Table 1 - Council, RFI and applicant evidence: where the evidence now agrees and where it remains contested

Issue / disciplines	Council evidence / s42A position	Applicant expert position	Common ground now established	What remains disputed	Decision the Panel must make	If applicant position is accepted
Lot 1 flood risk **Oakley / Awa-Trueman / Martell / Taylor**	Council treated Lot 1 flood, groundwater, conveyance, hydraulic neutrality, off-site effects and safe access as insufficiently demonstrated and recommended Lot 1 remain rural.	Awa's RFI assessment models post-Expressway conditions and three Waikanae River breach scenarios; the Chillingworth scenario sends floodwater under the Expressway and into the site, with approximately 10–600 mm peak depths. Martell and Taylor then model a particular engineered Lot 1 concept using raised platforms, conveyance and compensatory storage.	Lot 1 is flood-affected and part of a wider Waikanae River residual-overflow system; the Expressway altered the overflow path; residual conveyance and storage must remain functional; development requires deliberate engineering rather than ordinary land development.	Whether the combined Waikanae River overflow, local ponding, groundwater, stormwater and future-climate risk has been sufficiently and independently assessed before rezoning; and, if so, whether one conceptual engineered landform is enough to justify the full GRZ/MDRS envelope.	Has the Panel received enough comprehensive, independently peer-reviewed evidence to overturn the initial s42A recommendation for Lot 1, taking account of the wider river-breach/overflow system and increasing flood risk?	If the flood-risk threshold is met, whole-site rezoning should still be conditional on a protected post-Expressway flood-conveyance corridor, compensatory storage, hydraulic neutrality, climate-resilient design assumptions and independent verification so future development cannot depart from the assumptions that made the concept work.
Groundwater and soakage **Oakley / Martell / Taylor / Smith**	Council identified variable groundwater and insufficient evidence on soakage and wetland hydrology as central Lot 1 uncertainties.	Applicant experts accept variability, recommend piezometers / further monitoring and infiltration testing, but characterise these as detailed design matters.	Groundwater is a material input to stormwater, building levels, infiltration, geotechnical treatment and wetland hydrology.	Whether the remaining uncertainty is acceptable after rezoning; whether full monitoring is needed before the Panel can conclude fundamental suitability.	Does the Panel have enough evidence to treat groundwater as implementation detail rather than a prerequisite to rezoning?	Require enforceable monitoring, infiltration and hydrological-performance outcomes before development proceeds; do not allow the zoning rights to outlive the assumptions.
Wetland / ecology **Pickett / Ussher**	Council supported protection of the wetland and wider hydrological relationship, including a site-specific 10 m buffer.	Ussher narrows the wetland extent but confirms the natural inland wetland, pond/QEII area, highly modified stream, hydrological sensitivity and need for separation; supports a 10 m buffer in principle.	The whole pasture is not wetland; the ecological issue is function, connectivity, sediment, hydrology and development interface effects.	Whether the 10 m buffer and hydrological protection should be binding at rezoning or left to consent-stage judgement.	If both experts accept the need for protection, what planning mechanism best guarantees the outcome?	Retain a binding 10 m wetland/pond protection buffer and explicit hydrological-protection outcomes.
Geotechnical conditions **McDermott / Smith**	Council considered geotechnical constraints manageable but requiring further investigation and engineering.	Smith agrees the site is developable; dune land is broadly TC2 while low-lying areas are currently consistent with TC3 and may require major earthworks, ground improvement or buffers.	Geotechnical conditions are not a stand-alone reason to decline; low-lying development is highly engineered and interdependent with groundwater / earthworks / flood design.	How much can be deferred to subdivision without undermining the concept used to justify rezoning?	Can later geotechnical findings materially alter the flood / earthworks concept without re-testing the rezoning assumptions?	Any material departure from the modelled landform should trigger renewed integrated flood, groundwater and geotechnical assessment.
