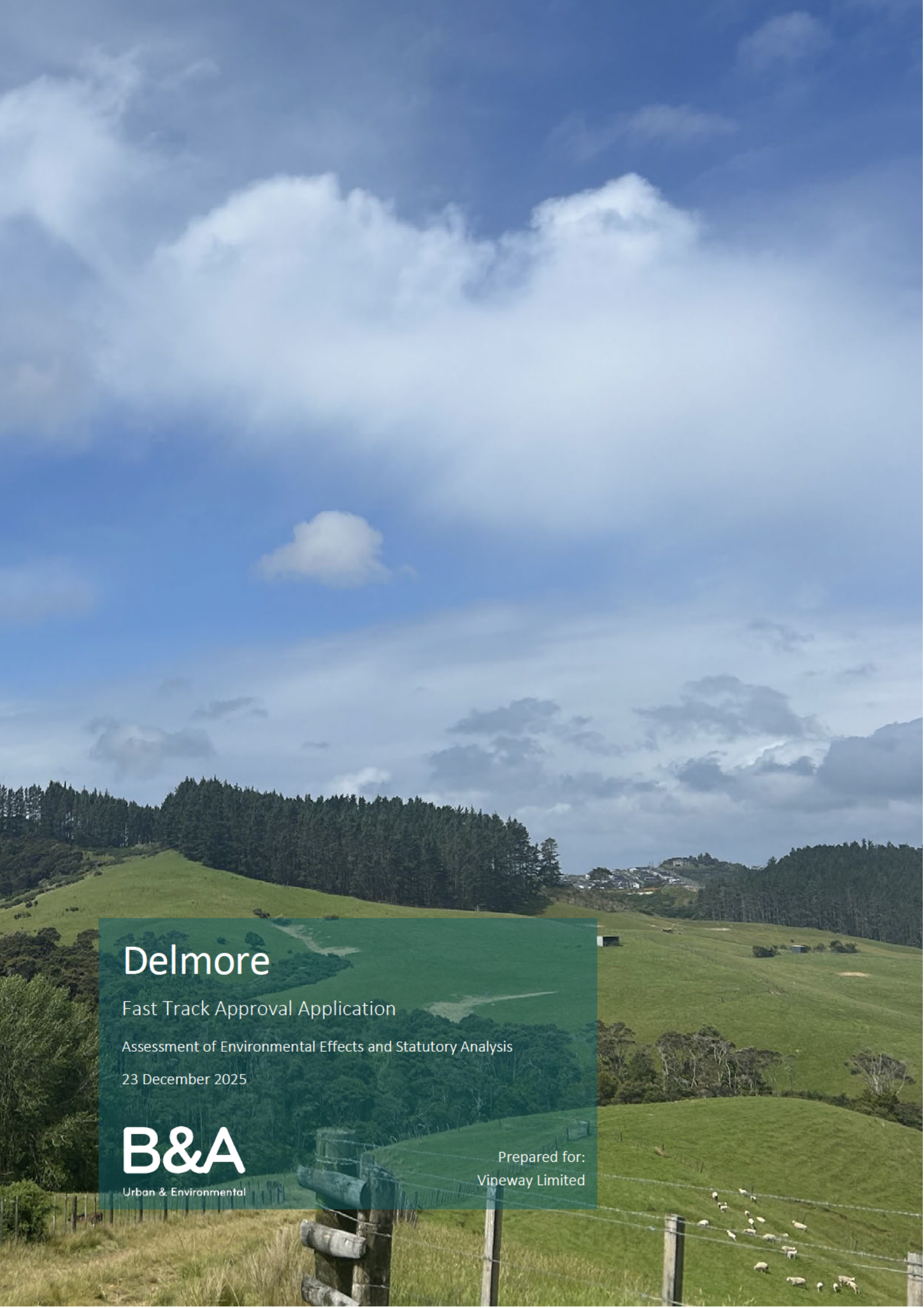

Delmore

Fast Track Approval Application

Assessment of Environmental Effects and Statutory Analysis

23 December 2025

B&A
Urban & Environmental

Prepared for:
Vineway Limited

B&A Reference:

025108

Status:

Final Revision 1

Date:

23 December 2025

Prepared by:

[redacted]

Associate, Barker & Associates Limited

Reviewed by:

[redacted]

Director, Barker & Associates Limited

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1.0 Applicant and Property Details

To:	Environmental Protection Authority
Site Address:	88, 130, 132 Upper Ōrewa Road and 53A, 53B and 55 Russell Road, Ōrewa
Applicant Name:	Vineway Limited
Address for Service:	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: [redacted]
Legal Description:	Lot 2 DP 418770, Lot 2 DP 153477, Lot 1 DP 153477, Lot 1 DP 497022, Lot 2 DP 497022 and Lot 1 DP 336616 (refer to Records of Title as **Appendix 1**)
Site Area:	109.18ha
Site Owner:	Refer to Section 6.1 below.
Unitary Plan:	Auckland Unitary Plan (Operative in Part) ('AUP (OP)')
AUP (OP) Zoning:	Future Urban Zone ('FUZ')
AUP (OP) Precinct:	N/A
AUP (OP) Overlays & Controls:	• Significant Ecological Areas Overlay - Terrestrial • Macroinvertebrate Community Index – Native • Macroinvertebrate Community Index – Exotic • Macroinvertebrate Community Index – Rural
Designations:	NoR6 - New Connection between Milldale and Grand Drive, Ōrewa (AT)
Additional Limitations:	• Flood prone areas • Flood plains • Overland flow paths • Archaeological site (R10/776) – shell midden • Archaeological site (R10/1573) – shell midden
Locality Diagram:	Refer to **Figure 2**
Brief Description of Proposal:	The development of 109.18 hectares of FUZ land into a comprehensively planned development, including up to 1,213 dwellings, one residential super-lot, a

	commercial area, two neighbourhood parks, supporting infrastructure, as well as associated works as described in the application material
Summary of Reasons for Consent:	• AUP (OP): Non-complying activity overall under the AUP (OP) for urban development within the FUZ • Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('NES-F'): restricted discretionary activity • RMA: discretionary activity for a variation to consent notice conditions

2.0 Executive Summary

2.1.1 Overview

Vineway Limited ('the applicant') seeks approval under the Fast-Track Approvals Act 2024 ('FTAA') to construct a comprehensively planned urban development across 109.18 hectares of land at 88, 130 and 132 Upper Orewa Road and 53A, 53B and 55 Russell Road, Ōrewa ('the site'). The development is intended to be known as 'Delmore' and is a listed project in Schedule 2 of the FTAA. Delmore will deliver:

- Up to 1,213 residential lots, comprising a mixture of dwelling types;
- One commercial super-lot;
- One residential super-lot;
- Two neighbourhood parks and a network of open space and ecological areas;
- Roading and transport infrastructure, including a significant portion of the arterial road known as the 'NoR6';
- An on-site wastewater treatment plant, and on-site water supply and treatment (in the event that connection to the public networks cannot be provided due to capacity constraints); and
- Associated infrastructure.

This report has been prepared in accordance with the requirements of the FTAA. The FTAA is intended to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The approvals sought are resource consents and changes of conditions to a consent notice ordinarily sought under the Resource Management Act 1991 ('RMA'), and an archaeological authority (including nominated person approval) ordinarily sought under the Heritage New Zealand Pouhere Taonga Act 2014 ('HNZPTA').

The proposal requires resource consent under the AUP (OP), and NES-F, a change of conditions to consent notices under the RMA, and an archaeological authority under the HNZPTA. It also seeks approval for a nominated person to undertake the activities set out in the archaeological authority. This application and Assessment of Environmental Effects Report ('AEE') have been prepared in accordance with sections 43 and 44 of the FTAA, Clauses 5-8 and 10 of Schedule 5 of the FTAA, and Clause 2 of Schedule 8 of the FTAA, and provides a description of the proposal together with an assessment of actual and potential effects on the environment.

2.1.2 Previous Fast-Track Application and Key Changes

A previous substantive application for Delmore was lodged in February 2025 and sought approval for up to 1,250 dwellings. On 29 August 2025, the Panel issued a draft decision indicating an intention to decline the RMA approvals sought. In light of the matters raised, and recognising the limited statutory timeframes under the FTAA, the applicant withdrew that application on 11 September 2025 to allow sufficient time to comprehensively address the Panel's concerns. This application represents a materially refined proposal. The key issues identified by the Panel have been systematically addressed, as summarised in section 4.2 of this report. In particular:

- Water supply certainty has been resolved through a proposed on-site groundwater supply, with a groundwater take consent currently being processed by Auckland Council and anticipated to be granted in January 2026. The proposal retains flexibility to connect to the public water network if capacity becomes available.
- Wastewater servicing certainty has been addressed through the design of an on-site wastewater treatment plant capable of servicing Stage 1 of the development, with clear conditions requiring further approvals before Stage 2 dwellings are occupied, in accordance with Section 84A of the FTAA. Confirmation of a facility that can accept the wastewater is now included.
- Ecological outcomes have been strengthened and clearly articulated. The applicant's ecologist and landscape architects have worked together to identify vegetation for planting that is consistent with returning the existing and new vegetated parts of the site to WS11 indigenous forest habitat. The benefits this provides in terms of addressing the significant regional environmental issue of indigenous biodiversity loss and providing for the development of natural indigenous vegetation has been carefully articulated by Viridis (Appendix 16). The applicant also proposes that it has responsibility for overseeing the establishment phase for all enhancement and new planting (approximately 5 years). Only after that point will the Residential Society take over responsibility for maintenance work.
- Transport and roading matters raised by Auckland Transport have been resolved through amendments to the masterplan, including the provision of two collector roads to support public transport, alignment of the NoR6 road with Auckland Transport's general alignment plan, and refinement of both internal and external roading layouts.
- Economic assessment robustness has been improved through the preparation of a revised Economic Assessment supported by a Cost Benefit Analysis.
- Technical gaps, including the absence of an Adaptive Management Plan for freshwater monitoring and a Geomorphic Risk Assessment, have been addressed through new specialist reports and proposed consent conditions.
- Concerns with tracks through areas of existing vegetation have been addressed by removing these and replacing them with tracks through areas where they can be constructed at the same time vegetation is planted (see Appendix 9.1). One walking trail is proposed through the central consent notice area but uses a bridge.

Collectively, these changes respond directly to the Panel's earlier concerns and significantly increase certainty around infrastructure provision, environmental outcomes and long-term implementation.

2.1.3 Assessment of Effects and Statutory Framework

The actual and potential adverse effects on the environment are assessed in detail throughout this report, together with the comprehensive suite of technical reports included with the application. Having assessed the effects against the relevant statutory framework, it is considered that any adverse effects will be appropriately avoided, remedied or mitigated to be no more than minor. There will be significant positive effects on the environment by enhancing the social, cultural and economic wellbeing of people and communities, restoring and enhancing degraded ecosystems, delivering a significant portion of the regionally significant NoR6 road, and constructing up to 1,213

new homes. The proposal is considered to be consistent with the Treaty settlements and iwi planning documents relevant to the site, and the applicant has undertaken, and continues to undertake, extensive engagement with iwi. The application is also considered to be generally consistent with, and will give effect to, the relevant objectives and policies of the National Policy Statement on Urban Development 2020 ('NPS-UD'), National Policy Statement for Freshwater Management 2020 ('NPS-FM'), National Policy Statement for Indigenous Biodiversity 2023 ('NPS-IB'). The application is also considered to be consistent with the newly gazetted National Policy Statement for Infrastructure 2025 ('Infrastructure NPS'), and National Policy Statement for Natural Hazards 2025 ('NH-NPS'). These instruments come into force on 15 January 2026.

The application is also consistent with the objective and policies of the AUP (OP). Although the FUZ objectives and policy include a provision that urban development should not occur in the FUZ until a plan change occurs, when the objectives and policies of the AUP(OP) are assessed as a whole (paying careful attention to the words used), it is apparent that a pathway exists for granting applications enabling urbanisation of FUZ land, and Delmore meets that pathway. To inform the urban outcomes sought by the proposed development, the proposal has been designed to be consistent with the outcomes associated with the Residential – Mixed Housing Suburban ('MHS') Zone and Subdivision - Urban Chapters of the AUP (OP). This is reflected in the lot layouts, access arrangements, and general bulk and location of the proposed dwellings.

2.1.4 Benefits of the Proposal

It is considered that the proposal meets the purpose of the FTAA. The proposal will deliver a regionally significant increase in Auckland and the Hibiscus Coast's supply of housing, with the type of housing proposed responding directly to demand for stand alone, 'affordable' homes. Up to 1,213 dwellings are proposed to be delivered as part of this proposal. This project will deliver a significant portion of regionally significant roading infrastructure, as it will fund and deliver the portion of NoR6 which runs through the site and that will connect the Grand Drive Interchange with Wainui Road. The project will see ecological protection, restoration or enhancement through the retention, covenanting, planting, and pest plant management across an area of approximately 44ha, and the creation of new wetland environments. Restoration, enhancement, and re-creation of these types of ecological areas is a national priority (cl 3.21 NSP-IB), and the overall ecological gains the proposal includes will make a significant contribution to responding to the significant environmental issue faced by the Auckland region (and the country more broadly) of biodiversity loss and, in doing so, support the development of Auckland natural indigenous vegetation resource). The proposal will have significant economic benefits for people and industries with an estimated contribution of $304.2 million to Auckland's GDP, and will create approximately 2,290 full time equivalent jobs within the construction sector. These are all benefits falling with Section 22 of the FTAA (specifically Section 22(2)(a)(ii), (iii), (iv), (vi), (ix). The combination of roading, housing, economic and ecological benefits will make a regionally significant contribution to ensuring Auckland has a well-functioning urban environment.

3.0 Introduction

This substantive application is submitted in support of the applicant's proposal for the development of 109.18 hectares of FUZ land into a comprehensively planned development, including up to 1,213 dwellings, one residential super-lot, a small commercial area, two neighbourhood parks, open space areas, supporting infrastructure, and associated works as described in the application material at 88, 130, 132 Upper Ōrewa Road and 53A, 53B and 55 Russell Road, Ōrewa.

This proposal is a Listed Project in Schedule 2 of the FTAA. This substantive application and AEE is provided in accordance with the requirements of sections 42 and 43 of the FTAA, the applicable Schedules, and the relevant provisions of the RMA and HNZPTA. An FTAA checklist, as provided by the EPA, is provided as Appendix 2.

In accordance with Section 46 of the FTAA, the information provided in this application complies with Section 42, Section 43 and Section 44, relates solely to a listed project, and does not seek approval for an ineligible activity.

As per Section 44 of the FTAA, the information provided in this application is sufficiently detailed to correspond to the scale and significance of the matters that will be assessed in considering whether to grant the approvals sought, including any adverse effects of the activities to which the approvals relate. This takes into account any proposal by the applicant to manage the adverse effects of an activity through conditions.

3.1 Introduction to the applicant

The applicant and authorised person under Section 42 of the FTAA for this application is Vineway Limited. Vineway Limited is a special-purpose entity that was incorporated in September 2023 and this proposal is its sole development. This proposal is being undertaken by Vineway Limited, but overseen by a related entity, Myland Partners (NZ) Limited ('Myland').

In the past twelve years, Myland has made a significant contribution to housing supply in the Auckland region through completed or currently under construction developments. Recent examples of master-planned greenfield residential subdivisions completed or currently under construction by Myland in Auckland are:

- Cardinal West is located in the suburb of Westgate and has delivered 470 lots and over 20 typologies, with the majority of houses constructed and sold. The project involved the protection and enhancement of streams, stream-edge walkways, cycleways and landscaped ponds;
- Manawa is located within the suburb of Hobsonville. This project delivered 327 lots and dwellings on a site of 15 hectares; and
- Strathmill is currently under construction and located in Ōrewa, within proximity to the proposed Delmore development. The Strathmill project was consented under the Covid-19 fast-track process and will deliver 433 homes, as well as protected and enhanced streams, three landscaped ponds, retained native species and two stream edge roads.

4.0 Background

4.1 Schedule Application

An application for Delmore to be listed in Schedule 2 to the FTAA was lodged on 3 May 2024 and approved on 6 October 2024. The Schedule application set out Vineway Limited's seven objectives for Delmore which combined to provide multiple regionally significant benefits. The Schedule application has been attached as **Appendix 3** for reference and the appendices can be provided upon request.

4.2 Previous Fast-Track Application

A previous substantive application was lodged for the development in February 2025, which involved the subdivision and development of 1,250 dwellings and associated infrastructure. The Panel released a draft decision to decline the RMA approvals sought in the application on 29 August 2025. Given the limited timeframes available under the FTAA, the applicant withdrew the application on 11 September 2025 to allow sufficient time to address the key issues that were identified by the Panel.

Table 1: Summary of key issues and applicant response

Key issue raised by the Panel	Applicant Response
Water supply: Insufficient certainty of supply. After the first substantive application had been lodged, Watercare advised that a connection to the public network was not available for the Delmore development because Watercare considered that capacity should be reserved for other potential growth within the existing live zoned areas and the 2030+ to 2035+ Future Urban Areas (FUAs).	The applicant proposes to supply water for the development through groundwater supply. A groundwater take consent [1] to service the full development is currently being processed by Auckland Council and is anticipated to be granted in January 2026. Refer to Section 7.6.3 for further detail. Whilst the applicant proposes on-site servicing, flexibility is sought within this consent to enable connection to the public water supply network if capacity becomes available in the future.
Wastewater: Insufficient certainty of servicing. After the first substantive application had been lodged, Watercare also advised that a connection to the public wastewater supply network after the Stage 1 upgrade to the Army Bay Wastewater Treatment Plant was not available for the Delmore Development. Again, this was because Watercare considered	The applicant proposes on-site treatment and discharge of wastewater. For the first 475 homes (equivalent of Stage 1), almost all treated wastewater can be disposed on site. 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. Confirmation of a facility that can accept the wastewater is included at **Appendix 30.** Treated wastewater from the remaining homes (equivalent of

[1] Consent reference number:

that capacity should be reserved for other potential growth within the existing live zoned areas and the 2030+ to 2035+ FUAs.	Stage 2) cannot be discharged on-site because of the nature of on-site waterways. Construction of these homes is some years in the future (approximately 2031, see indicative timeline in **Appendix 46**) so a consent condition is proposed in accordance with Section 84A of the FTAA that any approvals must be obtained for off-site discharge before these houses are occupied. This is further detailed in Section 7.6.2. Whilst the applicant proposes on-site servicing, flexibility is sought within this consent to enable connection to the public wastewater network if capacity becomes available in the future.
Ecology: Uncertainty regarding the extent and nature of ecological benefits and how those benefits would be realised.	The applicant's ecologist and landscape architects have worked together to identify vegetation for planting that is consistent with returning the existing and new vegetated parts of the site to WS11 indigenous forest habitat. The benefits this provides in terms of addressing the significant regional environmental issue of indigenous biodiversity loss and providing for the development of natural indigenous vegetation has been carefully articulated by Viridis (**Appendix 16**). The applicant also proposes that it has responsibility for overseeing the establishment phase for all enhancement and new planting (approximately 5 years). Only after that point will the Residential Society take over responsibility for maintenance work. The applicant has also worked with Strata Title to confirm that its proposed residential societies will be equipped to manage this maintenance responsibility (**Appendix 45**).
Pedestrian tracks: Pedestrian tracks through areas of existing vegetation on the site were added by the applicant in response to feedback from Auckland Council's urban design team. Auckland Council's ecologist opposed the tracks (as did the applicant's ecologist). The Panel expressed concern about the location of the tracks due to the ecological concerns raised.	Concerns with tracks through areas of existing vegetation have been addressed by removing these and replacing them with tracks through areas where they can be constructed at the same time vegetation is planted (see **Appendix 9.1**). One walking trail is proposed through the central consent notice area but uses a bridge.
Collector roads: Auckland Transport requested two collector roads within	The applicant has amended the masterplan to cater for two collector roads that would enable buses through

the site, which had not been provided. This raised concerns that the site could not be adequately serviced by public transport.	the site. One is proposed in Stage 1 of the development, and the other in Stage 2.
NoR6 alignment: Auckland Transport had concerns regarding the proposed alignment of the NoR6 at the southern boundary at the site, which had not been addressed.	The applicant has amended the alignment of the NoR6 at the southern boundary so that it aligns with the NoR6 general alignment plan (refer **Figure 1** for the general alignment plan and **Figure 20** for the proposed masterplan).
Other traffic and roading changes: A number of other roading layout changes and upgrades to the existing road network were requested by Auckland Transport, which the Panel expressed about not being resolved.	The applicant has worked with AT and Council to identify and confirm the extent of changes and upgrades to the internal and external roading network required – this includes resolving tracking curves, adding roundabouts, and localised road widening where required. Further detail is provided within the Integrated Transport Assessment (**Appendix 24**) and the Auckland Transport Response Memo (**Appendix 24.1**).
Economic Assessment: Auckland Council requested that the economic assessment for the project was supported by a Cost Benefit Analysis ('CBA'), which the Panel agreed with.	A new Economic Assessment has been prepared for the project and is attached as **Appendix 15**. The assessment includes a CBA. The assessment concludes that the proposal would generate considerable net benefit for Auckland and for New Zealand. That is, the proposal will have significant regional and national benefits.
Adaptive Management Plan (AMP): Auckland Council requested that an AMP was included as a condition of consent to ensure monitoring of freshwater environments during earthworks, which the Panel agreed with.	An AMP is proposed as a condition of consent (refer **Appendix 44**).
Geomorphic Risk Assessment: Auckland Council had concerns regarding the proposed riparian setbacks, given a Geomorphic Risk Assessment had not been provided with the application, which the Panel agreed with.	A Geomorphic Risk assessment has been prepared and is attached as **Appendix 21.** The assessment concludes that the proposed riparian setbacks are adequate, subject to compliance with the mitigation measures as outlined in the Geotechnical Supplementary Memo attached as **Appendix 20.1.**

The above matters have been discussed with Council as part of pre-application discussions. Further detail is included as part of the Consultation Overview Report attached as **Appendix 7.**

4.3 Notice of Requirement

On the 20 October 2023, Auckland Transport ('AT') via the Supporting Growth Alliance ('SGA') lodged a Notice of Requirement ('NoR') for a designation for a new two-lane urban arterial road with active mode facilities running from Grand Drive through the site and connecting to Wainui Road (referred to as the 'NoR6 road'). **Figure 1** below shows the NoR6 road designation extent. A decision by AT under s171 of the RMA to confirm the NoR6 was made on 23 January 2025. The appeals period closed on 14 February 2025. One appeal was lodged before the appeal period closed by Northridge 2018 Limited. Consent documents resolving the appeal are before the Environment Court and the agreed resolution does not impact the NoR6 road as it relates to the site.

Earthworks are proposed within the extent of the NoR6 road designation as it applies to the site to establish suitable grades for the Grand Drive to Milldale Connection, design levels for the residential lots, and infrastructure servicing. As such, separate approval will be sought from AT for works within the designation in accordance with section 176 of the RMA. An arterial road within the NoR6 road designation has been incorporated into the Delmore Masterplan. Vineway Limited will fund and deliver the arterial road within the site in Stage 1.

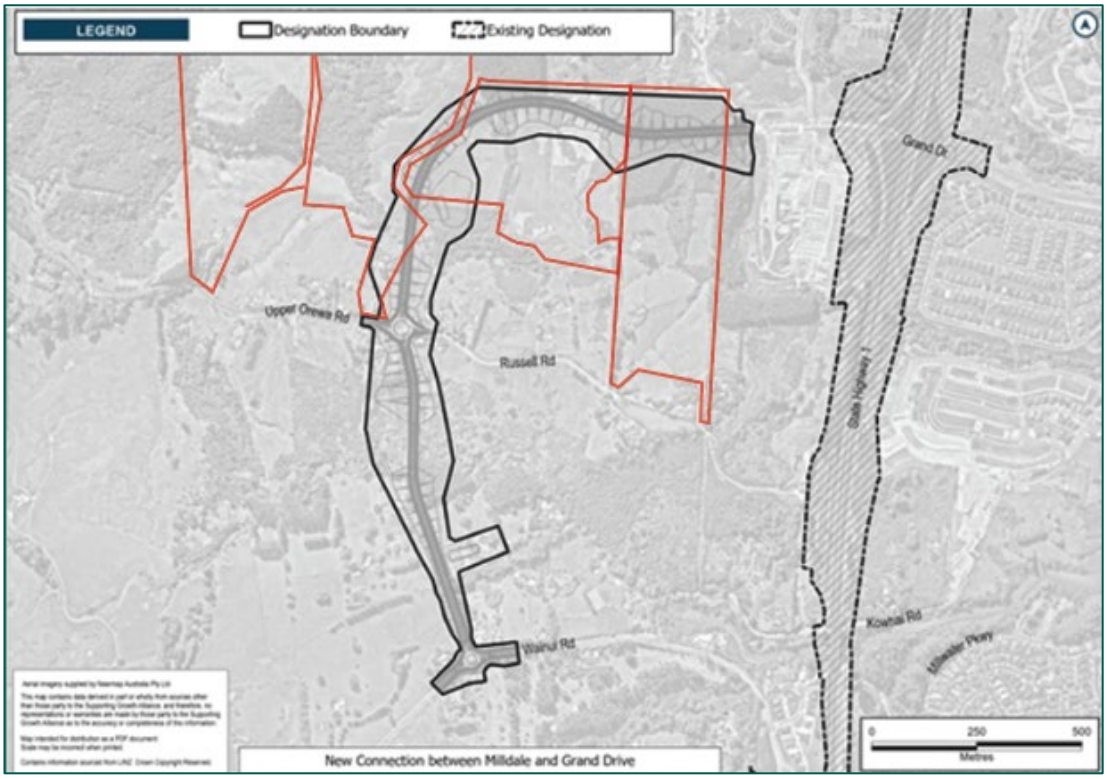

Figure 1: NoR6 General Alignment Plan. Source: Auckland Transport.

5.0 Scope of Application

This application seeks resource consents that would otherwise be applied for under the RMA 1991 and an archaeological authority under HNZPT Act 2014 in accordance with Section 42 of the FTAA. It also seeks an approval for a specified person to carry out the activities covered by the archaeological authority in accordance with Schedule 8 clause 9. The scope of this substantive application for a listed project under the FTAA is as follows.

Resource consent under the NES-F and AUP (OP) is sought to establish and subdivide up to 1,213 dwellings, as well as one un-serviced super-lot, across a site area of approximately 109 hectares in the FUZ. Resource consent is also sought to undertake associated works including bulk earthworks, and provide infrastructure including a local road network, local parks, a commercial area, wastewater treatment infrastructure and an on-site wastewater treatment plant and stormwater discharges. Resource consent to change consent notice conditions is also sought.

The site contains two recorded archaeological sites. Whilst works will avoid both recorded sites, other, currently unidentified archaeological sites may be encountered during works. Therefore, an authority to modify or destroy from Heritage NZ is sought under this application as well as an accompanying application for a nominated person in respect of the authority (refer **Appendix 23.2**).

6.0 Site Context

This section of the application is provided in accordance with clause 5, 8 and 10 of Schedule 5 and clause 2 of Schedule 8 of the Act.

Copies of Records of Title for the site are attached at **Appendix 1**. A broad summary of the site and locality details is provided below.

6.1 Site Description

The site is comprised of six contiguous lots located at 88, 130 and 132 Upper Ōrewa Road and 53A, 53B and 55 Russell Road, Ōrewa, as shown in **Figure 2** below. The site is irregularly shaped, with a total area of approximately 109.18ha. **Table 1** below summarises the addresses and legal descriptions for each site included in the application.

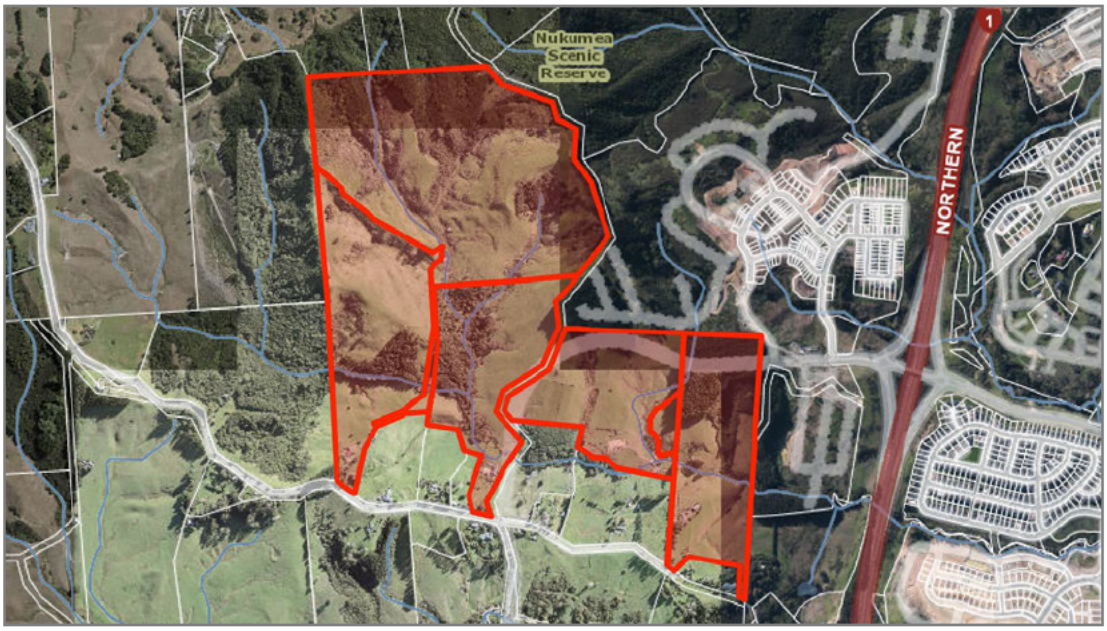

Figure 2: Locality Plan. Source: eMaps.

Table 2: Subject site area property addresses, legal descriptions and owners.

Property Address	Legal Description	Site Area (ha)	Owner	Occupier
88 Upper Ōrewa Road	Lot 2 DP 418770	15.7286	[redacted]	Owner occupied
130 Upper Ōrewa Road	Lot 2 DP 153477	42.2	[redacted]	Owner occupied
132 Upper Ōrewa Road	Lot 1 DP 153477	20.522	[redacted]	Owner occupied
53A Russell Road	Lot 1 DP 497022	1.0963	[redacted]	Unoccupied

53B Russell Road	Lot 2 DP 497022	14.8825	[redacted]	Owner occupied
55 Russell Road	Lot 1 DP 336616	14.7674	[redacted]	Owner occupied

[redacted] It is on that basis that the schedule application and this substantive application are being lodged. This was addressed in detail in the schedule application provided in **Appendix 3** and the Legal Interests document provided in **Appendix 4.**

The site is currently used for pastoral and agricultural production purposes, and consists predominately of open paddocks, with a number of dwellings and other accessory buildings supporting these uses. Interspersed across the site are pockets of indigenous vegetation (mostly in gullies), specimen trees of varying quality, boundary planting, shelterbelts and some small pine plantations. Dissecting the site is a network of streams with some adjoining natural inland wetlands.

Whilst the site is not subject to any statutory overlay as identified in Section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, or a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011, there are several Treaty settlements that apply to the site. These settlements are identified in **Appendix 8.**

6.1.1 Topography

The topography of the site rises and falls between a series of ridgelines and gullies, with steeper areas concentrated closer to waterbodies, and being generally located within the northern portion of the site. Much of the site in between the waterbodies is land which could be best described as rolling, with a general fall to the south-east towards the Ōrewa River. Neighbouring sites to the west and south share similar topographical characteristics. Refer to **Figure 3** below, which demonstrates typical topography of the eastern part of site.

Figure 3: Stage 1 area of the site, looking eastward. Source: B&A site visit, 21/11/2024.

Typical topography of the western part of site, which has generally steeper undulations than the eastern area, is illustrated in **Figure 4** below.

Figure 4: Stage 2 area of the site, looking northward. Source: B&A site visit, 21/11/2024.

6.1.2 Vegetation and Terrestrial Ecology

The majority of the site is covered in managed pasture. Outside of the pasture, several pine plantations, exotic vegetation, and gorse scrub are present. Relatively large areas of native vegetation are also present on the site, associated predominately with areas subject to consent notice conditions and a Significant Ecological Area – Terrestrial ('SEA-T') Overlay. Vegetation within the site has been classified and mapped within the Ecological Impact Assessment (EIA) provided in Appendix 16, and the Arboricultural Assessment provided in Appendix 18. Figure 5 below illustrates the types and location of vegetation present throughout the site. Viridis commenced a detailed botanical survey in November 2025, which is currently ongoing at time of lodgement. This survey includes systematic identification of all vascular plant species encountered, with particular focus on 'Threatened' or 'At Risk' taxa and any regionally uncommon or notable species. Once this data is available, results will be analysed and an addendum will be prepared by Viridis.

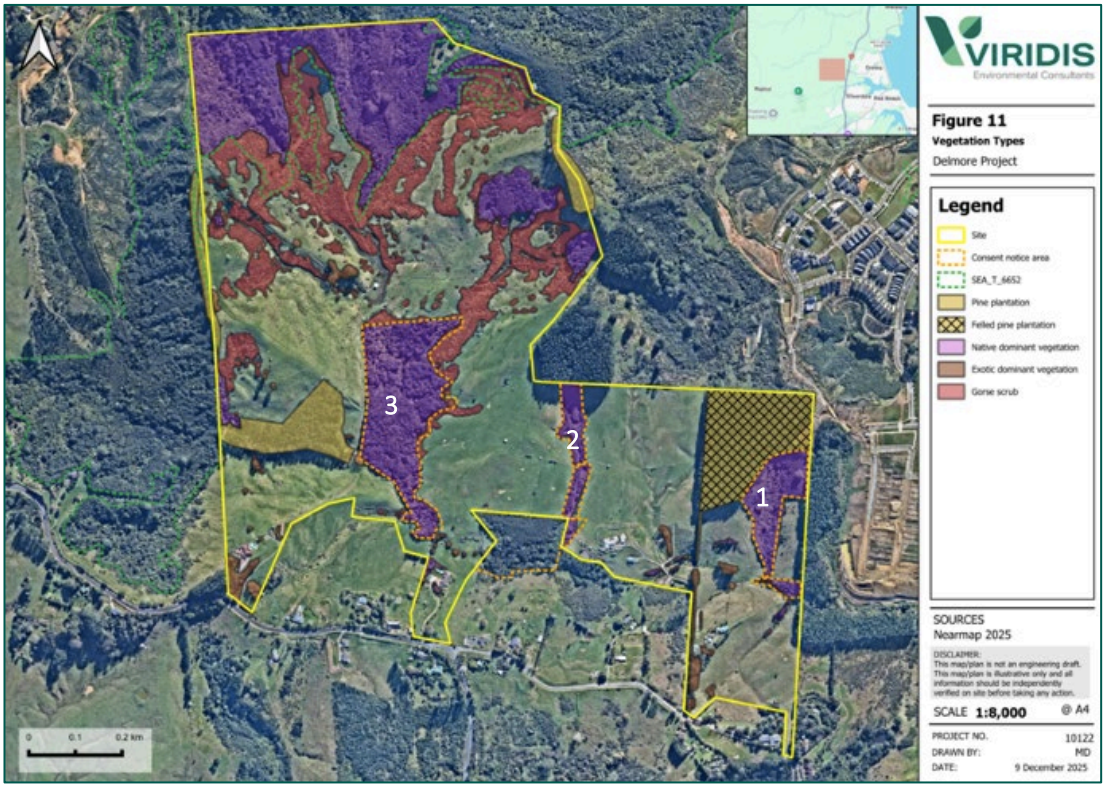

Figure 5: Types of vegetation across the site. Source: Viridis EIA.

As shown in Figure 5, native vegetation is predominately present within the areas of the site subject to the SEA-T, and three vegetated areas shown in orange dashed lines, that are captured by the following consent notices (provided with Appendix 1):

- Consent Notice 6079871.2 for bush protection at 55 Russell Road. Identified as area '1' in Figure 5;
- Consent Notice 10576706.2 for wetland and planting area maintenance relating to 53B Russell Road. Identified as area '2' in Figure 5; and
- Consent Notice 7405348.2 for native bush and riparian vegetation protection at 88 Upper Orewa Road. Identified as area '3' in Figure 5.

The EIA (Appendix 16) identifies the following with respect to ecological values:

- Consent notice areas 1 and 2 consist of young planted native vegetation and are considered by Viridis to have moderate current ecological value;
- The native vegetation within the SEA-T in the northern part of site, and consent notice area 3 consist of a diverse range of native species. These areas are considered to have a high current ecological value, as they are dominated by a native canopy and understory, function as ecological corridors and buffers, and are only subject to edge effects around their perimeter;
- Other identified areas of native vegetation within the site typically consist of pockets of mature mānuka and kanuka. These areas are considered to have moderate current ecological value; and
- The ecological value of exotic trees present on the site is considered to be low.

Figure 6: Pocket of existing vegetation protected by consent notice within Stage 1 area. Source: B&A site visit, 21/11/2024

6.1.3 Hydrology

The site contains a network of 39 intermittent and permanent streams. An example of a typical stream within the site is provided as Figure 7 below.

Of note is the permanent stream (identified as 'stream 38' within the EIA) that traverses the site, which is a tributary of the Ōrewa River and drains directly to the Ōrewa River estuary. Stream 38 captures flows from all other streams within the site.

The current ecological values of the streams are assessed within the EIA as ranging from moderate to high. The range in value is predominately dependent on the amount of effective riparian vegetation present along the stream banks.

Several existing farm crossings and culverts are present throughout the site. Fish surveys have been undertaken within the catchment of 'stream 38', which have identified the presence of several fish species (refer to Table 10 of the EIA for specific detail).

Figure 7: Typical stream within the site. Source: B&A site visit, 21/11/2024

The site is subject to a series of flood hazards in the form of flood plains, overland flow paths, flood prone areas and flood sensitive areas. As shown in **Figure 8** below, the flood hazards are generally located in association with the existing waterways traversing the site.

