road	15	No
Wellington, Mt Cook	Thompson Street	14	No
Wellington, Northland	Albermarle Road	13	No
Porirua, Titahi Bay	Pikarere Street	11%	Yes

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

Porirua, Whitby	Leeward Drive	11%	Yes
Porirua, Papakowhai	Eskdale Road	11%	Yes
Porirua, Camborne	Pope Street	14%	No
Porirua, Pukerua Bay	Pukerua Bay Beach Road	14%	No

The examples demonstrate that road gradients steeper than those anticipated by INF-S23.7 exist variously within the built transport network across the Wellington region where road alignments need to work with steeper topography.

Those localised sections of road within the development Site that deviate from the Porirua City District Plan's maximum 10% grade are not therefore uncharacteristic, with grades of up to 11% on the collector roads within the Site sitting well within the operating gradients currently traversed by buses on some of the steeper routes identified in the table above.

Panel Comment:

- vi. *In relation to discussion on page 40, what does the author consider to be the likely rationale for District Plan Standards INF25.5 and 6?*

Under INF-R27.1, the construction of a new road is a Controlled Activity where the associated intersections comply with the criteria set out in INF-S25, namely that they comprise no more than three approaches and do not include either a roundabout or signalised intersection.

In contrast, where a new road does not comply with INF-S25, such as where it incorporates an intersection with more than three approaches, a roundabout, or traffic signals, INF-R27.4 classifies the activity as Discretionary. No specific matters of discretion are identified under this rule.

The distinction in activity status appears to recognise that more complex intersection forms typically require a greater degree of assessment and design consideration due to their potential implications for traffic safety, accessibility, and integration with the surrounding road network. The Discretionary Activity status therefore is interpreted as providing Council with a broader ability to evaluate whether the proposed intersection form and its design are appropriate in the context of the particular development and receiving environment.

Encl: Assessment Table of District Plan Standards INF-23.9 and 23.10 (responses provided by Envelope Engineering and Blac).

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

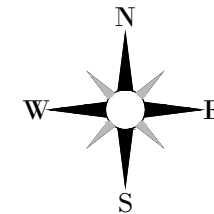
Reference	Rule	Assessment of Compliance
Infrastructure		
INF-S23	Design of roads	
9.	Retaining structures must not be constructed within the road reserve.	[Response provided by Envelope Engineering] The Application is not seeking consent for retaining structures within the road reserve. If they are subsequently required at detailed design stage, a consent will need to be sought. The current roading design does not include any retaining structures within the road reserve. However, detailed geotechnical assessment will continue during the detailed design and construction phases. Should the geotechnical engineer determine that adjustments to proposed batter slopes are necessary to achieve long-term stability, localised retaining measures, including engineered slopes or retaining structures, may be required.
10.	Street trees must be provided in accordance with:	[Response provided by Blac] May not Comply See below responses.
	a. The requirements of INF-Table 1 (Road design standards);	
	b. Street trees must not be planted in the infrastructure berm;	- Based on advice provided by Civil Engineers Envelope Engineering, the infrastructure berm will be located on the residential side of all footpaths, or beneath the footpath. - Street trees, as set out in the Landscape Ecology Plan (LEP), are generally located within the road-side berm. Where there is a single berm and no footpath, trees are offset toward the road side of the berm to maximise separation from services. - As shown on Drawing L4.0/1 of the LEP drawing set, root barriers will be provided adjacent to services where required. These will help prevent root growth toward services and encourage root growth parallel to the street.
	c. When street trees are required in accordance with INF-Table 1, they must be provided in accordance with the number of trees per size class at maturity set out in INF-Table 2;	- A range of street tree species has been selected. On average, the mature trunk diameter of these trees is expected to be within the 300–600 mm range, requiring a minimum of 6 trees per 1,000 m² - This standard is not currently achieved, with the LEP providing approximately 2-4 trees per 1,000 m². However, compliance can be achieved through adjustments to the number and spacing of street trees shown in the LEP.