Transport / interchange **Shields / Benner / Wignall**	Council identified adverse capacity and safety effects and recommended site-specific transport controls.	Updated applicant modelling is more favourable and supports 150 dwellings, but accepts poor-performing movements in cumulative scenarios, further testing and specific transport / active-mode works.	PPC5 generates material traffic; cumulative network effects matter; some development-triggered works and future modelling are required.	Severity of cumulative effects, appropriate triggers, and whether works can safely be left to later consent.	Which transport interventions and modelling thresholds must be prerequisites rather than future aspirations?	Retain enforceable development triggers for modelling, intersection treatment, right-turn provision and active-mode connections.
Water / wastewater **Waterland / Robinson / Pillai / Taylor**	Council evidence showed no remaining water capacity for additional growth without mitigation or planned upgrades; wastewater also has constraints until rising-main investment / mitigation.	Taylor accepts the current water constraint, identifies planned / interim solutions and says development must be sequenced with available capacity; wastewater is more manageable.	There is a real current servicing constraint; development is feasible only with sequencing, investment and/or mitigation.	What capacity trigger is needed and who bears the risk if planned upgrades are delayed or capacity is needed by already-zoned / consented development?	Should rezoning create development rights before the necessary network capacity is demonstrably available?	Retain a clear infrastructure-capacity trigger preventing development ahead of available water / wastewater capacity.
Fairway Oaks amenity **Button / Ormsby**	Button assesses moderate adverse visual effects on 4, 6, 8 and 10 Fairway Oaks Drive and recommends 5-10 m landscaped setbacks.	Ormsby accepts adverse visual effects on those properties but assesses them as low and opposes special controls.	The adverse interface effect exists; the dispute is magnitude and the level of mitigation required.	Whether ordinary GRZ/MDRS setbacks are adequate or whether the acknowledged interface warrants site-specific protection.	What level of certainty and mitigation is appropriate where adverse effects on identified neighbours are common ground?	Retain site-specific planted setbacks, particularly because ordinary GRZ/MDRS controls could enable a materially different interface outcome.
Highly Productive Land **Chambers / Grant**	Council said the earlier information was insufficient to establish the relevant NPS-HPL tests and requested further evidence.	Grant provides paddock-scale analysis and concludes the clause 3.10 pathway is met.	The information gap has been materially addressed; HPL is now a contested statutory assessment rather than a simple absence of evidence.	Whether the long-term constraints / alternatives satisfy the statutory test, and whether rezoning remains strategically appropriate even if the HPL threshold is met.	Does the new evidence satisfy the NPS-HPL test and, separately, does it make this the right place for urban growth?	Treat HPL as a matter for careful statutory weighing, not the sole determinant of planning appropriateness.
Planning framework **s42A planner / Susan Jones**	Council moved away from the plan change as lodged, recommended Lot 1 remain rural and proposed site-specific controls for flood, ecology, amenity, transport and servicing.	Jones supports whole-site GRZ and generally prefers existing District Plan / later resource-consent processes, opposing a binding structure plan and several Council controls.	Technical feasibility depends on particular flood, ecological, infrastructure and transport outcomes. The Awa RFI material also shows that Lot 1 sits within a wider Waikanae River breach/overflow system.	First, whether the wider flood-risk threshold has been met before rezoning. Second, whether the mitigation and other outcomes relied on by the technical evidence need to be secured at rezoning or can safely be left to later, often controlled / non-notified, consent processes.	Can the Panel create residential rights over the low-lying land without comprehensive independent flood-risk assurance, and if that threshold is met, can it rely on a tightly mitigated technical concept while approving a planning framework that permits a materially different outcome?	If whole-site rezoning is approved, adopt a binding structure plan and robust site-specific provisions that materially align the development enabled with the development assessed and secure the flood-risk assumptions on which feasibility depends.

