

29 July 2025

Environmental Protection Authority

Fast-track Team

By email: substantive@fasttrack.govt.nz

To whom it may concern,

Comments on Milldale, Wainui (FTAA-2503-1038) under section 53 of the Fast-track Approvals Act 2024: Paul John Wigglesworth, [REDACTED]

My name is Paul John Wigglesworth, I am a registered owner and the occupier of [REDACTED]
[REDACTED] which is made up of two titles as follows:

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

I have lived at [REDACTED]. I use the properties for my deer farming operation and live there in my family home.

The location of my property and my house in relation to the subdivision and development sought under FTAA-2503-1038 is shown on the **attached map**.

I have been invited by the EPA Fast-track Team to comment on the above application by Fulton Hogan Land Development Limited (**Fulton Hogan**) (letter from Daya Thomson, Fast-track Team dated 1 July 2025). I **attach** also the completed form as provided to me.

My property at [REDACTED] has been identified in Appendix 2 of Minute 2 of the Expert Panel (1 July 2025) as a land parcel whose owners and/or occupiers are invited to comment. I set out my comments below.

Comments

General

I thank the Expert Panel for the opportunity to comment on the application.

I support the application by Fulton Hogan to consent Stages 10-13 and Stage 4C of the Milldale development as sought. The land that is subject to this application is zoned for this purpose, and a logical and planned extension of the Milldale development that is well underway. Fulton Hogan has a proven track record of delivering very successful residential subdivision, as is evident by what has been achieved at Milldale to date.

My comments below relate specifically to the approvals sought in relation to the temporary wastewater treatment plant.

My property at [REDACTED] has a boundary of some [REDACTED]m with the Waterloo Creek (freshwater and tidal sections along the right bank) to which the temporary wastewater treatment plant will discharge upstream into.

I have read the expert reports presented in the application and the conditions proposed by Fulton Hogan in Volume 6 of the application (Temporary WWTP Wastewater Land Use Conditions LUC 401, Discharge Conditions DIS 401 and Air Discharge Conditions DIS 402).

Based on the conclusions reached in the expert reports, I am generally satisfied that the conditions will adequately manage the anticipated effects of the wastewater treatment plant and its discharge; however I would like several important additional measures included to ensure that potential nuisance and health and safety effects from the wastewater treatment plant are properly managed. I set these out below.

Amendments Sought to DIS Conditions 69 and 70: Notification of Accidental Overflows, Emergency Discharges and/or Breaches of Discharge Conditions

I would like an additional clause added to proposed Discharge Conditions 69 and 70 of DIS 401 specifying that I am advised immediately by email, phone and text of any accidental overflows, emergency discharges and/or breaches of discharge consent conditions (as owner and occupier of [REDACTED]). Further 'all clear' notification should be given when the matter is rectified.

The reason for this request is that, as noted above, [REDACTED] [REDACTED] Waterloo Creek to which the wastewater treatment plant will discharge into. We occasionally use this creek for recreation purposes. I would like this immediate notification to ensure that me and my family avoid any contact with the water in the event of accidental overflows, emergency discharges etc.

Condition 69 of DIS 401 proposes an Operations and Management Plan and Condition 70 an Emergency Response Plan. In my view, the requirement to notify me immediately

by email, phone and text of any accidental overflows, emergency discharges and/or breaches of discharge consent conditions should be added as requirements to these conditions, together with an obligation to keep up to date contact details for this purpose.

The following words or similar should be added to both conditions 69 and 70 (marked underlined and ~~strike-outs~~):

Condition 69 Operations and Management Plan

....

At a minimum, the OMP must include:

....

(m) Procedures to immediately advise (within 2 hours) the owners and occupiers of [REDACTED] by email, phone and text of any accidental overflows, emergency discharges and/or breaches of the discharge consent conditions, including notification of an 'all clear' where applicable.

