

To the Waikanae North Development Expert Panel
13 October 2026

Dear Expert Panel

Thank you for your invitation of 12 October 2026 to provide comments on the revised Appendix 33 - Applicant's Proposed Draft Conditions for the Waikanae North Development, dated 6 October. My comments are set out below. These are limited to the two areas covered by my original submission on the proposed development – namely Hydrology/Flooding and Transport.

Hydrology and flooding impacts

I am pleased that the concerns raised by myself and others about the potential for the development to affect groundwater levels, and increase flood risk for Paetawa Road properties, have been reflected in the expert conferencing, the Expert Panel's discussions, and in the revised draft conditions. That said, I have some concerns about the detailed wording in the draft conditions, and the way that the process of modelling and managing the hydrological effects of the development will be implemented in practice. My comments are as follows:

1. I am pleased that the applicant now accepts that the original application did not properly model the impacts of the development on groundwater levels, and on the flooding risk to Paetawa Road properties.
2. I am pleased that the development and certification of a three-dimensional numerical groundwater model is a condition (G4) that must be satisfied before the development can proceed.
3. I agree with the purposes of the model set out in G4 with one exception. The use of the term "manage" does not in itself require that all the adverse effects of the development are fully mitigated. For clarity, the words "to eliminate any additional flooding risk to Paetawa Road properties" should be added at the end of sub-paragraph (e) in G4.
4. I am also pleased that condition G4 contains a commitment to monitor groundwater levels for a period of time. This monitoring should be from the current time until at least 15 years after the development is fully completed.
5. The document states in G4 that monitoring records shall be reported through the Hydrological Monitoring Report, and shall be made available to either Council on request. Given the high stakes for Paetawa Road residents, the conditions should require the applicant to also publish the monitoring reports online.
6. I would also recommend that groundwater monitoring includes groundwater levels at one or more representative locations along Paetawa Road, not just in the Te Harakeke Swamp. There is plenty of KCDC-owned land on and around Paetawa Road that could be used for this.
7. Condition G5 requires that the model is certified by both Councils, and sets out a process if the Councils refuse to certify the model, cross-referencing to condition G12. However G12 refers only to circumstances where a Management Plan is not certified. This is (presumably)

- a drafting error. G12 should be explicit that it also applies where the groundwater model is not certified.
8. Condition G10 makes clear that until a management plan has been certified, work relevant to that management plan cannot commence. Condition G13 states that the consent holder must implement the management plan once certified. Both of these conditions are welcome. The document does not however make clear of the consequences if these requirements are not met. The document should make clear that any relevant action inconsistent with the management plan, or undertaken before a management plan is certified, is unlawful.
 9. G14 requires the consent holder to provide a copy of the certified management plan to the relevant Council, and to keep a copy on site at all times. As for the monitoring results, I believe these should also be published online.
 10. Condition G16 states that *“the objectives, outcomes, performance standards and limits stated in these conditions prevail over any management plan. A management plan sets out how the outcomes required by the conditions will be achieved, monitored and, where necessary, remedied and does not modify those outcomes”*. In the case of flooding risk, the relevant plans are the Hydrological Monitoring Report and the Stormwater Management Plan. However, there is no clear articulation in the relevant sections of the document of what the objectives, outcomes, performance standards and limits of stormwater management are. Some may be implicit within the text, but the document should clearly state what these are in relation to each subject issue.
 11. In the case of stormwater, the document should make explicitly clear that an objective/outcome sought is “no additional flood risk to Paetawa Road properties”. In terms of a performance standard/limit, the document should clearly state that the groundwater levels in Te Harakeke Swamp should not be permitted to rise above a specified level. This level should be set in the Management Plan once monitoring data is available, be agreed with KCDC, and should be one that does not increase flood risk for Paetawa Road properties.

Transport

With regard to the proposed transport conditions, the applicant has made no provision for any mitigation of the transport effects on the wider transport system and community, other than an upgraded site access from Peka Peka Road. Specifically, there is no assessment or proposal to introduce south-facing ramps at the State Highway 1 Peka Peka interchange, which was a key recommendation in my original submission (and others).

I note that in its Minute 8 dated 27 August 2026, the Expert Panel sought additional information from KCDC on a number of transport considerations, including the construction of south-facing ramps at the SH1 Peka Peka interchange. The KCDC response to these questions, dated 3 September 2026, raised a number of concerns relating to unreasonable predictions in the traffic models used by the applicant, the lack of mitigation proposals in relation to the Te Moana Road Expressway interchange, and the impacts on pedestrians, cyclists and horseriders. In relation to the Panel’s question about the impacts of constructing south-facing ramps at the Peka Peka Expressway interchange, KCDC responded that *“the option has not been modelled and therefore without detailed modelling information Council are not in a position to comment on this as a mitigation measure. Notwithstanding this, should south facing ramps be provided at the Peka Peka Road/Expressway interchange then it can be expected that traffic volumes at the Te Moana Road/Expressway interchange and along the Coast Roads would reduce.”*

Following expert conferencing, the joint memorandum from KCDC and NZTA to the Expert Panel, dated 9 September, reveals that the applicant has still not provided sufficient information on the impacts of the development on the SH1 Te Moana intersection. Furthermore, the memorandum

from KCDC to the Expert Panel, also dated 9 September, makes clear that insufficient information has also been provided on the impacts on pedestrians, cyclists and horseriders. I find these shortcomings both surprising and disappointing. Consequently, I do not see that the conditions can be finalised and the development approved unless and until the applicant has:

1. Revised its transport model and provided further information and mitigation proposals relating to the capacity of the SH1 Te Moana interchange to KCDC and NZTA's satisfaction.
2. Provided the additional information and mitigation proposals required on the impacts of the development on pedestrians, cyclists and horseriders.
3. Modelled the mitigating effect of constructing south-facing ramps at the SH1 Peka Peka interchange on the transport impacts of the development. It is entirely appropriate for the Expert Panel to ask for this advice from the applicant, given that KCDC does not have access to such modelling, and the Expert Panel should not be satisfied until it has been provided.
4. Developed mitigation proposals and associated conditions that address the transport impacts of the development. These should include the provision of south-facing ramps on SH1 Peka Peka interchange if these are shown by modelling to effectively address the adverse impacts of the development on the transport system and local community.

A handwritten signature in black ink, appearing to read 'N. Brown'.