IN THE MATTER of the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER of an application for approvals by Fulton Hogan Land Development Ltd to develop and authorise Stages 10-13 and Stage 4C of the Milldale development, together with a supporting temporary wastewater treatment plant. Collectively Stages 10-13 and Stage 4C will provide capacity for approximately 1,155 detached and terraced dwellings and supporting commercial services. Project **FTAA-2503-1038** – Milldale ("**Milldale Application**")

MEMORANDUM OF PLANNING MATTERS FOR AUCKLAND COUNCIL

Dated: 29 July 2025

SECTION A: INTRODUCTION

1. This Planning Memorandum sets out Auckland Council's Statutory Planning Assessments of the substantive application for the Milldale project (**Application**) lodged by Fulton Hogan Land Development Lt (**Applicant**) under the Fast-track Approvals Act 2024 (**FTAA**), and a summary of assessment outcomes and proportionality conclusions.

2. The **Section B** has assessed each component of the Application as follows:

   a. B1: Stages 10-13 (Volume 2 of the Application)
   b. B2: Stage 4C (Volume 3 of the Application)
   c. B3: Wastewater Treatment Plant (Volume 4 of the Application).

3. The summary of assessment outcomes and proportionality conclusions are set out in **Section C.**

SECTION B: STATUTORY PLANNING ASSESSMENT

4. The following Council Memos have been received which inform the overall Statutory Planning Assessment:

   - Economics – Susan Fairgray-Mclean - (**Annexure 1**)
   - Healthy Waters – Hillary Johnston (**Annexure 2**)

- Watercare (Wastewater Capacity and Water Supply Capacity) – Anna Jennings (**Annexure 3**)
- Development Engineering – Samuel Holmes (**Annexure 4**)
- Wastewater Treatment Plant– Dylan Walton (**Annexure 5**)
- Stormwater, ITA, SWWWITA – Martin Meyer (**Annexure 6**)
- Groundwater and Dewatering – Richard Simonds (**Annexure 7**)
- Surface Water – Charlotte Lockyer (**Annexure 8**)
- Geotechnical – Luke Xu (**Annexure 9**)
- Regional Earthworks – Matt Byrne (**Annexure 10**)
- Contamination – Ruben Naidoo (**Annexure 11)**
- Air Discharge – Louis Boamponsem (**Annexure 12**)
- Hazardous Substance – Louis Boamponsem (**Annexure 13**)
- Freshwater Ecology and Terrestrial Ecology – Antoinette Bootsma and Rue Statham (**Annexure 14**)
- Arborist – Rhys Caldwell (**Annexure 15**)
- Landscape – Peter Kensington (**Annexure 16**)
- Urban Design – Mustafa Demiralp (**Annexure 17**)
- Parks – Cas Hannink (**Annexure 18**)
- Noise and Vibration – Andrew Gordon (**Annexure 19**)
- Waste – Jennifer Jack (**Annexure 20**)
- Transport (Auckland Council) – Philips Augustine (**Annexure 21**)
- Auckland Transport – Shahriar Tehani (AT) (**Annexure 22**),
- Heritage & Archaeology – Mica Plowman (**Annexure 23)**
- Māori Heritage – Dr Alex Jorgensen (**Annexure 24**)
- Subdivision -Ken Berger (**Annexure 25**)
- Environmental Monitoring – Sian Farrell (**Annexure 26**)
- Rodney Local Board comments (**Annexure 27**)
- Taff Wikaira (**Annexure 28**)
- Planning Policy – Dave Paul (**Annexure 29**)

5. The Rodney Local Board comments are not discussed in this **Section B**.

Outstanding Material from Applicant, and Review Limitations

6. Following lodgement of the application, Council has provided initial feedback to the Applicant on the Application. This feedback has raised a range of issues together with additional information that is considered necessary to assess the application.