Table 2 - Mitigation relied upon by the applicant vs protection actually secured

Applicant evidence / issue	Mitigation or outcome relied upon	Why it matters to the favourable expert conclusion	Position under PPC5 as applicant seeks it	Council / s42A protection proposed	Applicant planning response	Residual gap / hearing point
Awa / Martell / Taylor Waikanae River breach / post-Expressway overflow / climate resilience	Demonstrate an acceptably low and durable residential flood risk across Waikanae River breach/overflow, the post-Expressway residual flow path, local ponding, groundwater and stormwater, with current climate-change allowances and sensitivity to more severe events.	Awa shows the low-lying site can receive river-breach floodwater and that the Expressway altered the residual overflow path. The favourable development proposition therefore depends on more than preserving a local drainage route; the wider hazard system must be understood and safely managed.	Applicant seeks whole-site GRZ. The conceptual engineering solution provides a pathway but does not itself amount to a comprehensive, independently verified whole-of-risk assessment for the low-lying land.	Council initially recommended Lot 1 remain rural because flood, groundwater, conveyance and related feasibility were insufficiently demonstrated and sought stronger site-specific flood-risk direction.	Applicant planning case relies substantially on later design / consent and does not propose an independent flood-risk verification requirement before low-lying residential development proceeds.	PRIMARY THRESHOLD — Lot 1 should remain General Rural unless comprehensive, independently peer-reviewed evidence demonstrates that river breach/overflow, post-Expressway flow paths, local flooding, groundwater, future climate conditions and off-site effects can be safely and durably managed.
Martell / Taylor Flood conveyance	Retain a defined residual flood-conveyance corridor reflecting the post-Expressway flow path and the Waikanae River breach/overflow scenarios relied upon in the evidence.	The Lot 1 concept is workable only if residual floodwater can continue to pass safely through the developed land and the altered post-Expressway pathway remains functional.	Applicant seeks whole-site GRZ and relies substantially on later design / consent to deliver the detailed landform.	Council proposed site-specific flood-risk direction and initially recommended Lot 1 remain rural pending sufficient feasibility evidence.	Jones generally resists a binding structure plan and prefers existing provisions / later consent.	If the Panel relies on the modelled flow path to justify rezoning, the land needed for that path should be protected in the Plan Change as an enduring constraint.
Martell / Taylor Compensatory storage / hydraulic neutrality	Replace displaced flood storage, achieve hydraulic neutrality and avoid worsening off-site flood effects, with design assumptions tested against current climate-change allowances and reasonable sensitivity to more severe events.	Raised platforms and fill otherwise remove existing storage and could redirect water toward neighbours / downstream land.	Conceptual engineering demonstrates a solution, but the exact storage geometry and final design are not inherently fixed by GRZ zoning.	Council sought stronger flood controls and plan-stage assurance.	Applicant planning case relies on later design rather than a binding engineered structure plan.	The Panel should require compensatory storage, hydraulic neutrality and climate-resilient design assumptions as mandatory outcomes, not optional later design choices.
Martell / Taylor / Smith Groundwater and infiltration	Further piezometer monitoring, infiltration testing and design that preserves wetland hydrology.	Groundwater controls building levels, soakage, geotechnical treatment, stormwater performance and ecological function.	Further investigations remain for later stages.	Council treated groundwater uncertainty as a significant Lot 1 concern.	Applicant experts say the uncertainty can be resolved during detailed design.	The Panel should decide what minimum monitoring / performance evidence is required before development rights can be exercised and require the final flood-risk / stormwater solution to be independently peer reviewed.
Ussher Wetland buffer	A 10 m wetland setback / buffer in principle and protection of hydrological function.	Ussher's favourable ecological conclusion assumes effective separation and maintained wetland function.	Applicant does not seek to make the full planted 10 m buffer a binding PPC5 requirement.	Council recommended a site-specific 10 m planted buffer.	Jones opposes requiring the planted buffer through PPC5 and prefers consent-stage resolution.	Where the applicant ecologist accepts the buffer in principle, the Panel should question why the essential protection is not secured now.
Ormsby / landscape interface Fairway Oaks	Manage the acknowledged adverse visual interface with adjoining residents.	Adverse effects on 4, 6, 8 and 10 Fairway Oaks Drive are accepted even though magnitude is disputed.	Ordinary GRZ/MDRS controls would apply if no site-specific measure is retained.	Council recommended 5-10 m landscaped setbacks depending on building height / interface.	Jones / Ormsby oppose special site-specific setback and planting controls.	Ordinary GRZ setbacks do not reproduce the mitigation assessed by Council. Retaining the Council buffer gives certainty at the acknowledged interface.