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

Reference	Rule	Assessment of Compliance
	d. Street tree planting must meet the requirements set out in INF-Table 2 for the following: i. Horizontal setback distances from underground infrastructure;	Detailed design of exact service locations has not yet been determined by the Civil Engineers; however, it is anticipated that, in most circumstances, trees can be positioned to comply with these standards. Tree locations can be adjusted at the detailed design stage to respond to confirmed service locations and generally achieve compliance with the INF-Table 2.
	ii. Horizontal setback distances from underground infrastructure;	
	iii. Minimum berm width;	- A range of street tree species has been selected. On average, the mature trunk diameter of these trees is expected to be within the 300–600 mm range, requiring a minimum berm width of 2,000 mm, with some species having mature trunk diameters above or below this range. - Most berms are 2.0 m or greater, although some are approximately 1.9 m wide (100 mm less than required). The majority of street tree locations would therefore comply with the minimum berm width requirements. Where narrower berms occur or tree mature trunk sizes are too large, compliance can be achieved through adjustments to the tree species selected, favouring species with a smaller mature trunk diameter.
	iv. Minimum topsoil depth; and	As shown on Drawing L4.0/1 of the LEP drawing set, a tree pit depth of 450 mm plus twice the rootball depth is specified. Trees are specified at 25 L, which would typically have a rootball approximately 200–400 mm deep. Indicative industry guidance places 25 L rootballs at around 280–400 mm in depth, although dimensions vary by species and nursery stock. Accordingly, the specified tree pit depth would typically range from approximately 850–1,250 mm, and potentially greater depending on the actual rootball. The specification therefore exceeds the minimum 600 mm tree pit depth requirement across all nominated tree trunk sizes.

Reference: Mt Welcome: Minute 11 - Response on Transport Matters

Reference	Rule	Assessment of Compliance
	v. Minimum soil volume.	• Drawing L4.0/1 of the LEP drawing set would not currently yield the topsoil volume requirements without ustising soils laterally along the berms. To achieve these volumes as well and structural integrity of the structures expensive structural soil cells are required to great the non structural topsoil volume and stability loads placed above these areas. In our experience less topsoil can be relied upon for strong establishment of street trees from there broader topsoils are not always essential but optimal to support long-term growth. • We consider the species specified will establish and grow where topsoil is provided around the root ball at planting as per Drawing L4.0/1 of the LEP drawing set but the wider soil profile is relatively suboptimal, provided the underlying material is not severely compacted, permanently waterlogged, contaminated, or effectively impermeable. If this condition applies in some areas, specific detailed design could be used to achieve the specified topsoil volumes.



LEGEND

COLLECTOR ROADS BETWEEN 10% - 11% GRADIENT

LOCAL ROADS BETWEEN 10% - 12.5% GRADIENT

LOCAL ROADS STEEPER THAN 12.5% GRADIENT

This design and drawing shall only be used for the purpose for which it was supplied and shall not be altered or reproduced without the permission of Envelope Engineering Limited. No liability shall be accepted for unauthorised use of this design and drawing.

REVISIONS:			
REV	NOTES	BY	DATE
R1	ISSUED FOR INFORMATION	PWJ	21-08-2026

PROJECT:
PUKERUA PROPERTY GROUP LP
MT WELCOME - PUKERUA BAY
PORIRUA

TITLE:
ROAD LOCATIONS WITH
OVER-GRADIENT SECTIONS



DESIGNED: PWJ	DRAWN: PWJ	REVISION:
CHECKED: KD	PLOT DATE: 21-08-2026	
SCALE A1: 1:2500	SCALE A3: 1:5000	R1
STATUS: FOR INFORMATION		
PROJECT No: 1753-02	DRAWING No: SK9350	

Appendix C: Economic Memorandum Prepared by Urban Economics



Memorandum

To: Pukerua Property Group LP

From: Adam Thompson

Date: 20 August 2026

Re: Response to Economic Matters Raised by the Expert Panel

This memo responds to the economic matters raised in 1(h)(i)–(iv) of the Expert Panel’s ‘Minute 11 Request for Information’ dated 14 August 2026 (“RFI”).