7. The applicant has engaged with Council during the 20-working day period, with a number of meetings, design workshops and site visits undertaken. The Applicant has advised that additional documents will be provided to the Panel on the 4 August 2025 in response to the matters raised by Council. These will include additional information and assessments noting the following:

    - Updated Residential Design Outcomes and Controls;
    - Building Coverage Study;

- Geomorphology Stream Assessment;
- Groundwater Assessment as it relates to wetlands;
- Visibility Assessments;
- Roading drawings including long-sections and tacking drawings;
- Safety Assessments for intersections;
- OLFP Calculations and assessment for road corridors;
- JOAL Lighting Plans;
- Amendments to JOAL plans;
- Clarification regarding function of Bridge 5;
- Wetland delineation and extent assessments;
- Offset Plan;
- Addendum to AEE;
- Geotechnical Assessments;
- Updated flood modelling;
- Surface Water Diversion Assessment;
- Stage 4 SVR;
- Updated landscape plans for reserve areas and waste water treatment plant;
- Updated retaining wall drawings for reserve interfaces;
- Traffic memo relating to PC79 and JOALs;
- Additional details and assessment of reject water from WWTP;
- Assessment of the impact of discharges from WWTP on the Orewa Estuary;
- Updated scheme plans confirming vesting classification of reserves;
- Design and layout of public stormwater devices;
- Re-evaluation of the stormwater management strategy for large catchments currently relying on 'offset' mitigation;
- Justification for the extent and location of land proposed for vesting;
- Details of stormwater model including both pre- and post-development scenarios;
- Memo which provides a response to each of the requests from Council relating to conditions;
- Draft set of proposed conditions;
- Response to EPA Panel comments; and
- Updated set of plans that will incorporate all responses.

8. To the extent that the process may allow for it (e.g. through the Panel's use of its section 67 power), a supplementary review of this material is considered necessary following the 29 July 2025 deadline to ensure all relevant matters have been properly considered in the Council's assessment of the Application.

9. It is highlighted that the updated draft proposed conditions have not been reviewed or commented on by Council, and a review will be undertaken following receipt of the full updated draft consent set. Notwithstanding this, where relevant, comments on the proposed conditions as lodged have been provided within the Memos by each Council Specialist. These include identification of where proposed conditions are deficient, where additional consent conditions required, and changes are required to proposed conditions.

10. This memo is therefore based on the Application material as lodged, together with the further information that has been provided at meetings and design workshops.

SECTION B1: STAGES 10-13

SECTION B.1.1 CONSTRUCTION EFFECTS

Earthwork (sediment and erosion)

Applicant's Assessment

11. Woods (on behalf of the Applicant) has provided a description of the proposed erosion and sediment control measures for the bulk earthworks in the Earthworks Report with further details in the submitted Erosion and Sediment Control Plans (**ESCP**).

12. The application has included an Adaptive Management Plan (**AMP**).

Council's Assessment

13. The adverse effects (sedimentation) associated with the earthworks have been reviewed by Council's Regional Earthworks Specialist (**Annexure 10**) who has confirmed that the indicative ESCP are generally appropriate and that the preparation of final ESCP for certification by Council is acceptable.

14. Given the extent and duration of the earthworks activity within the receiving environment containing streams, Council's Regional Earthworks Specialist agrees with the applicant that an AMP is necessary.

15. The Council's Regional Earthworks Specialist has recommended a number of changes/ additional consent conditions which include but are not limited to changes to the AMP and specific reference to the ESCP.

16. It is noted that a consent condition for a maximum duration of 5 years with a seasonal restriction for the earthworks has been recommended.

Conclusions on Sedimentation Effects

17. There are no significant Earthwork (sediment and erosion) impacts that require proportionality assessment.

18. Changes to consent conditions are considered necessary.

Geotechnical and Land Stability

Applicant's Assessment

19. A Geotechnical Investigation prepared by CMW Geosciences has been lodged with the Application. This includes a range of recommendations including the earthworks, retaining wall and foundation design for future dwellings. These recommendations form part of the Application.

Council's Assessment

20. Council's Geotechnical Specialist has reviewed the proposed earthworks in respect to the geotechnical matters including land stability (**Annexure 9**). There is broad agreement with the assessments undertaken and conclusions reached.

21. There are some information gaps as they relate to assessment of geohazard risks which are required to be provided by the applicant and reviewed by Council to ensure the slope stability and geotechnical risks are adequately managed and controlled so these do not create adverse safety or operational issues. There are on-going communications and meetings with the applicant in respect to Geotechnical matters to resolve outstanding issues/ address key information gaps.

22. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability-related effects are avoided and mitigated.

Conclusions on Geotechnical and Land Stability Effects

23. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability related effects are avoided and mitigated.

24. There are no significant Geotechnical and Land Stability impacts that require proportionality assessment.

Groundwater Effects

Applicant's Assessment

25. The Applicant is seeking consent to take groundwater for diversion purposes during earthworks at the subject site for the proposed Milldale Development.