Condition 70 Emergency Response Plan

Prior to the commencement of the operation of the WWTP, a final Emergency Response Plan (ERP) must be submitted to Council. The objective of the EMP is to identify risks to personnel on site ~~and~~, within the vicinity of the plant and people immediately downstream, and how these shall be responded to and people notified in the event of an emergency. The final ~~EMP~~ ERP must be prepared in general accordance with the application documents referenced in condition 1.

The ERP must include procedures to immediately advise (within 2 hours) the owners and occupiers of [REDACTED] by email, phone and text of any accidental overflows, emergency discharges and/or breaches of the discharge consent conditions, including notification of an 'all clear' where applicable.

Annual Reporting

Condition 74 of DIS 401 requires that the Consent Holder must prepare and, if requested by Council, forward an annual report in writing to the Council by 30 June each year. Amongst other things, this is to include comments on compliance with this consent, and actions taken where there has been non-compliance.

This obligation would apply in respect to the discharge from the wastewater treatment plant, however would not appear to apply to the land use (noise in particular) or air discharge (odour) consent.

My house at [REDACTED] is located some [REDACTED] [REDACTED] direction from the proposed Wastewater Treatment Plant, and at a higher elevation. As identified in the Air Quality Assessment submitted with the application (Volume 4, Appendix 4G) the most predominant and strongest winds across the site are from the west, blowing towards my house.

With no substantive landform between my house and the wastewater treatment plant, there is the risk if noise conditions are not adhered to, then the plant will give rise to unreasonable noise effects on me and my family,

As noted above, I am generally comfortable with the conclusions of the technical assessments and conditions submitted with the application, however wish to seek additional protections in respect to noise and odour. In this respect, in my view a form of condition as set out in condition 74 of DIS 401 should also be replicated in the conditions for land use (LUC 401) specifically in relation to noise and air discharge (DIS 402) specifically in relation to odour.

These new conditions should require that an annual report be submitted to the Council in relation to land use and air discharge conditions, as is proposed to be submitted for the wastewater discharge under proposed condition 74. Logically, these would be submitted as a joint annual report for all these consents applying to the wastewater treatment plant.

Condition 74 as proposed in the application only requires the annual report to be submitted to the Council 'as requested'. In my view this should be an obligation to submit to the Council on an annual basis whether it is requested or not. This is because the information required by the condition (and the new annual report conditions I proposed above) are in fact a key record of compliance, and actions to rectify any non-compliance and so are an important resource management tool for the Council.

By the same token, and as a party potentially directly affected by any breach of conditions, I would request that the conditions also specify that these annual reports be provided to me (as the owner and occupier of [REDACTED]) at the same time and frequency as they are required to be provided to the Council. This will allow me to understand the state of compliance of the plant with wastewater discharge, noise and odour conditions in particular, and importantly whether any effects that I may be or may have experienced through the preceding year comply with the conditions or otherwise and, if not, how they are being rectified.

Operational Noise and Service Truck Access

Condition 37 applies operational noise levels to the wastewater treatment plant.
Condition 38 limits service truck access to certain hours.

I wish to record my support for the retention of both conditions, as being important to retaining neighbourhood amenity and avoiding nuisance.

I would however request one addition to condition 38 on service truck access as follows (as underlined):

38. Unless required for emergency works, service trucks (including trucks for solid waste removal) must not access the WWTP outside of the hours of 7:00am and 10:00pm on Monday to Friday, or at any time on Saturday and Sunday.