RFI:

1(h)(i): *“What parameters noted in Figure 2 are materially different in surrounding developments, so as to produce the price differences predicted in section 2.3? If there are other reasons for the predicted differences, what are they?”*

Response:

The estimated price of housing at Mt Welcome is based on the relationship between sale price, lot size and dwelling gross floor area (“GFA”) for new housing sales in Porirua over the 2022-2024 period.

Figure 2 in the Economic Assessment¹ outlines an average price of \$960,000 for dwellings with an average lot size of 370m² and GFA of 160m², and \$1.11 million for dwellings with an average lot size of 520m² and GFA of 190m². Across the proposal, the average lot size is 470m², average GFA is 180m² and average estimated price is \$1.06 million.

Pages 22-24 of the Economic Assessment compare Mt Welcome with the other large greenfield developments in Porirua. On a standalone dwelling basis, Kenepuru Landing has an average lot size of approximately 380m², GFA of 140m² and sale price of \$965,000. Silverbrooke has an average lot size of 710m², GFA of 210m² and sale price of \$1.17 million, while Aotea has an average lot size of 690m², GFA of 210m² and sale price of \$1.225 million. Mt Welcome therefore sits broadly in the middle of these developments in terms of lot size, dwelling size and therefore price.

¹ Proposed Mt Welcome Residential Development, Pukerua Bay, Porirua, 07/11/2025, UE.



RFI:

1(h)(ii): *“How do actual demand figures over the period 2021 to date compare with the predictions in Figure 10?”*

Response:

As a measure of realised dwelling activity, Statistics New Zealand building consent data over the 2021-2025 calendar period² records a total of 1,317 new dwelling consents in Porirua City, equivalent to approximately 263 dwellings per annum.

By comparison, the HBA (Housing and Business Development Capacity Assessment 2023) dwelling demand presented in Figure 10 of the Economic Assessment is approximately 675 dwellings per annum over 2021-2023 and 555 dwellings per annum over 2024-2030. These figures include the 20% NPS-UD demand buffer. Excluding this buffer, underlying demand over the 2021-2025 period equates to approximately 523 dwellings per annum.

New dwelling consents over this period have therefore equated to approximately 50% of underlying demand estimated in the HBA. This is consistent with the HBA's finding that *“there is a significant shortfall in the number of houses currently being supplied to the market to meet demand. This undersupply of new dwellings continues to be a key contributor to ongoing housing affordability issues in Porirua”* (page 166, Porirua City Council HBA). The proposal will therefore make a notable contribution towards addressing the identified shortfall in housing supply and meeting underlying housing demand in Porirua.

RFI:

1(h)(iii): *“In relation to section 8, are there other potential reasons for the observed steady population growth?- e.g. the availability of relatively affordable greenfield housing?”*

Response:

Porirua's relatively steady population growth is considered to reflect continued housing development at relatively affordable prices (within the region) and strong local employment growth, which have supported its attractiveness as a place to live within the wider Wellington Region.

Greenfield development has played an important role in accommodating this growth, accounting for approximately 63% of new dwellings consented between 2018 and 2024. Greenfield housing has also generally been delivered at lower prices than equivalent infill housing (with equivalent lot size and dwelling size) helping to moderate house price pressures and support housing affordability, when compared with the wider region.

Additionally, employment in Porirua increased by approximately 37% between 2015 and 2024, compared with population growth of 12%, increasing the City's self-sufficiency and reinforcing its role as an employment hub within the region.

Together, these factors have contributed to Porirua City's relatively steady population growth, including during periods of weaker growth across the wider Wellington Region.

² StatsNZ Infoshare: Building consents by territorial authority (Annual-Dec).