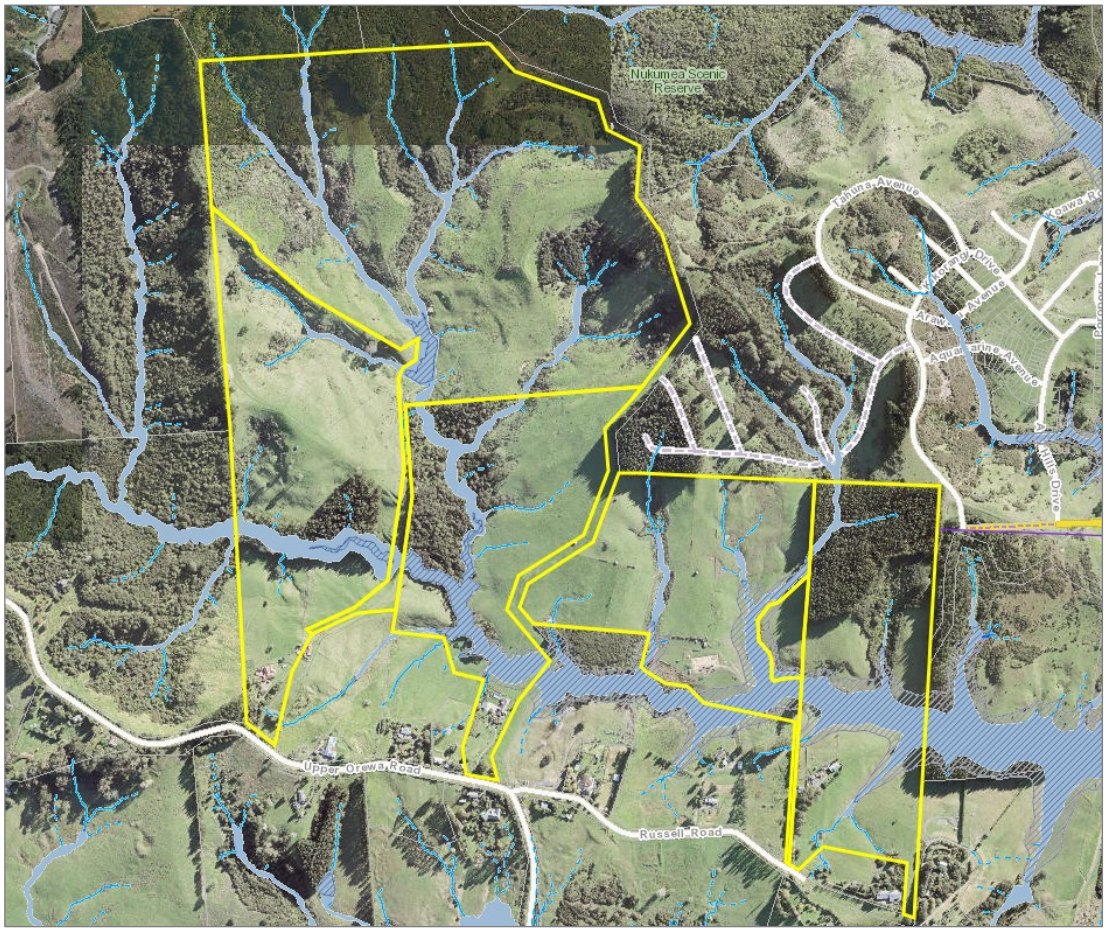

Figure 8: Flooding hazards affecting the site. Source: Auckland Council Geomaps.

The stormwater hydrology and catchments relevant to the site are described by McKenzie & Co in its Stormwater Management Plan ('SMP') attached as **Appendix 34** with reference to **Figure 9** below as follows:

> *"The site sits within a contributing catchment size of 266.86ha. The contributing catchment is comprised of five sub-catchments. Two large sub-catchments (catchment 2 and 3), 157ha located northwest of the development site feed into Streams 31 & 38 through the subject site. The remaining catchments within the northern portion of the subject site (catchments 8, 9, 11 12, part-of 6, 10, 14 and 15) drain south toward the main overland flow path running through the site, then discharges to the "main overland flow path" flowing in the easterly direction. The site's southern boundary straddles several catchments and is bounded by Upper Ōrewa Road/Russel Road. Catchments 5, 7 and part of catchment 14 drain toward the 'main overland flow path' which discharges to the east through the subject site."*

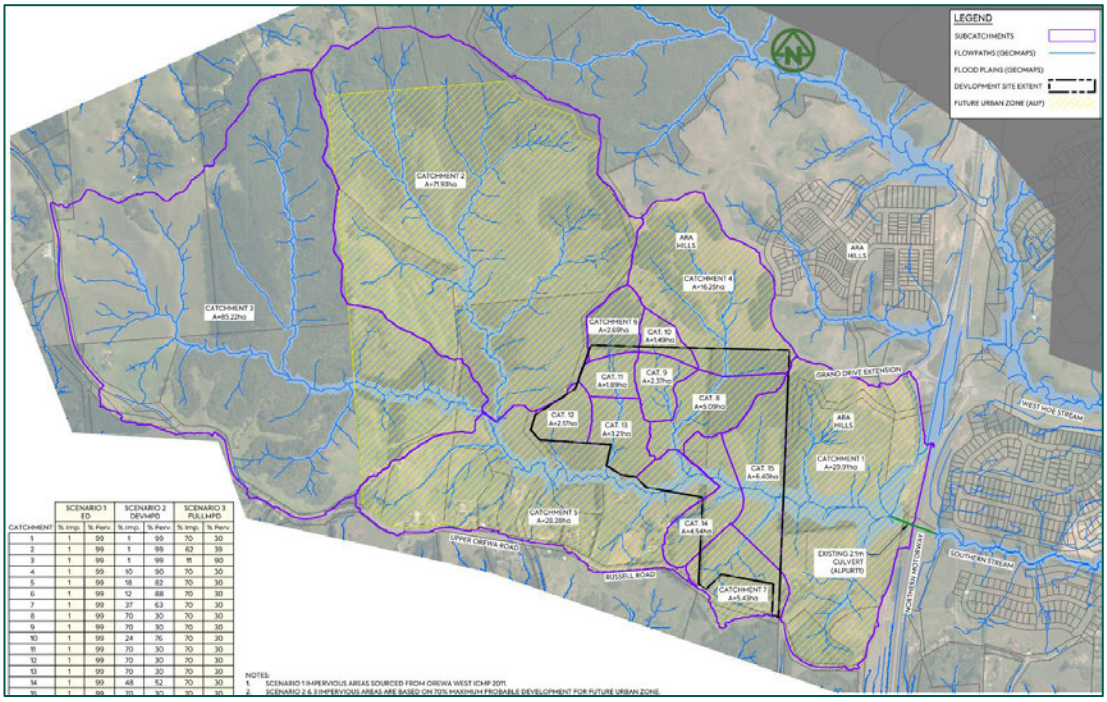

Figure 9: Sub-catchment map. Source: McKenzie & Co Draft Stormwater Management Plan

6.1.4 Wetlands

The EIA (**Appendix 16**) identifies a total of 36 natural inland wetlands as being present within the site. Both palustrine and riverine wetland hydro systems are present, consisting of both marsh and seepage wetlands. The natural inland wetlands range in size from 16m^2 to 2,533m^2. With regard to the present condition of the wetlands, the EIA notes the following:

> *"All wetlands within the site have been degraded through historical and current agricultural practices. With the exception of the wetlands located within the SEA or covenant areas, stock had access to wetlands and damage, such as grazing, pugging and erosion, was evident... all wetlands were assessed as having a low or moderate ecological value."*

A typical natural inland wetland for the site is illustrated in **Figure 10** below. The location of all existing wetlands on the site is depicted in **Figure 11.**

Five ponds constructed for agricultural purposes are also present on-site. These ponds are not considered to qualify as natural inland wetlands for the reasons given in the EIA.

Figure 10: Typical wetland within the site. Source: Viridis EIA

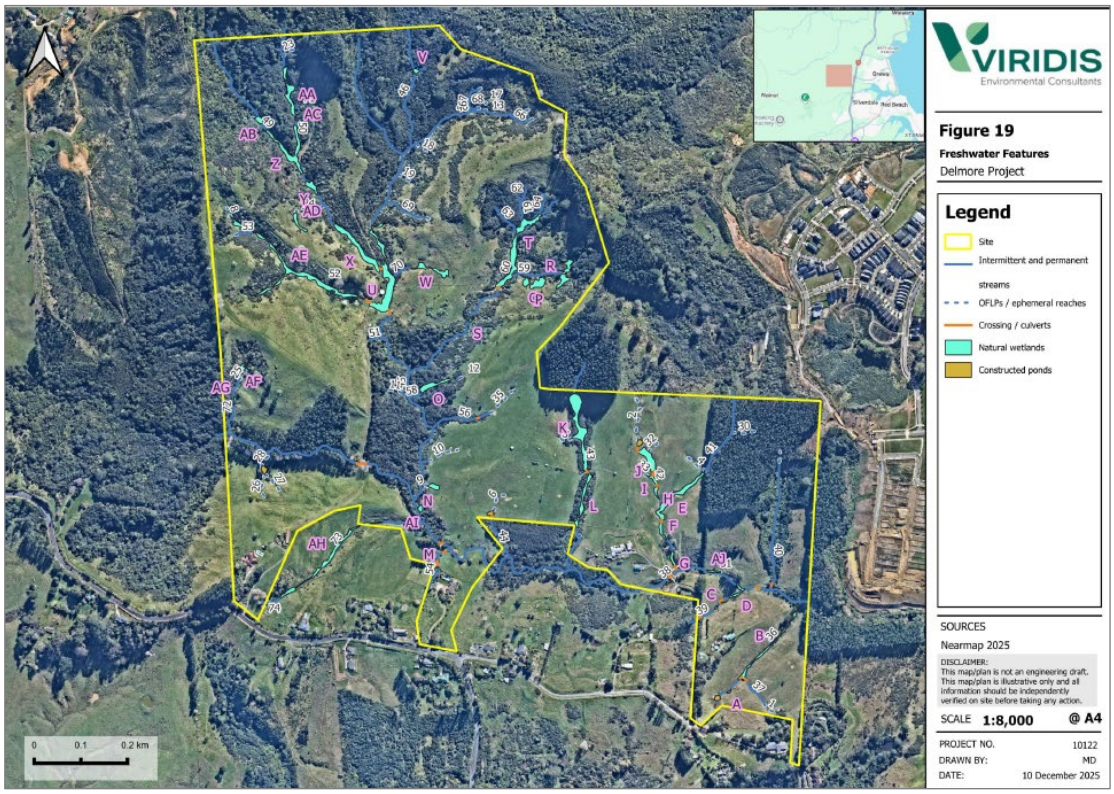

Figure 11: Location of existing freshwater features. Source: Viridis EIA

6.1.5 Access

The site is currently accessed via several private crossings from Upper Ōrewa Road and Russell Road to the south.

There is a paper road located between 88 Upper Ōrewa Road and 53B Russell Road that bisects the site. An application for works within the paper road will be made to Auckland Council concurrent with this application, and a pre-application meeting on this has already been held. Further detail on road stopping is included as **Appendix 48.**

6.1.6 Contamination

A Preliminary Site Investigation ('PSI') provided by Williamson Water & Land Advisory ('WWLA') as **Appendix 19** concludes that no potentially contaminating activities under the Ministry for the Environment's ('MfE') Hazardous Activities and Industries List ('HAIL') have been undertaken on the site. Areas which may contain contaminants at levels that exceed background (clean fill) ranges are limited to around existing buildings.

6.1.7 Geotechnical

Riley Consultants Ltd ('Riley') has prepared a Geotechnical Report which is included **Appendix 20**. This provides a detailed description of the geology and geomorphology of the site.

Under Plan Change 120 ('PC120'), the site is subject to a 'very high' shallow landslide susceptibility factor in several areas (refer **Figure 12**), with the greatest concentration being within the western part of site. The rest of the site varies, although the risk is typically linked with the topography, with greater risk generally mapped in steeper areas. In terms of large-scale landslide susceptibility, the site is tagged as 'very high' in the northern, central and eastern parts of the site (refer **Figure 13**).

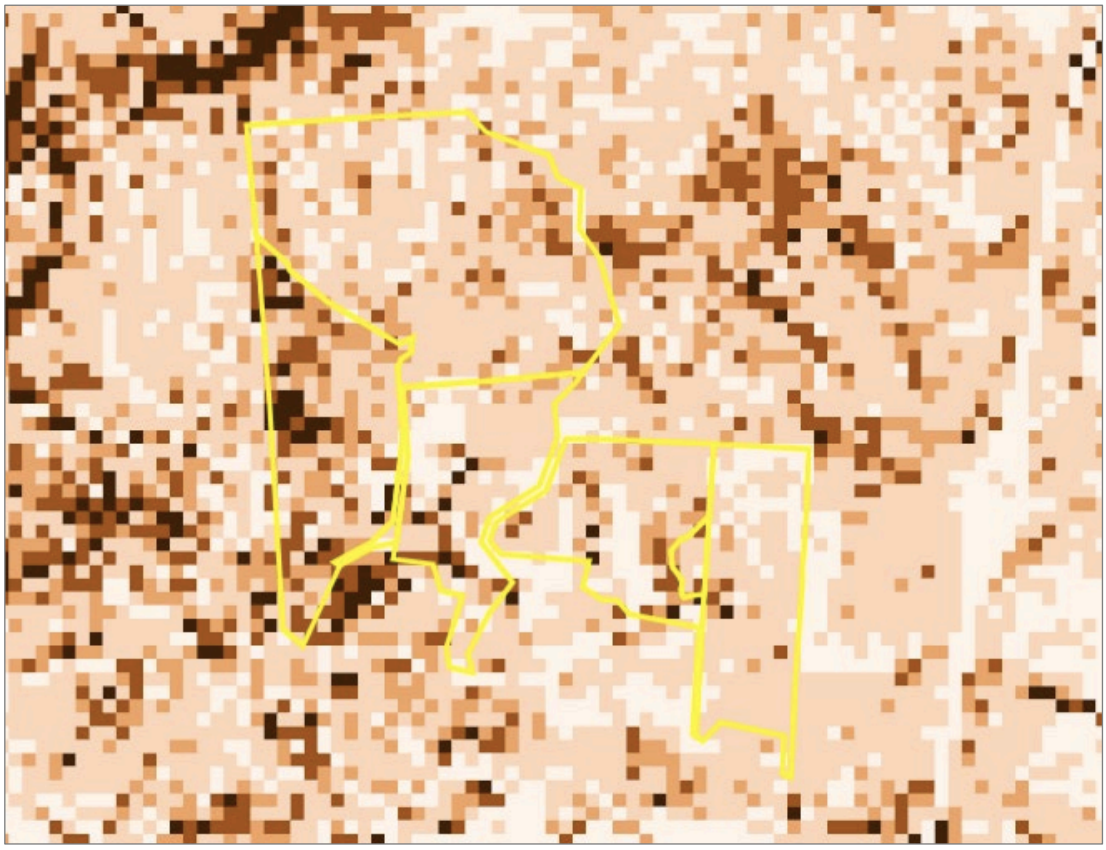

Figure 12: 'Very High' to 'Very Low' Shallow Landslide Susceptibility within the site. Source: Auckland Council Geomaps.

Figure 13: 'Very High' to 'Very Low' Large Scale Landslide Susceptibility. Source: Auckland Council Geomaps.

The Geotechnical Report notes that the site is underlain by the Waitemata Group and Northland Allochthon geological units. The geomorphology of the site typically slopes between 5° and 15° but steepens into the gullies, particularly in the west, where some slopes have a gradient of up to 45°. Numerous localised instability features are present across the site, in the form of localised slumping on steeper slopes and gulley heads, and erosion at stream edges. It is noted that there are also localised areas that are free of observed existing instability features.

Groundwater has been detected during site investigations by Riley's in several locations, at depths ranging between 2m and 5.2m below existing ground level.

In terms of geomorphology, a Geomorphic Risk Assessment has been undertaken by Morphum (**Appendix 21**) which found that incision is the dominant adjustment process. Knickpoints are common and actively migrating, reinforcing the likelihood of continued bed lowering. The findings of Morphum's assessment have been taken into account in the final design and layout of the lots presented in this application.

6.1.8 Archaeology

The Archaeological Assessment prepared by Clough and Associates (**Appendix 23**) confirms that there are two recorded archaeological features on the site (R10/776 and R10/1573), both being a shell midden). Archaeological site R10/776 (see **Figure 14** below) was identified in the New Zealand Archaeological Association ('NZAA') database prior to an on-site survey undertaken by Clough and Associates. Archaeological site R10/1573 was identified by Clough and Associates during a site survey on 21 November 2024 and was subsequently entered into the NZAA database.

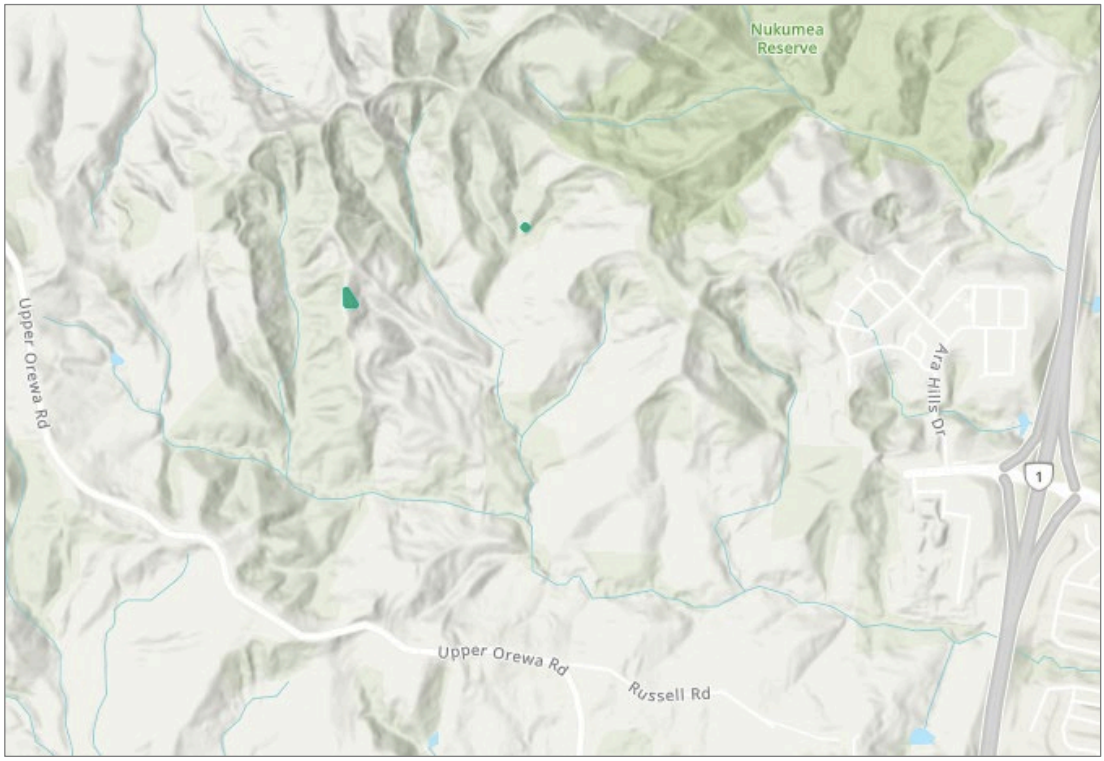

Figure 14: Map showing archaeological sites R10/1573 and R10/776. Source: NZAA Public Map

The general location of the archaeological site R10/1573 in relation to R10/776 is shown in **Figure 15** below. The Archaeological Assessment identifies that as there are two recorded archaeological

sites within the site, there is potential for other sites associated with Māori settlement to be present.

Figure 15: Map showing archaeological site R10/1573 in relation to R10/776. Source: Clough & Associates

6.1.9 Existing Infrastructure

The Water, Wastewater and Utilities Report (**Appendix 27**), Drawings as **Appendix 28** and Stormwater Report as **Appendix 32** detail the existing infrastructure within the site and a summary is provided below.

- **Stormwater:** There is currently no stormwater reticulation infrastructure within the site;
- **Wastewater:** The site is not currently serviced via the public wastewater network. A Watercare gravity network connection is located approximately 200m to the east of the site at Grand Drive. A 1050mm diameter transmission gravity network is located 600m south of the site in proximity to Wainui Road;
- **Water supply:** The site is not currently serviced via the public water supply network. There is an existing 355mm diameter Watercare water supply main at Grand Drive, approximately 200m east of the site;
- **Power:** The existing dwellings are serviced by overhead powerlines;
- **Gas:** Medium pressure piped gas supply is present within Wainui Road; and
- **Telecommunications:** Discussions with Chorus indicate that ADSL/VDSL are available at the development site boundary. Fibre is currently laid in the Grand Drive extension.

6.2 Surrounding Locality

The site is located approximately 3.2km west of the Ōrewa Town Centre and 2.3km north-east of the emerging Milldale Local Centre with access via Howard Road and Upper Ōrewa Road, via Wainui Road. The site is also located within close proximity to State Highway 1 and the Grand Drive

Interchange which provides direct access to the Albany Metropolitan Centre, 16km south of the site. Refer to **Figure 16** for a high-level surrounding locality plan.

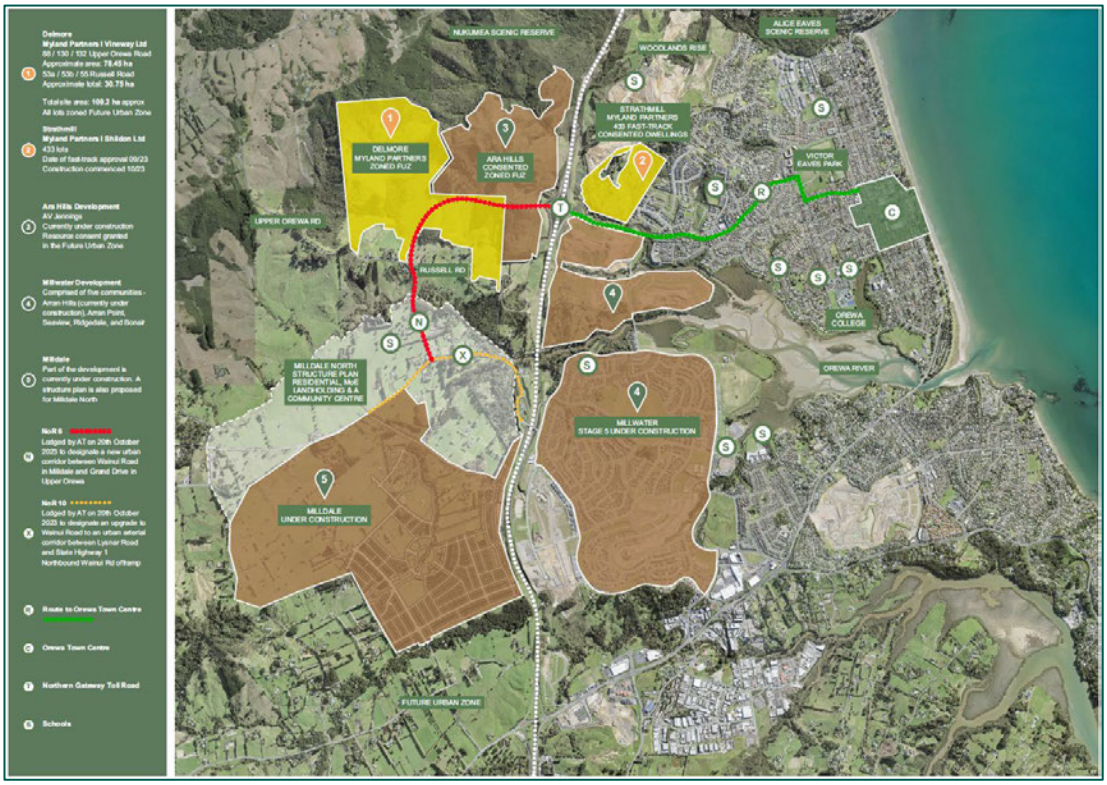

Figure 16: Surrounding Locality Plan. Source: Vineway Limited

As can be observed in the site location plans provided with the architectural drawings in **Appendix 9** and also in the **Appendix 14** Structure Plan, the site is located in close proximity to a number of existing or proposed amenities including schools, open spaces and commercial centres. The latter includes two proposed neighbourhood centres, one directly adjacent to the site in the Ara Hills development that is consented, and one approximately 800m south of the site within the Milldale North Private Plan Change area, which was lodged with Auckland Council in March 2024.

The main employment areas in proximity to the site are located in Ōrewa Town Centre, the Highgate Industrial area (1.6km south of the site) and Silverdale Town Centre / Industrial area (3km south of the site). The proposed Milldale Rapid Transit Station lies adjacent to the Highgate Industrial Area. A major new industrial employment area, Silverdale West, is also proposed and is subject to a lodged Private Plan Change application, south of Dairy Flat Highway approximately 3.2km south of the site.

As can be seen in **Figure 17** below, immediately to the north, west and south of the site are sites zoned Rural Production and contain rural dwellings, pockets of planting and paddocks. Land immediately adjacent to the north of the site is zoned Open Space – Conservation Zone and contains the Nukumea Scenic Reserve. To the north, east, and south of the site are properties zoned as FUZ.

Further south of the site is a mixture of Rural Production and FUZ land, which currently contains paddocks, rural dwellings and pockets of vegetation. These sites share similar characteristics as the application site – rolling farmland in use for pasture, with intermittent pockets of natural and

exotic vegetation. In addition, there are a handful of rural lifestyle properties accessed via Russell Road.

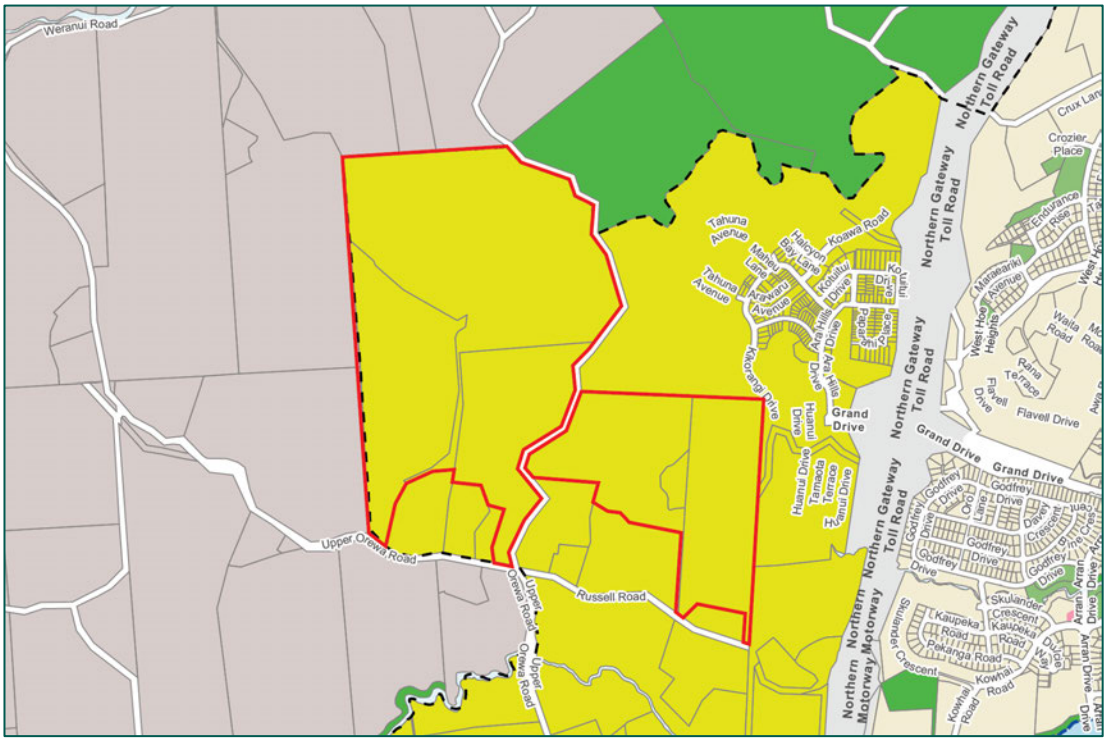

Figure 17: Zoning of subject site (outlined in red) and surrounding sites. Source: Geomaps.

6.3 Ara Hills Development and Plan Change

The neighbouring site to the north / north-east is currently being developed to create a residential subdivision referred to as Ara Hills. The broader Ara Hills development is set over 84 hectares and currently has consent for 575 residential lots, as depicted in **Figure 18** below. Primary access to the Ara Hills development is via the Grand Drive Interchange to the east, which connects to State Highway 1. As part of their existing consent[2], they are required to construct a shared pedestrian and cycle path over State Highway 1. This will connect the western side of the motorway with the wider Ōrewa area to the east. The consented layout for Ara Hills provides a connection to the Delmore site via:

- Grand Drive / the future NoR6 road; and
- The unformed paper road that bisects the Ara Hills and Delmore site.

[2] Consent references: LUC60010513-J & SUB60035991-J

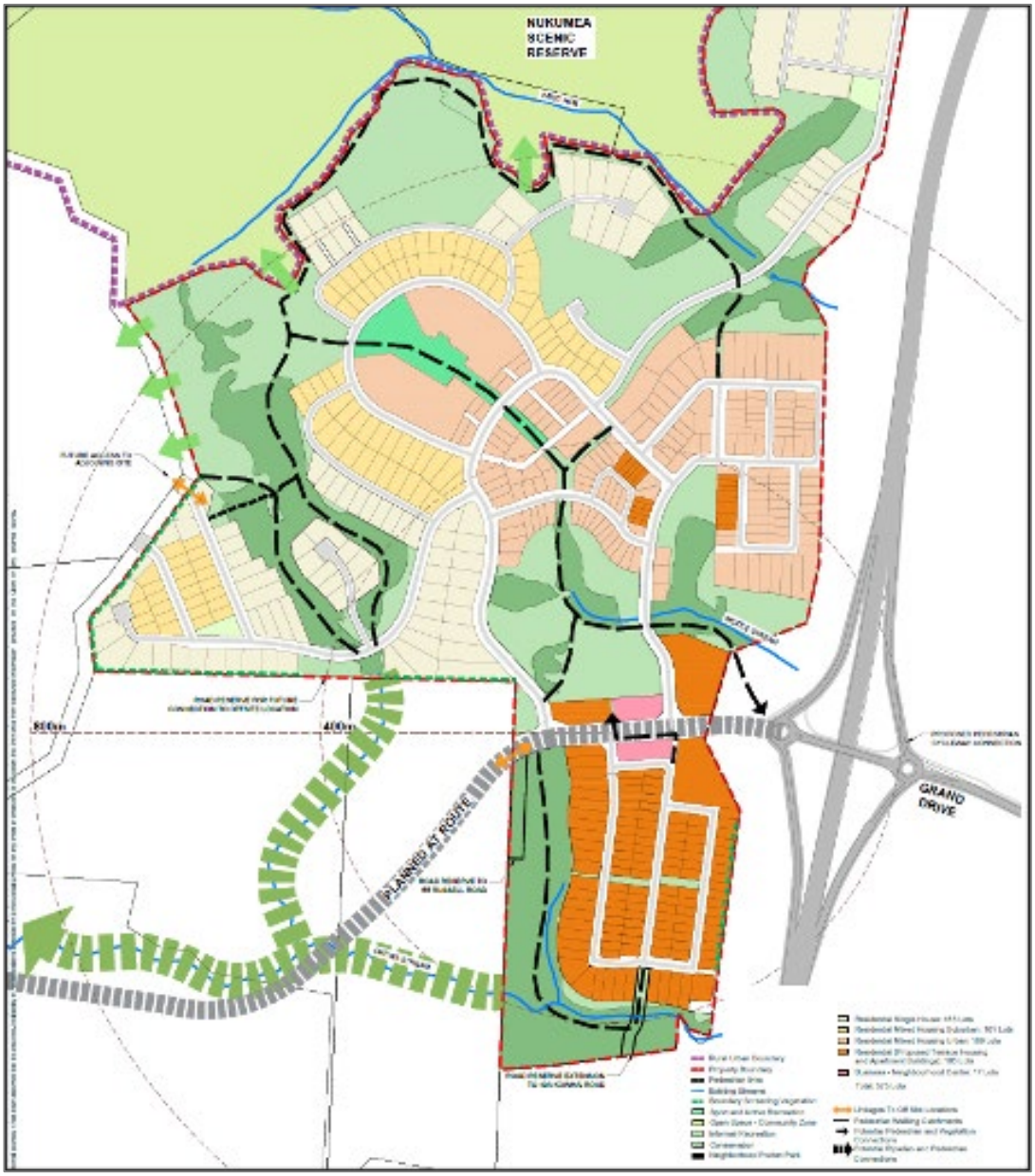

Figure 18: Ara Hills existing structure plan. Source: PC119.

A Private Plan Change 119 (PC119) was notified in August 2025 to enable further development of the Ara Hills site which would increase the total number of dwellings from 575 to 900. PC119 includes provision for Terrace Housing and Apartment Building (THAB) and Mixed Housing Urban (MHU) zoning, a neighbourhood centre along Grand Drive, and areas of formal and informal open space with recreational functions. The development of the PC119 provisions was informed by a revised masterplan for the site which includes a number of changes to the consented subdivision layout, especially adjacent to the application site (refer Figure 19). Specifically, this includes additional road connections to Delmore.

It is acknowledged that PC119 is in the early stages of the planning process and may be subject to change. Nonetheless, the applicant has considered the proposed Ara Hills masterplan as part of the design for the Delmore development. Further detail is addressed in the ITA (Appendix 24), the architectural memos (Appendix 9.1), as well as section 11.8.1 of the AEE.

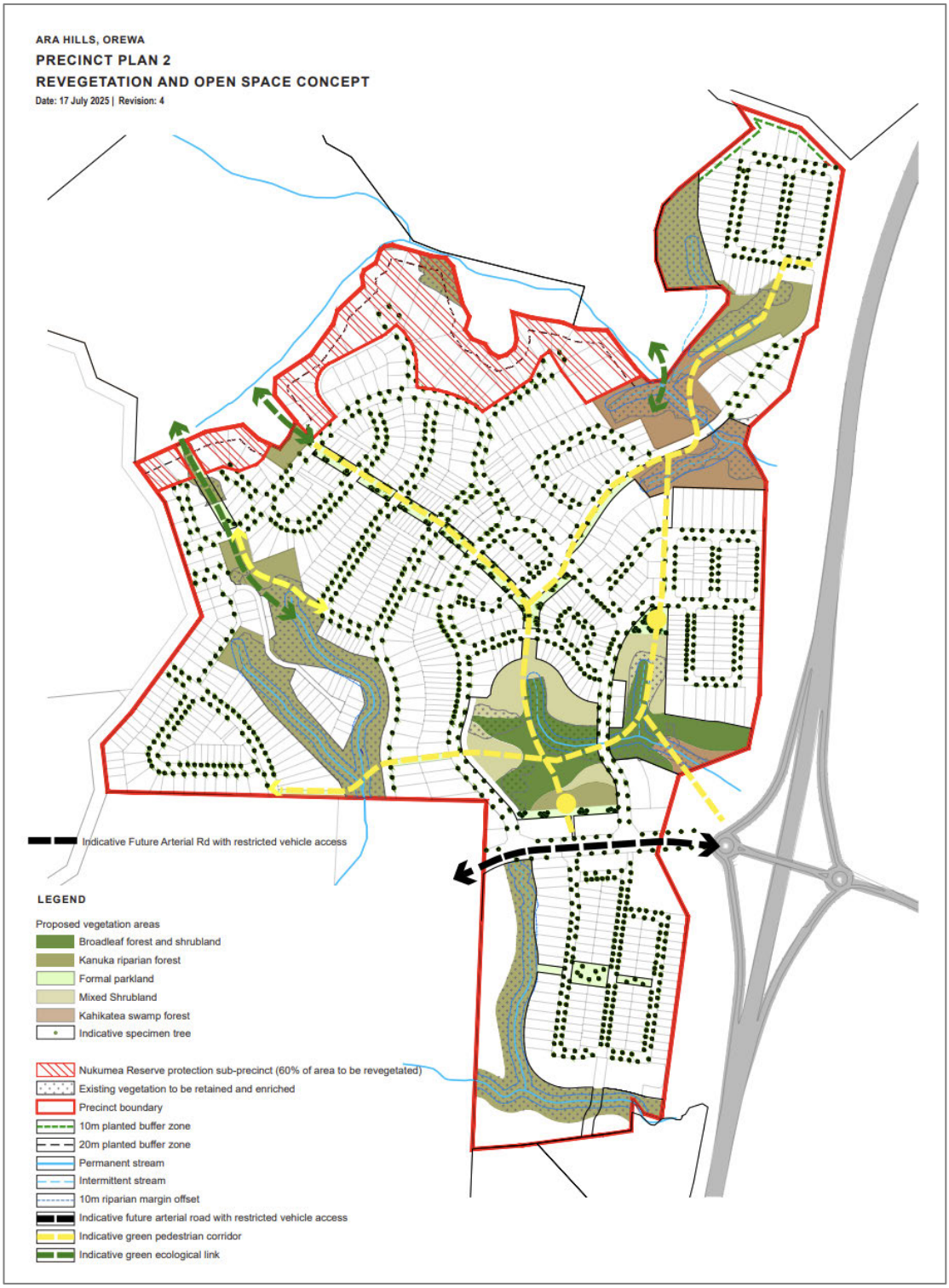

Figure 19: Ara Hills PC119 Precinct 2 Plan.

6.4 Owner and Occupiers of the Site and Adjacent Sites

In accordance with clause 5(1)(d) of Schedule 5 and clause 2(1)(b) of Schedule 8 of the FTAA, the names and addresses of owners and occupiers of the site and land adjacent to the site (where occupiers were identifiable after reasonable inquiry) are provided either within Section 6.1 of this

AEE above, or the Consultation Overview Report as **Appendix 7.** A supplementary description of all neighbouring properties is provided as **Appendix 49** to this application.

7.0 Proposal

This section of the application is a summary of the key elements of the proposal provided in accordance with clause 5(1)(a), 8 and 10 of Schedule 5 and clause 2(1)(f) of Schedule 8 of the FTAA.

More detailed descriptions on particular aspects of the proposal are set out in the specialist reports and drawings accompanying the application and this AEE.

For completeness, the following approvals are sought under Section 42(4):

- A resource consent (as an approval under section 42(4)(a) that would otherwise be applied for under the RMA);
- A change of consent notice conditions (as an approval under section 42(4)(a)) that would otherwise be applied for under the RMA); and
- An archaeological authority described in Section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under HNZPTA.

7.1 Overview

Vineway Limited seek to construct up to 1,213[3] residential lots and dwellings, a 9,400m^2 super-lot, one commercial super-lot, jointly owned access lots (JOALs) and roads to vest, two neighbourhood parks and open space areas, as well as associated site preparation works, construction of civil infrastructure and landscaping on the site.

The key elements of the proposal are shown on the Architectural Drawings by Terra Studio (Appendix 9) and shown in the Masterplan as Figure 20 below. The proposed development will be undertaken in two primary stages. As shown in the staging plan as Figure 21 below, Stage 1 will be located within the eastern part of site, and Stage 2 within the west. Further staging detail is outlined in section 7.8.1 of this AEE.

[3] Some of the supporting technical documents have based their assessment on 1,250 dwellings as a conservative approach.