Taylor Water / wastewater sequencing	Development proceeds only when adequate network capacity / mitigation is available.	Taylor accepts no remaining water capacity for additional growth without mitigation or planned upgrades.	Whole-site rezoning itself does not guarantee that network upgrades are operational before development pressure arises.	Council proposed a site-specific servicing requirement so development does not compromise existing / established users.	Jones does not support the Council site-specific water provision.	A clear capacity trigger should remain; otherwise the planning rights are stronger than the infrastructure assumptions supporting them.
Benner / Wignall Transport works and cumulative testing	Right-turn / active-mode improvements and additional modelling as wider development progresses.	Applicant transport evidence is favourable only in defined scenarios and acknowledges cumulative network deterioration in larger scenarios.	Applicant prefers later consent-stage design / testing for a number of transport details.	Council proposed site-specific transport requirements and active-mode connections.	Jones retains only some Council provisions if the Panel wants extra certainty.	The Panel should specify development thresholds that trigger modelling and works before network performance materially deteriorates.
Smith / Taylor Engineered landform	Large-scale earthworks, ground improvement / buffers and raised platforms, especially in low-lying areas.	The technical suitability of Lot 1 is tied to the engineered concept; it is not a finding that the existing landform is naturally suitable.	GRZ/MDRS could permit future layouts that are not identical to the modelled concept.	Council viewed earthworks / flood interactions as plan-stage concerns and proposed more controls.	Applicant planning case does not support making the indicative landform fully binding.	A material departure from the modelled landform should require fresh integrated assessment or be constrained by a binding structure plan.

Table 3 - Relief sought and minimum safeguards

Issue	Primary Partnership position	If the Panel accepts rezoning / Lot 1 feasibility	Minimum safeguard sought	Why the ordinary planning framework is not enough on its own	Consequence if omitted
Lot 1 zoning	Retain Lot 1 as General Rural unless and until comprehensive, independently peer-reviewed evidence demonstrates that Waikanae River overflow and breach risk, the post-Expressway residual overflow path, local ponding, groundwater, future climate conditions and off-site effects can be safely and durably managed.	If the Panel accepts that the underlying flood-risk threshold is met and Lot 1 is developable, do not approve unrestricted GRZ/MDRS rights.	Binding structure plan plus site-specific rules linking development to the independently verified flood / earthworks concept and the critical environmental and infrastructure outcomes.	The applicant's technical evidence tests a particular mitigated concept; the Awa RFI evidence also shows that the low-lying land sits within a wider river-breach / residual-overflow system. Ordinary zoning does not itself establish that the whole-of-risk threshold has been met.	Residential rights could be created before the underlying flood risk is comprehensively resolved, and a future development could then materially depart from the concept that justified rezoning without equivalent plan-stage scrutiny.
River overflow / climate resilience / independent verification	No residential rezoning of the low-lying land unless the combined flood risk is shown to be acceptably low and durable on comprehensive, independently peer-reviewed evidence.	If rezoning proceeds, require the final flood-risk and stormwater solution to be independently verified before development of the low-lying land can proceed.	Assessment of Waikanae River overflow / breach, altered post-Expressway flow paths, local ponding, groundwater and stormwater; current climate-change allowances and sensitivity to more severe events; mitigation permanence, maintenance, failure modes and off-site effects.	General hazard and consent-stage provisions manage effects but do not themselves provide the plan-change-stage assurance that the wider floodplain system can safely accommodate new residential exposure over the life of the development.	Future residents, neighbouring properties, insurers and public authorities could inherit long-term protection, recovery, adaptation or insurability consequences if the conceptual solution underperforms or climate assumptions prove inadequate.