RFI:

1(h)(iv): *“Are the estimates of value added in Figures 17-23 Net Present Values? If not, what would the relevant NPVs be, applying discount rates consistent with Treasury Guidelines? If the author considers that alternative discount rates should be preferred, please supply those figures as well, with an explanation of reasons for not applying Treasury Guidelines.”*

Response:

The value-added estimates in Figures 17-23 are presented on an undiscounted basis, consistent with our usual approach of reporting GDP and employment effects as measures of the scale of economic activity generated by a proposal, rather than as Net Present Values (“NPV”).

If an NPV is required, a 2% real discount rate is considered appropriate³. Treasury Circular 2024/15 identifies the 2% Social Rate of Time Preference as the appropriate rate for impacts that are predominantly non-commercial or public in nature. This is consistent with the focus of the Fast-track Approvals Act 2024 on significant regional or national benefits, including increased housing supply, housing needs, well-functioning urban environments and wider economic benefits.

Applying the 2% rate makes only a modest difference to the overall assessment and does not alter its conclusions. Assuming the \$236.0 million construction GDP contribution is distributed evenly over 15 years, its NPV is approximately \$202 million when discounted at 2% per annum. The ongoing economic effects of approximately \$31.9 million per annum have an NPV of approximately \$714 million over 30 years when discounted at 2% per annum.

Accordingly, while discounting can be applied for completeness, we consider the undiscounted estimates remain a suitable and transparent way of presenting the scale of economic activity generated by the proposal.

Importantly, these NPV estimates relate only to the quantified value-added effects and do not capture the wider economic benefits arising from the addition of 949 dwellings to a supply-constrained housing market. These include increased housing supply and choice, improved affordability outcomes, greater competition between developers and housing products, and improved housing-market efficiency. Additional supply can also reduce pressure on the existing housing stock by providing households with a wider range of locations, dwelling types and price points, thereby improving the ability of the market to respond to population and household growth. These wider housing-market effects are material economic benefits of the proposal and form an important part of the overall assessment under the FTAA.

³ The Treasury (2024), *Treasury Circular 2024/15: Updated Public Sector Discount Rates for Cost Benefit Analysis*.

Appendix D: Memorandum of Counsel

Under	The Fast-track Approvals Act 2024 ('the Act ')
In the matter of	A substantive application under the Act for approvals for resource consents, a wildlife permit, an archaeological authority and a complex freshwater fisheries approval to develop residential allotments, an allotment and preparatory works to enable a future commercial centre and associated infrastructure in Pukerua Bay, Porirua
By	Pukerua Property Group Limited Partnership Applicant

**Memorandum of Counsel on behalf of Pukerua
Property Group Limited Partnership in relation to
further information requested by the Panel**

Dated 28 August 2026

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To the Expert Panel:

- 1 This memorandum is filed on behalf of Pukerua Property Group Limited Partnership ('**PPG**' or 'the **Applicant**') in relation to PPG's application for resource consents, a wildlife permit, an archaeological authority and a complex freshwater fisheries approval (collectively, 'the **Approvals**' or 'the **Application**') under the Fast-track Approvals Act 2024 ('**FTAA**') for the Mt Welcome Project ('**Project**').
- 2 This memorandum accompanies and forms part of the Applicant's response to further information requested by the Panel in Minute 11, dated 14 August 2026. This memorandum provides responses to the following questions:¹
 - a) It is evident from the application documentation that the proposed subdivision is premised on land and assets being vested in Tiaki Wai and Porirua City Council. The subdivision is also premised on the site securing wastewater connections to Tiaki Wai's wastewater network. It appears from the comments received from those organisations that one or both may not agree to accepting the proposed vesting or (in Tiaki Wai's case) the proposed wastewater connection. Is that an option open to them? Assuming it is, and one or both organisations maintains that position, what action(s) would the applicant need to take to address the situation and allow the development to proceed as currently proposed?
 - d) In relation to the comment in the Cultural Values Assessment at page 5 regarding the need to act consistently with Treaty Settlement obligations, what specific obligations does the Panel need to be aware of?
 - l) The applicant is proposing a two step lapse arrangement, with Stage 1 having a five year lapse period and the balance of district consents a 15 year lapse period. What is the legal basis for this arrangement given that a single set of consents governs all stages (i.e. Stage 1 is not proposed to be the subject of separate consents)? Put another way, if the secondary lapse date is triggered, what is the status of Stage 1?