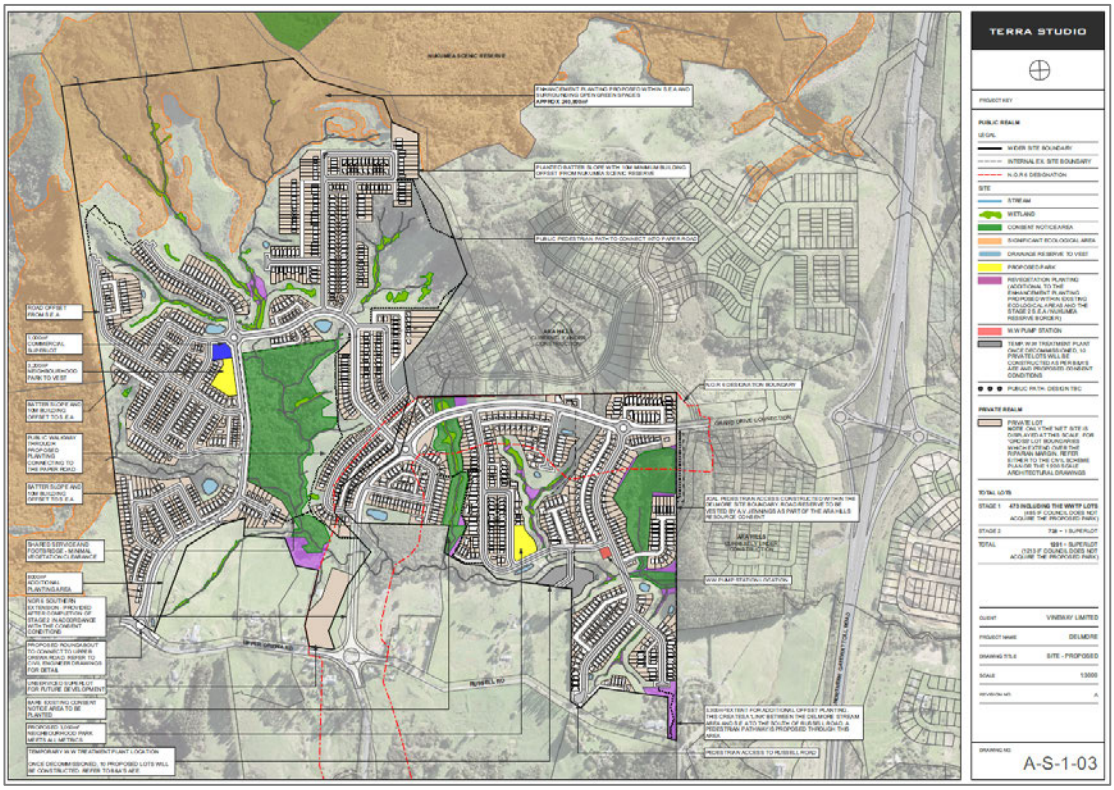

Figure 20: Proposed Masterplan. Source: Terra Studio.

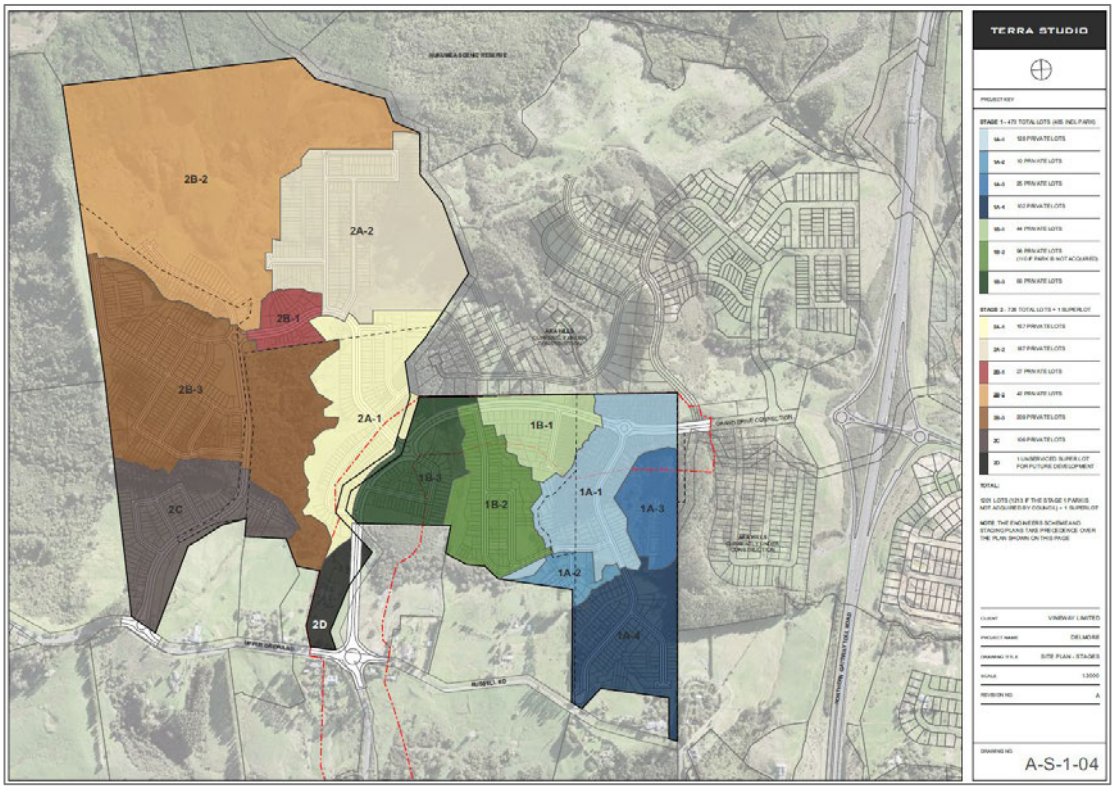

Figure 21: Staging Plan. Source: Terra Studio.

7.2 Construction Works

7.2.1 Bulk Earthworks

The proposal involves the removal of all existing buildings and structures from the properties subject to this application.

It is proposed to undertake bulk earthworks over a total area of 61 hectares to establish proposed design levels for the residential lots, infrastructure servicing, road reserves, JOALs, landscaped areas and in some cases, retaining walls. Although the total earthworks area is 61 hectares, a maximum of 30 hectares will be exposed at any one time. A maximum cut depth of 15m and maximum fill height of 15m is proposed. An average topsoil scrape to a depth of 200mm is proposed across the site.

A summary of approximate earthworks figures is provided in **Table 3** below. Further detail is provided in Section 5 of the Earthworks Report and Drawings attached as **Appendix 36** and **Appendix 37** respectively.

Table 3: Summary of cut and fill balances. Source: McKenzie & Co.

Type	Approximate total volume
Cut	1,220,000m^3
Fill	1,220,000m^3
Balance	N/A – cut to fill balance anticipated

A significant portion of the earthworks will be re-profiling the existing ground. This primarily involves cutting and lot shaping along the spines of each of the proposed earthwork's sub-catchments, then relocating the cut material for engineered fill along the periphery of the streams. The final earthworks design will form flat lot areas following the road grade, with steeper batters adjacent to the stream areas. In order to form these batters, some earthworks will be required within the riparian margins across the site. The generally undulating nature of the site will be retained.

Earthworks are required to facilitate the construction of the proposed roading network, including the construction of culverts. This will see earthworks undertaken within existing natural wetlands, and areas of vegetation subject to existing consent notice conditions. Details of these earthworks are shown on Earthworks Drawings prepared by McKenzie & Co as **Appendix 37**.

It is envisaged that earthworks will generally progress from east to west, with the Stage 1 area to be completed first. Erosion and sediment control ('ESC') measures are proposed, as shown on the Erosion and Sediment Control Plan ('ESCP') prepared by McKenzie & Co and addressed in Section 6 of the Earthworks Report. These measures include clean and dirty water diversions, decants and sediment detention ponds. It is confirmed that all works will be designed in accordance with Auckland Council's Guideline Document 2016/005 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region ('GD05'). Other devices and systems will be included as required to achieve ESC requirements. Areas of the site will be stabilised as soon as possible to prevent sediment runoff. Stabilising measures are likely to be topsoiling and an application of straw mulch.

7.2.2 Dewatering

Preliminary groundwater monitoring to date by Riley Consultants confirms that the proposed bulk earthworks are expected to encounter the groundwater table. It is anticipated that permanent dewatering will be required. Further detail of dewatering is included in the Geotechnical Report in **Appendix 20.**

7.2.3 Site Remediation

The PSI provided as **Appendix 19** outlines that no specific soil remediation requirements have been identified for the site. Soil and debris around existing dwellings and associated structures (generally a 1-2m wide halo) should either be tested for suitability for reuse, or removed for disposal to appropriate facilities, during the demolition and clearance process.

7.2.4 Wetlands and Stream Works

Proposed works within streams and wetlands are described in detail within the EIA attached as **Appendix 16**. The proposal has been designed to protect and enhance natural inland wetlands to the maximum extent practicable.

7.2.4.1 Streams

Proposed works within streams are limited to culvert removal and replacement, with no stream realignment or channelisation proposed. Key elements include:

- Removal of 17 existing farm culverts, many of which currently restrict fish passage and disrupt natural hydrology.
- Installation of 12 new culverts, generally short (<30m), embedded, and sized to maintain natural streambeds and provide for fish passage.

Comprehensive riparian planting along all streams will improve shading, bank stability, water quality, and habitat values over time.

7.2.4.2 Existing wetlands

Proposed works to existing wetlands are primarily associated with culvert installations, and include:

- Temporary and permanent wetland disturbance associated with five culverts, where structures must pass through wetland areas.
- A total of 1,086m² of wetland disturbance, comprising:
  - 277m² of permanent wetland loss; and
  - 809m^2 of temporary disturbance, where wetland soils and hydrology will be reinstated following construction.
- Proposed disturbance to wetlands represents approximately 5% of the total wetland area on site.
- Culverts have been designed to retain wetland hydrology and soils where practicable, with embedded structures allowing continued subsurface wetland function, even where vegetation cannot re-establish within culvert footprints.

7.2.5 Vegetation Removal

Vegetation removal associated with the proposal is primarily required to enable the development layout, including stream crossings and associated infrastructure. In total, approximately 2.38ha of vegetation removal is proposed. This is quantified in **Table 4** and demonstrated in **Figure 22.**

Table 4: Vegetation removal summary. Source: Viridis

Vegetation		Area (ha)
20m riparian and wetland buffer	Native dominant	0.38
	Exotic dominant	0.41
	Pine plantation	1.13
Consent notice		0.3*
Native >250m^2		0.41†
Total vegetation removal		**2.38‡**

Notes:

** All vegetation removal within the consent notice areas also falls within the 20m riparian and wetland margins.*

† Excludes vegetation that also falls within the 20m riparian and wetland margins.

‡ Excludes the consent notice area as they have been accounted for in the 20m riparian and wetland margins.

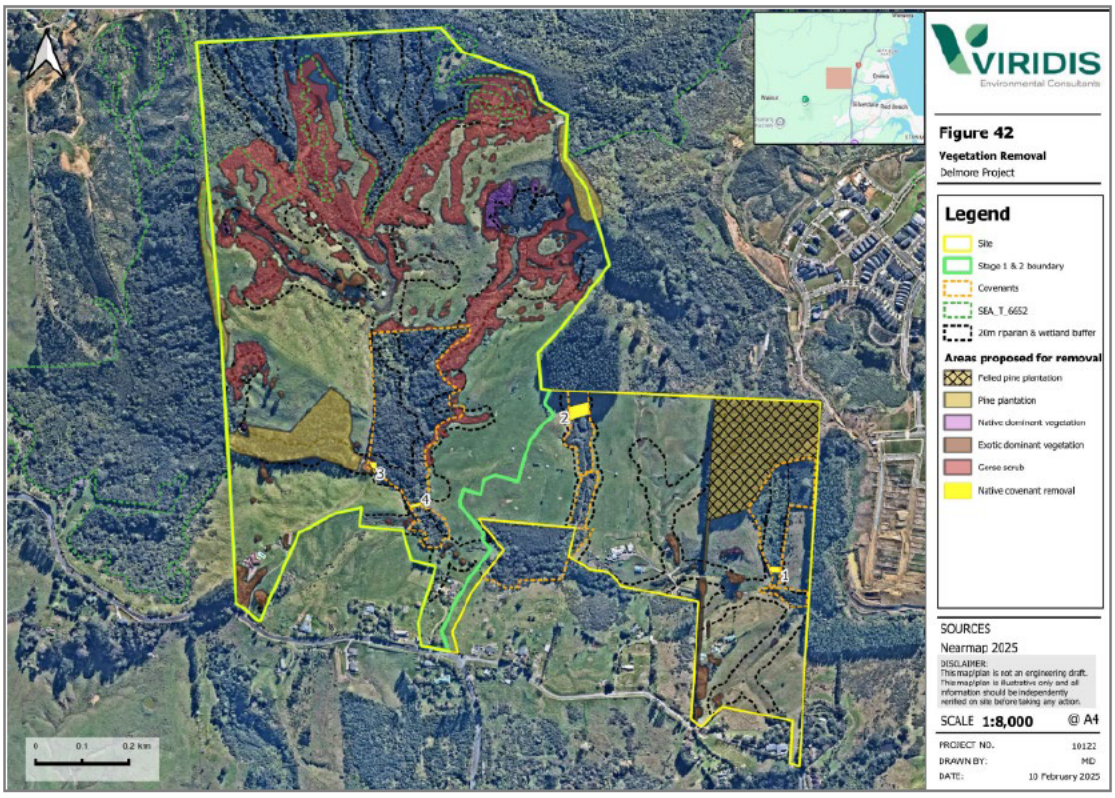

Figure 22: Proposed vegetation removal. Source: Viridis

7.3 Buildings and Dwellings

7.3.1 Overview

Vineway Limited is seeking consent for up to 1,213 residential lots and dwellings, as follows:

Stage 1

- 463 residential lots and dwellings; and
- 12 residential lots and dwellings if Council decides not to acquire the Stage 1 park (this is known as the "Alternative Design" as described below)[4]; and
- 10 residential lots and dwellings to be developed if the infrastructure at the WWTP site is decommissioned.

Stage 2

- 728 residential lots and dwellings; and
- One commercial super-lot; and
- One 9,400m^2 super-lot which is un-serviced but earmarked for future residential use.

7.3.2 Development Typologies

It is proposed to construct one dwelling per residential lot. The dwellings will comprise a combination of detached and zero lot dwellings, with 1,090 detached dwellings and 111 'zero-lot' dwellings. The Alternative Design comprises an additional 12 detached dwellings.

The dwellings will range from three to five bedrooms in size (refer to the typology plans within Architectural Drawings as (Appendix 9). A total of 456 single-storey dwellings and 745 two-storey dwellings are shown within the architectural drawings.

A total of 77 different unit types is proposed. Of the 77 typologies, 22 are standard typologies and 55 are bespoke typologies. Each standard typology has options for elevational treatments, which are proposed to provide flexibility and ensure that a diverse range of materiality is achieved across the site. This includes the following:

- 3-bedroom, garage and single-storey: 392 dwellings;
- 4-bedroom, garage and single-storey: 28 dwellings;
- 3-bedroom and two-storey: 175 dwellings;
- 3-bedrooom, garage and two-storey: 11 dwellings;
- 4-bedroom, garage and two-storey: 250 dwellings;
- 5-bedroom, garage and two-storey: 290 dwellings; and
- Bespoke designs ranging in size and type: 55 dwellings.

The distribution of typologies across the development is shown within Sheet A-S-1-05 and Sheet A-S-1-06 included in the Architectural Drawing set attached as Appendix 9.

[4] An alternative Scheme Plan and Architectural Drawings have been provided for this situation.

The development of all dwellings has been based on the Residential – Mixed Housing Suburban Zone provisions of the AUP(OP).

Renders of the proposed development are included at **Figure 23** and **Figure 24.** Further renders are included at **Appendix 9.**

Figure 23: Render of the proposed development looking towards Stage 1 from the south. Source: Terra Studio

Figure 24: Render of the proposed development showing a typical street. Source: Terra Studio

7.4 Retaining

The existing natural topography of the site features several valleys and ecological areas (including consent notice areas, wetlands and streams) which dissect the site non-uniformly. In some areas, the existing slopes are relatively steep, ranging in grade between 1:2 - 1:1 with minimal areas of surrounding flat land.

In addition to the site's existing topographical constraints, a major influence on the proposed development levels is the NOR6 arterial road, which must meet strict engineering design standards. Its horizontal and vertical alignment is tightly constrained by the designation boundary, the SGA concept plan, existing Grand Drive levels within Ara Hills, and the required tie-in point at the proposed Russell Road / Upper Orewa Road roundabout. In turn, the proposed development levels are therefore established in response to the levels set by these fixed constraints.

Fundamentally, the proposed development seeks to follow the site's natural contours by 'stepping' buildings and earthworks in line with the existing landform. This approach spreads level changes across smaller increments, significantly reducing the need for large vertical retaining walls. Adequate separation from ecological areas is also maintained so that planted batter slopes can be used instead of vertical structures, creating a softer transition between built form and the natural landscape. Additional design measures such as split-level building typologies that conceal larger walls within the building envelope, as well as stepped and screened retaining walls, are applied wherever possible to further improve and potential visual dominance associated with residential development. This design philosophy is described in detail in the architectural memo included as Appendix 9.1.

7.5 Transport

7.5.1 Access to the Site: Grand Drive Extension

Access to the development for Stage 1 will be via Grand Drive, which is located outside the eastern boundary of the site.

There is approximately 120m between where Grand Drive currently terminates and the Delmore site's eastern boundary. For the road network within the site to connect to Grand Drive, this portion of road needs to be constructed (known as the "Grand Drive extension" and depicted in Figure 25).

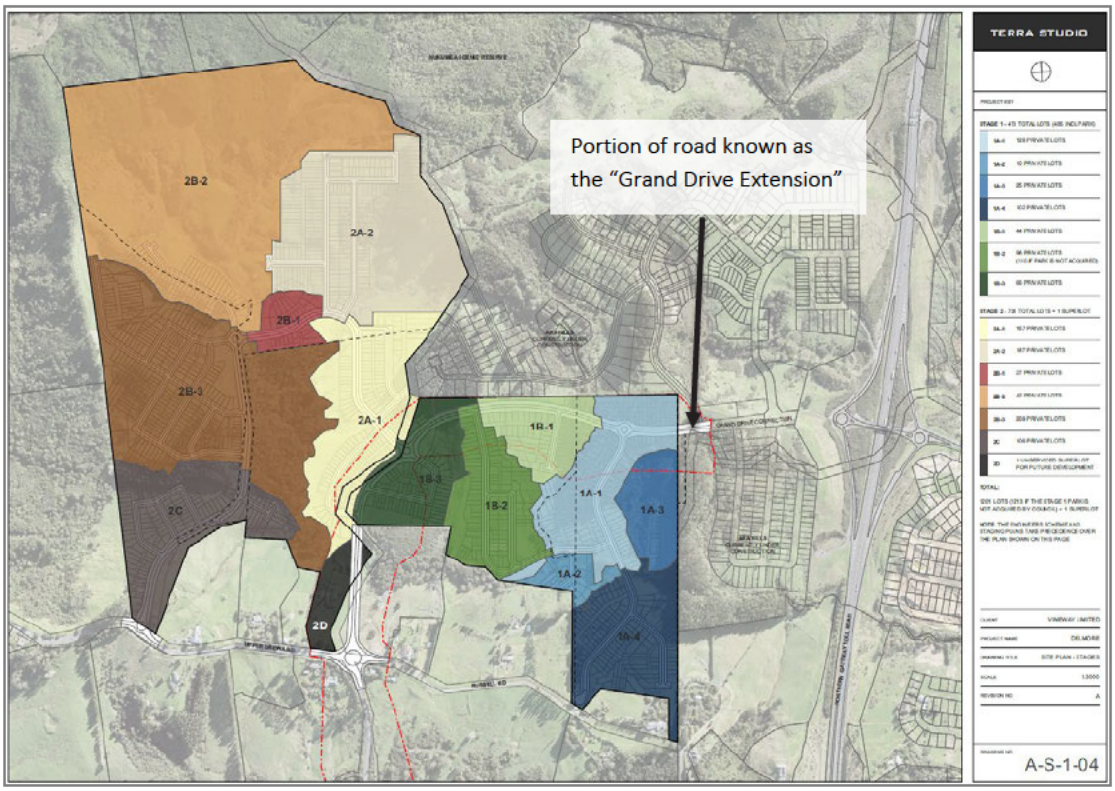

Figure 25: Location of Grand Drive Extension

The Grand Drive extension is located on land owned by AVJ Hobsonville Pty Ltd (AVJ) and forms part of the adjacent Ara Hills development. AVJ is required to vest this portion of road to the Delmore Boundary by April 2028[5]. Condition 13(f) of the current resource consent for the Ara Hills development also states that this road is "to be formed from the entry road across the site to the western boundary", which is the boundary with the Delmore development. The width of the area identified as road to vest in the Ara Hills scheme plan is not sufficient to construct the full NoR6 Road. The alignment of the area identified as road to vest is also not aligned with the alignment of the NoR6 road as shown on the NoR6 concept plan. This is because the subdivision consent approved for the Ara Hills development was granted prior to the NoR6 being notified.

If not constructed by others, the applicant will construct the Grand Drive extension. However, resource consent is not sought for the Grand Drive extension as part of this fast-track application because the land is not owned by the applicant, the land does not form part of the project description in Schedule 2 of the FTAA, and the road may be built by others prior to it being required by the Delmore development in accordance with existing resource consent conditions applying to the Ara Hill development.

The Grand Drive extension is subject to a Notice of Requirement[6] (with AT being the Requiring Authority), which provides a clear indication that this road will be delivered in the future. The formation of this road could be in accordance with the NoR6 concept plan, or it could be constructed as a temporary road designed to fit within the envelope of the area identified as road reserve to vest in AT. **Figure 26** shows an example of a temporary road alignment that could be

[5] Statement of Evidence of Ila Daniels for AVJ Hobsonville Pty Ltd received on previous Delmore substantive application.
[6] As described in Section 4.3 of this AEE.

constructed within the vested land area if this were to be required ahead of AT acquiring all of the land needed to build the full NoR6 road.

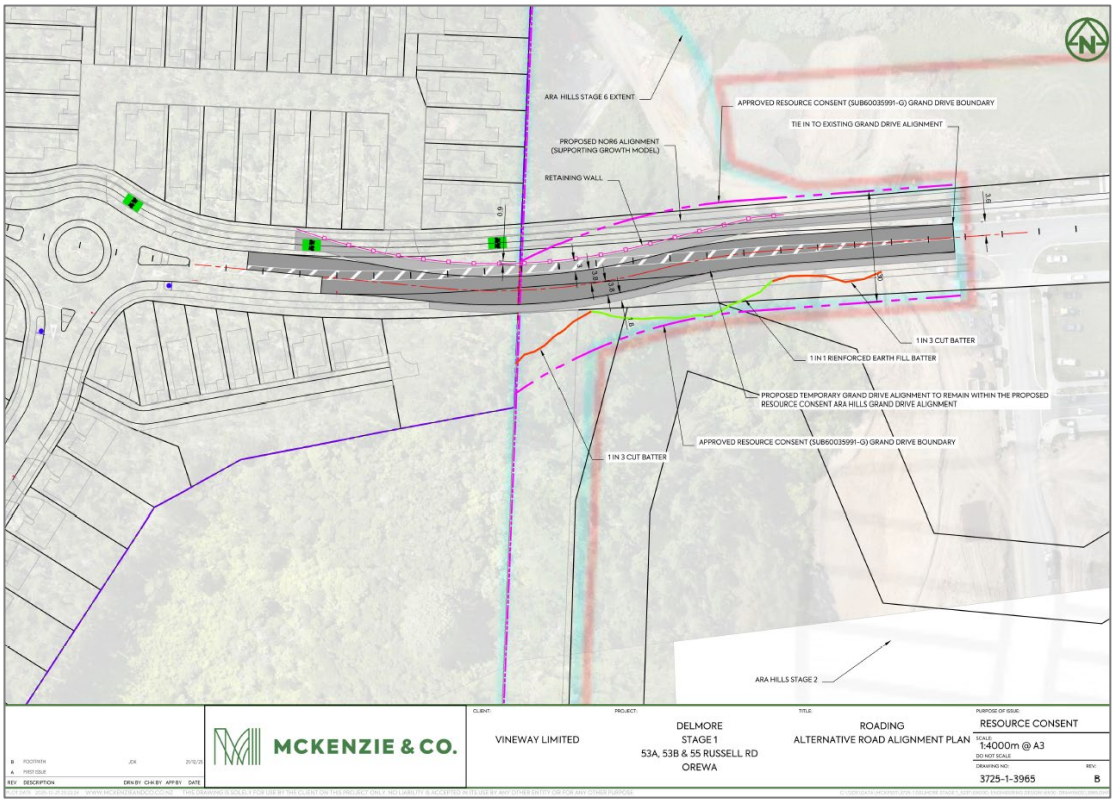

Figure 26: Grand Drive extension temporary road. Source: McKenzie & Co

If the Grand Drive extension is constructed in accordance with the NoR6 concept plan, it would require:

- AT to acquire the additional land that is required;
- An Outline Plan of Works pursuant to section 176 of the RMA;
- Compliance with any pre-construction conditions applying to the designation;
- Regional consents under the following chapters of the AUP (OP), with specific consents confirmed through detailed design:
    - **Chapter E3** (lakes, rivers, streams and wetlands);
    - **Chapter E8** (stormwater – discharge and diversion);
    - **Chapter E9** (stormwater quality – high contaminant generating car parks and high use roads);
    - **Chapter E11** (land disturbance regional);
    - **Chapter E15** (vegetation management and biodiversity);
- If the Grand Drive extension is constructed as a temporary road within the area to be vested as road reserve, it would require:
    - Approval by AT as the Requiring Authority under section 176 of the RMA.

- Regional consents under the chapters of the AUP (OP) listed above.
- District consents under the following chapters of the AUP (OP), with specific consents identified as part of the design process:
  - **Chapter E12** (land disturbance district); and
  - **Chapter E26** (infrastructure).

A condition of consent is proposed that access to the site is constructed and operational prior to section 224(c) certification for the first stage of the subdivision that is developed.

7.5.2 NoR6 Road

The applicant will construct the portion of the NoR6 road within Stage 1 of the site. The details of the road design are included in **Table 5** below and consent is sought for this 850m section of road as part of this application

Additionally, the applicant will work with AT to deliver the portion of the 300m section of NoR6 road that runs from the edge of the Stage 1 boundary through to the intersection of Upper Orewa Road and Russell Road (labelled as the 'Russell Road extension' within **Figure 27**). However, resource consent is not sought for this portion of road as part of this fast-track application because part of the land is not owned by the applicant, and the land does not form part of the project description in Schedule 2 of the FTAA. Delivery of this portion of the road will require a collaborative effort between the applicant and AT. To that end the applicant met with Auckland Council's Urban Development Office (ADUO) in December 2025 and there is agreement to engage regarding an infrastructure agreement between ADUO and the applicant.

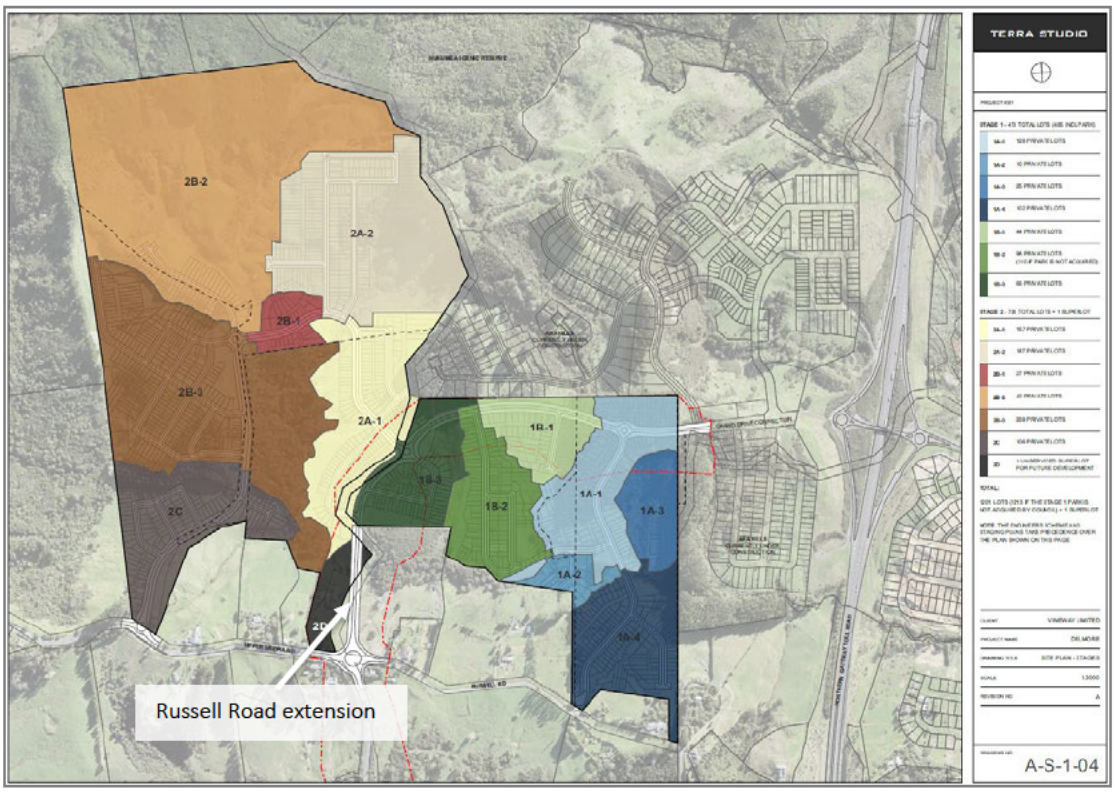

Figure 27: NoR6 road extension location. Source: Terra Studio

7.5.3 Proposed Roading within the Site

A total of 27 roads are proposed to be constructed and vested with Auckland Council, as shown on the Scheme Plans attached as **Appendix 10**.

The proposed roads comprise one arterial road (being the NoR6 road), two collector roads and 24 local roads. Typical road cross sections are provided in the Access and Roading Report and Roading Drawings prepared by McKenzie & Co and attached as **Appendix 25** and **Appendix 26** respectively. Details of the roads are summarised within **Table 5** below. The roads will be formed and constructed to the relevant AT standards, except where noted in the ITA, attached as **Appendix 24**. Vineway Limited will be responsible for all funding associated with construction.

Table 5: Roading Design and Hierarchy

Road Hierarchy	Road Name/Reference	Road Design
Arterial Road	One arterial road is proposed, known as the NoR6 Road.	• Design speed is 60km/h • Maximum gradient is 8% • Road reserve width is 24m, including: o 3.8m traffic lane on each side o 2.5m raised median o 2m cycle lane on each side o 2m footpath on each side
Collector Road – Stage 1	Road 1	• Design speed is 50 km/h • Maximum gradient is 8% • Road reserve width is 17m, including: o 3.5m traffic lane on each side o 1.8m footpath on each side o 2.2m carriageway berm each side o 1m boundary berm each side No parking provision is provided.
Collector Road – Stage 2	Road 5 and Road 17	• Design Speed is 50km/h • Maximum gradient is 8% • Road reserve width is 21.5m, including: o 3.5m traffic lane on each side o 3m two-way cycle lane on one side o 1.8m footpath on each side o 2.8m carriageway berm each side o 1m boundary berm each side No parking provision is provided.
Local Roads	A total of 24 local roads are proposed.	• Design speed is 30km/h • Maximum gradient is 12.5%

		• Road reserve width is 16m, including: o 3m traffic lane on each side o 1.8m footpath on each side

7.5.3.1 Jointly Owned Access Lots (JOALs)

A number of JOALs are proposed throughout the site. A complete list of proposed JOALs is provided with the Commute ITA (**Appendix 24**). These will have varying formed and legal widths. These will be privately held by the residential lot owners and a Residential Society will be formed to ensure on-going maintenance requirements are met.

JOAL street lighting will likely be achieved through the use of solar lights and poles. As such, no connection to the electrical network is proposed. A Lighting Plan is proposed as a condition of consent.

7.5.3.2 Access and Parking

Access to each dwelling is provided directly to the road via vehicle crossings, combined vehicle crossings, or JOALs. Where possible, vehicle crossings have been combined to minimise crossing points and maximise crossing separation.

7.6 Infrastructure and Servicing

The proposed servicing of the site (stormwater, wastewater, supply and utilities) is detailed in the Water, Wastewater and Utilities Report attached as **Appendix 27** and the Stormwater Report attached as **Appendix 32**. A summary is provided as follows:

7.6.1 Stormwater

A new primary reticulated network of catchpits and pipes will manage flows up to the 10% AEP event, directing stormwater to treatment devices including gross pollutant traps and raingardens. A new secondary stormwater network is proposed within road carriageways to cater for 1% AEP events. These secondary flows will generally be contained within the road carriageway and will discharge stormwater from the 1% AEP event to adjacent streams, which will then eventually discharge under the northern motorway through a culvert, and out to the upper reaches of the Ōrewa Estuary.

The requirements for stormwater discharges under the Auckland Council Regionwide Stormwater Discharge Consent (NDC) will be achieved. A private discharge consent is required as FUZ land is not covered by the region-wide discharge consent. Water quality treatment and SMAF retention/detention for impervious area will be provided for roads, JOALs, and residential lots as outlined in the Stormwater Management Plan as **Appendix 34.**

7.6.2 Wastewater

7.6.2.1 Stage 1

As outlined in Section 7.3 of this AEE, Stage 1 of the development includes 485 dwellings as follows:

- 463 dwellings;
- An additional 12 dwellings if Council does not acquire the Stage 1 park; and

- An additional 10 dwellings if the water treatment plant and WWTP infrastructure is decommissioned.

The primary method for managing wastewater will be via a private WWTP and filling station, designed for up to 475 dwellings[7]. The WWTP is designed so that it could be scaled up for Stage 2 of the development (see Section 7.6.2.2 of this AEE).

Wastewater Treatment

Wastewater from dwellings will be collected via a low-pressure sewer network that will deliver wastewater to the WWTP. The low-pressure network is described in further detail in the Water and Wastewater Design Report by Apex (**Appendix 29**) and the Water, Wastewater and Utilities Report by McKenzie & Co (**Appendix 27**). Reticulation of the wastewater network would be via a private system within the public road reserve. This will require encroachment licenses, which the applicant will apply for once resource consent is granted.

The wastewater treatment and discharge process generally involves the following:

- Wastewater is collected to the WWTP, large solids are removed by screens, and then flows are evened out in a balance tank.
- The Membrane Aerated Biofilm Reactor – Membrane Bioreactor (MABR–MBR) system combines biological treatment with membrane filtration to remove organic matter, nutrients, suspended solids and pathogens, producing very high-quality treated wastewater within a compact footprint.
- Reverse Osmosis (RO) further polishes the MABR-MBR permeate by removing dissolved salts, nutrients and trace contaminants, producing an exceptionally high-quality permeate stream.
- The RO process results in two liquid streams, one of exceptionally high quality that can be discharged into even the most sensitive environments or re-used, and the other containing the rejected contaminants that cannot pass through the membrane (RO reject).

Wastewater Disposal

- The fully treated wastewater is stored in tanks before being discharged. This allows controlled release depending on environmental conditions.
- During all months other than summer (i.e. March to November), all treated wastewater can be discharged on-site via either:
    - A rock filled land infiltration trench, located directly adjacent to the WWTP; or
    - Irrigation fields distributed throughout the development site, where treated wastewater is applied via controlled surface drip irrigation to land for soil and plant uptake. These locations are depicted in **Figure 29,** and include the existing consent notice area to the east and other open space and proposed vegetated areas.
- During the summer months (ie. December to February), land disposal capacity is limited (due to the lower rainfall and lower flows within the watercourses), which means that excess treated wastewater must be removed from the site by tanker for off-site disposal. In this scenario, treated wastewater will be pumped from the WWTP to the wastewater filling station located

[7] This is because the remaining 10 dwellings would only be constructed once a connection is made to the public wastewater system.

off Russell Road (refer **Figure 30**). Confirmation from Whangarei District Council that they can accept the treated wastewater, and correspondence to date with ChemWaste on this matter, is included at **Appendix 30**.

The discharge pathways are demonstrated in **Figure 28**.