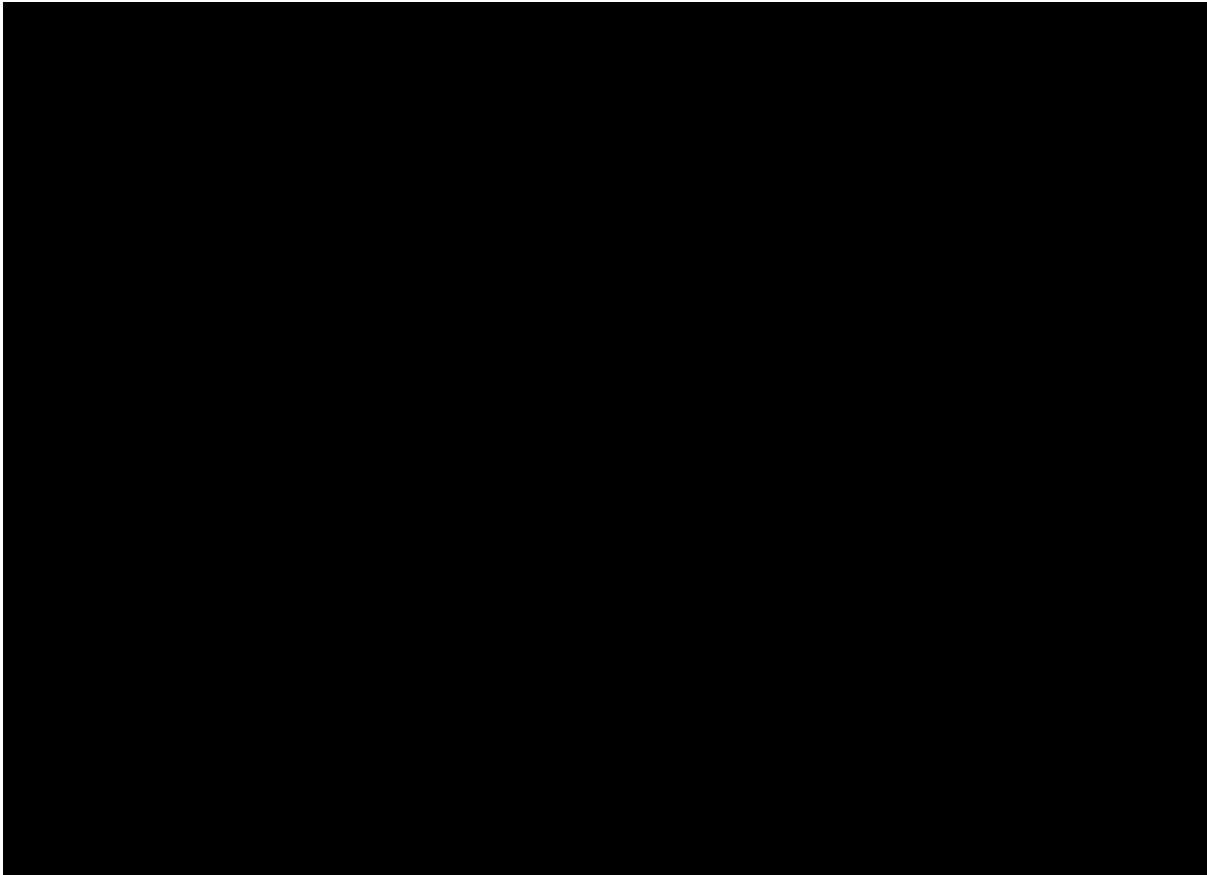
As drafted in the application it is not clear whether service trucks would include trucks for solid waste removal. The regular arrival and departure of such trucks outside of the hours specified would potentially have a very detrimental effect on my amenity and I would like to see the condition clear that this is not permitted.

Thank you again for the opportunity to comment. I can be contacted at the details as set out in the attached form to provide any further clarification and otherwise look forward to the opportunity to comment on the draft conditions.

Paul Wigglesworth

[REDACTED]

Location Map and Property Boundaries of 36 Sidwell Road (shown blue)



Your Comment on the Milldale application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to

substantive@fasttrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)			
First name	Paul		
Last name	Wigglesworth		
Postal address			
Home phone / Mobile phone		Work phone	
Email (<i>a valid email address enables us to communicate efficiently with you</i>)			

2. We will email you draft conditions of consent for your comment			
<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

Please provide your comments below, include additional pages as needed.

Refer letter above.

Thank you for your comments