Flood conveyance	No Lot 1 rezoning unless the wider flood-risk threshold is met and safe residual conveyance is proven.	Protect the post-Expressway conveyance corridor as an enduring development constraint.	Mapped / legally defined flood-flow corridor reflecting the Waikanae River breach/overflow pathway; no obstruction or reduction in function.	General hazard rules may manage effects later but do not necessarily reserve the exact land relied upon by the modelled concept.	Loss / narrowing of the pathway could alter off-site flood behaviour after planning rights have been created.
Compensatory storage / hydraulic neutrality	Require proof of the wider flood-risk threshold before rezoning; if that threshold is met, require storage and hydraulic-neutrality outcomes as enduring controls.	If rezoning proceeds, make these mandatory performance outcomes.	No net loss of flood storage attributable to development; hydraulic neutrality; no increase in flood risk to adjoining / downstream land; climate-change assumptions and sensitivity testing.	The engineering solution depends on storage and landform choices that could otherwise change at subdivision.	Fill could transfer flood risk or reduce the very storage function relied upon by the wider system.
Groundwater / wetland hydrology	Treat unresolved groundwater as material to Lot 1 suitability where evidence remains insufficient.	Allow development only after adequate monitoring / testing confirms the design can maintain required hydrological outcomes.	Piezometer monitoring, infiltration verification and explicit wetland-hydrology performance criteria.	These matters affect several disciplines at once and cannot be reduced to a simple building-design issue.	Later findings may undermine soakage, earthworks, ecological assumptions or require greater interventions than currently assessed.
Wetland / pond protection	Protect the identified wetland / pond system regardless of zoning outcome.	Retain protection as a binding condition of any residential zoning.	Minimum 10 m protection buffer, appropriate planting / management, no adverse alteration of hydrological inputs.	The applicant ecologist supports the buffer in principle, while ordinary GRZ rules do not provide the same site-specific certainty.	Residential rights could be created without guaranteeing the ecological separation on which the favourable evidence depends.
Fairway Oaks interface	Support Council's site-specific amenity protection.	If GRZ/MDRS proceeds, retain the Council-recommended interface setback / planting regime.	5-10 m landscaped setback scaled to building height / interface risk, including protection for 4, 6, 8 and 10 Fairway Oaks Drive.	Both landscape experts acknowledge adverse effects; ordinary GRZ setbacks are materially smaller than the Council mitigation.	Identified neighbours could receive a materially harsher development interface than the concept considered at hearing.
Water / wastewater capacity	Do not allow development ahead of available servicing capacity.	Tie development staging to confirmed network capacity or completed mitigation / upgrades.	Objective capacity trigger verified by KCDC before specified development stages / titles can proceed.	Rezoning can create development expectations before planned capital works are operational.	Existing / consented users may compete for capacity; delay and cost risk may transfer to Council / community.
Transport / active modes	Require the applicant to internalise development-related network and safety effects.	Retain site-specific triggers and works even if the updated modelling is accepted.	Right-turn facility as required; safe walking / cycling connections; crossing treatment; cumulative-model review at defined development thresholds.	Applicant evidence itself accepts later testing and intervention; ordinary rules do not necessarily create clear timing triggers.	Network performance and safety may deteriorate before mitigation is delivered.
Material changes from assessed concept	If Lot 1 remains rural, not applicable to Lot 1.	Prevent substantial departure from the concept without equivalent re-assessment.	Binding structure plan / consent trigger requiring integrated flood, ecology, geotech, amenity and servicing review where the landform / layout materially changes.	The central risk is the mismatch between development assessed and development enabled.	The Plan could permanently enable a different development outcome from the one the experts found acceptable.
HPL / strategic growth	Continue to ask the Panel to test the statutory HPL evidence and broader strategic appropriateness.	Even if HPL is satisfied, weigh whether this constrained site is an appropriate growth choice when planned alternatives exist.	Clear findings on NPS-HPL and UFD growth-management considerations before rezoning.	Technical developability and statutory HPL compliance do not automatically establish strategic planning appropriateness.	Rezoning could normalise out-of-sequence growth on constrained land without a clear strategic justification.