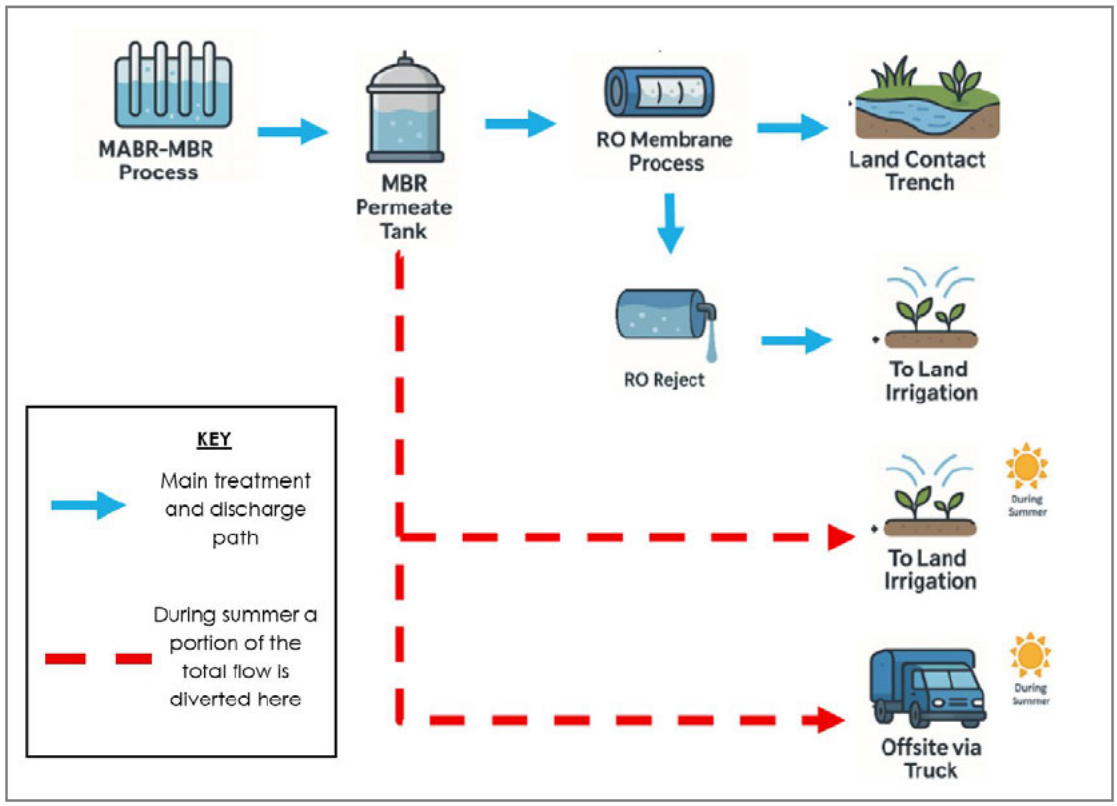

Figure 28: Proposed treatment and discharge pathway. Source: Apex

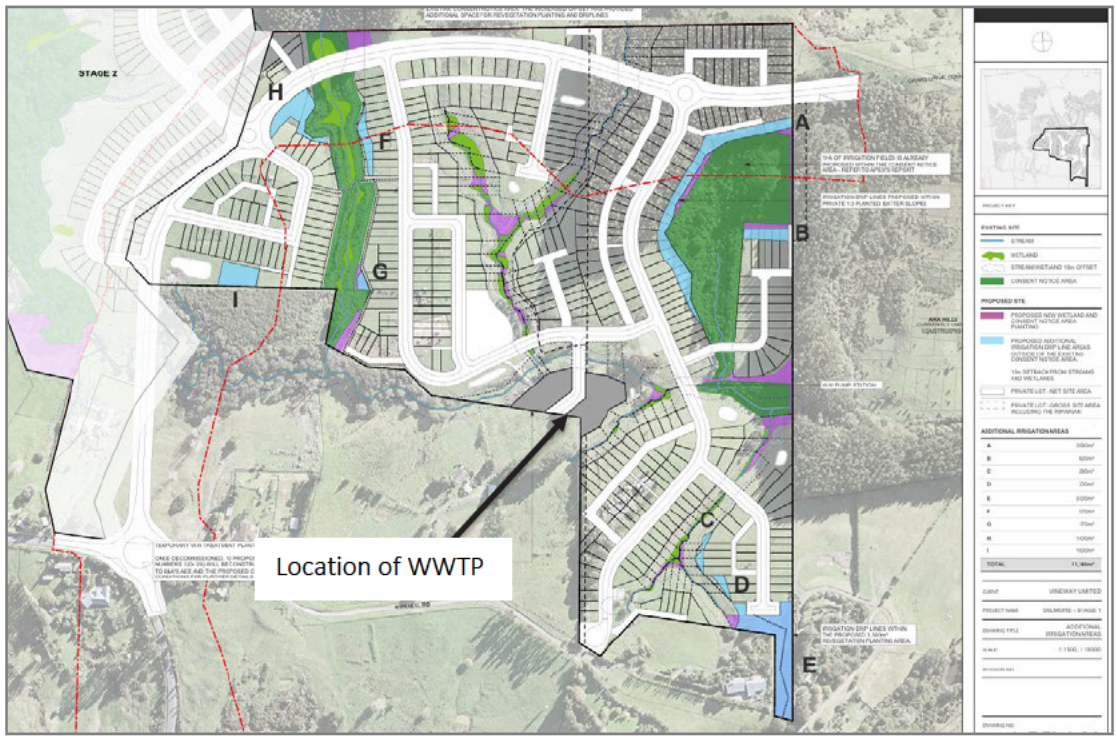

Figure 29: Location of irrigation fields in blue, as well as eastern consent area in green. Source Terra Studio

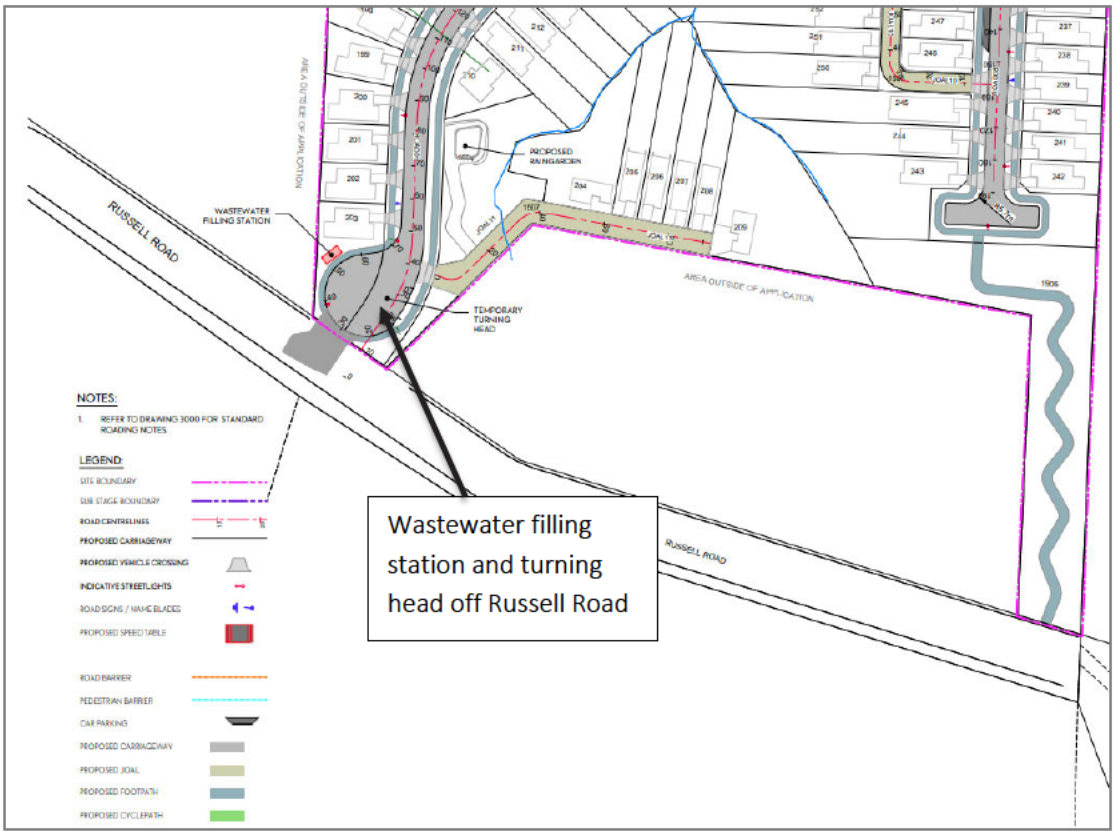

Figure 30: Location of wastewater filling station off Russell Road. Source: McKenzie & Co.

7.6.2.2 Stage 2

Stage 2 of the development includes 728 dwellings. The indicative timeline for the development is included **Appendix 46** which indicates that timing for the occupation of dwellings in Stage 2 would be around 2031.

It is proposed that wastewater for Stage 2 would be managed via the WWTP and the infrastructure at the WWTP is designed so that it could be scaled up to cater for the full development, including 1,213 dwellings. Treated wastewater cannot be discharged on-site in Stage 2 because of the nature of on-site waterways. Therefore, prior to occupation of dwellings within Stage 2, resource consent must be obtained for off-site discharge. This is considered an appropriate solution, considering that occupation of dwellings in Stage 2 would be at least 6 years away which will provide the applicant sufficient time to source and consent and off-site solution. A condition is proposed to address this, in accordance with Section 84A of the FTAA.

Reticulation of the wastewater network would be via a private system within the public road reserve. This will require encroachment licenses, which the applicant will apply for once resource consent is granted.

7.6.2.3 Connection to the public wastewater network

Public Wastewater Network

Based on the Water, Wastewater and Utilities Report (**Appendix 27**), the existing public wastewater network in the wider catchment is currently constrained by treatment capacity at the Army Bay Wastewater Treatment Plant (ABWWTP), rather than by the downstream reticulation network itself. Watercare has advised that the ABWWTP is nearing capacity, with sufficient

remaining capacity to accommodate only a limited number of additional dwellings, and the plant is forecast to reach full capacity by around 2027, given the number of developments already planned or consented.

While a Stage 1 upgrade to the ABWWTP is planned for completion around 2031, Watercare has indicated that the additional capacity created by this upgrade is intended to service growth within existing live zoned areas and Future Urban Areas identified in the Auckland Future Development Strategy, rather than this development. As a result, Watercare has advised that connection to the public wastewater network is not guaranteed and that holding resource consent does not secure capacity.

Accordingly, whilst the applicant proposes on-site wastewater treatment, flexibility is sought within this consent to enable connection to the public wastewater network if capacity becomes available in the future.

Temporary Removal of Untreated Wastewater

If, following the grant of this consent, Watercare advises that a connection to the public wastewater network is expected to become available within a short timeframe, the applicant may temporarily manage wastewater by trucking untreated wastewater off-site to an approved disposal facility. This approach recognises that it would not be commercially viable or practical to construct and commission the on-site WWTP to service only a small number of dwellings for a limited period, particularly where a permanent connection to the public network is expected shortly thereafter. Providing for this interim option ensures flexibility, avoids unnecessary infrastructure investment, and enables wastewater to be managed in an environmentally responsible manner until a public network connection is available.

Under this interim option, untreated wastewater would be conveyed via the low-pressure sewer network to the same location otherwise earmarked for the WWTP. Wastewater would be screened to remove solids and then stored in large, sealed tanks. Odour would be managed through enclosure of the screening and storage infrastructure and treatment of extracted air via an odour control system, with no biological treatment occurring on site during this period. Untreated wastewater would then be pumped to the wastewater filling station off Russell Road to be removed from site and transported to an appropriate facility for disposal. Confirmation from Whangarei District Council that they can accept the treated wastewater, and correspondence to date with ChemWaste on this matter, is included at Appendix 30.

A condition of consent is proposed which would require a Wastewater Tankering Management Plan under this scenario.

7.6.3 Water Supply

7.6.3.1 Groundwater Supply

A resource consent is expected to be granted in January[8] for a groundwater take and use for domestic supply for up to 1,217 dwellings.

The proposed drinking water treatment plant will be located at the site of the WWTP and will consist of either a cartridge filter and UV disinfection treatment process, or a multi-media filtration and UV disinfection treatment process. Based on the raw water quality information available,

[8] As of 18 December 2025, Auckland Council has advised that all further information requests have been resolved and draft conditions are imminent.

either of these processes will be able to produce potable water that conforms to the Drinking Water Standards for New Zealand. The final technology selection shall be carried out during the detailed design stages of the project, however the physical infrastructure presented within the Water and Wastewater Design Report by Apex (**Appendix 29**) will be sufficient to support any of the selected technologies.

The potable water treatment plant will be initially sized to accommodate Stage 1 of the development which encompasses up to 475 residential lots/dwellings. There will also be consideration during this design process to ensure the treatment infrastructure is modular and can be scaled to accommodate Stage 2 of the development. The groundwater take consent, once granted, will provide for enough water to service both stages of the development.

7.6.3.2 Connection to the public water supply network

Based on the Water, Wastewater and Utilities Report (**Appendix 27**), the existing public water supply network has sufficient technical capacity to service the proposed development at present, with Watercare confirming that there is enough water available in the Orewa 1 and Orewa 2 watermains to accommodate additional demand. The combined capacity of these mains is approximately 25 MLD, with peak demand currently around 17.3 MLD, leaving an estimated 7.7 MLD of available capacity, equivalent to about 7,777 potential connections before accounting for other committed growth.

However, while technical capacity exists, Watercare has advised that new connections are constrained by strategic planning and future infrastructure sequencing, rather than physical limitations of the network. As a result, Watercare's position is that connection of the development to the public water supply is not expected until the completion of major regional upgrades (North Harbour 2 and Orewa 3), currently targeted between 2034 and 2038, despite there being no immediate infrastructure-related barriers to supply.

Accordingly, whilst the applicant proposes on-site water supply and treatment, flexibility is sought within this consent to enable connection to the public water supply network if capacity becomes available in the future.

7.6.4 Utilities

Indicative positions for electricity and telecommunications utilities are shown on the Infrastructure Drawings in **Appendix 28**.

Regarding power, initial discussions have been held with Vector, who has stated that the site area currently has limited capacity, but that Vector is planning a new local substation to meet the supply requirement. This can be constructed at a time complementary to the proposal based on the number of lots planned. Piped medium pressure gas supply is present in Wainui Road and no upgrade work is required to supply the development.

Initial discussions have been held with Chorus & Tuatahi Fibre. Both providers have confirmed the fibre network has capacity and is able to be extended to provide connections for the development.

7.7 Landscaping and Open Space

A Landscape Plan and accompanying Memorandum has been provided by Greenwood Associates and is attached as **Appendix 11**. The Landscape Assessment Report (LAR) by Greenwood Associates in **Appendix 12** explains and illustrates the overall landscaping strategy for the project. The overall

design philosophy is to create a connected, green and engaging public domain that appropriately responds to the site and context.

With reference to the LAR, the key landscape design moves are as follows:

- Street trees are to be installed on all local roads, using a native planting strategy.
- Each residential lot will contain at least one tree.
- Open spaces are proposed in this project as below:
    - A 3,050m^2 Neighbourhood Park allotment within Stage 1 and a 3,200m^2 Neighbourhood Park allotment within Stage 2. These have been designed to meet Auckland Council's key parks metrics as far as practicable. This is further discussed within the architectural memo included as **Appendix 9.1** and depicted in **Figure 31** and **Figure 32** below. Vineway Limited is in on-going discussions with Auckland Council regarding the potential acquisition of these parks. In the event that Auckland Council chooses not to acquire the parks, the following is proposed:
        - For Stage 1: The park would be developed in accordance with the 'Alternative Design' as described in Section 7.3 above.
        - For Stage 2: The park would transfer to the Residential Society for management.
    - A total of 13 open space 'drainage reserve' areas which will be vested to Council;
    - Walking tracks and lookout points within proximity to the neighbouring Nukumea Scenic Reserve, which is proposed to be owned and managed by the Residential Society; and
    - Retention of existing consent notice areas and the SEA-T.

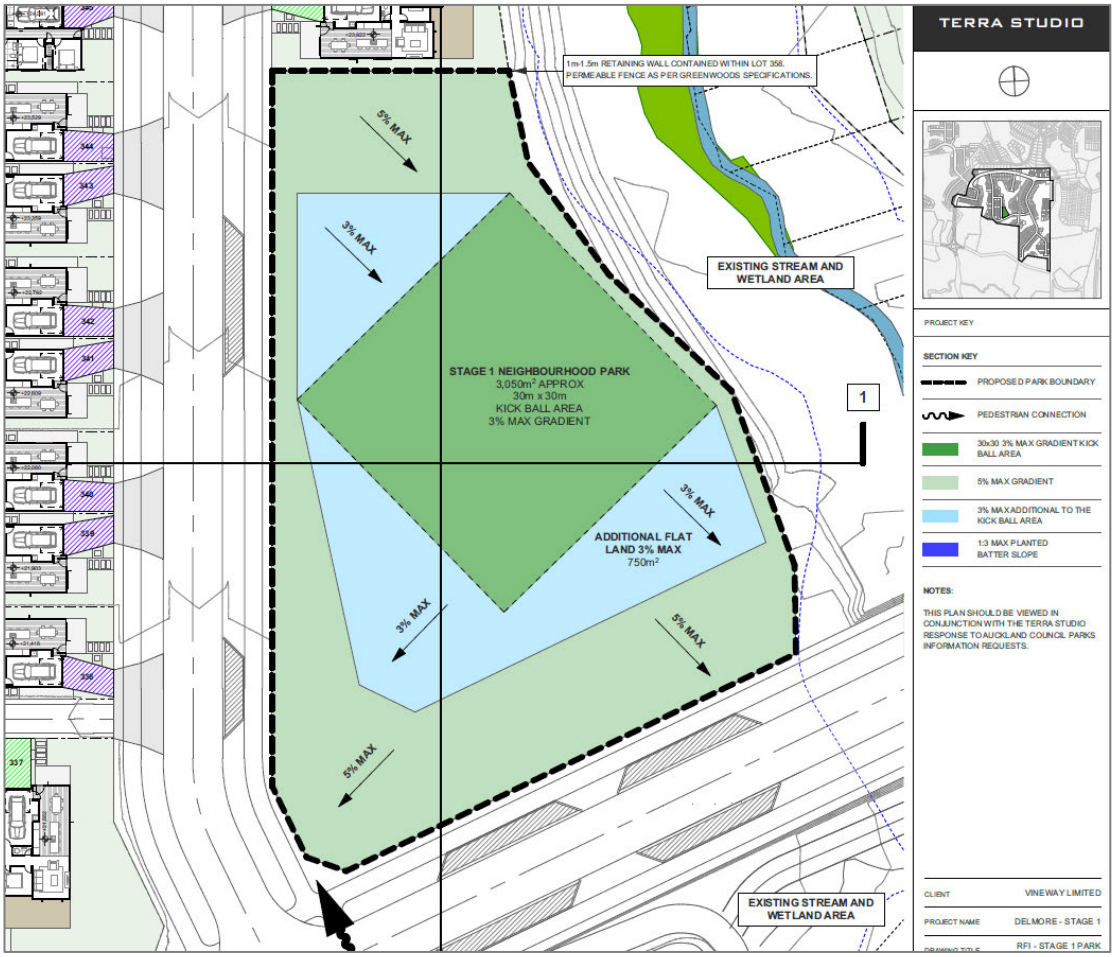

Figure 31: Stage 1 Neighbourhood Park. Source: Terra Studio

Figure 32: Stage 2 Neighbourhood Park: Source Terra Studio

7.7.1 Restoration and Enhancement Planting

Restoration and enhancement planting is proposed to provide a substantial post-development increase in indigenous vegetation cover. As outlined in the EIA, approximately 44 hectares of indigenous vegetation will be retained, restored, or newly established and legally protected through consent notices, including 31.8 hectares of indigenous revegetation planting. This can be seen in **Figure 33**. This planting offsets vegetation removal within riparian margins and consent notice areas and results in a net gain in indigenous biodiversity and ecological values across the site.

In addition, the proposal includes a wetland offset involving the creation of 3,258m² of new wetland habitat, which compensates for the reclamation of 1,085m² of existing wetland and results in a net gain of approximately 2,173m² of wetland area. The offset wetlands are located within the same catchment as the impacted wetlands and are designed to enhance wetland extent, function, and ecological value over time, as detailed in the EIA.

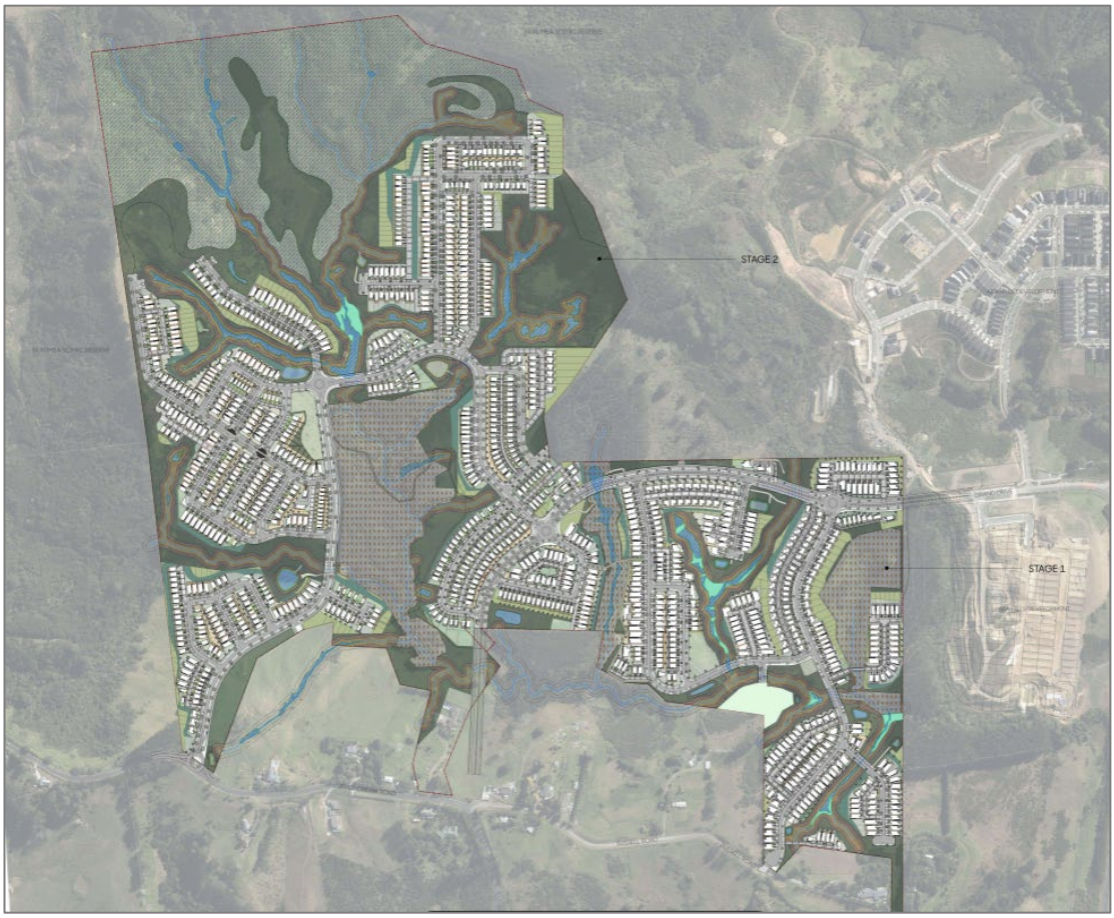

Figure 33: Proposed areas of re-vegetation. Source: Greenwood Associates.

7.8 Subdivision and Development Staging

This section of the application and the subdivision Scheme Plans prepared by McKenzie & Co enclosed as **Appendix 10** is provided in accordance with clause 8 of Schedule 5 of the Act in respect of the proposed subdivision within the project area.

Construction is proposed to be undertaken in two overarching stages, with multiple sub-stages within each stage. Flexibility is proposed within the consent conditions to amend the staging,

subject to all required infrastructure being in place (ie. roading, stormwater, wastewater, water supply, power and telecommunications).

The position of all new boundaries, areas of all new allotments and areas of land to be set aside for new roads are all illustrated on the subdivision scheme plans. With reference to the Scheme Plan, the proposed subdivision is detailed as follows:

- 1,201 residential lots, with the ability to revert to the Alternative Design, should Auckland Council Parks choose not to acquire the Stage 1 park. This would result in a total of 1,213 residential lots;
- 1 non-serviced residential super-lot;
- 1 commercial super-lot;
- 49 JOALs;
- 29 roads to vest;
- 13 drainage reserves;
- 2 allotments to be vested in Auckland Council as a neighbourhood park should an agreement be reached; and
- Areas of protected vegetation including Lots 1901, 1904, 1905, 1908, 1910 and 1920.

The proposal will see a Residential Society created for both Stage 1 and Stage 2 in order to manage the following:

- JOALs would be a sub-group within the Residential Society, whereby the lots that access and adjoin the relevant JOAL would manage and contribute to the funds for that JOAL;
- The WWTP would be owned by the consent holder, but leased to and managed by the Residential Society within Stage 1 and Stage 2 when the WWTP is scaled up;
- Water treatment plant and associated infrastructure;
- New Lots 1901, Lot 1904, 1905, 1908, 1910 and 1920 comprise the areas of new vegetation to be protected via a consent notice. These areas would be owned and maintained by the relevant Stage 1 or Stage 2 Residential Society;
- Residential lots that contain existing consent notice areas would remain in private ownership, however the overall maintenance of the protected vegetation would be a responsibility of the relevant Stage 1 or Stage 2 Residential Society. It is noted that the consent holder would have responsibility for the plant establishment for the first five years, at which point, the maintenance obligations would transfer to the Residential Society.

Within the southern portion of the Stage 2 area, a pocket of land subject to the NoR6 designation has been identified (shown as 2D on the Scheme Plan). The extent of earthworks required to develop the NoR6 road in this area is currently unquantified. As such, detailed design of this area is currently not possible, and so this pocket of land is proposed as a non-serviced residential super lot.

7.8.1 Staging

Subdivision and release of titles are proposed to be undertaken in two principal stages and six substages. The Stage 1 works will be primarily located at 53A, 53B and 55 Russell Road.

The Stage 2 works will be primarily located at 88, 130 and 132 Upper Ōrewa Road, with some proposed Stage 2 development occurring on the western part of 53B Russell Road.

The proposed subdivision and release of titles are intended to be staged, as shown on the Scheme Plans. Provided that appropriate legal access and infrastructure servicing is delivered for each stage, the individual substages are not proposed to be undertaken in any particular order. Appropriate conditioning to ensure the provision of relevant legal access and servicing is outlined in the Proposed Draft Conditions attached as **Appendix 44**.

7.8.2 Vesting Strategy

Several assets developed under this application are proposed to be vested. A summary is provided as follows:

- **Roading:** All public roads (not including JOALs) are proposed to be vested to Auckland Transport.
- **Drainage Reserves:** Where these contain a public raingarden, these are proposed to be vested with Healthy Waters.
- **Neighbourhood Parks (Lots 5020 and 1800):** These will be vested to Auckland Council Parks ('Parks'), subject to commercial terms being agreed.

It is noted that all streams within the site have a width of less than 3-metres and therefore no esplanade reserves are required to be vested under section 230 of the RMA. The stream survey certificate is included within **Appendix 17.**

7.8.3 Consent Notices

As noted in Section 6.1.2 above, the site is subject to several existing consent notices relating to the protection of native vegetation. Works to establish culverts which require vegetation removal are proposed within the extent of these covenanted areas, as identified within the yellow areas of **Figure 34** below, which is provided within the EIA as **Appendix 16.** Irrigation fields comprising surface irrigation lines discharging from the proposed WWTP are proposed to be installed and located within the Consent Notice area 6079871.2 (Lot 5001). No canopy or substantial vegetation removal is required for this.

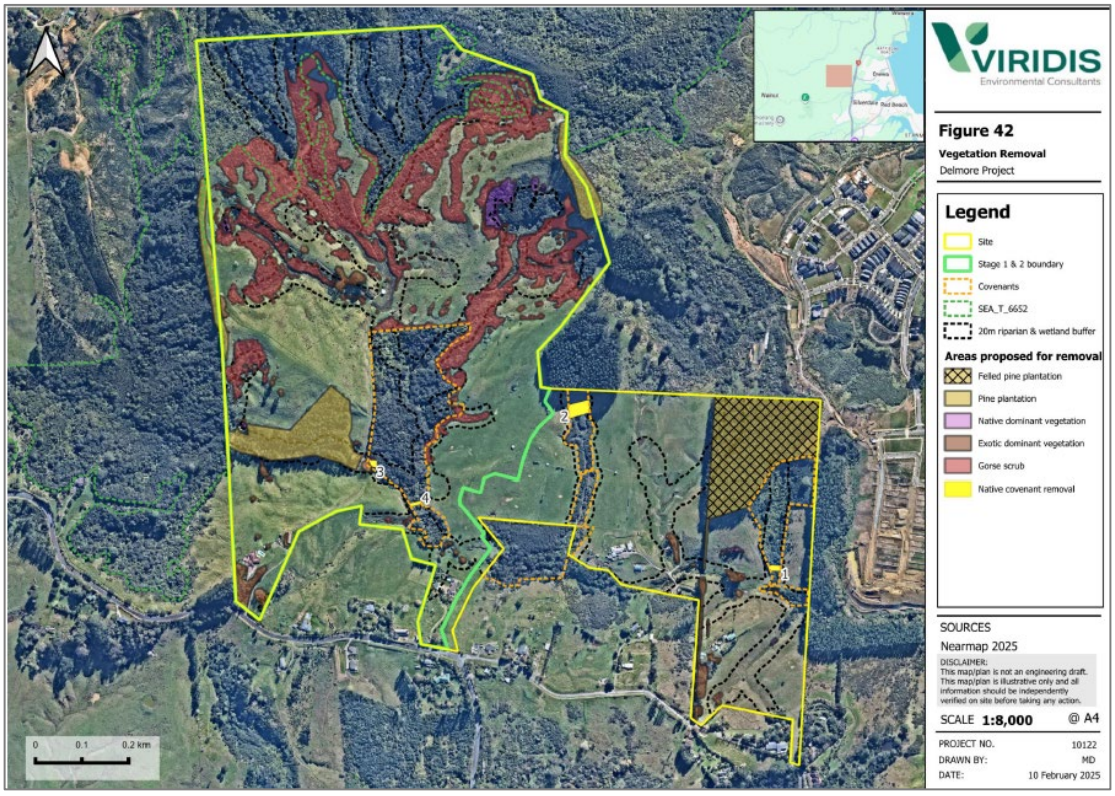

Figure 34: Consent notice areas. Source: Viridis EIA

Approval is sought under 42(4)(b) of the FTAA, which would otherwise be sought under section 221 of the RMA, to vary conditions of consent notices as follows.

- Consent Notice 10576706.2
    - The First Schedule of Consent Notice 10576706.2 states that the site owners shall not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the area to be protected.
    - It is proposed to vary this First Schedule to enable vegetation removal and earthworks within the specified extent of the covenanted area, as authorised by this consent.
    - The proposed amendments to the consent notice conditions to provide for the changes set out above are set out below (deletions shown as ~~strikethrough~~ and additions as **bold underlined**):
    - *"Pursuant to Section 221 of the Resource Management Act 1991 THE AUCKLAND COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 497022 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto **unless authorised by (BUNXXX)**."*
- Consent Notice 6079871.2
    - The First Schedule of Consent Notice 6079871.2 states that the existing native bush to be protected shall be protected in perpetuity, and that the owners shall not (without the

prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damaging or destruction of, any such natural landscape trees, vegetation or areas of bush.

- It is proposed to vary this First Schedule to enable vegetation removal, earthworks and a wastewater irrigation field within the specified extent of the covenanted area, as authorised by this consent. The proposed amendments to the consent notice conditions to provide for the changes set out above are set out below (deletions shown as ~~strikethrough~~ and additions as **bold underlined**):

  *"Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 336616 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto **unless authorised by (BUNXXX)**."*

- Consent Notice 7405348.2
  - The First Schedule of Consent Notice 7405348.2 states that existing native bush to be protected shall be protected in perpetuity, and shall not do anything that would prejudice the health of any such natural landscape trees, vegetation or areas of bush and riparian areas.
  - The First Schedule also states that any buildings erected on the building site on Lot 1 shall be subject to a specified Geotechnical Report. Further, the consent notice outlines that a maximum impermeable area of 455m^2 is not to be exceeded unless specific design for stormwater disposal is prepared, and that stormwater control is undertaken in accordance with a specified report.
  - It is proposed to vary this First Schedule to enable vegetation removal and earthworks within the specified extent of the covenanted area. It is proposed to alter the wording of the building restriction so that the specified Geotechnical Report is superseded by the Geotechnical Report provided by this application. Regarding the limit on impermeable area and stormwater control, it is proposed to alter the wording so that the stormwater disposal design is in accordance with GD01, and the Draft Stormwater Management Plan as authorised by this consent, as opposed to the stormwater guideline and report specified in the consent notice.
  - The proposed amendments to the consent notice conditions to provide for the changes set out above are set out below (deletions shown as ~~strikethrough~~ and additions as **bold underlined**):

    *"Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 267330 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto **unless authorised by (BUNXXX)**."*

7.9 Any Other Activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 and clause 2 of Schedule 8 of the FTAA. There are no other activities that are part of the proposal to which the consent application relates.

7.10 Other Approvals

In accordance with clause 5(1)(f) of Schedule 5 of the FTAA, the following approvals may be required, and will be sought separate to this FTAA application:

- Regulation 42 of the Freshwater Fisheries Regulations 1983;
- Road stopping is required under the Section 116 of the Public Works Act;
- Section 176 Approval is required for works within the NoR6 designation; and
- Encroachment licenses to authorise the installation of private water and wastewater infrastructure within the public road network.

A memorandum reviewing the legal interests for the site has been prepared by Alexander Dorrington as part of the schedule application, for completeness, this is included as **Appendix 4**.

7.11 Information Requirements

7.11.1 Schedule 5(5)(1), 5(8)(1) and 8(2)(1) of the Act

Clauses 5, 8 and 10 of Schedule 5 of the Act and Clause 2 of Schedule 8 of the Act sets out specific information to be submitted to the Panel. These requirements are addressed throughout the consent application and supporting technical documents. A checklist is attached as **Appendix 2** which sets out how and where this information has been provided.

7.11.2 Auckland Unitary Plan – Special Information Requirements

The following special information requirements relevant to the reasons for consent are required under the AUP(OP):

- E11.9(1), an erosion and sediment control plan must include the matters listed in clauses (a) to (g); and
- E36.9, a hazard risk assessment is required when subdivision, use or development requiring resource consent is proposed on land subject to natural hazards.

An erosion and sediment control plan is contained within **Appendix 36** and addresses all of the matters listed in clauses (a) to (g) as required by E11.9 of the AUP.

A E36.9 Hazard Risk Assessment is required because the proposal involves earthworks subject to the 1% AEP flood plain, overland flow paths, and land instability. A Hazard Risk Assessment has been prepared and is included as part of the Flood Assessment Report attached as **Appendix 35**. A Hazard Risk Assessment has also been provided as part of the Geotechnical Report attached as **Appendix 20** to assess potential land instability hazards.

7.12 Proposed Consent Conditions

This section of the application is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 and clause 5 of Schedule 8 of the Act. These clauses require that an application provide resource consent conditions. With specific reference to clause 18 of Schedule 5, conditions have been drafted with reference to Section 108, which relate to Part 6 and 10 of the RMA. The proposed conditions of consent relating to necessary mitigation and monitoring, as identified within the technical assessments, are appended to this AEE as **Appendix 44.**

In accordance with clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5;
- Provide for monitoring as required by Clause 6(1)(g) of Schedule 5; and
- Give effect to those matters that the Panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the Act and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the Fast-track Approvals Act 2024.

Conditions have been included in accordance with s84A of the FTAA requiring:

- Approvals enabling discharge of treated wastewater when on-site discharge opportunities are exhausted (treated wastewater from 475 homes can be discharged on-site) to be sought before homes in Stage 2 are occupied; and
- The connection between Grand Drive and the site's eastern boundary to be constructed before houses are occupied.

8.0 Approvals Required

8.1 Overview

This section of the application is provided in accordance with clauses 5(1)(h), 5(2) and 5(3)(a) of Schedule 5 of the Act, and clause 2(2) of Schedule 8.

The site is zoned FUZ under the AUP (OP), as illustrated in **Figure 17**. The site is subject to the following overlays/controls under the AUP (OP):

- Significant Ecological Area - Terrestrial (SEA-T);
- Macroinvertebrate Community Index – Native;
- Macroinvertebrate Community Index – Exotic; and
- Macroinvertebrate Community Index – Rural.

The site contains natural inland wetlands, overland flow paths, floodplains and two recorded archaeological sites.

The PSI for the site identified that the site does not contain activities on the HAIL register and is not considered to be a 'piece of land' under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

The site also contains 36 NPS-FM qualifying natural wetlands.

The proposal requires consent for the matters outlined below. A detailed rules assessment against the applicable provisions of the AUP (OP) and NES-F is attached as **Appendix 42**.

8.2 National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health 2011

The NES-CS is a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or the contaminants contained to make the land safe for human use.

Resource consent is not required under the provisions of the NES-CS as detailed in the PSI prepared by WWLA as **Appendix 19.**

8.3 National Environmental Standards for Freshwater 2020

The NES-F regulates activities that pose risks to the health of freshwater and freshwater ecosystems such as farming activities reclamation of streams and wetlands, and the passage of fish affected by structures.

Resource consent is required under the provisions of the NES-F as follows:

- The proposal involves vegetation clearance and land disturbance within, and within a 10m setback from a natural inland wetland, land disturbance outside a 10m but within a 100m setback, and diversion and discharge for the purpose of urban development. These are **restricted discretionary activities** under regulation 45C(1) to 45C(5).

- The proposal involves culverts which do not comply with the conditions in regulation 70(2). This is a **discretionary activity** under regulation 71(1).

8.4 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, including:

- National Environmental Standards for Air Quality;
- National Environmental Standards for Sources of Drinking Water;
- National Environmental Standards for Telecommunication Facilities;
- National Environmental Standards for Electricity Transmission Activities;
- National Environmental Standards for Plantation Forestry; and
- National Environmental Standards for Marine Aquaculture.

8.5 Auckland Unitary Plan – Operative in Part Version

Reasons for consent under the AUP (OP) in accordance with clause 5(1)(f) of Schedule 5 of the FTAA are as follows:

E3 Lakes, Rivers, Streams and Wetlands

- Any new structures and associated diversion of water not complying with the general permitted activity standard E3.6.1.14 is a **discretionary activity** pursuant to E3.4.1(A44) as follows:
    - E3.6.1.14 Standards for activities involving the disturbance and the associated sediment discharge:
        - Scour management works (riprap) will exceed 5m in length on one or both sides of proposed culverts 3, 4, 5, 6, 8, 9 and 11.
- All proposed culverts do not comply with Standard E3.6.1.14(1)(c) and are a discretionary activity under Rule E3.4.1(A44);
- The removal of constructed ponds is required under Rule E3.4.1 (A49) as a non-complying activity
- New reclamation of a natural inland wetland is a **non-complying activity** pursuant to E3.4.1(A49).

E6 Wastewater Network Management

- The discharge of treated wastewater into water from a wastewater treatment plant is a **discretionary activity** pursuant to E6.4.1(A6).

E7 Taking, Using, Damming and Diversion of Water and Drilling

- Temporary diversion of surface water for urban development purposes not otherwise listed is a **discretionary activity** pursuant to E7.4.1(A13).
- The diversion of groundwater caused by excavation that does not meet the permitted activity standards is a **restricted discretionary activity** pursuant to E7.4.1(A28).

E8 Stormwater Discharge and Diversion

- The proposal involves the discharge of stormwater runoff from impervious areas not otherwise provided for by Table E8.4.1. This is a **discretionary activity** pursuant to E8.4.1(A10); and
- The proposal involves the diversion and discharge of stormwater runoff from a new stormwater network. This is a **discretionary activity** pursuant to E8.4.1(A11).

E9 Stormwater Quality – High Contaminant Generating Carparks and Roads

- The proposal involves the construction of a new high use road greater than 5,000m² in area. This is a **controlled activity** pursuant to E9.4.1(A7).

E11 Land Disturbance - Regional

- The proposal involves approximately 39.9 hectares of earthworks where land has a slope less than 10 degrees outside the SCPA in the FUZ. This is a **restricted discretionary activity** under E11.4.1(A5).
- The proposal involves general earthworks of approximately 19.1 hectares, being greater than 2,500m^2, where land has a slope equal to or greater than ten degrees. This is a **restricted discretionary activity** pursuant to E11.4.1(A8).
- The proposal involves general earthworks of approximately 308,011m², being greater than 2,500m², within the SCPA in the FUZ. This is a **restricted discretionary activity** pursuant to E11.4.1(A9).

E12 Land Disturbance – District

- The proposal involves general earthworks of approximately 610,000m^2, being greater than 2,500m², in the FUZ. This is a **restricted discretionary activity** pursuant to E12.4.1(A6).
- The proposal involves general earthworks of approximately 2,226,000m³, being greater than 2,500m³, in the FUZ. This is a **restricted discretionary activity** pursuant to E12.4.1(A10).
- The proposal involves the following non-compliances with general standards which requires resource consent as a **restricted discretionary activity** pursuant to Rule C1.9(2) as follows:
    - Earthworks exceeding 5m^2 and 5m^3 are proposed within riparian yards where up to 5m^2 or 5m^3 is permitted under Standard E12.6.2(1); and
    - Approximately 64,554m^3 of fill is proposed within flood plains which will raise ground levels by more than 300mm where fill volume up to 10m^3 and ground level change of up to 300mm is permitted under E12.6.2(11).

E14 Air Quality

- Discharge of contaminants into air from treatment of municipal wastewater in the medium quality air – dust and odour rural area is a **discretionary activity** under E14.4.1(A163)

E15 Vegetation Management and Biodiversity

- The proposal involves the removal of vegetation within 20m of rural streams. This is a **restricted discretionary activity** pursuant to E15.4.1(A16).

- The proposal involves the removal of vegetation within 20m of a natural wetland and in the bed of a stream. This is a **restricted discretionary activity** pursuant to E15.4.1(A18).

E25 Noise and Vibration

- Construction works are anticipated to exceed the applicable maximum 75dB LAeq long-term construction noise limits under Standard E25.6.27 for a select number of properties. This is a **restricted discretionary activity** under E25.4.1(A2).