Vesting and new connections

- 3 The Panel asked whether it is open to Porirua City Council ('**PCC**') or Tiaki Wai to not accept the proposed vesting or the proposed connection.²

¹ Minute 11, para 1(a)(d) and (l).

² Minute 11, para 1(a).

- 4 It is open to PCC and Tiaki Wai to not accept the proposed vesting or the proposed wastewater connection. The Water Services Act 2021 ('WSA') sets out that a water service provider (either PCC or Tiaki Wai) is not required to:
- a Accept a vesting of infrastructure;³ or
 - b Make or allow a requested connection to its water services network.⁴
- 5 The Sunfield decision, dated 10 March 2026, and the Delmore decision (number two, dated 10 August 2026) provide examples to the Expert Panel on the approach it could, and in the Applicant's view, should, take where a water service provider has not committed to accepting the vesting of infrastructure or a proposed connection.
- 6 In both of these Fast-track applications, Watercare raised concerns regarding the availability of water and wastewater servicing for the proposed developments and did not commit to providing the connections sought by the applicants. This was because both developments were located within the Future Urban Zone, whereas Watercare's policy position was not to provide for infrastructure in rural-zoned areas, and it generally did not support out-of-sequence development.⁵
- 7 Both the Delmore and Sunfield panels recognised Watercare's position, and agreed that they could not impose conditions to require Watercare to provide new connections, commit funding for infrastructure or accept the vesting of assets.⁶ Rather, when determining whether to grant approvals, the Delmore panel found:⁷
- It is available to the panel to approve the Project as long as infrastructure provision is both realistic and deliverable in principle, even if the timing, funding or mechanisms remain to be finalised post-approval.
- 8 Both panels relied on section 84A of the FTAA, which contemplates the imposition of conditions that ensure the infrastructure in the project area that the project will rely on is or can be made adequate to support the project. In particular, the Sunfield panel referred to the policy intent of s 84A as set out in the Departmental Report on the Fast-Track Amendment Bill 2025. The Sunfield Panel found:⁸
- The policy intent of this proposal is for conditions to be placed to facilitate the provision of subsequent infrastructure, **by allowing the Applicant and the relevant local authority or infrastructure provider to negotiate an agreement later (after approvals are granted)**. It was not to disrupt existing case law and provide a power to the Panel to impose a legal obligation or costs on a third-party.

³ Water Services Act 2021, s 97K(2).

⁴ Water Services Act 2021, s 92L(2). See also sections 147-150 Local Government (Water Services) Act, which provide for territorial authorities to make bylaws for the purposes of regulating connections to water services networks. The PCC Water Supply Bylaw 2025 does not deal with connections.

⁵ Sunfield decision, paras 130-131; Delmore decision, dated 10 August 2026, (the second decision), at para 109.

⁶ Delmore decision, dated 10 August 2026, (the second decision), at para 168; Sunfield decision, at paras 827-828.

⁷ Delmore decision, dated 10 August 2026 (the second decision), at para 312.

⁸ Sunfield decision, at para 823. See also the Delmore decision, dated 10 August (the second decision), at para 307.