Council's Assessment

26. Council's Groundwater Specialist has reviewed the Application (**Annexure 7**), and has confirmed subject to the proposed consent conditions, and additional recommended conditions that groundwater effects (groundwater drawdown, dewatering and diversion) can be appropriately managed/ mitigated to extent that adverse effects would be no more than minor (i.e. not significant).

27. It is noted that the proposed works do not meet the AUP (OP) Standards E7.6.1.6 (2&3) because the take of groundwater i.e. dewatering during excavation will be for longer than 30 days and there will be permanent dewatering/take, via the proposed underfill drains, beyond the construction period. This requires consent as a Restricted Discretionary Activity under rule E7.4.1(A20). It is understood that the applicant will be highlighting this additional reason for consent and providing an assessment of this as part of their forthcoming response.

28. It is highlighted that the effects of proposed dewatering and groundwater diversion have

been identified as being potentially adverse on the identified wetlands. The Applicant's assessment have not assessed wetland losses due to groundwater diversion and dewatering, which Council's Groundwater Specialist considers to be a significant omission.

Conclusions on Groundwater Effects

29. There is broad agreement between the Applicant and Council in respect to groundwater-related effects, however further assessment of the effects of dewatering and groundwater diversion is required to be undertaken as part of the application on the identified wetland areas.

30. Additional consent conditions are recommended to ensure that adverse groundwater-related effects are mitigated.

31. There are no significant residual groundwater impacts that require a proportionality assessment (subject to the outcome of the further assessment identified above as required in relation to effects on wetland areas).

Surface Water Effects

Applicant's Assessment

32. No specific methodologies or effects assessment are provided in the AEE for the surface water diversion activity.

Council's Assessment

33. On the basis of the above, Council's Surface Water Specialist (**Annexure 8**) has confirmed an assessment of effects of the proposed surface water effects is not able to be undertaken. This includes an assessment of the peak velocities through the watercourses during flood conditions and whether appropriate measures have been considered to ensure the diversion does not cause scour, erosion or other instability of any land or waterbody.

Conclusions on Surface Water Effects

34. No specific methodologies or effects assessment are provided in the AEE for the surface water diversion activity. As set out in Section C this information is required to assess the surface water effects.

Construction Noise and Vibration

Applicant's Assessment

35. Styles Group has undertaken an assessment of the construction noise and vibration effects in the Noise Assessment Report provided with the Application.

36. The Noise Assessment Report has stated that construction noise and vibration can be managed to comply with the construction vibration and construction noise limits and has recommended installation of temporary noise barriers.

Council's Assessment

37. The construction noise and vibration effects including on neighbouring properties have been reviewed by Council's Acoustic Specialist (**Annexure 19**) who has confirmed these effects have been appropriately addressed by Styles Group, and they are broad agreement with the mitigation measures proposed, with a few minor condition amendments requested.

Conclusions on Construction Noise and Vibration

38. Adverse construction noise effects Construction noise and vibration can be managed to comply with the construction vibration and construction noise limits and has recommended installation of temporary noise barriers.

39. Council's Acoustic Specialist has recommended some minor changes to the Applicant's consent conditions.

40. There are no significant residual construction noise and vibration impacts that require proportionality assessment.

Contamination

Applicant's Assessment

41. Williamson Water and Land Advisory have undertaken a Detailed Site Investigation that has confirmed based on previous historic land uses that the site is subject to land contamination.

Council's Assessment

42. The contamination matters have been reviewed by Council's Contamination Specialist (**Annexure 11**) who agrees with the Detailed Site Investigation prepared by Williamson Water and Land Advisory, and the consent conditions proposed, noting that several changes/ additional condition wording is proposed.

Conclusions on Contamination

43. The proposed land disturbance/ earthworks requires consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS). The Detailed Site Investigation prepared by Williamson Water and Land Advisory has provided a robust assessment, and the consent conditions proposed are accepted, noting some additional condition wording is proposed.

44. There are no significant residual contamination impacts that require a proportionality

assessment.

SECTION B1.2 ARCHAEOLOGICAL HERITAGE AND MĀORI VALUES

Applicant's Assessment

45. Clough and Associates have prepared an Archaeological Assessment. This has confirmed that there is a recorded archaeological feature (drystone wall) within the Site (Stage 11 area).

46. To manage effects on recorded and unrecorded archaeological sites, an Archaeological Management Plan has been included with the Application that outlines specific operational procedures and requirements.