E26 Infrastructure

- Aboveground pipelines and attached ancillary structures for the conveyance of wastewater are a **restricted discretionary activity** pursuant to E26.2.3.1 (A50).
- Wastewater treatment plants are a **restricted discretionary activity** pursuant to E26.2.3.1(A54).
- Stormwater ponds and wetlands are a **controlled activity** pursuant to E26.2.3.1(A55).

E27 Transport

- Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access is a **restricted discretionary activity** under E27.4.1(A2):
    - E27.6.3.4 Reverse Manoeuvring: A total of 58 new vehicle crossings will reverse onto a road within a VAR;
    - E27.6.4.1 Vehicle Access Restrictions: A total of 58 proposed vehicle crossings will be located within 10m of an intersection; and
    - E27.6.4.2 Width and Number of Vehicle Crossings: The proposal does not comply with rural access width dimensions.
- E27.6.4.4 Gradient of vehicle access:
    - Some vehicle accessways in Stage 1 and Stage 2 do not comply with the 1 in 20 (5%) 4m platform where adjoining a road boundary, with a maximum platform gradient of 1:8 (12.5%) proposed.
- The proposal exceeds trip generation standards set out in Standard E27.6.1 and is a **restricted discretionary activity** pursuant to E27.4.1(A3).
- Construction of new vehicle crossings where a vehicle access restriction applies under Standard E27.6.4.1(3) is a **restricted discretionary activity** under E27.4.1(A5).

E31 Hazardous Substances

- Hazardous facilities that store or use hazardous substances above the specified thresholds for controlled activity and restricted discretionary activity status in the activity tables or are not otherwise provided for are a **discretionary activity** under E31.4.1(A7).

E36 Natural Hazards and Flooding

- Construction of stormwater management devices in the 1 per cent annual exceedance probability (AEP) floodplain is a **restricted discretionary activity** pursuant to E36.4.1(A33).

- The proposal involves piping an overland flow path. This is a **restricted discretionary activity** pursuant to E36.4.1(A41).
- The proposal involves the construction of infrastructure such as roads and infrastructure servicing on parts of the site which are located within the 1% AEP flood plain. This is a **restricted discretionary activity** pursuant to E36.4.1(A56).

E39 Subdivision – Rural

- The proposal involves the subdivision of land within the 1% AEP floodplain. This is a **restricted discretionary activity** pursuant to E39.4.1(A8).
- The proposal involves subdivision which does not meet the standards in E39.6.1. This is a **discretionary activity** pursuant to E39.4.1(A9).
- The proposal involves subdivision for open spaces, reserves and roads in the FUZ. This is a **discretionary activity** pursuant to E39.4.3(A28).
- The proposal involves subdivision in the FUZ not provided for in Tables E38.4.1 or E39.4.3. This is a **non-complying activity** pursuant to E39.4.3(A29).

E40 Temporary Activities

- The proposed construction activity associated with the proposed development will exceed 24 months. This is a **restricted discretionary activity** pursuant to E40.4.1(A24).

H18 Future Urban Zone

- As new buildings have the same activity status and standards as applies to the land use activity, new dwellings are a **non-complying activity** pursuant to H18.4.1(A2);
- Retaining walls greater than 1.5m in height or within 1.5m of a public place are considered 'buildings' and carry the same activity status as applies to the land use activity that the new buildings are accommodating. This is a **non-complying activity** under H18.4.1(A2);
- Dwellings that do not comply with Standard H18.6.8 are a **non-complying activity** pursuant to H18.4.1(A28); and
- The proposal involves use and development that does not meet the following core standard and is a **restricted discretionary activity** under Rule C1.9(2):
    - H18.6.3 Yards in respect of:
        - Front yards (arterial roads): All dwellings fronting an arterial road will have a minimum front yard setback of 3m where a 20m setback is required, which is a maximum encroachment depth of 17m;
        - Front yards (all other roads): All dwellings fronting a road will have a minimum front yard setback of 3m where a 10m setback is required, which is a maximum encroachment depth of 7m. The exception to this is where a dwelling has two road frontages, whereby the second frontage will have a minimum setback of 1m, which results in a maximum encroachment depth of 9m;
        - Rear yards: All dwellings will have a minimum rear yard of 1m, where a minimum 6m rear yard is proposed. This is a maximum encroachment depth of 5m;

- Side yards: Zero-lot dwellings will not provide a side yard setback where 6m is required, which is a maximum encroachment depth of 6m. All detached dwellings will provide a minimum of a 1m side yard setback where 6m is required, which is a maximum encroachment depth of 5m; and
- Riparian yards: A minimum 10m riparian yard setback is provided on each lot subject to a riparian yard, where a minimum 20m riparian yard setback is required. This is a maximum encroachment depth of 10m.

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E27 Transport

- The proposal exceeds trip generation standards set out in Standard E27.6.1 and is a **restricted discretionary activity** pursuant to E27.4.1(A3).
- E27.6.6 Design and location of pedestrian access in residential zones:
  - JOALs 5A, 9, 13, 30, 30A, 39 and 40 serve more than two dwellings, do not have frontage to a local road and only provide pedestrian pathways of 1.2m in width where a minimum width of 1.8m is required.
- Standard E27.6.3.2(A) Accessible Parking:
  - A total of 51 accessible parking spaces are required, where no formal spaces are provided.

E38 Subdivision – Urban

- Subdivision not meeting the standards in E38.8 Standards for subdivision in residential zones is a discretionary activity under Rule E38.4.2 (A30):
  - Non-compliance with E38.8.1.2.1 as follows:
    - Stage 1: JOALs 1, 2, 3, 4A, 4B, 5A, 5B, 6, 8, 9, 10, 11, 30, 40, 40A; and
    - Stage 2: JOALs 21, 22, 26, 27, 35, 36, 39.

8.6 Auckland Unitary Plan – Plan Change 120

E12 Land Disturbance – District

- Approximately 64,534m^3 of fill is proposed within flood plains. The Flooding Report confirms that the filling proposed will have no material impact on flood levels or conveyance of flood flows. This is a **restricted discretionary activity** pursuant to C1.9(2)

E36 Natural Hazards

- Construction of private roads, roads intended to be vested, and accessways in flood hazard areas are a **restricted discretionary activity** under E36.4.1A(A88);
- Onsite wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas are a **restricted discretionary activity** under E36.4.1A(A89);

- All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a **restricted discretionary activity** under E36.4.1A(A98);
- Any buildings or other structures located within an overland flow path with a catchment less than 4,000m2 is a restricted discretionary activity under E36.4.1A(A100);
- Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is a restricted discretionary activity under E36.4.1A(A102); and
- Construction of road infrastructure in flood areas not otherwise provided for is a restricted discretionary activity under E36.4.1A(A107).
- Storage of hazardous substances in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A108);
- On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields, accessways private roads and roads intended to be vested in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A112);
- New structures and buildings associated with activities potentially sensitive to natural hazards in medium (tolerable) and high (significant) landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A122);
- New structures and buildings associated with activities sensitive to natural hazards in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A124);
- All other buildings and structures, including retaining walls, in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A128); and
- Construction of new roads in landslide susceptibility assessment areas not otherwise provided for is a restricted discretionary activity under E36.4.1C(A133).

E39 Subdivision – Rural

- Subdivision within flood hazard areas and medium to high landslide susceptibility areas is a **restricted discretionary activity** E39.4.1(A8).

8.7 Change of Conditions to Consent Notices

Approval is sought under Section 42(4)(b) to change a resource consent condition that would otherwise be applied for under the RMA – specifically, to change the conditions of consent notices, which are part and parcel of the relevant conditions and ensure they are complied with on an on-going basis. The proposal involves changes to conditions of consent notices 10576706.2, 6079871.2 and 7405348.2. This is a **discretionary** activity resource consent pursuant to section 87B in accordance with section 221 of the RMA, which specifies that a change to or cancellation of consent notice shall be processed in accordance with sections 88 to 121 and 127 to 132 of the RMA.

8.8 Archaeological Authority to Modify

Clough and Associates consider that the site has the potential to contain unrecorded archaeological sites. An authority to undertake works that will or may modify or destroy the whole or any part of any archaeological site (whether or not a site is a recorded archaeological site) that would otherwise be sought under section 44(a) of the HNZPT Act is sought under section 43 of the FTAA. An archaeological authority to modify is not sought for the two recorded archaeological sites, (R10/776) and (R10/1573), which are located outside of the proposed works.

This proposal also includes an application for approval of any person nominated to undertake an activity under the authority ([redacted]) under Clause 7(2)(a) of Schedule 8 of the FTAA.

8.9 Activity Status

If this application were being considered under the RMA it would be for a **non-complying** activity. However, section 104D which applies to decisions on non-complying activities under the RMA does not apply under the FTAA (Sch5, cl17(1)(b)). As a result, the application is, practically speaking, considered as a **discretionary activity**.

9.0 Consultation Undertaken

This section of the application is provided in accordance with Section 11 and 29 of the FTAA. Under Section 29 of the FTAA, before lodging a substantive application for a Listed Project, the authorised person for the project must consult the persons and groups referred to in Section 11, and outline how the consultation informed the project.

> *Section 11: Before lodging a referral application, the applicant must consult:*
>
> *(a) the relevant local authorities; and*
>
> *(b) any relevant iwi authorities, hapū, and Treaty settlement entities, including—*
>
> *(i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and*
>
> *(ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaitai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996; and*
>
> *(c) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana Act) 2011; and*
>
> *(d) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou; and*
>
> *(e) the relevant administering agencies; and*
>
> *(f) if the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in the land that is to be exchanged by the Crown.*

A Consultation Overview Report has been prepared which sets out the consultation that has been undertaken (Appendix 7). The feedback received has informed the final the design of the development and in preparing conditions. The specific way in which feedback has been responded to and incorporated is recorded within the supporting technical documents. In many cases, the consultation is ongoing, so will continue to feed into the detailed design as the project proceeds towards physical delivery.

The applicant has had a number of pre-application meetings with Auckland Council and CCOs. Records and details of those meetings are outlined in the Consultation Overview Report.

The applicant has also engaged with the Ministry for the Environment and Heritage NZ as the relevant administering agencies. Correspondence with the Ministry for the Environment is addressed in the Consultation Overview Report and engagement with Heritage NZ is set out in the Archaeological Report in Appendix 23.

Engagement was also undertaken with all relevant iwi authorities and Treaty settlement entities with the details provided in Appendix 7.1.

With reference to the other Māori entities with which engagement is required if affected by a proposal, the following are not persons or groups likely to be affected by the Delmore development:

- Protected customary rights groups. This is because the site is not within the "common marine and coastal area" as defined in s 9 of the Marine and Coastal (Takutai Moana) Act 2011, and so does not and cannot have a protected customary rights group with protected customary rights over the site (as those terms are defined in s 9 of Marine and Coastal (Takutai Moana) Act 2011.
- Customary marine title groups. This is because the site is not within the "common marine and coastal area" as defined in s 9 of the Marine and Coastal (Takutai Moana) Act 2011, and so does not and cannot have a customary marine title group with customary marine title over the site (as those terms are defined in s 9 of Marine and Coastal (Takutai Moana) Act 2011.
- Applicant groups under the Marine and Coastal (Takutai Moana) Act 2011. This is because the site is not located in the "marine and coastal area" as defined in s 9 of that Act.
- Ngā hapū o Ngāti Porou. This is because the site is not within or adjacent to, and would have no effect on, ngā rohe moana o ngā hapū o Ngāti Porou.

Consultation undertaken in accordance with, and is considered meet the requirements of sections 11, 13, and 43, Schedule 5 clause 6, and Schedule 8 clause 2.

10.0 Statutory Requirements Relating to Iwi Authorities

Because of its length and detail, an analysis of the statutory requirements relating to iwi authorities and Māori interests is provided separately in **Appendix 8.** The three cultural impact assessments that have been prepared, and the applicants' responses to the recommendations in those assessments are in **Appendix 7.2.** The addendum prepared by Ngaati Whanaunga to its original cultural impact assessment is also provided in **Appendix 7.2.**[9]

11.0 Assessment of Effects

11.1 Framework

This section of the report is provided in accordance with clauses 6 and 7 of Schedule 5, and clause 2 of Schedule 8 of the Act.

These provisions require an assessment of the actual or potential effects on the environment. Clause 6 of Schedule 5 sets out information required to assess environmental effects. Clause 7 of Schedule 5 sets out the matters to be covered in the assessment of the environment effects. Clause 2 of Schedule 8 requires an assessment of the proposal on archaeological values of the site.

The existing environment, in particular the existing land uses and allotment areas of the site, as well as sites in the surrounding environment, are a relevant consideration to the proposal and are set out in Section 6.0. The activities which are permitted on the site under the AUP (OP) are identified in the Rules Assessment as **Appendix 42.**

An assessment of all actual and potential effects on people and the environment is set out below, as well as within the supporting specialist reports. It is considered that effects in relation to the following matters are relevant:

- Positive effects;
- Earthworks and construction activities;
- Archaeological values;
- Servicing and Infrastructure;
- Ecological effects;
- Urban form and neighbourhood character;
- Transportation and roading;
- Landscape and visual;
- Stormwater and flooding;
- Reverse sensitivity;
- Subdivision; and

[9] Ngāti Manhuiri advised it did not need to make changes to its original cultural impact assessment in light of the second application and Te Kawarau ā Māki has not replied to correspondence about the second application.

- Mitigation and monitoring.

These matters are set out and discussed below.

11.2 Positive Effects

It is considered that the proposal will result in positive effects including:

- The delivery of an infrastructure and development project with significant regional benefits, through funding and delivery of a significant portion of NoR6 which runs through the site and connects the Ōrewa SH1 interchange at Grand Drive with Wainui Road;
- A regionally significant increase in Auckland and the Hibiscus Coast's supply of housing, through construction of up to 1,213 proposed dwellings;
- As outlined in the Economic Assessment attached as **Appendix 15**, an increase in the supply of dwellings with that will lower the average price for stand-alone homes within the Auckland Region by 0.44% (equating to $911 million);
- More efficient cost recovery associated with development now, which provides a regionally significant economic benefit (**Appendix 15**);
- The net benefit to the Auckland region of the application over the period 2026 to 2050 is $1.22 billion considering direct and indirect economic impacts. With reference to Section 7 of the Economic Report (**Appendix 15**), New Zealand Institute of Economic Research (NZIER) consider that the application will generate considerable net benefit for not only Auckland but also for New Zealand;
- Ecological protection, restoration or enhancement through the retention, maintenance, planting, and pest plant management across an area of approximately 44ha of the site area. Additional wetland areas are also proposed, which represents a net gain in wetlands of 2,173m^2. The Viridis EIA explains how the proposal provides a regionally significant contribution to addressing the significant environmental issue of native biodiversity decline; and
- Ensuring that the final piece of the development puzzle on the western side of SH1 results in a well-functioning urban environment (refer to **Appendix 14**).

11.3 Earthworks and Construction Activities

11.3.1 Erosion and Sediment Control

Extensive earthworks and excavations are proposed across the site to recontour the land to the approved design levels, enabling the installation of roading and civil infrastructure and the formation of building platforms to support the staged residential development. The Earthworks Report prepared by McKenzie & Co (**Appendix 36**) confirms that the site is suitable for comprehensive development and that the proposed earthworks have been carefully designed to minimise disturbance while achieving a balanced cut-and-fill outcome across the two development stages.

To mitigate potential adverse effects associated with erosion and sediment generation during construction, a comprehensive suite of ESC measures will be implemented in accordance with Auckland Council's Guideline Document 2016/005 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05). These measures are detailed in the Earthworks

Report and the draft Erosion and Sediment Control Plan (ESCP) contained within the earthworks drawings (**Appendix 37**). Key ESC measures include the use of clean and dirty water diversion bunds to separate runoff, super silt fences, sediment retention ponds sized in accordance with GD05 requirements, stabilised construction entrances, and progressive soil stabilisation through topsoiling, grassing, mulching, and erosion control matting as works advance.

Earthworks will be staged across defined sub-catchments, each served by appropriately sized sediment retention ponds or super silt fences, ensuring that contributing catchment areas remain within GD05 thresholds. A maximum of 30ha of exposed earthworks will be permitted at any one time, and disturbed areas will be stabilised as soon as practicable following completion of each stage or sub-stage of works. Earthworks are generally restricted to the recognised earthworks season, with any winter works subject to separate Council approval and enhanced monitoring requirements.

The ESC framework is supported by an Adaptive Management Plan (AMP), proffered as a condition of consent, which enables ESC measures to be refined and adjusted in response to site conditions, weather patterns, and monitoring outcomes. Regular site inspections will be undertaken by the contractor and project consultants, ESC performance will be reviewed at weekly site meetings, and Auckland Council monitoring officers will carry out routine inspections to ensure controls remain effective and up to date with the construction programme.

Overall, the proposed earthworks methodology adopts a best-practice approach that prioritises minimising disturbance, staging construction to reduce exposed areas, and implementing robust ESCs throughout the construction period. On this basis, it is considered that any adverse effects associated with erosion, sediment runoff, and resulting water quality impacts will be less than minor and acceptable, subject to compliance with the certified ESCP, certified AMP and associated consent conditions.

11.3.2 Dust

Due to the nature and scale of the proposed development, there is the potential for the generation of dust during earthworks and construction activities.

Standard best-practice dust mitigation measures, including water suppression, vehicle speed controls, stabilisation of exposed surfaces, and wheel washing where required, will be implemented through a Construction Air Quality Management Plan (CAQMP) to minimise dust emissions. This is proposed as a condition of consent. With these measures in place, and given the temporary nature of construction activities, any dust effects are expected to be minor and managed to an acceptable level.

It is considered that the implementation of these methods under the CAQMP will ensure that the emission of dust to air does not cause adverse effects beyond the site.

11.3.3 Stability

The Geotechnical Report prepared by Riley Consultants (**Appendix 20**), together with the supplementary geotechnical memorandum (**Appendix 20.1**), provides a detailed assessment of subsurface conditions across the site and evaluates the potential geotechnical effects of the proposed development. The investigations confirm that parts of the site are subject to moderate to high geotechnical constraints, primarily due to steep terrain, historic instability features, and

areas of elevated groundwater. Without appropriate mitigation, these conditions have the potential to give rise to slope instability risks.

To address these constraints, Riley has developed a comprehensive suite of stability enhancement measures, including subsoil drainage beneath all engineered fill, shear keys, counterfort drains, palisade and cantilever retaining walls, buttress fills, and mechanically stabilised earth (MSE) fills. All slopes steeper than 1V:3H are to be reinforced with geogrid, and retaining structures are proposed to support perimeter cut batters and building platforms. These measures are designed to ensure that the required factors of safety are achieved for both short-term construction and long-term operational conditions.

The proposed stability measures have also been refined to incorporate the findings of Morphum Environmental's Geomorphic Risk Assessment (Appendix 21), which identified the potential for long-term channel incision and widening along certain stream reaches. In response, a minimum 10m riparian setback has been adopted across the site, with an increased 15m setback for Reach 2, which the geomorphic assessment considers generally appropriate to manage erosion and instability risk. Where necessary, slope profiles and stability measures have been adjusted to maintain these setbacks while still achieving acceptable geotechnical performance.

To ensure that the stability enhancement measures are implemented in accordance with the geotechnical recommendations, a condition of consent is proposed requiring that all earthworks, retaining structures, reinforced slopes and subsoil drainage works are supervised by a Suitably Qualified and Experienced Professional (SQEP). The SQEP must certify that the works are carried out in accordance with the approved Geotechnical Report and supplementary memo, relevant engineering standards, and the detailed plans approved under the consent. A Geotechnical Completion Report (GCR) is also proposed as a condition of consent to confirm that the works have been completed as designed and that residential lots are stable and suitable for development, with any ongoing geotechnical requirements recorded by way of consent notices.

In addition, a landslide hazard risk assessment has been undertaken by Riley to address the requirements of Plan Change 120 (PC120). This assessment concludes that, with the proposed stability enhancement measures in place, the residual landslide risk across the site is assessed as low and acceptable, consistent with PC120 criteria.

On the basis of the detailed geotechnical investigations, the refined design response, and the proposed conditions of consent, it is considered that potential land instability effects will be appropriately avoided, remedied or mitigated. The development will provide stable and safe building platforms, dwellings, and supporting infrastructure, and any residual geotechnical effects will be less than minor and acceptable.

11.3.4 Groundwater Diversion

Groundwater diversion and dewatering will be required locally during earthworks and construction activities to enable the safe excavation of building platforms, installation of infrastructure, and construction of stability enhancement measures. The Geotechnical Report prepared by Riley Consultants identifies areas of elevated groundwater and seepage, particularly within colluvial soils and along slope toes and stream margins, which, if unmanaged, could adversely affect slope stability and construction safety.

To manage these conditions, a combination of temporary and permanent groundwater control measures is proposed. Temporary measures may include construction dewatering, surface water

interception, and localised sump pumping during excavation. Permanent measures include the installation of subsoil drainage systems beneath engineered fill, counterfort drains, and drainage associated with retaining structures, which are designed to intercept and safely convey groundwater away from slopes and building platforms. These systems form an integral part of the overall stability enhancement strategy and are intended to reduce pore water pressures and improve long-term slope performance.

Groundwater diversion activities will be undertaken in accordance with a certified construction methodology and under the supervision of a SQEP, as required by the proposed consent conditions. Discharges from dewatering activities will be managed in conjunction with the erosion and sediment control framework, including sediment retention and treatment measures, to ensure that downstream water quality effects are appropriately mitigated.

The proposed groundwater diversion is localised, temporary in nature (where associated with construction), and designed to maintain natural groundwater flow paths as far as practicable once permanent works are completed. With the implementation of the proposed design measures, monitoring, and consent conditions, the Geotechnical Report concludes that groundwater diversion will not result in adverse effects on slope stability, neighbouring properties, or the receiving environment.

11.3.5 Construction Noise

An assessment of the construction noise effects of the proposal has been undertaken by SLR in its Noise Assessment attached as Appendix 38.

Construction activity will occur over an extended period and will involve bulk earthworks, associated civil works and localised activities such as dewatering. Construction noise has been assessed against the long-term limits in Standard E25.6.27 of the AUP(OP). The noise modelling confirms that permitted noise limits can be met at the majority of the neighbouring receivers for most of the construction period; however, exceedances are predicted at five properties during specific sub-stages located immediately adjacent to those receivers (when un-mitigated). These exceedances range from 1–10dB and occur only during earthworks in close proximity to the affected boundaries. The specific properties include:

- 19A Kowhai Road: 6dB exceedance during Stage 1A-4 earthworks only;
- 19B Kowhai Road: 5dB exceedance during Stage 1A-4 earthworks only;
- 59 Russell Road: 10dB exceedance during Stage 1A-4 earthworks only;
- 85 Upper Ōrewa Road: 1dB exceedance during Stage 2D earthworks only; and
- 90 Upper Ōrewa Road: 5dB exceedance during Stage 2D earthworks only.

Noise mitigation in the form of temporary acoustic barriers is recommended for these locations. An effective barrier (minimum 1.8m high and 7kg/m² surface mass) is predicted to significantly reduce effects and enable compliance at all but one property. A minor residual exceedance of 1–3dB may remain at 59 Russell Road, but this exceedance would be limited to a period of less than a week and only during the phase where machinery works are very close to that boundary.

With mitigation in place, external construction noise levels at all other dwellings would comply with the AUP(OP) limits. Internal noise levels inside affected dwellings, including at 59 Russell Road, are expected to remain generally below 50 dB LAeq, enabling normal domestic activities to

continue uninterrupted other than a temporary need to raise the volume of televisions or conversations during the closest works.

A Construction Noise and Vibration Management Plan (CNVMP) is proposed as a condition of consent to ensure best practicable options are adopted throughout the works and to formalise communication procedures with affected neighbours.

Overall, the assessment confirms that, with appropriate management and mitigation, the actual and potential noise effects generated during construction of the development can be appropriately mitigated, and that resulting effects will be less than minor.

11.3.6 Construction Vibration

An assessment of the construction vibration effects of the proposal has been undertaken by SLR in its Noise Assessment attached as Appendix 38.

Construction vibration has been assessed against the human amenity and building damage thresholds of Standard E25.6.30. The assessment identifies that vibration levels from piling activities will comply with relevant limits at all receivers, given the substantial separation distances (e.g., 130m to the nearest dwelling at 35 Russell Road).

For rock breaking, vibration levels of 2–3 mm/s may occur within ten metres of adjacent buildings. Compliance with AUP amenity limits would be maintained where rock breaking durations within this distance are limited to no more than three days. Should closer works be required, vibration monitoring and/or selection of less intensive plant is recommended and this would be confirmed as part of the CNVMP.

For vibratory compaction, vibration levels near the garage at 90 Upper Ōrewa Road could exceed cosmetic damage thresholds if undertaken immediately adjacent to the boundary. The assessment recommends either the use of static compaction methods or targeted vibration monitoring to manage these effects and ensure compliance and this would be confirmed as part of the CNVMP.

Overall, the assessment confirms that, with appropriate management and mitigation, the actual and potential vibration effects generated during construction of the development can be appropriately mitigated, and that resulting effects will be less than minor.

11.3.7 Groundwater Diversion

Groundwater diversion and dewatering will be required locally during earthworks and construction activities to enable the safe excavation of building platforms, installation of infrastructure, and construction of stability enhancement measures. The Geotechnical Report prepared by Riley Consultants identifies areas of elevated groundwater and seepage, particularly within colluvial soils and along slope toes and stream margins, which, if unmanaged, could adversely affect slope stability and construction safety.

To manage these conditions, a combination of temporary and permanent groundwater control measures is proposed. Temporary measures may include construction dewatering, surface water interception, and localised sump pumping during excavation. Permanent measures include the installation of subsoil drainage systems beneath engineered fill, counterfort drains, and drainage associated with retaining structures, which are designed to intercept and safely convey groundwater away from slopes and building platforms. These systems form an integral part of the overall stability enhancement strategy and are intended to reduce pore water pressures and improve long-term slope performance.

Groundwater diversion activities will be undertaken in accordance with a certified construction methodology and under the supervision of a SQEP, as required by the proposed consent conditions. Discharges from dewatering activities will be managed in conjunction with the erosion and sediment control framework, including sediment retention and treatment measures, to ensure that downstream water quality effects are appropriately mitigated.

The proposed groundwater diversion is localised, temporary in nature (where associated with construction), and designed to maintain natural groundwater flow paths as far as practicable once permanent works are completed. With the implementation of the proposed design measures, monitoring, and consent conditions, the Geotechnical Report concludes that groundwater diversion will not result in adverse effects on slope stability, neighbouring properties, or the receiving environment.

11.3.8 Construction Traffic

Construction traffic effects have been assessed within Section 14 of the Integrated Transportation Assessment (ITA) provided by Commute as **Appendix 24**. Construction vehicles are expected to access the site using both the Grand Drive, Upper Ōrewa Road, and Russell Road access. In this regard all three roads have appropriate width to safely and efficiently accommodate heavy vehicles associated with construction of residential dwellings.

This ITA concludes that the construction activities associated with the development will be temporary in nature, consistent with construction activities anticipated by the AUP and can be accommodated by the existing roading network. It is proposed that a Construction Traffic Management Plan (CTMP) is prepared and submitted to Auckland Council to be certified prior to works commencing on the site. It is considered that the mitigation provided within the CTMP will adequately manage the traffic effects associated with construction activities.

11.3.9 Summary

On the basis of the above, and subject to all required management plans being prepared and implemented, it is considered that any adverse effects associated with earthworks and construction will be less than minor and appropriate. Furthermore, there are no significant geotechnical constraints that would preclude the type of development proposed.

11.4 Archaeological Values

In accordance with clause 2(1)(h)-(i) of Schedule 8 of the Act, an assessment of the effect of the proposal on the archaeological, Māori and other related values has been undertaken by Clough & Associates and its Archaeological Assessment is attached as **Appendix 23.** Consultation with tangata whenua and any other person likely to be affected is also addressed in that report, and detailed responses to archaeology related recommendations in the CIAs that have been received are shown in **Appendix 7.2.**

As discussed within Section 6.1.8, there are two recorded archaeological sites present within the subject site, one which was identified as a result of site assessments undertake for this project.

As the Archaeological Assessment identifies there may be further archaeological sites present within the site, so an authority to modify or destroy is sought under the FTAA for the proposed works.

The Archaeological Assessment notes the following with regard to any unrecorded sites that may be encountered during site works:

> *"Based on the findings of this assessment complex archaeological sites are not expected to be encountered during the works and the recorded sites have been evaluated as having overall limited archaeological values with some moderate value with respect to information provided from obtaining radiocarbon dates for the sites. Any additional sites encountered during the works are expected to have similar values and the effects if any sites cannot be avoided are expected to be minor."*

The Archaeological Assessment identifies specific areas within the site where a discovery is more likely and works within these areas will be undertaken with archaeological oversight. Similarly, works within a specified distance of the identified sites will be undertaken with archaeological oversight. Specified culvert works will be undertaken with archaeologic supervision. In accordance with the recommendations set out in the Archaeological Assessment, any additional archaeological remains encountered will be avoided where practical, and where this is not possible, will be recorded and sampled.

The iwi who prepared CIA's will be notified if any Māori archaeological discoveries are made. Those iwi will also be invited to provide cultural monitoring during specific stages of construction.

Overall, relying on the advice of Clough & Associates, it is considered that any potential adverse effects on unrecorded archaeological sites will be no more than minor.

11.5 Servicing and Infrastructure

Details of the proposed infrastructure services such as stormwater, wastewater, water supply and utilities, are outlined in Section 6.1.9 above and are further detailed in McKenzie & Co's Reports and Drawings. These reports confirm that the development is able to be adequately serviced in terms of wastewater, water supply, stormwater and utilities.

11.5.1 Water Supply

As outlined in Section 7.6.3, a resource consent is expected to be granted in January 2026 for a groundwater take and use for domestic supply for up to 1,217 dwellings (consent reference: WAT60456696). The effects of the groundwater take have been considered separately within that consent process.

With regard to the proposed water treatment infrastructure, the Water and Wastewater Design Report by Apex (**Appendix 29**) confirms that suitable provision can be made to accommodate Stage 1 of the development, with the ability to expand the infrastructure for Stage 2.

McKenzie & Co's Water, Wastewater and Utilities Report (**Appendix 27**) confirms that the proposed development can be provided with adequate water supply via a private reticulation network, or alternatively can connect to the public water supply network if Watercare determine that a connection is available.

Overall, the proposed development can be adequately serviced with water supply.

11.5.2 Stormwater and Flooding

11.5.2.3 Stormwater Design

The stormwater management approach and design for the site is detailed in the Stormwater Management Plan ('SMP') and Stormwater Report by McKenzie & Co as **Appendix 34** and **Appendix 32**. The SMP by McKenzie & Co provides a detailed assessment of the anticipated effects on the environment from the proposed stormwater discharge.

The SMP outlines the proposed stormwater management requirements and proposed BPO to achieve the requirements. In accordance with the BPO framework, the following mitigation is to be provided as necessary:

- Within roads and JOALs:
    - Catchpits with sumps;
    - Pipes for conveyance of the 10% AEP event;
    - Communal raingardens; and
    - Conveyance of overland flow paths within road reserves.
- Within residential lots:
    - Rainwater tanks;
    - On-site GD01 compliant raingardens;
    - T-bar discharge to streams where practical (preferred), or pipes for 10% conveyance to public system where not possible; and
    - Floodplain to be avoided, freeboard to be maintained above 1% AEP levels.

In summary, public roads and JOALs will connect and discharge runoff via trunk mains to GD01-designed bio-retention devices (raingardens). These raingardens will provide for capacity in the 10% AEP event, and will provide water quality mitigation, retention and detention requirements suitable for the development proposal. Runoff will then be discharged from the raingardens via outlet to the stream within the site. Velocity reduction measures will be employed to prevent scouring and erosion. With regard to residential lots, these will have on-lot rain tanks which will attenuate to 10% AEP. Each lot will be provided with a T-bar discharge, to discharge directly to streams. Where this is not possible, lots will discharge to the public pipe network, which will have capacity for the 10% AEP event.

11.5.2.4 Hydrological Mitigation and Treatment

The proposed hydrological mitigation seeks to mitigate the effects of development through the use of detention and retention devices. The stormwater system will be designed in accordance with Stormwater Management Flow (SMAF 1) requirements of the AUP in terms of GD01 and providing hydrological mitigation for all impervious surfaces. Stormwater retention and detention will be provided for via on site in tanks and bioretention devices, including raingardens. Through the use of such devices, an equivalent hydrology to pre-development (5mm retention, 95th percentile detention) is provided for as part of the proposal stormwater network.

Regarding stormwater quality treatment, a water sensitive design philosophy in accordance with GD01 (treatment for all impervious areas) is proposed for the project. The details of this approach

are set out in Table 4 of the SMP. In summary, communal and private rain gardens are proposed for treatment where stormwater is discharged to the stream network within the site. In addition to the above, all catch pits will have sumps to capture gross pollutants and particular matter.

The stormwater approach for the site utilises the existing landform and stream network as far as practicable, by mimicking the existing catchments, and providing communal devices in the low points of the catchments. Where lots are directly adjacent to streams, treated stormwater will discharge to the stream, in order to maintain stream flows and minimise flows entering the public system where possible. Considering this approach, it is considered that the proposal can protect and enhance the receiving environment, and provide for a stormwater system that will adequately service the site.

11.5.2.5 Flood Management

A Flood Hazard Assessment has been undertaken by McKenzie & Co within its Flood Assessment Report attached as Appendix 35. The Flood Hazard Assessment assesses the flood hazards and effects on the 2, 5, 10, 20, 50 and 100-year ARI flood levels from the development of the overall site.

The proposal has been modelled using HEC-HMS to understand the overall flood hazard effect of the development. The flood analysis shows that the proposed flood flows through the site are managed safely, with dwellings providing a minimum floor level above the 1% AEP flood level.

In terms of flooding within the site, this is found to be contained within the existing streams and channels. No buildings, parking, egress routes or roading will be located within any flood extent. Overland flow paths will be channelled within the road network and will avoid habitable areas, with all dwellings provided with 500mm freeboard above all flood conveyance levels.

In terms of off-site flooding effects, there are no major increases in flood risk to dwellings, infrastructure or property as a result of the proposed development. Post-lodgement flood modelling has been undertaken which identifies an increase in flood depth of 200mm at 19A Kowhai Road and 239 Grand Drive in the 10% and 50% AEP events, and 290mm in the 1% AEP event. Flood depth at 6 Skulander Crescent will increase by 10-20mm in smaller flood events and will decrease by 10mm during the 1% AEP event. Flood depth at 88 Russell Road (within the subject site will increase up to 290mm during the 10% AEP event. Flood depth at 180 Upper Orewa Road will increase by 30mm in the 1% AEP event.

At all of the abovementioned locations, increased flooding will be located within the existing channel profile and is considered to be well contained, with no spilling anticipated by McKenzie & Co. As such, no effects on people, property or infrastructure are anticipated by this flood depth increase. Therefore, the increases are considered by McKenzie & Co to result in less than minor risk to the neighbouring properties, and no mitigation is considered to be necessary.

It is also noted that in some areas, the proposed stormwater management has resulted in a decrease in flood depth. In particular, the depth of floodwater at the Ara Hills pumpstation will decrease by 290mm post-Delmore development. The development will adhere to the flood management and mitigation recommendations as set out in the McKenzie & Co reports to ensure that potential flood hazard effects are appropriately managed.

In terms of overland flow paths, the Flood Assessment Report confirm that the capacity of these will be maintained.

11.5.2.6 Stormwater and Flooding Summary

The Flood Assessment Report (and appended Flood Hazard Assessment) concludes that flood risk associated with the proposed development will be less than minor. The SMP considers the design of the proposal has applied the Best Practicable Option (BPO), and the Stormwater Report notes that the development has incorporated the required integrated stormwater management. Taking the conclusions in the Flood Assessment Report into account, it is considered that any stormwater will be able to be managed effectively, efficiently and safely and any environmental effects will be no more than minor.

11.5.3 Wastewater

11.5.3.1 Wastewater Treatment and Discharge

As detailed within Section 7.6.2 above, the proposal is to construct a WWTP on site to manage wastewater from the development.

The operation of the WWTP has the potential to create adverse effects relating to wastewater discharge, air quality, storage of hazardous substances, noise and vibration, and traffic. These are assessed below.

Water Quality

The proposal includes the treatment of wastewater on site to a very high standard before it is discharged to land through irrigation areas and an infiltration trench. The WWTP uses advanced treatment processes to remove nutrients, solids, and pathogens, resulting in treated water that is significantly cleaner than typical wastewater discharges.

Most of the treated wastewater will be applied to land through irrigation, where it will be absorbed by soils and vegetation. This water is not expected to enter streams and therefore will not affect surface water quality. A smaller portion of treated wastewater will be discharged to an infiltration trench, where it will soak through the ground before slowly entering a small nearby stream. This provides additional natural treatment as the water moves through soil.

A Water Discharge Assessment has been prepared by Viridis and is attached as Appendix 31. The assessment has modelled the effects of this discharge under a range of conditions, including dry summer flows, average conditions, and wet weather. The modelling shows that, under the most sensitive scenario (low stream flows in summer), there may be a small increase in nutrient levels in the stream immediately downstream of the infiltration trench. These increases remain below national guideline levels for freshwater quality and are not expected to cause noticeable changes to aquatic life or stream health. Under average and wet weather conditions, the discharge is predicted to have little to no effect on water quality.

The assessment also considered potential downstream effects, including effects on the Ōrewa River and estuary. The contribution of nutrients from the treated wastewater is very small compared to existing catchment sources and is not expected to result in measurable changes to downstream water quality or ecological values.

Overall, the wastewater assessment concludes that the effects of the treated discharge on water quality will be localised, small in scale, and acceptable, particularly given the high level of treatment and the land-based disposal approach. Any remaining uncertainty will be managed through

proposed consent conditions requiring water quality monitoring, so that corrective action can be taken if unexpected effects are identified.

Air Quality

Air Matters Limited (Air Matters) has prepared an Air Discharge Assessment attached as **Appendix 39**. Air Matters conclude that the WWTP will be designed to mitigate potential odour effects, and is considered to meet the best practical option for eliminating and minimising odour. A 'Frequency, Intensity, Duration, Offensiveness and Location' ('FIDOL') assessment found that based on the modern plant design and odour mitigations employed, the generation of odour from the WWTP beyond the site boundary is not anticipated to occur. Whilst during abnormal conditions, the WWTP can generate elevated acute odour, potential effects on amenity values on the surrounding land use are considered by Air Matters to be acceptable and will remain less than minor for the duration of the consent. A set of proposed consent conditions, including the preparation of an Odour Management Plan, have been included to ensure any adverse effects can continue to be managed to an acceptable level.

With regard to operational dust effects, the proposal includes management measures to address dust generation from the additional trucks travelling along Russell Road to service the wastewater filling station. These measures are proposed as a condition of consent.

Based on the above, it is considered that any adverse odour and dust effects can be appropriately mitigated on the site through the design and management of the WWTP and truck filling station.

Storage of Hazardous Substances

A Hazardous Substances Assessment has been prepared by Williamson Water & Land Advisory (see **Appendix 40**) which provides an assessment of effects on people, property and the environment arising from the use hazardous substances within the proposed WWTP. This assessment notes that it is very unlikely that hazardous substances will be released from the site, and since the consequence of a release is low to moderate, the operation of the WWTP presents a low risk overall.