- 9 Both the Sunfield and Delmore panels granted the approvals sought despite Watercare's position, finding that the proposed water and wastewater servicing arrangements were capable of supporting the projects and that the imposition of conditions provided an appropriate mechanism to ensure that servicing infrastructure was available before the relevant stages of development proceeded.⁹
- 10 Therefore, consistent with the approach adopted in Delmore and Sunfield, the Panel should consider whether the servicing infrastructure solution proposed by the Applicant is *realistic and deliverable in principle*, rather than placing weight on Tiaki Wai's current position regarding acceptance of the proposed wastewater connection.
- 11 As the Applicant stated in its response to comments under section 55 of the FTAA:¹⁰
- a The Project is on medium density residential zoned land, which reflects PCC's intention for the area to accommodate urban growth and residential intensification. The fact that the Project land is already 'live zoned' is an important distinguishing feature from the Sunfield and Delmore applications (noting that both were granted, in any event); and
 - b There are no concerns as to whether the Project *can* be connected to the necessary servicing infrastructure. The only remaining uncertainty concerns the timing, sequencing, and detailed configuration of the servicing infrastructure required to support the development.
- 12 Therefore, a realistic and deliverable infrastructure servicing solution exists for the Project, and this has been provided for through the proposed conditions.
- 13 This matter was also discussed at expert conferencing in relation to wastewater.
- 14 In summary, the experts agreed that:
- a a solution for wastewater exists but the detail is not yet understood;¹¹
 - b the vesting trigger and staging/ handover timing for the retention wetlands to Tiaki Wai is uncertain.¹²

Cultural Values Assessment

- 15 The Panel asked what specific obligations it needs to be aware of to act consistently with Treaty Settlement obligations.¹³
- 16 The Panel's obligations to act consistently with Treaty Settlement obligations are set out in the legal submissions submitted with the Application.¹⁴ The relevant

⁹ Delmore decision, dated 10 August 2026 (the second decision), at para 318; Sunfield decision, at paras 824-825.

¹⁰ See Appendix L, Memorandum of Counsel, dated 7 August 2026, at para 29.

¹¹ Engineering Caucus Joint Witness Statement, page 17.

¹² Engineering Caucus Joint Witness Statement, page 17.

¹³ Minute 11, para 1(d).

¹⁴ See Appendix 31, Legal Submissions, dated 13 March 2026, paras 3.11 – 3.15.

provisions of the relevant Treaty Settlements are set out in section 8 of the Substantive Application Report.¹⁵ It is important that the Panel are aware of these provisions but the Applicant does not consider the approvals sought will have any specific implications on the Treaty Settlement obligations.¹⁶

- 17 In particular, the Applicant does not consider the Panel needs to set conditions to recognise or protect a relevant Treaty settlement.¹⁷

Two-step lapse arrangement

- 18 The Panel questioned the legal basis for the two-step lapse arrangement proposed by the Applicant, and, in particular, asks what status of Stage 1 would be should the secondary lapse be triggered.¹⁸
- 19 The Applicant initially consulted on a 15 year lapse period. In response to concerns raised by PCC and GWRC, the Applicant has now proposed a two-step lapse process. The effect of the proposed lapse conditions is that:
- a The entire consent will lapse after 5 years unless Stage 1 is given effect to;
 - b If Stage 1 is given effect to, then the balance of the consent (being all subsequent stages) lapses after 15 years.
- 20 The rationale for a longer timeframe being sought was addressed in the substantive application¹⁹ and in the Applicant's response to comments²⁰, and includes:
- a The long-term staging of construction; and
 - b The Project complexity.
- 21 To answer the question posed by the Panel, if the secondary lapse date is reached or triggered (i.e., the balance of the consent lapses after 15 years), then the consent can only be implemented in relation to Stage 1, provided Stage 1 has been given effect to before its lapse date.
- 22 The proposed condition is as follows:²¹
- 4. This consent will lapse 5 years after the date that consent is granted, unless:
 - a. A survey plan giving effect to Stage 1 is submitted by the Consent Holder to PCC for approval under section 223 of the RMA before the consent lapses, and that plan is deposited

¹⁵ Dated 16 March 2026, page 86.

¹⁶ While the Application site is not within any Statutory Acknowledgement Area, it is within the catchment of Te Awarua-O-Porirua Harbour (which is a Statutory Acknowledgement Area). However, the Ngāti Toa Rangatira Claims Settlement Act 2014 does not set out any requirements for how the iwi authority will participate in processes that are relevant for this application. See section 8 of the Substantive Application Report.