The Assessment concludes that the implementation of the proposed conditions of consent will ensure that the design and management of the proposed WWTP with regard to hazardous substances will avoid or adequately mitigate any adverse effects, including risks to people, property and the environment.

Operational Noise and Vibration

Operational noise associated with the proposed WWTP has been assessed against both the current Future Urban zoning and the more stringent Residential – Mixed Housing Suburban zone provisions. The assessment confirms that the WWTP, as designed, is expected to comply with the most stringent AUP(OP) limits, including 40dB LAeq at or within the boundary of the nearest proposed residential lots. At 35A Russell Road (existing property on adjacent site), compliance at the legal boundary may require either orienting building openings away from the boundary or installation of an acoustic screen during detailed design; however, compliance at the notional boundary is presently achieved. Future upgrades to the plant can also be designed to maintain compliance. A condition of consent is proposed to ensure the WWTP is designed, constructed and operated so that noise from all associated plant and equipment complies with the relevant noise limits of the AUP(OP).

Noise associated with the WWTP wastewater removal has also been assessed. At external receivers, noise from the truck filling station is predicted to comply with both day and night limits. For proposed internal lots located near the filling point, daytime compliance is achieved; however, night-time exceedance at the northern lot is predicted. Therefore, a 3m high acoustic barrier is proposed along the southern boundary of Lot 203, which would reduce noise levels to 41 dB LAeq(15 min), meeting night-time limits. A condition is proposed as part of the land use consent.

The WWTP will operate continuously but is located in a stand-alone building with significant separation from the nearest residential boundaries. Vibration from WWTP machinery is expected to comply comfortably with AUP(OP) limits without the need for specific mitigation.

Traffic

An ITA has been prepared by Commute and is attached as **Appendix 24**. Removing excess treated wastewater (during peak summer times) will require around 5 trucks (or 10 truck movements) per day. Removing untreated wastewater from the site would generally require 9 trucks (or 18 truck movements) per day. The ITA confirms that this level of increase is considered negligible and will not alter the performance of the roading network in any noticeable way. Smaller trucks will be required to access the WWTP (for chemical delivery and sludge removal), however this is only required approximately once per week which is considered negligible.

The ITA notes that further assessment will be required at detailed design stage to ensure that Russell Road is capable of accommodating truck and trailer units. Should localised road widening be identified at that stage, these upgrades would be undertaken by Vineway Limited. A condition of consent is proposed to reflect this. The ITA confirms that an increase in traffic to the site as a result of removing Delmore's wastewater will require road widening for Russell Road.

Infrastructure

McKenzie & Co's Water, Wastewater and Utilities Report (**Appendix 27**) confirms that the proposed development can be provided with adequate water supply via a private reticulation network, or alternatively can connect to the public water supply network if Watercare determine that a connection is available.

11.5.3.2 Untreated Wastewater Removal

As outlined in Section 7.6.2 of the AEE, untreated wastewater may be disposed of off-site if a connection to the public wastewater network is expected to become available within a short timeframe. The various technical reports confirm that sufficient infrastructure can be provided for this scenario, including wastewater holding tanks and a wastewater filling station off Russell Road. A Wastewater Tankering Management Plan is proposed to manage any potential adverse effects.

11.5.4 Utilities

As detailed within the Water, Wastewater and Utilities Report**,** the proposed development is able to be adequately serviced in regard to electricity and telecommunications.

11.5.5 Summary

In summary, based on the recommendations and conclusions set out within the various reports summarised above, it is considered that the proposed development can be adequately serviced.

11.6 Ecological Effects

An EIA has been prepared by Viridis (**Appendix 16**) which considers in detail the impacts of the development on ecological values. An Arboricultural Assessment outlining and assessing the proposed vegetation removal has also been prepared by Peers Brown Miller and is attached as **Appendix 18.**

11.6.1 Terrestrial Ecological Values

11.6.1.3 Effects on Terrestrial Flora

Vegetation removal and revegetation areas

The EIA identifies that the site contains a range of indigenous vegetation types, including areas of indigenous forest and shrubland protected by existing consent notices, riparian vegetation, and more modified pasture and regenerating areas. The proposed development layout has been designed to avoid direct intrusion into the highest-value indigenous vegetation, with building platforms, roads, and infrastructure set back from existing vegetated areas wherever practicable.

Development setbacks have been incorporated between residential areas and existing indigenous vegetation, particularly within consent notice areas and riparian margins. These setbacks provide a buffer to reduce edge effects such as changes in light and wind exposure, weed invasion, and disturbance from adjacent residential activity. In many locations, these setback areas will also be planted with indigenous vegetation, further strengthening ecological buffers and improving connectivity between retained vegetation areas. A memo has been provided by Terra Studio and included at **Appendix 9.1** which demonstrates setbacks from the large consent notice area in Stage 2.

The EIA identifies that approximately 2.38ha of indigenous vegetation will be removed and these effects will be offset through a comprehensive restoration and enhancement programme. Approximately 44 hectares of indigenous vegetation will be retained, restored, or newly established and legally protected following development, including approximately 31.8 hectares of indigenous revegetation planting. The ecological effects of vegetation clearance will therefore be transitional and will be progressively remedied as new planting establishes and matures.

The delivery of these ecological outcomes is secured through proposed consent conditions requiring a certified Implementation and Maintenance Plan and a Monitoring and Reporting programme. These conditions clearly assign responsibility for planting establishment, define measurable success criteria (including survival rates and canopy development), and require ongoing monitoring and remedial action where required. The conditions require a minimum five-year establishment period by the consent holder, after which ongoing maintenance and pest plant and animal control responsibilities transfer to the Residential Society. The Residential Society will receive the requisite funds via levies from individual homeowners, and these funds will be sufficient to carry out all the required works on an ongoing basis. This provides confidence that the proposed ecological mitigation and enhancement measures will be successfully implemented and will deliver the anticipated ecological outcomes.

Wastewater irrigation within the consent notice area

The proposal includes the installation of wastewater irrigation lines within designated irrigation areas to enable land-based disposal and beneficial reuse of treated effluent. Council concerns regarding potential effects on existing indigenous vegetation, particularly within or adjacent to

consent notice areas, are acknowledged. The applicant has explored alternative locations for irrigation infrastructure where there is no existing vegetation. Additional irrigation areas have been proposed in these areas where practical, however, due to site constraints and servicing requirements, some irrigation areas are still proposed within the eastern consent notice area. The assessment below therefore focuses on the potential effects of both the installation and operation of the irrigation system on existing vegetation within this consent notice area.

The installation of wastewater irrigation infrastructure will involve shallow trenching or surface placement of drip irrigation lines, with disturbance largely confined to the immediate footprint of the irrigation network. Installation methods will be carefully controlled to minimise root disturbance, soil compaction, and vegetation clearance. Construction-related effects on vegetation are expected to be localised and short-term, primarily associated with temporary disturbance to groundcover during installation. These effects will be mitigated through reinstatement of soils and vegetation following installation, use of low-impact construction techniques, and supervision where works occur adjacent to retained indigenous vegetation. No significant canopy vegetation removal is required to accommodate the irrigation infrastructure.

Operational effects associated with irrigation have also been assessed. The EIA confirms that irrigation application rates, timing, and distribution will be managed to ensure that soil moisture thresholds are not exceeded, thereby avoiding waterlogging, changes to soil structure, or indirect stress on adjacent indigenous vegetation. The irrigation regime is designed to complement restoration planting outcomes rather than alter existing indigenous vegetation communities.

Overall, the effects of wastewater irrigation line installation on existing vegetation are assessed as localised, temporary, and less than minor, with operational effects similarly assessed as low, given the avoidance of high-value vegetation, controlled application rates, and robust monitoring and management provisions.

Conclusion

Overall, taking into account the avoidance of high-value vegetation, development setbacks, restoration planting, legal protection mechanisms, and the proposed implementation and monitoring framework, the effects on terrestrial flora are assessed as less than minor, with long-term outcomes resulting in a net gain in indigenous vegetation extent and quality.

11.6.1.4 Effects on Fauna

The EIA identifies that the site provides potential habitat for a range of terrestrial fauna, including common native bird species, wetland-associated birds, indigenous lizards, and long-tailed bat habitat. Fauna effects are primarily associated with vegetation clearance, habitat fragmentation, construction disturbance, and changes to habitat availability during development.

These effects will be mitigated through a combination of avoidance, active management, and habitat enhancement. A Fauna Management Plan (FMP) is proposed as a condition of consent and will include species-specific measures for native birds, native wetland birds, lizards, and bats. This will include pre-clearance inspections, timing restrictions to avoid breeding seasons where practicable, and protocols for fauna salvage, relocation, and exclusion where required.

It is noted that some ecological surveys are still being finalised, as survey timing for certain species is constrained by seasonal requirements (for example, bat activity surveys and lizard surveys). These surveys are being undertaken at the appropriate times of year and will be completed prior

to the commencement of any works that could affect these species. The outcomes of these surveys will inform the final FMP and any additional mitigation or management measures required.

While there will be some short-term disturbance to fauna during construction, the EIA concludes that the extensive revegetation and riparian planting proposed across the site will significantly enhance habitat availability, connectivity, and ecological function in the medium to long term. Improved vegetation cover and corridor planting will facilitate fauna movement, reduce fragmentation, and increase resilience of terrestrial habitats.

With the implementation of the FMP, adherence to seasonal restrictions, and delivery of the restoration planting programme, the effects on terrestrial fauna are assessed as temporary and less than minor, with long-term outcomes expected to be neutral to positive.

11.6.2 Freshwater Ecological Values

11.6.2.5 Effects on Streams

The site contains a network of permanent and intermittent streams that drain to the wider Ōrewa River catchment. The EIA identifies that many of these streams are already modified by historical land use, including degraded riparian margins, stock access, channel incision, and the presence of undersized or perched farm culverts that restrict fish passage and disrupt natural stream and geomorphic processes.

During construction, temporary effects on streams may arise from earthworks, surface water diversion, and culvert installation, including short-term bed disturbance and an increased risk of sediment runoff. These effects will be managed through certified ESC measures, clean water diversion bunds, and construction methodologies that isolate active channels, maintain downstream flows, and reinstate streambeds following works. To further manage these construction effects, conditions of consent are proposed requiring the preparation and implementation of a Streamworks Management Plan and a Native Fish Relocation Plan, which will set out detailed methodologies for in-stream works, flow management, and the salvage and relocation of native fish prior to disturbance of stream habitats. With these controls in place, construction-related effects on stream ecological values are expected to be temporary, localised, and low in magnitude.

The proposal includes the removal of 17 existing farm culverts and their replacement with 12 new culverts to accommodate road crossings and access. While culvert installation represents a permanent modification of stream morphology at discrete locations, the proposed culverts have been specifically designed to improve ecological and geomorphic outcomes relative to the existing situation. Culverts are short in length, appropriately sized relative to stream width, and embedded to maintain natural streambed continuity and enable fish passage under normal flow conditions.

Riparian setbacks of 10m – 15m provide space for channel adjustment, reduce erosion risk, and support riparian shading, organic matter inputs, and long-term stream stability. Extensive riparian planting is proposed across the site and will progressively enhance stream habitat quality, reduce sediment and nutrient inputs, and improve ecological connectivity. Overall, while some permanent modification will occur at culvert locations, the EIA concludes that effects on streams will be low, with long-term outcomes expected to be neutral to positive due to improved culvert design and riparian restoration.

11.6.2.6 Effects on Wetlands

The EIA identifies a number of wetlands across the site, some of which will be partially reclaimed to enable development. This represents a permanent loss of wetland area at specific locations.

Construction effects on wetlands, including temporary hydrological disturbance, vegetation loss, and sediment risk, will be managed through exclusion fencing, staging of works, erosion and sediment controls, and careful management of surface and groundwater during earthworks. These measures are intended to avoid accidental encroachment into wetlands and to maintain downstream water quality during construction.

Council concerns regarding the potential effects of culverts on existing wetlands have been specifically assessed through the Geomorphic Risk Assessment (Appendix 21) and a supplementary geomorphic response (Appendix 21.1). That assessment identifies that wetlands are sensitive to changes in channel grade and flow energy, particularly where hydraulic controls currently support wetland ponding and low-energy conditions. In response, culverts located within or downstream of wetland systems have been designed to be embedded, aligned with existing channel grades, and sized to maintain pre-development flow velocities or achieve reduced post-development velocities. The geomorphic advice confirms that the proposed culvert designs do not introduce additional drivers for wetland channelisation, incision, or scour beyond existing conditions and, in some cases, improve on the existing farm culvert arrangements. As a result, adverse effects on wetland stability arising from culvert installation are not anticipated.

Permanent wetland loss is addressed through a wetland offset package, which includes the creation of 3,258m² of new wetland habitat, resulting in a net gain of approximately 2,173m² of wetland area overall. The proposed offset locations have been assessed as suitable based on their topographic setting, groundwater and surface water inputs, and ability to sustain wetland hydrology over the long term without reliance on artificial water sources. The offset wetlands are located within the same catchment as the affected wetlands and are designed to replicate natural hydrological regimes and vegetation communities.

The establishment and long-term performance of the offset wetlands will be secured through a certified Wetland Offset Plan, including five years of monitoring and maintenance, performance criteria, and remedial actions where required. This provides confidence that wetland ecological values will not only be replaced but enhanced over time.

11.6.2.7 Conclusion

Overall, the proposal will result in some permanent modification of freshwater features, including culvert installation at stream crossings and partial reclamation of wetlands. However, these effects have been carefully assessed and mitigated through design, construction methodology, and long-term management measures.

Construction-related effects on freshwater environments will be temporary and localised, while permanent effects are offset by the removal of substandard existing culverts, improved culvert design, extensive riparian restoration, and the creation of new wetland habitat. The combined effect of these measures is expected to improve hydrological function, ecological connectivity, and habitat quality across the freshwater network.

Taking into account the scale of mitigation and offsetting proposed, the robustness of the geomorphic and hydrological design, and the monitoring and adaptive management framework

secured through consent conditions, the residual effects on freshwater ecological values are assessed as acceptable, with net ecological benefits anticipated in the long term.

11.7 Urban Form and Neighbourhood Character

An Urban Design Assessment has been prepared by [redacted] of Barker & Associates and is attached as **Appendix 13**. This report sets out the design response and assessment against key urban design principles. An Upper Orewa Concept Structure Plan is attached as **Appendix 14**.

A summary of the key findings is provided as follows:

11.7.1 Design and Layout

The layout proposed is the logical response to the site based on its size, shape, and identified constraints. Key influences which have informed the development of the street network and overall block structure are the presence of several streams, natural wetlands, SEA and bush areas protected by consent notices, as well as the NoR6 road.

The proposed layout responds to the site's specific context, providing for integrated watercourses, ecological consent notice and riparian areas, stormwater ponds and open spaces. This will provide for an integrated and cohesive public and private realm that is considered to enhance amenity, outlook, and the overall spatial quality of the site.

The blocks themselves have largely adopted consistent depths and regular shapes to provide an efficient and connected network of streets. Deeper blocks and lots have been used strategically to aid in the transition of heights across the site by facilitating the use of revegetated batter slopes as opposed to very tall retaining

Dwelling typologies have been selected strategically in relation to the features of the site. For example, in areas with less level terrain and more topographical constraints, split-level typologies have been selected. This provides for a contextually responsive dwelling design and layout.

For the reasons above, it is considered that the proposed development pattern is contextually responsive and provides for an appropriate and logical layout.

11.7.2 Built Form and Appearance

The overall built form appearance for the site is considered to be generally consistent with the anticipated outcomes of the Residential – Mixed Housing Suburban Zone. The development area will be characterised by one to two storey dwellings, predominately standalone buildings, and appropriate setbacks from site boundaries with landscaped gardens. The proposed residential blocks are considered to be consistent with similar block patterns of developments within the surrounding area. The proposed apportionment of dwelling typologies throughout the development area will provide for a varied streetscape character and appearance.

The appearance of proposed roads and JOALs has been considered within the Urban Design Assessment. The proposed street tree strategy has been thoughtfully designed and is contextually responsive. The selection and location of species is considered to improve visual legibility, with strategically positioned trees defining key movement corridors and offering shade, enclosure and wayfinding cues. A diverse mix of species provides for a dynamic and evolving canopy over time. Where possible, vehicle crossings have been combined, allowing for a greater number of street

trees and maximising green infrastructure benefits, including shade provision, urban heat mitigation, and improved air quality.

The on-lot landscaping strategy integrates a diverse mix of specimen trees, hedging, and groundcover, enhancing the relationship between built-form, private outdoor spaces, and the streetscape. A good level of front yard landscaping is proposed, providing a soft green edge to dwellings, and creating a visually balanced development.

In terms of materiality, a diverse mix of materials, such as timber vertical weatherboards, grooved sheet products, brick, aluminium joinery, combined with varied roof profiles and architectural features, adds visual interest and amenity when viewed from the public realm. These design elements collectively contribute to a positive built form. Multiple typologies are distributed throughout the development so as to provide for variation in built form, and also provide for a diverse range of housing outcomes that cater to a broad demographic.

11.7.3 Residential Amenity and CPTED

A good level of streetscape safety and amenity is achieved throughout the development through the proposed landscaping and fencing response. The Urban Design Assessment considers that typologies have been designed to establish a strong active frontage to the public/common realm, incorporating sufficient glazing on facades to ensure a high level of passive surveillance over streets and JOALs, in accordance with CPTED principles. All dwellings are provided with a dedicated pedestrian access and front door to the street. This provides for wayfinding and is considered to activate the streetscape, contributing to a safer and more engaging public environment. To support safe sightlines and meet CPTED, front yard landscaping will include low-level fencing and soft landscaping such as hedges and low-level amenity planting.

The on-lot planting strategy prioritises rear yard privacy, outlook, and amenity, incorporating a mix of specimen trees, native planting and structured hedging in a contextually sensitive manner. Canopy cover is provided by specimen trees, and mass native planting is provided in lots with steeper gradients, reducing maintenance demands for residents.

With regard to recreational amenity and open space areas, the proposal delivers a high level of visual and recreational amenity for residents, balancing open spaces for community use with more enclosed, immersive bush settings. Where retaining walls are located adjacent to street frontages or public spaces, heights have been kept to a minimum to mitigate potential visual effects. Retaining walls will be constructed from keystone or masonry materials, ensuring a cohesive and visually integrated public realm interface.

The Urban Design Assessment notes that where primary outdoor living spaces are oriented in a southerly direction, front yard patios are provided as an alternative outdoor living option accessible from the living room, ensuring reasonable sunlight access.

For the reasons outlined within the Urban Design Assessment, it is considered that the proposal will provide for a quality urban environment, with a good level of amenity and positive urban design outcomes.

Indicative retaining wall cross-sections and visual renders have been provided by Terra Studio Architecture (refer to the Retaining Wall Memorandum provided as Appendix 9.1). Retaining walls and retaining wall heights have been minimised where possible. Minimisation measures include stepping, planting, battering, or changing landscape fence heights where combination walls are

proposed. It is therefore considered that the conclusion reached above; that the proposal will provide for a quality urban environment, with a good level of amenity and positive urban design outcomes; remains applicable.

11.8 Transportation and Roading

11.8.1 Traffic Generation and Access to the Site

Grand Drive Interchange

An ITA has been prepared by Commute for the proposal and is included in **Appendix 24.** Traffic generation for the proposal has been assessed using conservative industry-standard rates, resulting in an estimated 813 peak-hour trips, and approximately 8,125 daily trips for the full development.

As outlined in Section 7.5.1 of this AEE, the primary access to the site is via Grand Drive, connecting to State Highway 1 at the Grand Drive Interchange. The ITA has modelled the operational performance of the Grand Drive Interchange under existing conditions, with the inclusion of the full Delmore development, and in combination with traffic generated by the adjacent Ara Hills development. Whilst Ara Hills currently has consent for 575 dwellings, PC119 seeks to increase this to 900 dwellings. The ITA has therefore adopted a conservative assessment scenario, assuming full development of Ara Hills at 900 dwellings when assessing cumulative effects on the interchange.

The modelling demonstrates that traffic effects are primarily concentrated in the AM peak period, when commuter travel demand is highest. Under this scenario, increased delays and queue lengths are predicted on some approaches to the interchange, particularly on the eastern roundabout approach during the AM peak. While overall intersection performance remains acceptable in most scenarios, the modelling indicates that localised congestion effects begin to emerge as traffic from the Delmore development is combined with Ara Hills traffic.

The ITA concludes that the Grand Drive Interchange can accommodate traffic generated by approximately 1,325 dwellings across both the Delmore and Ara Hills developments before more noticeable peak-period effects occur. This threshold represents the point at which modelling predicts declining levels of service on some interchange approaches during the AM peak, signalling the need for additional network mitigation.

Accordingly, the ITA identifies that once development approaches this threshold, a secondary access is required to redistribute traffic demand and reduce reliance on the Grand Drive Interchange. This mitigation is proposed to be achieved through the opening of an alternative access to Upper Ōrewa Road (via Road 17 in Stage 2), as described below.

Upper Orewa Road

The ITA proposes that a new roundabout is constructed at the intersection of Road 17 and Upper Orewa Road once the threshold is reached as outlined above. The ITA anticipates that traffic will naturally redistribute between the Grand Drive and Upper Ōrewa Road routes based on travel time and congestion, thereby improving network resilience and reducing localised queuing effects at the interchange.

The ITA also identifies a range of associated mitigation works required to support the safe and efficient use of Upper Ōrewa Road. This includes the following:

- Upgrades to Upper Orewa Road and Wainui Road to provide minimum 1m sealed shoulders on both sides of the road;
- Upgrades to the Upper Orewa Road and Wainui Road intersection to provide a right turn bay on Wainui Road and a left turn lane on Upper Orewa Road; and
- Construction of a temporary off-road footpath along Upper Orewa Road and Russell Road to connect the western edge of the development with the eastern edge of the development.

These works will be delivered in advance of the secondary access opening and are secured through proposed consent conditions. Alongside this, it is proposed to monitor the Grand Drive Interchange once 1,425 dwellings have been constructed to confirm that levels of service remain acceptable and to identify whether any additional mitigation is required should peak-period congestion exceed the modelled performance thresholds. These upgrade works would be determined through consultation with NZTA.

Conclusion

Overall, the ITA demonstrates that while the proposed development will generate additional traffic and give rise to some localised peak-period congestion effects at the Grand Drive Interchange, these effects are capable of being appropriately managed. On this basis, and subject to the proposed consent conditions, the transport effects of the proposal are considered to be acceptable and no more than minor in the context of the existing and planned road network.

11.8.2 Internal Roading Network

The proposed development includes the construction of a comprehensive internal road network designed to safely and efficiently accommodate traffic generated by the residential development, while also supporting pedestrian and cyclist movement. The ITA confirms that the internal road layout has been designed in accordance with relevant design standards, with an appropriate hierarchy of roads, intersection spacing, and traffic calming measures to manage vehicle speeds and ensure safe operation. Collector roads have been specifically designed to reflect their anticipated function and traffic demand, with carriageway widths sufficient to accommodate bus services, service vehicles, and emergency access, while avoiding unnecessary land take where lower traffic volumes are expected.

The internal road network has sufficient capacity to accommodate the forecast traffic volumes generated by the development at full build-out. Traffic movements will be distributed across the internal network, reducing the potential for congestion or queuing at any single internal intersection. Where collector roads are expected to carry lower traffic volumes, reduced road reserve widths are proposed, as separated cycling facilities are not required below AT's threshold of approximately 3,000 vehicles per day. Conversely, where higher volumes are anticipated, full-width collector roads are provided, including separated cycling facilities, to ensure safe and efficient operation for all users. Road widths, intersection designs, and sight distances have been designed to safely accommodate service vehicles, emergency vehicles, and refuse collection vehicles.

Potential effects on road safety within the development are mitigated through the use of low design speeds, local road environments, and clear prioritisation of vulnerable road users. Footpaths are proposed on both sides of most internal roads, along with safe crossing points and connections to shared paths and open space areas. The collector road cross-sections balance

vehicle movement with pedestrian and cyclist safety, ensuring that active modes are appropriately provided for in locations where demand is expected to be higher. This encourages walking and cycling for internal trips and reduces reliance on vehicle travel within the development.

11.8.3 Parking

The proposed development will provide on-site parking primarily within private garages and driveways on individual lots, with additional on-street parking provided throughout the internal road network to cater for visitors and short-stay demand.

The ITA confirms that the internal road layout has been designed to safely accommodate on-street parking without adversely affecting traffic flow, visibility, or access for service and emergency vehicles. On-street parking spaces are distributed throughout the development to provide convenient visitor parking while maintaining appropriate road widths and clear sightlines at intersections and driveways.

Potential effects associated with parking overspill onto internal roads or surrounding streets have been considered. Given the provision of on-site parking, the residential nature of the development, and the availability of visitor parking within the internal road network, the assessment concludes that parking demand can be appropriately managed within the site.

11.9 Landscape and Visual

11.9.1 Landscape Character

The effects of the development on rural landscape character have been assessed in the Landscape Assessment Report ('LAR') prepared by Greenwood Associates.

In terms of existing landscape values, the LAR notes that the site is currently rural in character, with urban influences from an ongoing change in adjacent land use patterning. With respect to the loss of rural character, the LAR notes that such change in character will occur as land use changes from rural to urban. The LAR considers that the applicant will manage the transition from the existing rural character to an urban character by retaining the majority of the existing native riparian planting and enhancing this through revegetation planting. The applicant has also proposed a series of walking tracks at the upper reaches of the site to open access to this landscape asset (including the wider ranging views to the south) to the wider community. This will provide an opportunity for the general public to appreciate of the interplay between traditional rural landscapes and recently developed areas (rural-urban edge). The community, when accessing elevated points in the site, can gain a greater 'sense of place'; that the site and landscape are part of a larger coastal community—which is not readily perceptible at lower elevations. Further, the rolling landscape topography has been largely preserved, with the proposed road network and dwellings being apportioned in a manner that is sympathetic to the existing ridgelines and gullies. This achieves a logical continuation of the nearby urban fabric and prevailing pattern across the wider landscape, rather than making large incisions into the landscape to accommodate these roads and associated built-form. As such, the proposal is considered to be sympathetic to emerging landscape values and existing landscape character.

With regard to changes in natural character, the LAR notes that the effects of the proposal on the prevailing landscape character values are considered to be 'low', given the context of the wider landscape, which has been undergoing constant change from a traditional rural character to a modern urban character for the past ten years. It is noted that the Future Urban zoning of the land

contemplates that the land will be developed for urban purposes. It is considered by that the proposed staging of dwellings and roading will constitute a steady progression of urban development from east to west.

Overall, for the reasons outlined in detail in the LAR, Greenwood Associates consider that the level of cumulative adverse landscape character effects generated by the proposal will be 'low'. Based on the assessment in the LAR, the proposal is considered to have less than minor effects on landscape character values. As noted, these effects are anticipated in this location and are therefore considered to be appropriate.

11.9.2 Visual Effects

The Landscape Assessment also assesses the visual effects of the development. The assessment identifies key viewing audiences as those in:

- 'Close proximity views', including residents of neighbouring properties, local roads within proximity; and
- 'Wider views', including West Hoe Heights, Metro Park and Colin Chester Drive, Wainui Road and Silverwater Drive.

For these audiences (with the exception of residents of neighbouring properties) the assessment notes that, given that the development will be viewed in the context of an urbanising landscape, the extensive planting proposed, and reduced sensitivity (due to exposure to constantly changing landscapes or significant separation distances), the visual effect on 'wider views' is considered to be very low to low-moderate.

Neighbouring properties will be most sensitive to the visual change as their outlook will permanently change from a predominantly rural outlook to one which is urban. The visual effects for this viewing audience are assessed as follows. The LAR notes that the applicant has ensured that the placement of dwellings on the southern and eastern boundary of the site will have minimal effects on neighbouring properties by restricting the number of dwellings directly on these boundaries and interspersing them with open spaces, vegetation screening, and allowing for deeper rear yards to allow for informal screening. As such, the visual effect of the proposal on 'close proximity views' is considered to be low.

Based on the assessment in the updated LAR, and additional comments above, it is considered that the development has been designed in a manner which ensures that effects in terms of visual amenity are appropriately mitigated and will be less than minor.

11.9.3 Summary

Overall, based on the above, it is considered that the actual and potential character and amenity effects of the proposal will be minor and appropriate, given the site is earmarked for urbanisation.

11.10 Reverse Sensitivity

As illustrated on the AUP Zoning Map as **Figure 17**, immediately to the north, west and south of the site are sites zoned Rural Production and contain rural dwellings, pockets of planting and paddocks. Land immediately adjacent to the north of the site is zoned Open Space – Conservation Zone and contains the Nukumea Scenic Reserve. To the north, east, and south of the site are

properties zoned as Future Urban. A detailed summary of neighbouring properties is provided as Appendix 49.

The proposed master planned comprehensive residential development is not considered to create or give rise to adverse reverse sensitivity effects on character and amenity values. In particular, for the most part, the adjacent activities include comprehensive residential developments, low-intensity lifestyle rural activities, and reserves, which are not considered to be incompatible with the proposed development. To the extent that there are rural activities in the area, it is considered that adequate buffers utilising vegetation or riparian areas from neighbouring properties will be provided. As such, it is considered that the development will not give rise to any adverse reverse sensitivity effects in relation to existing neighbouring rural activities or infrastructure.

11.11 Subdivision

It is proposed to undertake freehold subdivision around the development to contain each dwelling on its own lot and provide JOALs for vehicle access to several dwellings. Further detail is provided in the Scheme Plan. The following comments are made with regard to potential effects of the subdivision:

- Physical and legal access is provided to each allotment to be created by the subdivision. A total of 49 JOALs are proposed to provide vehicular access, in addition to a number of local roads and an arterial road. Pedestrian access is also provided to each of the dwellings as illustrated on the site plan;
- For the reasons set out in Section 7.5.1, it is considered that legal and physical access can be made to the development site, whilst the scheme plans provide legal and physical access to each allotment;
- For the reasons set out in Section 11.7, it is considered that the lot layout will provide for a well-functioning urban environment. The proposed subdivision will not result in the fragmentation of FUZ land and will provide for a comprehensive urban outcome for the site;
- For the reasons set out in Section 11.5 and Civil Reports it is considered that the proposed subdivision can be adequately serviced;
- For the reasons outlined within Section 11.2 above and the Geotechnical Report, it is considered that any land instability effects will controlled so that the proposed sites, supporting infrastructure, and development as a whole, are stable and suitable; and
- The site is in a flood prone area, and is subject to flooding from overland flow paths and associated 1% AEP flood plains. All dwelling lots have been designed to ensure that they are free from any inundation. Overland flow paths will be conveyed within the proposed road network. Based on the advice provided by McKenzie & Co within the Flood Assessment Report, it is considered that the proposed subdivision will not affect the function of any floodplain or overland flow path or worsen the risk associated with any natural hazard.

Rear lots serving more than ten dwellings, or serving more than two dwellings and not meeting the minimum access standards, will be created post-subdivision in accordance with an approved land use consent. The Transport Assessment relating to the safety of the proposed JOALs has considered this post-subdivision non-compliance. The assessment considers the following:

"In regard to safety of pedestrians in and around trafficable areas, trafficable areas within JOALs have been designed to be low-speed environments as PC79 compliant speed management measures being provided to enforce lower vehicle speeds. All proposed accessways provide a downgrade from the site to the fronting Road/JOAL ensuring adequate pedestrian-vehicle visibility. 1.2m pedestrian footpaths are provided on both sides of all JOALs where required which does comply with NZS 4121 for accessible users and reduces the need to cross trafficable areas. It is considered to be unlikely for conflict between pedestrians and vehicles to occur and therefore no safety concerns are anticipated for pedestrians."

In terms of subdivision effects, as noted above, it is considered that the proposed subdivision will be undertaken in accordance with an approved land use consent.

Taking the above into account, it is considered that any potential adverse effects arising from the proposed subdivision will be less than minor and acceptable.

11.12 Mitigation and Monitoring

Clause 6(1)(d) of Schedule 5 of the Act requires that an assessment of an activity's effects on the environment must include a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity.

A description of the mitigation measures proposed is provided in the technical assessments appended to this AEE, summarised in the preceding subsections, and are also documented in the consent conditions appended to this AEE.

Clause 6(1)(g) of Schedule 5 of the Act also requires that if the scale and significance of the activity's effects are such that monitoring is required, an AEE assessment of effects includes a description of how the effects will be monitored and by whom, if the activity is approved.

In this case, conditions are proposed to ensure that monitoring is undertaken as part of the construction of the development, in accordance with monitoring recommendations made in the technical assessments. These conditions are consistent with those that would usually apply to developments of this kind. Beyond the construction phase of the project, ongoing monitoring will be required with respect to the wastewater discharge quality.

11.13 Summary of Effects

Overall, it is considered that the actual and potential effects on the environment relating to this proposal will be no more than minor and appropriate.

12.0 Assessment of Relevant Statutory Considerations

This section of the application is provided in accordance with clauses 5(1)(h), 5(2) and 5(3) of Schedule 5 of the Act. The Act requires that applications must include an assessment of the activity against the relevant provisions and requirements of those documents listed in clause 5(2) being:

(a) a national environmental standard:

(b) other regulations made under the Resource Management Act 1991:

(c) a national policy statement:

(d) a New Zealand coastal policy statement:

(e) a regional policy statement or proposed regional policy statement:

(f) a plan or proposed plan; and

(g) a planning document recognised by a relevant iwi authority and lodged with a local authority.

12.1 Objectives and Policies Approach

A comprehensive assessment of all objectives and policies considered to be relevant to this proposal is provided within **Appendix 43**. Given the significant number of objectives and policies to be assessed, a summary of the key objectives and policies is provided in the sections that follow.

In terms of the AUP (OP), an assessment of both the FUZ, and the Mixed-Housing Suburban Zone objectives and policies are provided (along with those relating to both Rural and Urban subdivision). This provides the panel with an assessment against both the current zoning, and the urban zoning that Delmore has been designed to accord with.

12.2 National Policy Statements

12.2.1 National Policy Statement on Urban Development 2020

The NPS-UD recognises the national significance of:

- Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future;
- Planning decisions to improve housing affordability by supporting competitive land and development markets;
- Providing sufficient development capacity to meet the different needs of people and communities; and
- Improving how cities reposed to growth to enable improved housing affordability and community wellbeing.

The NPS-UD contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth 'up' and 'out' in a way that contributes to a quality urban environment and to ensure their rules do not necessarily constrain growth. The NPS-UD also requires Tier 1 authorities to provide *at least* sufficient development capacity to meet expected demand for housing over the short, medium and long term. It is important to note that capacity should not be observed as a target, rather, more development capacity is better when contributing to realisable development capacity and competitive land markets. Councils must also enable higher density development in areas close to employment, amenity, infrastructure and demand and in some instances remove minimum car parking requirements.

A detailed assessment of the proposal against these objectives and policies is included as Section 1.0 of **Appendix 43**, which demonstrates that the proposal is considered to be in keeping with the NPS-UD. In summary, the proposal will:

- Provide for medium intensity development which has been comprehensively planned, is proximate to planned public transport, and is located within a part of Auckland that is earmarked for future urbanisation (refer to the Structure Plan and supporting text and other documents in Appendix 14);
- The project will deliver an accelerated supply of dwellings to the market, which will be serviced by infrastructure and roading infrastructure (including provision of active transport facilities). The dwellings are considered to support competitive land and development markets they are also needed to address demand (refer economics assessment in Appendix 15);
- The proposal, which is located in proximity to other areas currently undergoing urbanisation, will provide for the social, economic, and cultural wellbeing of both the applicant and future residents, and for the health and safety of residents both now and into the future. The Connectivity and Accessibility Analysis prepared by Cam Wallace of Barker and Associates (within Appendix 14) demonstrates the extent to which dwellings are located within proximity to parks, open space areas, schools, shops frequent transit network and schools;
- The proposal will deliver a master-planned residential development which, together with other developments already underway, will become a key focal point providing dwellings and amenity for the wider Hibiscus Coast area. It will deliver a range of typologies and sizes which will contribute to the already emerging diverse and vibrant community. This will also assist in responding to the changing needs of people, communities and future generations;
- The proposal has been developed with active and on-going engagement with iwi authorities to ensure that the principles of the Treaty of Waitangi are taken into account;
- The development of housing will be coordinated with the delivery of all of the necessary infrastructure (including roading and active transport facilities, stormwater, wastewater, water supply, electricity, gas and telecommunications). All of the necessary infrastructure to accommodate the proposal is either already in place, near completion, (or in the case of wastewater network and treatment, the stormwater network, and roading upgrades, will be established) and will be funded by Vineway Limited;
- The proposal will deliver a large number of houses within close proximity to both existing and planned employment areas. The proposal incorporates new transport infrastructure including walking and cycling facilities to encourage active transport modes, thereby reducing reliance on and use of cars. The proposal provides efficient accessibility to the wider Hibiscus Coast and Auckland region via multiple transport modes through funding and delivering part of the NoR6 Milldale to Grand Drive arterial connection as it relates to the site, as well as upgrading parts of the existing road network. The proposal will also contribute towards climate change mitigation through the significant and expansive areas of vegetation (approximately 44ha) that will be protected and or planted; and
- The proposal will involve a significant change to the amenity and character of the area, with the landscape shifting from rural to urban. However, future urban development of the sites is anticipated by the FUZ under the AUP(OP) and therefore a change in amenity values is expected. The proposal will improve amenity values appreciated by future residents due to the comprehensively planned nature of the proposal.

12.2.2 National Policy Statement on Freshwater Management 2020

The NPS-FM requirements include:

- Managing freshwater in a way that 'gives effect' to Te Mana o te Wai;
- Improving degraded water bodies, and maintaining or improving all others; and
- Avoiding any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration.

A detailed assessment of the proposal against these objectives and policies is included as **Appendix 43,** which demonstrates that the proposal is in keeping with the NPS-FM. In summary:

- The protection and enhancement of the health and well-being water bodies, streams and freshwater ecosystems has been a core design principle for the development. This is evident through the subdivision and roading layout which has been purposely located and designed to maintain the existing extents of streams. The overall approach to finished contours and stormwater management has been designed to maintain the hydrology of these streams. The proposed enhancement of existing degraded streams via riparian planting also demonstrates the commitment of the proposal to the health and well-being of water bodies and freshwater ecosystems (refer **Appendix 43**);
- The proposal is considered to be consistent with the hierarchy of obligations in Te Mana o te Wai. Vineway Limited has engaged with mana whenua and those discussions have included matters relating to freshwater values, stream works, riparian protection, stormwater and wastewater management principles and the applicant has incorporated feedback from tangata whenua into the proposal;
- The proposal has been designed with a strong focus on ensuring freshwater is managed in an integrated way, and which considers activities and development on a whole-of-catchment basis. This is evident through the protection and enhancement of streams (refer to the EIA, as well as through the stormwater management approach for the development (refer to SMP attached as **Appendix 34**. The development provides for water quality treatment of impervious area runoff, followed by capture and treatment via retention/detention, and then enhancement of receiving environments via planting to enhance their stormwater management function. This demonstrates that the freshwater is managed in an integrated and whole-of-catchment manner;
- As explained within the Flood Assessment Report attached as **Appendix 35**, climate change has been considered in all aspects of the stormwater management approach for the site;
- Whilst two natural inland wetlands will be reduced in extent, additional wetland areas of 3,258m^2 are being provided to offset any adverse effects associated with the reduction in wetland area. In addition, extensive planting is proposed which will increase the values of the wetlands within the site. The consequence of this is that further loss and degradation are avoided, because wetland extent and riparian vegetation extent will in fact be greater than prior to the development being undertaken. Further, it is noted that existing culverts will be removed and streams daylighted, providing benefits to existing wetland areas. An in-depth assessment of wetland values has been undertaken within EIA; and
- The proposal maintains and enhances all permanent streams within the proposal area. These will be retained and planted with native riparian vegetation to enhance river values.

The amendments to the NPS-FM coming into force 15 January 2026 do not change the above analysis because the amendments reduce restrictions for quarrying and mining in natural inland wetlands, which are not activities that are part of the proposal.

12.2.3 National Policy Statement for Indigenous Biodiversity

An NPS-IB assessment is included within **Appendix 43.** This relies on the assessments in the EIA provided by Viridis. Additional detail on the NPS-IB has been provided because of the importance of the ecological component of the proposal and to assist with responding to comments from Auckland Council.

The objective of the NPS-IB is to maintain indigenous biodiversity across New Zealand so that there is no overall loss in indigenous biodiversity from the commencement date. According to clause '1.7 Maintaining indigenous biodiversity', works must not result in an overall reduction in: size of populations of indigenous species; indigenous species occupancy across their natural range; the properties and function of ecosystems and habitats use or occupied native species; the full range and extent of ecosystems and habitats; connectivity between and buffering of ecosystems, and the resilience and adaptability of ecosystems. It also includes, where it is necessary, the restoration and enhancement of ecosystems and habitat.

The NPS-IB then sets out different management approaches for achieving that outcome for areas identified as significant natural areas in a planning document and areas not identified as significant. It also includes detailed restoration and enhancement provisions.

The project site includes some areas identified as significant natural areas in the AUP(OP), including SEA-T, and some areas that are not.

The project avoids all of the effects listed in cl 3.10(2) on the SEA-Ts within the site. This is achieved by setting development back from these areas. The Tree Management Plan (TMP) will apply to works close by to ensure any potential effects on the protected root zone are identified and managed to protect the SEA-T vegetation.

Outside the SEA-T's effects are managed in accordance with the mitigation hierarchy, and in such a way that the overall maintenance of indigenous biodiversity is achieved (per cl 3.16).

For NPS-IB purposes the effects management hierarchy requires that adverse effects are avoided where practicable; effects that cannot be avoided are minimised where practicable; adverse effects that cannot be minimised are remedied where practicable, and any more than minor residual adverse effects are offset if this is possible and other compensated for.

Delmore has been designed to avoid adverse effects on native vegetation to the maximum extent practicable. Encroachment into these areas is limited to providing for access to the site's various parts, and where no other practicable option exists. Where encroachment is required, effects have been minimised through the specific location chosen and adopting a TMP to reduce edge effects on vegetation that is not removed, some of the replacement vegetation will remedy adverse effects through direct replacement of lost area after construction, some will offset the vegetation lost through new, extensive planting. Not only will this planting ensure biodiversity is maintained through replacing what is lost with equivalent vegetation, with an increased ratio to cover any unsuccessful specimens, but it is specifically targeted at the restoration priorities in clause 3.21. Some areas to be planted to help to restore degraded edges of the SEA-T, some will restore threatened wetland ecosystems, all will contribute to improved buffer of existing on-site native

vegetation, and to providing connectivity through the site to the SEA-Ts to the west, north, and south.

The approach to managing fauna effects is similar. The native terrestrial fauna identified as potentially present on site are particular bird species, bats, and lizards. Surveys are currently being undertaken and all bats, lizards and birds identified will be managed through the FMP.

Impacts on biodiversity was also raised as a key issue in the cultural impact assessments, and the recommendations in those assessments have informed the approaches described above.

The amendments to the NPS-IB coming into force 15 January 2026 do not change this analysis because the amendments reduce restrictions for quarrying and mining which are not activities that are part of the proposal.

12.2.4 New Zealand Coastal Policy Statement 2010 (NZCPS)

The site is not located with the coastal environment, however the Hauraki Gulf is the ultimate receiving environment for any discharges emanating from the development, both during construction and afterwards.

Based on the technical assessments undertaken no adverse effects on the Hauraki Gulf, its waters and ecosystems are expected. Discharges during construction will be comprehensively using best practice ESC measures and an AMP, with monitoring in place to ensure any failures are identified promptly and remedied. The development's stormwater and wastewater management approaches are designed to ensure all water is treated before it discharges into the wider receiving environment.

The amendments to the NZCPS coming into force 15 January 2026 do not change this analysis because the site is not within the coastal environment and the amendments are focused on better enabling activities within the coastal environment.

12.2.5 Other National Policy Statements

- National Policy Statement for Renewable Energy Generation ('NPS-REG') – this NPS provides guidance for local authorities on how renewable energy generation (including the construction, operation and maintenance of structures associated with renewable energy generation) should be dealt with in RMA planning documents. The Proposal does not include the construction or operation of renewable energy generation structures or related activities. Therefore, an assessment of this NPS is not required. The amendments coming into force 15 January 2026 do not change this conclusion
- National Policy Statement on Electricity Generation ('NPS-EG') – this NPS sets out the objectives and policies for managing the electricity transmission network. There are no electricity transmission lines or transmission network structures within the site, and therefore an assessment of this NPS is not required. The amendments coming into force 15 January 2026 do not change this conclusion.
- National Policy Statement on Highly Productive Land ('NPS-HPL') – this NPS sets out the objectives and policies for the protection of highly productive land for land-based primary production. The site is zoned FUZ and therefore the NPS-HPL does not apply. The amendments coming into force 15 January 2026 do not change this conclusion.

- The Infrastructure NPS and the NPS-NH were recently gazetted and come into force 15 January 2026. An assessment against those instruments is provided in **Appendix 43.**

12.3 Auckland Unitary Plan (Operative in Part) 2016

The AUP (OP) comprises Auckland's Regional Policy Statement (RPS), and regional and district plans. A detailed assessment of the proposal against the relevant objectives and policies of the AUP (OP) is included at **Appendix 43**, and a summary is provided below.

12.3.1 Regional Policy Statement

The **RPS** sets out the overall strategic statutory framework to achieve integrated management of the natural and physical resources of the Auckland Region. The RPS broadly gives effect to the strategic direction set out in the Auckland Plan.

Of particular relevance to this proposal are:

- B2.2 Urban Growth and Form;
- B2.3 Quality Built Environment;
- B2.4 Residential Intensification;
- B6 Mana Whenua; and
- B7 Natural Resources.

B2.2 Urban Growth and Form

The relevant objectives and policies of B2 Urban Growth and Form seek to achieve a quality compact urban form with urban growth contained within the Rural Urban Boundary (RUB). Sufficient development capacity and supply of land for urban development is required to accommodate residential and commercial growth with social facilities to support this growth. There is an emphasis on achieving a higher quality urban environment and better use of existing infrastructure, through enabling higher residential intensities in areas closest to centres, the public transport network, open space and social amenities. The proposal is considered to be consistent with this policy direction as it provides for a quality, compact residential neighbourhood on land that is located within the RUB which has been strategically identified as appropriate to accommodate urban growth through the application of the Future Urban zone, to provide much needed residential capacity in Auckland and in an accessible location to a potential future public transport network. Importantly, the objectives and policies of B2 Urban Growth and Form do not preclude resource consents for urban land use in the Future Urban zone prior to the land being rezoned.

The comprehensive development, which has been informed by a Concept Structure Plan (**Appendix 14**), will deliver additional housing stock to accommodate residential growth and support the provision of sufficient development capacity through the delivery of a range of housing typologies surrounded by quality open spaces for amenity and recreation. The proposal will support the Councils requirements to provide sufficient development capacity and supply of land for urban development, of which, at any one-time sufficient land which enables a minimum of seven years' projected growth in terms of residential, commercial and industrial demand should be available. Currently, there are limited opportunities for growth in the Hibiscus Coast area through live zoned land, despite there being significant market demand. The development of the

site will be integrated and delivered with the required transport and servicing infrastructure upgrades. As demonstrated throughout the AEE and supporting technical documents, the proposed activities on the site will deliver the planned and anticipated urban use of the land, and will contribute to the provision of sufficient development capacity and much needed land supply to accommodate and support growth that is integrated with the provision of appropriate infrastructure, and hence the proposal is considered to be consistent with the relevant objectives and policies of B2 Urban Growth and Form.

B2.3 A Quality Built Environment

The relevant objectives and policies within B2.3 A Quality Built Environment seek to achieve a quality-built environment by ensuring that development responds to the qualities and characteristics of the site. There is an emphasis on achieving a high level of amenity and safety for pedestrians and cyclists, contributing to the safety of the site, street and neighbourhood, contributing to a diverse mix of choice for people and communities, and maximising resource and infrastructure efficiency.

The proposal is considered to be consistent with this policy direction as the development has been comprehensively master planned and designed to result in a quality-built environment. The development has been designed to respond to the intrinsic qualities and physical characteristics of the site, including natural watercourses and the natural topography of the site. Although the proposed earthworks will disrupt the landform during construction, the general overall topography and low points (including stream gullies) of the site will be maintained.

The subdivision layout is also considered to be legible and provides a high level of amenity for pedestrians and cyclists with the proposed roading design incorporating generous footpaths, cycleways and landscaping. CPTED principles have been considered throughout the design of the development to ensure the development provides an environment which is safe for residents. In particular, passive surveillance is provided for street and public open spaces throughout the development.

The project will deliver a range of dwelling sizes and typologies to support choice and meet the needs of Auckland's diverse population.

B2.4 Residential Intensification

The relevant objectives and policies within B2.4 Residential Intensification seek to provide for residential intensification which supports a quality compact form. There is an emphasis on residential areas being attractive, healthy and safe and in keeping with the planned built character of the area, increasing housing capacity and choice to support the provisions of sufficient, feasible development capacity for housing and ensuring development is adequately serviced by infrastructure.

The proposal is considered to be consistent with this policy direction as it will deliver additional residential capacity and support a range of housing choice to help meet the varied needs of Auckland diverse and growing population, within a quality compact urban form, for the reasons set out in the B2.2 Urban Growth and Form assessment above. The project will deliver a range of standalone and zero-lot dwelling typologies and sizes in keeping with the existing built character of the wider area, including Millwater and Ōrewa, and the planned built character of the surrounding area, including the nearby Ara Hills, Milldale North and Strathmill.

The proposal supports the provision of sufficient and feasible development capacity for housing and in turn will assist the **minimum** dwelling targets set out in Table B2.4.1 of the RPS being achieved, through the delivery of additional housing in an area where there is significant market demand, on land that has been identified as appropriate for future urbanisation through the provision of the Future Urban zoning being applied. The development will be adequately serviced by infrastructure to be provided prior to, or at the same time as the delivery of residential intensification.

B6 Mana Whenua

The relevant objectives and policies set out in B6 Mana Whenua seek to ensure that the principles of Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources. There is an emphasis to provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources, the mauri of and relationship of Mana Whenua with natural and physical resources are enhanced and the holistic nature of the Mana Whenua world view is taken into account.

The proposal is considered to be consistent with this policy direction as the proposal recognises the unique relationship between Mana Whenua and natural and physical resources. Consultation has been undertaken with Mana Whenua, and feedback from Mana Whenua has been considered in the design of the proposal. The holistic nature of the Mana Whenua world view and opportunities to enhance the mauri of freshwater ecosystems has been taken into account in the proposed development, particularly in terms of the landscaping and proposed stormwater management.

B7 Natural Resources

The relevant objectives and policies of B7 Natural Resources seek to ensure that degraded freshwater systems are enhanced and the loss of freshwater systems is minimised. There is an emphasis to integrate the management of subdivision, use and development and freshwater systems, identify degraded freshwater systems and to avoid the permanent loss and significant modification of lakes, rivers, streams and wetlands unless no practicable alternatives exist or mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values.

The proposal is consistent with this policy direction. Although the proposal involves the immediate loss of wetland vegetation and to a very small degree extent, the loss is offset to achieve a no-net-loss outcome for both through planting and wetland re-creation. The proposal involves the restoration of degraded waterways through the extensive planting within riparian margins, and 3,258m^2 of wetland creation.

Further, it is noted that existing culverts will be removed and streams daylighted, providing benefits to existing wetland areas. An in-depth assessment of wetland values and streams has been undertaken within EIA.

In addition, adverse effects will also be avoided by implementing best practice erosion and sediment control in accordance GD05 to minimise sediment discharge and providing quality treatment of stormwater prior to discharge. These mitigation measures are also consistent with GD01 in terms managing the effects of discharge on water quality and with managing sediment runoff from land disturbance.

Summary

Based on the foregoing, the proposal is considered to be consistent with the policy direction of the RPS.

12.3.2 Auckland Unitary Plan – District and Regional Policy Framework

E3 Lakes, Rivers, Streams and Wetlands

An assessment against the objectives and policies of the NPS-FM has been provided further above, with regard to the protection and enhancement of streams and wetlands. The conclusions from this assessment are considered to be applicable to the objectives and policies of Chapter E3. In particular, the proposal will result in the permanent loss of wetland extent only where there is no practicable alternative or the practicable alternative would result in equal or greater adverse effects, and will be offset by the provision of new wetland areas. Existing degraded wetlands and waterways will be enhanced as a result of the proposed vegetation planting and water quality enhancement. As such, it is considered that the proposal accords with the objectives and policies of E3.

E11 Land Disturbance – Regional and E12 Land Disturbance – District

A combined assessment against Chapter E11 and E12 is provided below given the similarities between the provisions for regional and district land disturbance. The common outcome sought is to ensure that land disturbance is undertaken in a manner where the safety of people is protected and adverse effects on the environment are avoided, remedied or mitigated. This is supported by a range of policies which, generally, seek to manage the adverse effects of a sediment discharge on the environment, avoid adverse effects on natural, cultural and historic heritage where practicable, and design and undertake earthworks in a manner that ensures the stability and safety of surrounding land and buildings.

The proposal is considered to be consistent with these provisions for the following reasons:

- The land subject to earthworks is not located within any overlays associated with natural heritage, mana whenua, natural resources, historic heritage or special character. Accordingly, it is considered that the bulk earthworks will not adversely affect the matters associated with these overlays;
- A suite of erosion and sediment control measures in line with GD05 will be implemented on site to manage any potential adverse sediment discharge effects on the environment. Such measures include, but will not be limited to, super silt fences, sediment retention ponds, and clean water diversion bunds;
- The earthworks will be undertaken in in a staged manner during the earthworks season, except where approval for winter works is sought and approved by Auckland Council, to minimise the overall duration of exposed areas. Together with the implementation of appropriate erosion and sediment control measures and an AMP, it is considered that sediment runoff or discharge will be suitably mitigated and minimised;
- Earthworks are anticipated to maintain the stability of surrounding land and structures as assessed in the Geotechnical Report; and
- There are two recorded archaeological sites in the development area. Investigations and research undertaken by Clough & Associates note that there is potential for the site to contain

additional sites associated with Māori settlement. In this regard, archaeological monitoring is proposed during earthworks within these areas. Archaeological monitoring will ensure any potential archaeological remains/evidence can be investigated.

Overall, it is considered that the proposal accords with the objectives and policies of the regional and district land disturbance provisions.

E15 Vegetation management and biodiversity

The relevant provisions of E15 Vegetation management and biodiversity seek to ensure that indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring. There is an emphasis to manage the effects of activities to avoid significant adverse effects on biodiversity values as far as practicable. Where avoidance is not practicable then significant adverse effects should be minimised. The provisions also seek to avoid, remedy or mitigate any other adverse effects on indigenous biological diversity and ecosystem services including soil conservation, water quality and quantity management, and the mitigation of natural hazards.

Approximately 44ha of vegetation will be protected and restored or enhanced as part of this proposal. This includes the enhancement of the land adjoining the SEA-T, existing consent notice bush areas, and existing degraded waterways and wetlands. The proposal is considered to be consistent with this policy direction. Variations to consent notices to enable the removal of protected vegetation will be offset with native planting as outlined in the EIA and further in the Landscape Plans. This demonstrates that a significant amount of riparian planting and revegetation is proposed, which contributes to the overall ecological restoration and enhancement of the site. The proposal will contribute to improved ecosystem services and indigenous biological diversity values in this part of Auckland and make a regionally significant contribution to the significant environmental issue of indigenous biodiversity loss.

E27 Transport

The relevant transport objectives and policies seek to encourage that land use and transport (including public transport, walking and cycling) is integrated in a manner that enables adverse effects of traffic generation on the transport network to be managed. In addition, the objectives and policies ensure that parking and access is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the site. The objectives and policies relating to E27 under PC79 seek to provide for greater parking safety and accessibility.

The proposal is considered to meet these objectives and policies as it provides for an integrated transport network with public, vehicular, cycling and walking transport modes provided for within the development. The development has also been comprehensively designed to provide cycling and walking connections beyond the site through the provision of the NoR6 arterial road. All parking and access will be designed to comply with the AUP (OP) requirements, except where noted and assessed within the ITA. Commute has reviewed the proposed parking and access for the development with respect to formation and gradient, and confirm that the proposal will function safely and efficiently.

The ITA prepared by Commute confirms that the key intersections proposed will perform satisfactorily and operate within an acceptable level of service in both the AM and PM peak, with the implementation of the consent conditions offered. Road network upgrades are proposed as detailed in the ITA. Two collector roads are proposed which could accommodate public transport

routes in the future. On this basis, it is considered that the safe and efficient operation of the transport network will not be unreasonably compromised in the future, that the proposal is consistent with the outcomes sought by the AUP (OP) and will not be contrary to relevant objectives and policies that relate to transport.

E36 Natural Hazards and Flooding

The relevant objectives and policies seek to ensure that use and development does not increase the overall risk of adverse effects from natural hazards to people, buildings, infrastructure and the environment, and where practicable adverse effects are reduced or minimised. The design and construction of buildings and structures should assess whether the effects of flooding are avoided or mitigated through site layout and management.

The proposal is considered to be consistent with these objectives and policies as the risk from natural flood hazards has been assessed in the Flood Assessment Report where it was confirmed that significant adverse effects will be avoided through the design of the development. Where the development increases flood levels, the Flooding Assessment considers that given the extent and location of these increases, flood risk effects on these properties will be less than minor. Land within the 1% AEP flood plain will form part of the proposal's open space network. The flooding modelling undertaken by McKenzie & Co also confirm that any changes to the flood depths is marginal and would be contained within existing flood depths. The Geotechnical Report confirms that any land instability effects will be avoided or mitigated.

In terms of PC 120, it is considered that the objectives and policies under the operative plan and PC 120 seek similar outcomes with respect to the proposed development. As both plan versions seek similar outcomes, it is considered that no weighting is required with respect to the provisions under PC 120.

Overall, it is considered that the proposal is not contrary with the relevant objectives and policies that relate to flooding hazards.

E38 Subdivision – Urban

The relevant objectives and policies of E38 Subdivision – Urban seek to ensure that land is subdivided to achieve and support the objectives and policies of the zones, the relevant overlays and Auckland-wide provisions, and in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment. There is an emphasis on ensuring that subdivision has a safe, efficient, convenient and accessible layout and maintains or enhances the natural features and landscapes that contribute to the character and amenity values of areas.

It is considered that the proposal is consistent with these objectives and policies. The proposal provides for subdivision around a master planned comprehensive residential development which is considered to achieve the purpose of the Residential – Mixed Housing Suburban Zone and Auckland-wide provisions. The road network and residential lot layout will provide for a safe, efficient, convenient and accessible layout that has been designed to respond to the intrinsic qualities and physical characteristics of the site. The proposed subdivision layout is urban in nature and has been designed to integrate with existing and planned urban environments within proximity, and will be appropriately serviced. The risk of adverse effects arising from natural flooding hazards are managed through the overall layout and design of development and open

space across the site. As noted in the Geotechnical Report, the development provides safe and stable building platforms and vehicle access.

Overall, it is considered that the proposal accords with these objectives and policies for urban subdivision.

E39 Subdivision – Rural

The relevant objectives and policies of E39 Subdivision – Rural seek to ensure that land is subdivided to achieve and support the objectives and policies of the zones, the relevant overlays and Auckland-wide provisions, and in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment. There is an emphasis on ensuring infrastructure is in place to support the proposed subdivision or development, subdivision has a safe, efficient, convenient and accessible layout and maintains or enhances the natural features and landscapes that contribute to the character and amenity values of rural areas.

Holistically, the subdivision of the site is considered to achieve the purpose of the FUZ, which is assessed below, and the Auckland-wide provisions above, which are not repeated here.

The proposal will provide for the long-term needs of the community through the provision of high-quality housing stock within an area which has been signalled for residential development by the Future Urban zoning under the AUP (OP). The assessment in Section 11.0 above demonstrates that the development appropriately minimises adverse effects of development on the environment.

The infrastructure required to support the subdivision (and associated development) will be in place at the time of subdivision/development and as such the proposal is considered to meet the E39 objectives and policies related to the provision of infrastructure.

The subdivision layout is considered to be safe, efficient, convenient and accessible as it has specifically been designed to minimise the number of intersections on roads through the provision of JOALs, thereby improving the safety and efficiency of the road network. The development layout also provides multiple accessways for pedestrians and cyclists to improve the convenience and accessibility for active transport modes. These design factors are all considered to contribute to a subdivision layout which is safe, efficient, convenient and accessible.

With regard to objective E39.2(8) and E39.2(15), it is recognised that the proposal will change the character and amenity values of the site, noting that the site has been identified as an area that will transition from rural to urban through the FUZ zoning. The subdivision has been designed to maintain and enhance the natural features on the site, including existing watercourses. Existing natural wetlands will be landscaped with riparian planting and wetland extents protected. Existing watercourses on the site, which are highly modified and degraded, will be daylighted, naturalised and riparian planting undertaken to enhance ecological values and instream health.

As part of the subdivision, approximately 44ha of vegetation is to be retained, protected, restored or enhanced. The subdivision layout has been designed to respond to the intrinsic qualities and physical characteristics of the site, including providing for a development layout and road network that complements the natural contouring, watercourses, vegetation and open space.

The risk of adverse effects arising from natural flooding hazards are managed through the overall layout and design of development and open space across the site. The development provides safe and stable building platforms and vehicle access.

Overall, it is considered that the proposal is not contrary to the relevant objectives and policies that relate to rural subdivision.

H4 Residential – Mixed Housing Suburban Zone

The objectives and policies for the MHS zone are contained in Sections H4.2 and H4.3 of the AUP (OP). The objectives aim to provide for increased housing capacity and intensity within the zone that is in keeping with the planned urban character of predominantly one and two-storey buildings in a variety of forms, that provides high quality on-site amenity for future residents, adjoining sites, and the street. The policies reinforce the objectives and also aim to achieve attractive and safe streets and open spaces through passive surveillance, front yard landscaping, and minimising dominance of garage doors; and to manage built form to maintain a reasonable standard of sunlight access and privacy to neighbouring sites, as well as to minimise visual dominance effects. On-site amenity is also included with respect to privacy, outlook, access to daylight and sunlight, amenities, and useable and accessible outdoor living space. The proposal is considered to accord with these objectives and policies, as follows.

The proposed master planned comprehensive residential development will provide a variety of typologies including both standalone and attached dwellings. The dwellings will be up two storeys in height, are generally compliant with the MHS Zone bulk and location controls and are therefore considered to be in keeping with the nature of built form sought for the zone. For those reasons they are also considered to provide for good quality on-site amenity for residents and the street. For the reasons outlined in Section 11.7, the proposal is considered to be in keeping with the planned built character sought for the Mixed Housing Suburban Zone. Provision of reasonable quality front yard landscaping will contribute to the amenity value of the streetscape. The proposed dwellings are of a sufficient size and of a functional layout so as to provide for the day-to-day needs of future occupants. The Water, Wastewater and Utilities Report and Stormwater Report confirm that the development can be appropriately serviced.

Overall, it is considered that the proposal accords with the objectives and policies for the Mixed Housing Suburban Zone.

H18 Future Urban Zone

The relevant objectives and policies of the FUZ seek to ensure that land is used and developed to achieve the objectives of the Rural – Rural Production Zone until it has been rezoned for urban purposes. There is an emphasis on requiring subdivision, use and development to maintain and complement rural character and amenity and avoiding subdivision that will result in the fragmentation of land and compromise future urban development.

With regard to objective H18.2(1), whilst this proposal urbanises the subject land without a formal structure plan process and rezoning as contemplated by the AUP(OP), it is considered that this proposal nevertheless demonstrates that the key elements of the substance of structure planning (as articulated in Appendix 1 of the AUP(OP)) have been observed. While the proposal is not rural and does not achieve all of the Rural – Rural Production zone objectives and policies, it is not inconsistent with the FUZ objectives and policies assessed below.

With regard to objective H18.2(2) and corresponding policy H18.3(2) this proposal proposes to urbanise the land by way of resource consent application for land use and subdivision. Whilst the proposal is not necessarily consistent with the process which this objective and policy prescribes,

it is considered to achieve the outcome of avoiding ad hoc/compromising development that is intended by the wider objective and policy framework for the Zone. As such, it is considered that the proposal is not contrary with this objective and policy.

The intent of objective H18.2(3) and corresponding policy H18.3(4) is to prevent ad hoc development or subdivision in the FUZ that will result in the fragmentation of land and which compromises future urban development and in turn hinders achieving the ultimate outcome for the land under the AUP (OP). The proposal will not compromise future urban development, rather, it is expediting the delivery of urban development of a significant landholding by a credible developer with a track record of delivering new large-scale residential developments in the wider area, which is anticipated by the provisions of the AUP (OP) (including the FUZ) and other resource management documents and will support Auckland's growing population. The proposal will not result in fragmentation of land that will compromise or undermine future urban development in this location, rather it will bring forward development that is both anticipated and appropriate at this site, along with the integrated delivery of appropriate and sufficient infrastructure. The proposal is consistent with the Concept Structure Plan (**Appendix 14**) which demonstrates how this development will integrate with planned and existing development (including residential and business development as well as key strategic transport routes) in the wider area.

With respect to objective H18.2(4), while urbanisation is not avoided until the site is rezoned for urban purposes, the outcome that the objective is concerned with (i.e. preventing ad hoc development that hinders future urban development – see Policy B2.2.2(8)) will not eventuate and, as such, the proposal avoids the outcomes that the objectives and policies are seeking to avoid. The development of the sites would not result in any of the situations in (a) to (g) of policy H18.3(6) as noted in **Table 6** below:

Table 6: FUZ Policy Assessment.

Policy H18.3(6)	Assessment
(a) Structures and buildings of a scale and form that will hinder or prevent future urban development.	For the reasons noted in H18.2(3), the proposal is not considered to compromise future urban development.
(b) Compromise the efficient and effective operation of the local and wider transport network.	The ITA concludes that the proposed development will not compromise the efficient operation of the local and wider network. The development involves the necessary upgrades to the transport network to accommodate the proposed development, which will contribute not only to the accessibility of the application site, but through the NoR6 connection; the wider Ōrewa and Hibiscus Coast area.
(c) Require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure. (d) Inhibit the efficient provision of infrastructure	This project will be adequately serviced utilising both existing bulk infrastructure in place, and through the delivery of new infrastructure where existing infrastructure is at capacity. Upgrades of infrastructure are proposed where existing networks do not have capacity. Several options for infrastructure have been considered and the proposed servicing strategy is considered to be the most

	efficient. The existing road network will be retained and upgraded as necessary. Local water supply, stormwater and wastewater infrastructure within the project area itself will need to be constructed and installed by the applicant, which is to be expected in this location.
(e) Give rise to reverse sensitivity effects when urban development occurs.	The proposed master planned comprehensive residential development is not considered to create or give rise to adverse reverse sensitivity effects, with compatible on-site uses provisioned, and adjacent activities including comprehensive residential developments, low-intensity lifestyle rural activities, and reserves, which are considered to be not incompatible with the proposed development. When surrounding FUZ sites are developed in the future, no reverse sensitivity effects are anticipated.
(f) Give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure.	The proposed development will avoid reverse sensitivity effects, with vegetation or riparian separation from neighbouring properties provided throughout the proposed subdivision. Further, the development will not give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure as the wider environment is predominantly comprised of rural-residential land uses.
(g) Undermine the form or nature of future urban development.	The proposal, as a master planned, comprehensive residential development is considered to represent the 'future' urban development envisaged by its Future Urban zoning. The development will integrate with future development of surrounding land. In particular, it will connect to the Ara Hills development through the delivery of NoR6, and careful consideration of the residential interface as noted in the Urban Design Assessment as Appendix 13. As such, it is considered that the proposed masterplan has been designed to integrate with existing and future development and is not considered to compromise any future urban development.

With regard to policy H18.3(3), the proposal will involve a significant change to the amenity and character of the area, with the landscape shifting from rural to urban. However, future urban development of the sites is anticipated by the Future Urban zoning under the AUP (OP) and therefore a change in amenity values is expected. The proposal will improve amenity values appreciated by other people, communities and future generations due to the comprehensively planned nature of the proposal. The layout and design of the development has been specifically

designed to reduce adverse environmental effects, including maintaining and enhancing natural watercourses. The subdivision will retain natural features such as contouring, waterbodies and vegetation where possible. The development layout has been designed to respond to the intrinsic qualities and physical characteristics of the site, including providing for a development layout and road network that complements the natural contouring, watercourses, vegetation and open space, minimising effects on the rural character of neighbouring areas.

Overall, it is considered that the proposal is not contrary to the relevant objectives and policies of the FUZ.

Summary

It is understood that the evaluation of the policy framework is not whether the proposal complies entirely with each and every relevant objective and policy, but rather whether, reading the relevant objectives and policies together, paying careful attention to the words used in each, it can be said that the proposal is not contrary to them. In addition, the absence of support for an activity in the objectives and policies of a plan does not equate with "contrary to", which requires repugnancy or opposition. Therefore, it is considered that the assessment of the relevant objectives and policies should be taken as a whole, rather than considering whether the activity is not contrary to each and every relevant objective and policy.

Based in the above assessment, while there are some inconsistencies with the Future Urban Zone provisions, it is considered that the proposal will not be contrary to the objectives and policies overall.

Relevant Rules and Assessment Criteria of the AUP (OP)

Non-complying activity consent is required for the proposal overall, so the assessment of this application is not limited to matters over which Auckland Council has reserved its control or restricted its discretion. However, the assessment has given regard to the relevant assessment criteria and have concluded that the adverse effects on the environment will be avoided or mitigated to be minor.

Overall, it is considered that the proposal meets the assessment criteria of the AUP (OP) for the reasons described in Sections 11.0 and 12.3 above.

12.4 Iwi Management Plans

Iwi management plans have been assessed in **Appendix 8**. The proposal is consistent with all relevant iwi management plans.

12.5 Other Plans

12.5.1 Auckland Plan 2050

The Auckland Plan is the key strategic document which sets Auckland Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. The Auckland Plan focusses on a quality compact approach with future development focused within Auckland's urban footprint, meaning most growth will occur in existing urban areas.

In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines this as:

(a) Most development occurs in areas that are easily accessible by public transport, walking and cycling;

(b) Most development is within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities and open space;

(c) Future development maximises efficient use of land; and

(d) Delivery of necessary infrastructure is coordinated to support growth in the right place at the right time.[10]

The proposal is considered to provide for a quality, compact neighbourhood within close proximity to SH1 and both existing and planned centres.

With regard to public transport, the development through the delivery of the arterial road (NoR6) and two collector roads, which will have the capability of being serviced by a bus service. Regarding walking and cycling, it is considered that the proposal will provide for a network that provides for a good level of internal connections, as well as connections to other nearby centres and developments through the delivery of the NoR6 arterial road and network upgrades where necessary. The proposed development will provide dwellings at walkable distances to the NoR6 arterial road, which will provide access to existing and future centres, community facilities and employment opportunities through potential provision of public transport, alongside active modes. Open space areas will be provided throughout the site.

The necessary bulk infrastructure will be constructed by the applicant where existing infrastructure capacity is not adequate. Additionally, the necessary transport infrastructure to service the project will be delivered by Vineway Limited.

Overall, the proposal is considered to be consistent with the strategic direction of the Auckland Plan 2050 and will contribute to achieving a quality compact approach to urban growth, while ensuring that good design is embedded throughout the development. These strategic objectives of the Auckland Plan are reflected in the AUP (OP) objectives and policies, which are assessed in detail further above.

12.5.2 Future Development Strategy 2023-2053

Auckland Council's Future Development Strategy (FDS) was published in 2023 and gives effect to the NPS on Urban Development by identifying the "broad locations which development capacity will be provided over the long term in both existing and future urban areas" and necessary supporting infrastructure (cl 3.13(2) NPS-UD).The FDS is a high-level strategic document which informs the Council's infrastructure funding priorities and feeds directly into the Council's long-term plans, annual plans and other strategic documents; although local authorities are only strongly encouraged to use the relevant FDS to inform these documents (cl 3.17 NP-UD). The FDS must also be reviewed every three years, which enables it to be responsive to changes in demand and supply and to market indications highlighting where and in what order growth is possible.

The FDS is not a document to which decision makers must specifically have regard to when making decisions on resource consent applications under s 104 RMA; it is not one of the policy statements

[10] Auckland Plan 2050, pg. 206.

or plans referred to and the NPS-UD which provides for the FDS only directs decision makers on planning documents to have regard to the FDS (cl 3.17). Decisions makers on resource consents have discretion to have regard to the FDS under Section 104(1)(c) of the RMA as "any other matter...relevant and reasonably necessary to determine the application".

The FDS as therefore a document that is indictive of where growth should occur and the timing of growth, but not determinative.

The FDS identifies the site as being a FUA for future urban development. This has been carried through into the AUP (OP) through the FUZ. The FDS signals an indicative sequencing of 2050+). However, that timing is indicative, not determinative as explained above. For example, when preparing and changing planning documents under the Resource Management Act 1991, the FDS is a matter the local authority must *have regard to*, and local authorities are encouraged to have it inform decision-making on other strategies and plans (cl. 3.17 NPSUD). This flexibility is consistent with its status as a high-level strategic document, within which change can, and should, be contemplated as more information comes to light and as specific development proposals come forward. One such matter may be information regarding development capacity (being the capacity for land to be developed for housing or business -cl 1.4 NPS-UD). The FDS acknowledges the uncertainty in relation to predicting development capacity and states that:

> *Rather than viewing capacity as a target to meet, it is helpful to recognise that relatively more capacity means more development opportunities, and more competition among developers to respond to demand… the capacity requirements of the NPS-UD have been exceeded (including that enabled by Plan Change 78 to the Auckland Unitary Plan), however, Auckland would benefit from more capacity for growth.*

This project will deliver approximately 1,213 residential lots to the area at pace, in a strategic location anticipated for urbanisation, with infrastructure solutions to enable urbanisation. The project poses a regionally strategic opportunity to contribute towards the growth challenge within Auckland's North as this development will make a significant contribution to development capacity within North Auckland.

FDS – Strategic Spatial Framework

The FDS incorporates a strategic framework which identifies spatial outcomes and principles for growth and change which underpin and inform the spatial response. To achieve a well-functioning urban environment with a quality compact urban form, the following principles are identified:

- Principle 1: Reduce greenhouse gas emissions
- Principle 2: Adapt to the impacts of climate change
- Principle 3: Make efficient and equitable infrastructure investments
- Principle 4: Protect and restore the natural environment
- Principle 5: Enable sufficient capacity for residential and business growth in the right place at the right time

This project is consistent with the spatial principles set out in the FDS. In particular:

Reduction in Greenhouse Gas Emissions: The project will deliver compact urban form and a comprehensive and integrated development over a large land holding that is contiguous with the existing urban development in Ara Hills and proximate to the planned urban development in

Milldale North and existing urban development in Milldale. The development will incorporate a network of pedestrian and cycle paths, including providing cycling infrastructure along the Milldale and Grand Drive connection (NoR6), connecting through to Grand Drive, and beyond to the Grand Drive local shops, the future commercial centre consented at Ara Hills next door to the east, and through to Orewa. There is also a bus planned to connect to Ara Hills in the near future, which can be extended along the NoR6 road and collector roads, supporting a shift to public and active modes.

The proposal provides social infrastructure within the development itself including two neighbourhood parks, recreational trails and neighbourhood shops that will provide for the day-to-day needs of future residents. This creates opportunities for residents of the Delmore development to live locally and access most of their daily needs by active modes and public transport.

Adapt to the impacts of Climate Change: The Flooding Assessment has assessed the potential for natural hazards which will be exacerbated by climate change. The project is not located within an area where hazards have been identified as preventing development. Rather, it is identified as appropriate for urban development, with management measures being the method for managing any hazard risks. Flood hazards including overland flow paths, flood plains and flood prone areas have been mapped and incorporated into the subdivision layout, with reserves and roads located to maintain overland flow routes and dwellings kept out of these areas. Finished floor levels and infrastructure design will ensure resilience to increased rainfall intensity expected with climate change. The proposal incorporates a comprehensive stormwater management system which manages flows up to the 1% AEP (100-year) storm event. Green infrastructure, including rain gardens and riparian planting will support increased infiltration, reducing peak flows, and improving the catchment's resilience to storm events.

Efficient and Equitable Infrastructure Investments: The development can be efficiently and effectively serviced by infrastructure that will be delivered as part of this project by Vineway Limited. Vineway Limited will fund and deliver the section of the Milldale and Grand Drive connection (NoR6) that runs through the site, a key strategic connection between SH1 and Wainui Road, benefiting the wider Hibiscus Coast and North Auckland region. The proposed development also provides all local public roads, drainage reserves, and utility reserves, infrastructure which will ultimately be vested with Auckland Council. Watercare has confirmed that there is 'practical' capacity in the public wastewater and water supply networks (i.e. there is literally water available and capacity to accept and treat wastewater after the Stage 1 upgrade; refer to the Consultation Overview in Appendix 7). Analysis undertaken by McKenzie & Co confirms Delmore would be serviced alongside a best estimate of consented and expected development, with remaining capacity for others, and therefore does not demand a diversion in infrastructure funding. Rather, servicing the Delmore development would mean that some other FUZ areas may need to wait to be developed. Not servicing Delmore would involve holding onto capacity for other, not yet planned, developments. Despite this, the applicant proposes to provide for on-site water supply and wastewater servicing. The proposed conditions preserve the possibility of the development connecting to the public network in the future in the event that these are agreed to by Watercare.

Protect and Restore the Natural Environment: The project will protect and restore the natural environment through the 31.8ha of native revegetation planting proposed to restore degraded pasture, riparian margins and previously grazed consent notice areas. All revegetation areas will be protected through consent notices and covenant mechanisms, including areas within SEA-T

overlays. The proposal will retain and protect the majority of the natural inland wetlands across the site and will enhance the health of the awa through riparian planting along the streams and wetland margins, daylighting existing piped streams and offset planting and wetland creation to mitigate unavoidable wetland loss from essential infrastructure.