¹⁷ Under FTAA, s 84.

¹⁸ Minute 11, para 1(l).

¹⁹ Substantive Application Report, dated 16 March 2026, section 7.12.

²⁰ See Appendix B, Planning Memorandum, para's 15-22.

²¹ Condition 4 and 5, condition set submitted by the Applicant in response to RFI in Minute 5 from the Expert Panel, dated 31 July 2026.

within 3 years of the approval date in accordance with Section 224 of the RMA; or

- b. An application under section 125 of the RMA is made by the Consent Holder to PCC before the consent lapses to extend the period after which the consent lapses and PCC grants an extension.
5. If Stage 1 is given effect to before the end of the lapse period specified in condition 4, then the balance of this consent (being all subsequent stages) will lapse 15 years after the date that consent is granted unless:
- a. A survey plan for the relevant subsequent stage(s) is submitted by the Consent Holder to PCC for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within 3 years of the approval date in accordance with section 224 of the RMA; or
 - b. An application under section 125 of the RMA is made by the Consent Holder to PCC before the consent lapses to extend the period after which the consent lapses and PCC grants an extension.

Advice Note: For the avoidance of doubt, if Stage 1 is not given effect to (or an extension granted) within 5 years, this consent lapses in its entirety.

- 23 The proposed condition is very similar to the lapse Condition implemented for Homestead Bay and Sunfield projects.
- 24 The following condition was included on a subdivision consent by the Homestead Bay panel:²² (Panel's emphasis)

3. (a) This subdivision consent shall lapse 5 years after the date that consent is granted unless a survey plan giving effect to Stage 1 is submitted to QLDC for approval under Section 223 of the RMA before the consent lapses, and that plan is deposited within 3 years of the approval date in accordance with Section 224 of the RMA; **OR** an application under section 125 of the RMA is made to QLDC before the consent lapses to extend the period after which the consent lapses and QLDC grants an extension.

For the avoidance of doubt, if Stage 1 is not given effect to (or an extension granted) within 5 years, this consent lapses in its entirety.

(b) If Stage 1 is given effect to in accordance with condition 3A , then the balance of this subdivision consent (being all subsequent stages) shall lapse 15 years after the date that consent is granted

²² Notably, the Homestead Bay Panel imposed this condition to respond to concerns from the Council that without stage-specific time limits the development could remain lawfully dormant for years. See Homestead Bay decision, at para 520-521.

unless a survey plan for the relevant subsequent stage(s) is submitted to QLDC for approval under Section 223 of the RMA before the consent lapses, and that plan is deposited within 3 years of the approval date in accordance with Section 224 of the RMA **OR** an application under section 125 of the RMA is made to QLDC before the consent lapses to extend the period after which the consent lapses and QLDC grants an extension.

25 Additionally, the following was included in the Sunfield conditions:

[2] The consents related to the first stage to be implemented shall lapse five years after the date of commencement unless given effect to prior or unless specified otherwise below. The consents relating to the second stage onwards shall lapse fifteen years after the date of commencement unless given effect to prior or unless specified otherwise below.

26 The Applicant considers that this staged lapse approach is an appropriate and pragmatic mechanism for ensuring that a staged development progresses in a timely way, while providing for later stages to be implemented over a longer period of time. As the Panel found in Homestead Bay:²³

We find that an appropriate and proportionate response is an early-stage activation safeguard, rather than a progressive “use it or lose it” deadline for later stages and propose an amendment to condition 3 such that Stage 1 shall be given effect to within five years. If Stage 1 does not proceed within that timeframe, the consents will lapse. If Stage 1 does proceed, the existing overall lapse periods for the subdivision and land use approvals on our assessment remain appropriate, together with the ability to seek an extension under the relevant statutory provisions were justified.

Dated 28 August 2026



Ezekiel Hudspith / Liam Bullen
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²³ Homestead Bay decision, at para 523.