Enable sufficient capacity for growth in the right place at the right time: There are limited opportunities for growth in the Hibiscus Coast area, despite there being significant market demand. The FDS acknowledges the uncertainty in relation to predicting development capacity, stating that Auckland would benefit from more capacity for growth and that rather than viewing capacity as a target to meet, it is important to recognise that more capacity means more development opportunities, and in turn more competition among developers to respond to demand. The FDS also acknowledges that legislation requires Auckland Council to be responsive to unanticipated or out-of-sequence development (principle 5(a)). That requirement is triggered by Delmore being listed in the FTAA, providing the applicant with the ability to secure approvals to develop the land now because of the regionally significant benefits this will provide. Delmore is providing for growth in the right place at the right time.

FDS – Spatial Response

The FDS spatial response is underpinned by a continuation of the quality compact approach to accommodate growth as set out in the principles for growth and change discussed above. The FDS identifies four main spatial environments being existing urban, future urban, rural and business areas. This project falls within the future urban area as it is FUZ in the AUP.

The spatial response seeks to:

- Focus growth within the existing urban area at a regional level;
- Move towards a multi nodal model which grows the roles of Albany, Westgate and Manukau in relation to sub-regional sustainability at a sub-regional level; and Neighbourhoods will offer a wider range of services and non-residential land uses to create greater sustainability at a local scale.

This project is consistent with the spatial response at a regional, sub-regional and local level for the following reasons:

- The regional focus for growth seeks to phase growth in FUAs over an extended timeframe. This proposal has infrastructure solutions to enable urbanisation, many of which have already been developed or will be developed and funded by the applicant.
- The development will be well connected to both the City Centre and the Albany Centre node, and these nodes will support in servicing future Delmore residents in relation to employment opportunities as well as regional amenities, supporting sub-regional sustainability. The project will support the growth of the Albany node, through providing an increased residential capacity within 15 minutes of Albany.
- The project will also support planned development within the Upper Orewa vicinity, through the provision of additional residential capacity ensuring greater sustainability at a local scale, with existing and planned Business zoned land within proximity of the site helping service the existing and future residents with amenities and facilities.

The subject site has been identified for future development, and this project will help contribute towards the growth challenge within Auckland North, through the efficient delivery of

approximately 1,213 new homes, a significant portion of the Grand Drive extension as well as all other servicing required to enable development of this area, in an area that has a high, and rapidly increasing demand for residential capacity.

This proposal will contribute to a quality compact approach to accommodating growth by enabling development in an area already zoned Future Urban, that is adjacent to the existing Ara Hills development and proximate to the existing Milldale development that is nearing development capacity. This proposal has infrastructure solutions to enable urbanisation.

12.5.3 Auckland Council Long Term Plan 2024-2034

The Council's Long-Term Plan ('LTP') 2024-2034 provides a ten-year budget to implement the Council's strategic direction. The LTP highlights that Auckland's population continues to grow and as such, there is significant demand for new infrastructure and quality compact growth. The investment approach for long-term growth is aligned with the FDS, with investment tagged for development planned in spatial priority areas or of a regional benefit, including bulk infrastructure. It is considered that the construction of the NoR6 arterial road within the site, and the provision of affordable housing within an area with high demand for such housing, will contribute to the delivery of bulk infrastructure and housing supply of a regional significance.

12.5.4 Rodney Local Board Plan (2050)

The key outcomes from the 2023 Rodney Local Board Plan that are relevant to the proposal are set out below:

- Outcome 1: Our people - *Our people support each other, have what they need to live well and are able to adapt to change.*
- Outcome 2: Our environment - *Our land, waterways and coastlines are cared for and protected*
- Outcome 3: Our Community: *Our community facilities, libraries and parks are great places to connect, play and learn.*
- Outcome 4: Our Places: *Our towns, villages and rural areas are vibrant, prosperous, and liveable.*
- Outcome 5: Our Transport: *Our transport networks are safe, accessible, and well maintained.*

The proposal has taken into account these desired outcomes and they are generally addressed by the statutory planning documents applying to the area which have already been carefully analysed above.

12.5.5 Supporting Growth – Delivering Transport Networks

Supporting Growth is a collaborative document prepared by Auckland Council, Auckland Transport and the New Zealand Transport Agency to provide a coordinated approach to land use and transportation infrastructure delivery necessary to support planned urban growth within Future Urban areas in Auckland.

High frequency bus routes and adjacent walking and cycling paths will connect Silverdale to Orewa via the Hibiscus Coast Highway and Grand Drive. New or improved crossings over State Highway 1 will provide additional connectivity to key destinations on either side of the motorway, in the form of designations including NoR6.

This proposal presents an opportunity for part of the key NoR6 arterial connection to be delivered, providing significant infrastructure for both existing and planned future development within the wider area.

12.5.6 Regional Land Transport Plan 2024-2034

The Auckland Regional Land Transport Plan (2021-2031) sets out the funding programme for Auckland's transport services and activities over a 10-year period. Planned transport activities for the next three years are provided in detail while proposed activities for the following seven years are outlined. The Regional Land Transport Plan is jointly delivered by Auckland Transport, NZTA/Waka Kotahi and KiwiRail, and forms part of the National Land Transport Programme.

The key directions of the Regional Land Transport Plan include to:

- Better connect people, places, goods and services;
- Increase genuine travel choices for a healthy, vibrant and equitable Auckland; and
- Maximise safety and environmental protection.

In respect of the proposed development, the project will deliver a road network that will provide enhanced access through delivery of part of the NoR6 arterial road and two collector roads, and internal safety as outlined in the ITA. The proposed development is considered to be compatible with the surrounding transport environment and provides for connections via a section of the arterial road within NoR6. Road and intersection upgrades will be undertaken as outlined in the ITA.

12.5.7 Regional Public Transport Plan 2023-2031

The Auckland Regional Public Transport Plan 2023-2031 (RPTP) describes the public transport network proposed by Auckland Transport over the next ten years and identifies the services integral to that network. The plan outlines a hierarchy of service layers and aspirational levels of service for each service layer.

The vision of the RPTP is to "massively increase public transport use to reduce congestion, improve access for Aucklanders, support the economy and enhance the environment."

To achieve this vision, the RPTP features five focus areas:

(1) Services providing an excellent customer experience;

(2) Enhancing the environment and tackling the climate emergency;

(3) Safe and accessible transport for everyone;

(4) Integrating public transport into a growing Auckland; and

(5) Funding and delivering public transport transparently

The plan identifies a new connector bus service running between Orewa, West Hoe Heights, Ara Hills and Hibiscus Coast Station, planned to begin from 2027. Locating development adjacent to these suburban areas is considered to improve the feasibility of more frequent public transport services in the future.

12.6 Statutory Considerations Summary

Overall, the application is considered to be consistent with, and not contrary to, the applicable provisions of the NES-F, NPS-IB, NPS-UD, NPS-FM, AUP (OP), relevant iwi authority documents, and any relevant regional or local plans.

13.0 The FTAA Decision Making Framework

In considering whether to grant the approvals sought in this application the panel must meet the requirements of Section 81, which includes applying the specific decision-making clauses in Schedule 5 for the RMA approvals sought and Schedule 8 for the HNZPT approvals sought.

13.1 Approvals Relating to Resource Consents Ordinarily Sought Under the RMA

Clause 17 of Schedule 5 of the RMA outlines that when considering a consent application and setting conditions, the Panel must take into account the following:

- The purpose of the FTAA;
- The provisions of Parts 2, 3, 6 and 8 to 10 of the RMA that direct decision making on an application for a resource consent (which for the purposes of assessing approvals under the FTAA do not include Section 104D of the RMA); and
- The relevant provisions of any other legislation that directs decision making under the RMA.

The Panel must give the greatest weight to the purpose of the FTAA.

The reference to Part 2 excludes Section 8 of the RMA and the reference to Part 6 of the RMA excludes Section 104D. Any provision in Parts 2, 3, 6 and 8 to 10 that would require a decision maker to decline an application for resource consent under the RMA may be considered (unless expressly excluded) "but must not treat the provision as requiring the panel to decline the application".

Consideration of Section 104(1)(c) of the RMA must include consideration of any mana whakahono a rohe or joint management agreements. This application has been prepared on the basis that Treaty settlements (as defined by the FTAA) and iwi planning documents lodged with the Council, would also be matters considered under Section 104(1)(c) of the RMA.

Clause 18 of Schedule 5 outlines that Parts 6, 9 and 10 of the Resource Management Act 1991 relevant to setting conditions on a resource consent apply to the Panel. When setting conditions the Panel is also subject to the express requirement for conditions to be no more onerous than necessary to address the reasons for which the condition is set in accordance with the provision of the FTAA that confers the discretion (Section 83). The Panel can also set conditions to recognise or protect a relevant Treaty settlement (Section 84). Conditions may also be set to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support the project to which an application relates (Section 84A).

13.2 Approvals to Change Conditions Ordinarily Sought Under the RMA

Clause 23 of Schedule 5 of the RMA outlines that Section 127(1) and (3) of the RMA are applied for the assessment of the proposed change of consent notice conditions. Section 127(3) must be

read as if it referred to Part 6 of the RMA. The panel must also consider any mana whakahono a rohe or joint management that is relevant to the approval. The clause 17 analysis also applies.

13.3 Approvals Relating to HNZPT 2014

Clause 2 of Schedule 8 of the RMA relates to information that is required for an application for an archaeological authority. This information has been provided by Clough and Associates, as referenced in this AEE.

Clause 4 of Schedule 8 says that for the purposes of the Panel's decision under Section 81, the Panel must take into account the following:

- The purpose of the FTAA;
- The matters set out in Section 59(1)(a) of the HNZPT Act;
- The matters set out in Section 47(1)(a)(ii) and (5) of the HNZPT Act; and
- A relevant statement of general policy confirmed or adopted under the HNZPT Act.

The Panel must give the greatest weight to the purpose of the Fast-track Approvals Act.

Clause 5 of Schedule 8 relates to imposition of conditions for an archaeological authority.

13.4 Declining an Approval under Section 85 of the FTAA

The Panel must decline an approval if 1 or more of the situations in Section 85(1) applies to a project. The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights.

In the case of an approval to change a condition, an approval must be declined if required by clause 23 Schedule 5. In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by clause 17(5) Schedule 5 in an area.

The Panel may also decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In subsections (3) and (4), adverse impact means any matter considered by the Panel in complying with Section 81(2) that weighs against granting the approval.

14.0 Assessment of the Proposal Against the FTAA Decision Making Framework

14.1 Information Considered

This AEE, and Section 14 in particular, has been prepared considering the information referred to in Section 81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All the technical reports supporting the application, including those lodged with the substantive application;
- Information from MFE relating to the Schedule application and information from Heritage NZ received in response to engagement undertaken as the substantive application was prepared;
- The cultural impact assessments prepared about the project and the careful analysis of Treaty settlements and iwi planning documents as prepared for the application. This was prepared with reference to the comments about these matters in MFE's feedback on the Schedule application; and
- Feedback received from engagement.

14.2 Situations Where the Panel Must Decline an Approval

None of the situations where the Panel must decline an approval apply to the application.

- The application does not seek approval for an ineligible activity as defined in Section 5 of the FTAA. For completeness it is noted that this was the conclusion also reached by MfE in its assessment of the Schedule application.
- The detailed assessment of the Treaty settlements that apply to the site provided in Section 11 and **Appendix 8** confirms that granting the approvals sought would be consistent with obligations arising under existing Treaty settlements, and so not breach Section 7 of the FTAA. This conclusion is supported by the support for the project expressed in the cultural impact assessments that have been prepared.
- There is nothing in clause 23 Schedule 5 or Part 6 of the RMA that requires the decline of the approval to change of consent notice conditions sought in this application.
- Clause 17(5) Schedule 5 does not apply to the resource consent approvals sought because they do not include an application for a coastal permit for aquaculture activities.

Consequently, whether the approval is granted is a discretionary assessment to be made in accordance with the provisions of the FTAA addressed below.

14.3 The Purpose of The Fast-Track Approvals Act

Assessment of the proposal against the purpose of the FTAA is undertaken first because it is relevant to all of the approvals sought in this application, and is to be given the most weight by the Panel in its decision on all approvals.

The purpose of the FTAA is (Section 3 of the FTAA):

"The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits"

As a listed project, Delmore is described in Schedule 2 as a "project with significant regional or national benefits". This indicates that it has already been established that Delmore has regional or national benefits that are significant through the parliamentary decision to list the Delmore project in the FTAA.

Beyond this confirmation that the project has significant regional or national benefits, what constitutes a significant regional or national benefit is not defined in the FTAA, and the particular significant regional or national benefits of the Delmore project are not stated in Schedule 2.

As a result, and because the Panel has to consider the extent of benefits, consideration in Section 22(2)(a) have been used as a reference point for the purposes of this analysis.

Delmore, and the specific approvals sought to enable its development, is considered to meet the purpose of the Act for the following reasons:

- Section 22(2)(a)(ii): Delmore will deliver a significant part of the NoR6 arterial road which is part of Auckland Transport's and the New Zealand Transport Agency's northern project. Stage 1 of the development will see delivery of the part of the NoR6 road that is within that stage of the development. This is an area of challenging terrain and construction by the applicant results in a construction cost saving to Auckland Transport of approximately $10 million. On completion of the entire development, the applicant will work with Auckland Transport to deliver the part of the NoR6 road extending south from Delmore Stage 1 to Russell Road. This has a construction saving for Auckland Transport of approximately $15 million. The land required to construct the small part of the NoR6 road associated with the Grand Drive Extension is to vest in Auckland Transport by 2028 and the applicant is engaging with Auckland Council about working in collaboration with AVJ and Auckland Council to form this connection, if AVJ does not itself do so in accordance with the requirements of its current resource consent. The ITA in **Appendix 24** explains why the NOR6 road generally, and the part being delivered by the Delmore development specifically, is regionally significant infrastructure. In summary, the NoR6 road will provide transport choice and provide safe and efficient options for future public transport and active transport in addition to private vehicles. Users will have an opportunity to be more active and connect to places by active transport modes such as walking or cycling. The road will provide a new transport corridor that connects the growth areas of Milldale, Ara Hills and Ōrewa and is integrated with the surrounding urban growth areas. It will enable access to economic and social opportunities by providing an integrated multimodal corridor. It will integrate and support the future transport network including other 'North Projects', and support the development of an efficient, resilient and reliable multi-modal transport network for Hibiscus Coast area. The NoR6 road is also considered to have positive impacts on the efficiency of freight in the area, improving the way businesses operate, providing potential further economic benefits to the region.
- Section 22(a)(iii): Delmore will increase the supply of housing in Auckland by bringing up to 1,213 houses to market, many with a price point below the average price point in the Hibiscus Coast area. Delmore is a master-planned development, so unlike many developments (including other approved fast-track developments), grant of approval includes approvals for homes and supporting infrastructure, not just for residential lots. As the Economics Assessment (**Appendix 15**) explains the regional value of this additional housing is approximately $903.8

million NPV (before CBA assessment). The Urban Design Assessment (**Appendix 13**) explains how the Delmore development will contribute to a well-functioning urban environment through its design and also its location, filling in a key hole in development on the western side of State Highway 1.

- Section 22(2)(a)(iv): Delmore will have significant regional and national economic benefits. The net economic benefit for Auckland is approximately $1.23 billion over the period 2026-2050. The benefit-cost ration is 4.0; for every $1 of cost (infrastructure cost, opportunity cost, environmental cost) the Auckland region has $4 of benefit. The net benefit for New Zealand over the same timeframe is approximately $1.21 billion.
- Section 22(a)(vi) and (ix): Delmore will make a significant contribution to addressing the significant environmental issue facing the Auckland region of indigenous biodiversity loss and degradation. In doing so it also supports development of the region's natural indigenous vegetation resources (it is noted that this is how the Panel considering the Maitahi fast-track application framed the benefits associated with vegetation planting). The proposal does this through enhancing existing areas of native vegetation on the site, undertaking extensive new planting, creating additional wetlands, and providing for legal protection of these areas. The planting undertaken focuses on helping recreate the original WS11 habitat within the wider area and restoring riparian ecosystems, which has been significantly degraded regionally in recent times. To this end, with reference to the EIA and the assessment in Sections 12.2.2 and 12.2.3 above:
    - The proposal will see approximately 44ha of native vegetation across the site on completion. This will see a net gain in riparian and wetland vegetation, and a net gain in vegetation that is part of/contiguous to identified SEA-T's. It will also provide an important buffering function for existing areas of established vegetation, enabling a greater central area to thrive. As well as this, the revegetation, improves the ecological corridor functionality of the vegetation within the site, and connecting that vegetation to SEA-T vegetation to the north, west, and south; and
    - New wetlands are created at a 3:1 ratio, with 2,244m^2 of new wetland created in Stage 1 and 1,014m^2 of new wetland created in Stage 2, resulting in a total of 3,258m^2, and a net gain of 2,173m^2 of wetland habitat, increasing ecological values of connectivity and reducing edge effects for existing wetlands.

The regionally significant benefits of the project weigh in favour of the approvals sought being granted.

14.4 Resource Consent and Change of Condition Approvals Sought

Clause 17(1)(b) requires the same assessment usually undertaken under Section 104 RMA subject to any amendments made by the FTAA including removing Sections 8 and 104D from the assessment and adjusting provisions that would ordinarily require an application be declined to being provisions to be taken int account. It is this assessment that is then taken into account. The assessment below considers all of Parts 2,3,6, 8, and 10 applicable to a resource consent assessment, although given the above, the critical components are that relating to Part 6 which contains Section 104 and to Part 2 which contains the purpose and principles.

14.4.1 Part 2 of the RMA

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the proposed development is consistent with sustainable management as defined by the RMA. It will provide for the social and economic well-being of people and communities by increasing expenditure, employment and income within the local economy and up to 1,213 new homes to assist with Auckland's housing shortage. The preceding assessments demonstrate that the design adopted and the methods proposed for managing construction effects will ensure that the site's native flora and fauna, and its extensive network of waterways will be sustained and enhanced for future generations to ensure, and their life-supporting capacity protected. Adverse effects are avoided, remedied, or mitigated.

Delmore provides for all parts of Section 6 RMA that are relevant to the site.

- It preserves the natural character of the wetlands and permanent rivers within the site. Some wetlands and streams are impacted by development, but their natural character is retained and values that are impact, or extent lost, are offset through extensive planting and wetland re-creation. It also enhances the natural character of waterways through removal of numerous existing farm culverts. With regards to the application to change consent notice conditions specifically, the natural flow of the waterways over which the culverts traverse will be preserved as will the connectivity of wetlands over which they traverse. Natural character associated with vegetation will be preserved through minimising what is removed and the undertaking significant replanting to replace and extend what is lost with planting mixes designed to support return of the historic WS11 ecosystem;
- It also protects the SEA-T's within and adjacent to the site, enhances them through revegetation planting, and provides support to their inhabitants through improving the corridor of vegetation within the site and through to site to SEA-T's surrounding it;
- The proposal includes carefully located walkways along riparian edges, and it will enhance public access to the coast and the coastal marine area for current and new Wainui (and surrounding area) residents through providing a key part of the NoR6 road connection;
- The applicant has undertaken extensive engagement and carefully responded to feedback received to ensure that the whakapapa relationship between Te Kawarau ā Maki, Ngaati Whanaunga, Ngāti Manuhiri, and te Runanga o Ngāti Whātua and the site's taonga, lands and waters are provided for. This is achieved through actions like the extensive planting proposed, avoiding areas of native vegetation, the comprehensive approach taken to managing discharges, and providing for cultural monitoring, input into road names, and opportunity to explore installation of cultural markers, pou, or other works. For the purposes of the approval to change conditions, it is recorded that this engagement covered the works in the relevant vegetated areas;

- The design also protects sites of Māori historic heritage, avoiding the 2 identified sites and taking a conservative approach to earthworks across the site by seeking an authority under the HNZTP and adopting extensive archaeological monitoring; and
- Delmore has also been designed to manage significant risks from natural hazards, basing its design off the technical advice of Morphum, McKenzie & Co and Riley Ltd to ensure flooding and stability hazards will not impact on the safety of the final development.

Delmore is also consistent with the parts of Section 7 of the RMA that are relevant to the site.

- Particular regard has been given to kaitiakitanga through the engagement process and the subsequent actions in response to the recommendations in the cultural impact assessments including through providing for cultural monitoring and incorporating recommendations relating to planting;
- The approach taken to designing Delmore is reflective of a strong stewardship ethic and with particular regard to the intrinsic values of ecosystems, the finite nature of natural and physical resources, and the maintenance and enhancement of the quality of the environment. The focus has been on avoiding existing native vegetation and waterways, with any points that cannot be avoided offset by extensive revegetation planting and also wetland re-creation; this is relevant to both the resource consent approval and the approval to change consent notice conditions, with incursions into the protected areas minimised to the maximum extent possible while providing the access that is required to different parts of the site. Impacts resulting from incursions that cannot be avoided, and for which this is no reasonably practicable and/or functional alternative, are proposed to be offset by extensive native planting across the entire site and recreation of wetland ecosystems. Significant work has gone into ensure onsite discharges are managed so that the health of waterways is retained. All native birds, bats, and lizards potentially on site will be covered by the Fauna Management Plan with actions pre and during construction to minimise effects; and
- Amenity values of surrounding residents and internal residents are maintained through carefully landscape design and architecturally designed homes. The development offers a urban home and lifestyle surrounding by green space, combing to provide an enhanced urban environment. With respect to the approval to change consent notice conditions, amenity associated with the protected vegetated areas will be maintained through extensive planting to replace and extend what is lost.

14.4.2 Part 3 of the RMA

Part 3 of the RMA relates to the duties and restrictions under the RMA. It is considered that the proposal meets Part 3 of the RMA because:

- The approvals sought are all approvals required under Sections 9, 11, 13, 14, and 15 of the RMA;
- Construction noise and vibration effects have been assessed (**Appendix 38**), and the AUP(OP) construction noise limits can be met at the majority of adjoining properties for most of the construction period. Where temporary exceedances may occur at specific neighbouring properties, these will be addressed through the CNVMP, which will set out the measures to manage and mitigate noise and vibration at those locations; and

In relation to the operational phase, the on-site WWTP has been identified as a potential source of noise. This has been assessed, and compliance with the relevant AUP(OP) noise limits can be achieved, provided the WWTP is constructed and operated in accordance with the recommendations of the technical reports. An acoustic fence is also proposed along the southern boundary of Lot 203 to ensure that operational noise associated with the WWTP truck filling activity complies with the applicable residential noise limits.

On this basis, the proposal meets the obligations of section 16 of the RMA.

- As has been set out in the earlier sections of this AEE, the development, including the culverts to which the application to change consent notice conditions relates, has been designed to minimise effects on the natural environment, and any effects that remain are proposed to be managed through a comprehensive suite of conditions. As a result, Section 17 of the RMA has been complied with.

14.4.3 Part 6 of the RMA

Part 6 of the RMA relates to resource consents. It sets out how decisions on applications for resource consents are considered if applied for under the RMA. The relevant sections in Part 6 are addressed below:

- The primary decision-making section applying to both consents and changes to conditions is Section 104 of the RMA. Section 104 requires decision-makers to, subject to Part 2 and Section 77M,[11] "have regard to" the actual and potential effects on the environment of allowing the activity; any measure proposed by the applicant to offset or compensate for adverse effects; any relevant provisions of RMA policy statements and plans; and any other matter that is considered relevant and reasonably necessary to determine the application;
- A comprehensive assessment against Section 104 has been undertaken above. The effects on the environment have been assessed, alongside the design features and measures proposed by the applicant to avoid, remedy, mitigate, and offset those effects. The relevant provisions of the applicable policy statements and plans from national to district level have been analysed and the project has then been considered against them. The FDS has been carefully considered as another relevant matter;
- Based on that analysis the assessment concludes that the resource consent and change to condition approvals sought are consistent with all of the planning instruments to which regard must be had when read as a whole, and paying careful attention to the way in which the different provisions are expressed. The design and management measures proposed mean that environmental effects are addressed in the way those instruments contemplate. There is apparent tension with the policy direction in H18 that urbanisation of FUZ land is avoided until the land is rezoned for urban use. However, when the national, regional, and district plan provisions are read as a whole, those instruments, on our assessment, provide a pathway for urban development on FUZ land in circumstances where there is demand and further supply is needed to ensure sufficient housing capacity; the development can be serviced through private on-site infrastructure; the development has been comprehensively planned to ensure it integrates with the surrounding, wider urban environment and responds to and respects the environmental qualities and characteristics of the site. The existence of this pathway is underscored by the fact that urban development in the FUZ is not a prohibited activity. The

[11] Which we have not considered because the application is not for an activity to which the MDRS are proposed to apply.

AUP(OP) therefore contemplates there will be circumstances where urbanisation is appropriate and meets its objectives and policies when read as a whole;

- For the reasons set out in this AEE (supported by the appended technical information),we conclude that Delmore meets all of the requirements set out above, which summarise the detailed provisions set out earlier. It is noted that although this application is not for a plan change, the design process has essentially included the steps that would be undertaken if a plan change was prepared with development of an indicative structure plan, and design in accordance with an established urban zoning. As a result, assessment against clause 17(1)(b) supports grant of the approvals sought.
- Even if the direction in the AUP that urbanisation of FUZ land ahead of rezoning was considered to be a bottom line that must be met, and that no pathway existed, we consider that assessment against clause 17(1)(b) would still support grant of the approvals sought. This is because, of the reasons set out above, and in our Part 2 assessment, Delmore constitutes a "genuine on-the-merits exception" to that policy direction. It is a master-planned residential development providing a comprehensive urban-outcome for the site that is integrated with the natural environment and surrounding development. It has been designed so that it is self-sufficient with regards to water and wastewater servicing, and the roading upgrades that have been identified in the ITA as being needed to support Delmore have been required as conditions of consent.
- Under Section 105 RMA when deciding an application for a discharge permit the decision maker must have regard to the nature of the discharge and the sensitivity of the receiving environment to adverse effects; the applicant's reasons for the proposed choice; and any possible alternative methods of discharge, including discharge into any other receiving environment.
    - With regard to stormwater discharges, the discharges to the stream will be acceptable due to the proposed treatment approach outlined in the Stormwater Report and the Stormwater Peer review. Furthermore, they mimic the existing catchment as far as practicable, ensuring hydrological function is maintained;
    - With regard to the on-site wastewater discharge, this will only occur where there is no available option to connect to the public network. Should this be the case, the wastewater will be treated to a high quality as discussed within the Wastewater Design Report; and
    - With regard to the air discharge, it is considered the discharges will be acceptable for the reasons outlined within the Air Discharge Assessment. There are no alternative methods available, should the on-site wastewater treatment plant be constructed to meet the infrastructure needs of the proposed development.
- Under Section 106 of the Act, a consent authority may refuse to grant a subdivision consent if it considers that there is significant risk from natural hazards, or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision. The Geotechnical Report by Riley confirms that the proposed development is suitable for the site provided the geotechnical recommendations outlined within the report are adopted. The Geomorphic Risk Assessment by Morphum has informed the development's design and the stability methods that will be used where the development interfaces with the waterbodies on the site. The Flooding Report by McKenzie & Co confirms that the development can be carried

out in such a way that appropriately mitigates any flood risks. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. This can be seen on the scheme plans. Based on the above, it is considered that there is no reason to refuse to grant subdivision consent under Section 106 of the RMA.

- Section 107 specifies specific circumstances when a discharge consent cannot be granted. The Stormwater Report and the Wastewater Discharge Assessment confirm these do not apply.

14.4.4 Part 8 of the RMA

Part 8 of the RMA relates to designations and heritage orders. No heritage orders apply to the site or are proposed. With regard to NoR6, Section 4.2 of this AEE notes that consultation with the requiring authority is ongoing. The NoR6 road within the site has been designed to fit within the designation boundary and AT confirmed that the specific alignment proposed is acceptable. The EIA includes recommendations aligning with the specific ecological management requirements in AT's decisions on NoR6. One of the approvals sought in this application is a change to consent notice conditions, specifically required to provide for construction of the NoR6 road that falls within the designation boundary. It is therefore considered that the proposal and the approvals sought are consistent with Part 8 of the RMA.

14.4.5 Part 9 of the RMA

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. These matters are not relevant to any of the RMA approvals sought.

14.4.6 Part 10 of the RMA

Part 10 of the RMA relates to subdivision and reclamations. All of the provisions addressed below are relevant to the resource consent subdivision approvals sought. Section 221 is relevant to the change to consent notice condition approval sought. Regarding subdivision:

- Specific conditions have been proposed in relation to the subdivision consent approval that is sought. These conditions align with Section 220 of the RMA;
- Some of the conditions proposed provide for the issue of a consent notice in accordance with Section 221 of the RMA. The application also seeks a change to the conditions of an existing consent notice;
- Esplanade reserves are not required because the streams on site do not meet the width requirements to trigger those requirements;
- Roads and reserves to vest, amalgamations, and easements are shown on the engineering drawings and accord with standard RMA practice; and
- All boundaries and allotments are shown on the scheme plans.

14.4.7 Other Relevant Legislation

There is no other primary legislation relevant to the RMA approvals being sought in this application. This requirement in clause 17(1)(c) also captures secondary legislation. All the secondary legislation relevant to the application has already been addressed comprehensively in this AEE.

14.4.8 Conclusion

Based on the analysis above, it is considered that the application is consistent with the parts of the RMA relevant to decision making under the FTAA, and the documents to which they refer, with the exception of the policy direction in the AUP (OP) that development should not occur in the FUZ until a plan change occurs. However, when the objectives and policies of the AUP (OP) are assessed as a whole, it becomes apparent that a pathway exists for granting applications enabling urbanisation of FUZ land, and this application meets that pathway. Even if that policy direction is a bottom line, Delmore is an on-the-merits exception, providing a comprehensive master-planned development that is designed to include private on-site water and wastewater servicing if this is needed and which includes the necessary road infrastructure upgrades as conditions of consent.

Overall, it is concluded that the RMA assessment required by clause 17(1)(b) supports grant of the approvals sought.

14.5 Heritage Authority Approval Sought

14.5.1 Section 59(1)(a) matters to be had regard to:

Section 59(1)(a)(i)

The Archaeological Assessment identifies that the archaeological values of the site are low in the sense that the recorded features within the site are not significant features. Regardless of development has been designed to ensure these are protected. The site still has important values for gaining and understanding of the movements and lifestyles of Māori. The areas identified as having the most likelihood of having other features present are the site's waterways. These are, for the most part, not subject to earthworks, and the conditions of the authority provide archaeological oversite of any earthworks that are within the riparian areas.

Section 59(1)(a)(ii)

The proposal is considered to accord with the purpose and principles of the HNZPT as follows. The identified archaeological sites on the subject site will be avoided by the proposed development. The authority to modify or destroy will have conditions relating to appropriate procedures in the event that additional archaeological sites are encountered during works. In any case, the Archaeological Assessment provided by Clough Associates and assessment contained with Section 11.4 considers that it is considered unlikely that any complex sites are located in the subject site, and that any adverse effects on archaeological values resulting from the proposed development are likely to be minor subject to the implementation of the recommendations provided. As such, it is considered that the proposal will be consistent with the purpose and principles of the HNZPT Act.

Section 59(1)(a)(iii)

Delmore has been designed to avoid the recorded sites and to avoid, except for earthworks for essential crossings, the areas where other sites are most likely to be located if there are any. This is considered to be a positive aspect of the design.

Section 59(1)(iv)

There are no statutory acknowledgement areas applying to the site.

Section 59(1)(vi)

Vineway Ltd has undertaken extensive engagement with iwi and three cultural impact assessments (plus an addendum to the Ngaati Whanaunga cultural impact assessment) have been provided. The responses from Vineway Ltd to the recommendations are comprehensive and identify that the recorded sites are protected and the design and management actions in place to identify and properly manage any other sites identified. The conditions of the land use consent are proposed to include a requirement to invite iwi to attend the start of earthworks in these areas of higher likelihood of discovery and to notify iwi if anything is discovered. For these reasons it is considered that the development and the way construction is proposed to be managed, provide for the relationship of Māori with mana whenua with their culture and traditions and the site's archaeological values.

14.5.2 Section 47(a)(ii) and (5): Effects

For the reasons already addressed in this AEE it is considered that the effects of the development on archaeological and heritage values is less than minor. In summary:

- Existing recorded sites are avoided completely and the authority conditions require for them to be demarcated during earthworks to prevent unintended impacts;
- The areas where discovery is most likely elsewhere within the site will be subject to archaeological monitoring during earthworks to ensure any discoveries are properly managed to either protect or record the discovery, and the extent of earthworks in these areas is minimal in any event; and
- The Archaeological Assessment concludes that the likelihood of discovering archaeological sites or artefacts outside these areas are low.

14.5.3 Relevant Statements of General Policy Confirmed or Adopted

The statement identified as relevant to Delmore is 'The Administration of the Archaeological Provisions'. It is considered that the Archaeological Assessment provided by Clough Associates has provided information and assessment which accords with the general policy, and that appropriate consultation with relevant iwi authorities and HNZPT has been undertaken. Given this, it is considered that the proposal is in accordance with this statement of general policy.

14.5.4 Conclusion

Based on the analysis above it is considered that the relevant parts of the HNZPT and applicable general policy support grant of the approval for an archaeological authority under Sch 8, and the accompanying application for an approved person to carry out the activities covered by the authority.

14.6 Decision Whether to Grant the Approvals Sought in the Application

14.6.1 Resource Consent Approvals

As set out in Section 13.4 above none of the situations that require the panel to decline an application apply to this application.

Assessment of the application against Sections 81 and 85 support a decision to grant the approvals sought in the application.

Delmore provides significant benefits for the Auckland region as set out in Section 14.3 above. These benefits weigh in favour of granting the approvals and under the FTAA statutory scheme are to be given the greatest weight when deciding the application.

Delmore is consistent with the national, regional, and local planning documents that apply. Effects are controlled in the way those documents envisage and the natural environment and urban development outcomes, including priority outcomes for restoration, as expressed in those documents, are delivered.

The one exception to this is inconsistency with policy direction in the AUP(OP) that FUZ land should not be developed for urban use until a Plan Change is approved. As already explained, this application does not include a plan change but the design process has essentially included the strategic steps that a plan change would include, including production of a structure plan. Consequently, and for the reasons outlined above, the application therefore meets the pathway provided by the applicable planning instruments when read as a whole for projects that provide for urban development of FUZ land, and would therefore be granted under s 104 RMA. Even if those provisions are bottom lines, the project would still fall to be granted under the RMA as a genuine exception.

Overall, assessment against s 104 RMA, Part 2 RMA, and the other applicable RMA provisions weigh in favour of granting the resource consent approvals alongside the project's regionally significant benefits.

14.6.2 Approvals to Change Consent Notice Conditions

As discussed above, the approvals for changes to the consent notice conditions are material to implementation and delivery of Delmore, and so realisation of its regionally significant benefits. If the changes are not made the NoR6 road will not be able to be delivered, and access to developable portions of the site will not be possible.

Facilitating the project and the regionally significant benefits it will result it supports granting the approvals for the changes. Grant of approval is also supported by the relevant provisions of the RMA. The focus has been on avoiding existing native vegetation and waterways, with any points that cannot be avoided offset by extensive revegetation planting and also wetland re-creation; this is relevant to both the resource consent approval and the approval to change conditions, with incursions into the protected areas minimised to the maximum extent possible while providing the access that is required to different parts of the site. Impacts resulting from incursions that cannot be avoided, and for which this are no reasonably practicable and/or functional alternatives, are proposed to be offset by extensive native planting across the entire site and re-creation of wetland ecosystems. Potential effects on native vegetation not to be removed are to be monitored and controlled by a detailed Tree Management Plan and expert oversight. This approach and these outcomes meet the direction in the applicable planning instruments.

Consequently, both the regionally significant benefits of the proposal and assessment against the RMA (clause 17(1)(a) and (b)) weight in favour of granting the Change to conditions approvals sought.

14.6.3 Approval for Archaeological Authority

The approval for an archaeological authority is also essential for delivery of the project. It is applied for on a conservative basis, to cover any potential discoveries and avoid this delaying project delivery and realisation of associated regional benefits.

For the reasons outlined above, granting the archaeological authority is consistent with the purpose and principles of the HNZPT, and the assessment against the other considerations that apply confirms they support grant of the approval.

There will be no significant effects from granting the approval for the reasons outlined. Identified sites are protected, the authority is sought on a conservative basis and the development's design and conditions proposed mean any new sites will be identified, and most likely (given they are expected to be within riparian areas) able to be protected.

Consequently, the approval and it should be granted subject to appropriate conditions.

15.0 Conclusion

This AEE Report has been prepared in accordance with the requirements of the FTAA and provides a comprehensive evaluation of the actual and potential effects of the proposed Delmore development. The proposal represents a carefully refined and fully integrated response to the matters previously identified by the Panel and administering agencies, and it now provides a high level of certainty in respect of infrastructure provision, environmental outcomes, and long-term implementation.

The proposal will deliver significant regional benefits that directly align with the purpose and intent of the FTAA. In particular, it will make a substantial contribution to housing supply in Auckland and the Hibiscus Coast through the delivery of up to 1,213 dwellings, including a predominance of standalone homes that respond to identified market demand. The development will also fund and deliver a substantial portion of the regionally significant NoR6 arterial road, improving network connectivity and supporting planned growth on the western side of State Highway 1. These outcomes represent clear social, economic and infrastructure benefits of the type envisaged by section 22 of the FTAA.

The technical assessments accompanying this application demonstrate that the proposal can be adequately serviced and that all key infrastructure constraints have been resolved. Water supply and wastewater servicing certainty has been achieved through the provision of on-site systems with appropriate staging controls, while retaining flexibility to connect to public networks should capacity become available in the future. Transport effects have been comprehensively assessed, with the internal roading network, collector roads and arterial connections designed to safely and efficiently accommodate forecast traffic volumes, public transport, and active modes. Stormwater, flooding and natural hazard effects have been robustly evaluated and appropriately mitigated through best-practice design, ensuring that risks to people, property and the receiving environment are managed to an acceptable level.

The development will result in the protection, restoration and enhancement of approximately 44 hectares of indigenous vegetation and wetland environments, delivering a net gain in biodiversity values and making a meaningful contribution to addressing the regional and national issue of indigenous biodiversity loss. The proposed ecological outcomes are supported by legally enforceable mechanisms, long-term management arrangements, and a clear establishment and maintenance framework, providing confidence that the intended benefits will be realised over time.

The assessment of effects demonstrates that any adverse effects arising from the proposal will be appropriately avoided, remedied or mitigated such that they are no more than minor. Where effects are temporary in nature, particularly during construction, these will be managed through a comprehensive suite of management plans and consent conditions. The proposal has also been assessed against the relevant statutory planning framework and is considered to be consistent with the objectives and policies of the AUP (OP), relevant national policy statements, and the FTAA decision-making framework when those documents are read as a whole.

Overall, the Delmore development represents a well-considered and integrated urban development that will deliver substantial housing, infrastructure, economic and environmental

benefits. It is considered that the proposal meets the purpose of the FTAA and that the Panel can be satisfied that the approvals sought should be granted, subject to the proposed conditions, to enable the timely delivery of these significant outcomes.