47. To mitigate the risk of discovery of unrecorded subsurface archaeological within the project area, Clough and Associates advise that a general precautionary Archaeological Authority from Heritage New Zealand Pouhere Taonga (2014) be obtained prior to the commencement of earthworks.

Council's Assessment

48. The effects on Heritage values have been reviewed by Council's Heritage Specialist (**Annexure 23**) and Maori Heritage Specialist (**Annexure 24**) who are in agreement with the assessment undertaken by Clough and Associates.

Conclusions on Heritage Values

49. The proposed works areas are located within a recorded archaeological feature (drystone wall) within the property. It is considered that adverse effects on heritage values included both recorded and unrecorded archaeological features can be appropriately managed through the implementation of the Archaeological Management Plan that has been lodged with the application.

50. No additional consent conditions are requested, noting that changes to condition 62 relating to the location and species of vegetation as part of the Stream and Wetland Management Plan are necessary to reflect consultation with Ngāti Manuhiri and Te Kawerau ā Maki.

51. There are no significant residual impacts on archaeological heritage values that require proportionality assessment.

SECTION B1.3 INFRASTRUCTURE EFFECTS

Water Supply Effects

Applicant's Assessment

52. The water servicing strategy for Milldale Stages 10–13 is included in the Infrastructure Report prepared by Woods and includes both short-term and long-term solutions to ensure adequate water supply and future resilience.

53. A booster pump is required to supply the elevated areas which are above RL 50m within Milldale. It is planned to be a temporary installation until supply from Orewa 3 watermain is available in the long term.

Council Assessment

54. The application has been reviewed by Watercare who have advised that the proposed water supply in appropriate on this live zoned site, and that final design details can be appropriately addressed through consent conditions and as part of the Engineering Approval process.

Conclusions on Water Supply Effects

55. There are no significant residual water supply related impacts that require proportionality assessment.

Wastewater Effects

Applicant's Assessment

56. The Application proposes a temporary WWTP to service up to 1,250 dwellings in Stages 4C and 10–13. The temporary WWTP is designed to operate until the upgrades at Army Bay Wastewater Treatment Plant are complete. These are currently scheduled for completion circa 2031.

57. The WWTP will be privately operated, with Watercare oversight, and decommissioned by the Applicant once permanent wastewater service becomes available.

58. The WWTP proposes that the Reverse Osmosis waste stream (containing some residuals nutrients) return to the Watercare network.

59. Once the Army Bay Wastewater Treatment Plan upgrades are complete Stages 10-13 will connect to existing and consented (but not yet constructed) wastewater lines.

Council Assessment

60. Watercare have confirmed that the proposed wastewater strategy is supported in

principle.

61. In respect to the Reverse Osmosis waste stream (containing some residuals nutrients) that is proposed to return to the Watercare wastewater network, Watercare have advised they do not typically support the return of RO waste stream to the wastewater network, however this is accepted in “limited scenarios” where the quality is not detrimental to the operation and integrity of the wastewater network or the Army Bay WWTP. Watercare have advised that there is no agreement in place in respect to the RO waste stream; and that their support is not confirmed at this stage. Further details and assessments are required from the applicant to satisfactorily demonstrate that the discharge from the RO waste stream will not adversely affect the operation, integrity and compliance of Watercare’s network, and subject to appropriate controls, monitoring, and formal approvals.

62. Watercare have advised that emergency storage is required as the absence of onsite storage or containment increases the likelihood of unplanned discharges impacting network performance.

63. Watercare have confirmed that the proposed permanent wastewater design is appropriate, though noting that concerns have been raised in respect to the proposed wastewater pipe under proposed Bridge 5 and that final details of the bridge are required to be addressed as part of the Engineering Approval Stage. In addition, it is noted that Stages 10, 11 and 12D are reliant upon the delivery of the consented but not constructed wastewater line as part of consented Stage 8.

Conclusions on Wastewater Effects

64. Watercare have confirmed that the proposed wastewater strategy is supported in principle. However, further details and assessments are required from the applicant to satisfactorily demonstrate that the discharge from the RO waste stream to will not adversely affect the operation, integrity and compliance of Watercare’s network, and subject to appropriate controls, monitoring, and formal approvals.

65. This requires further review and assessment, and is a potentially significant adverse impact requiring a proportionality. See **Section C** below.

<u>Stormwater Effects</u>

Applicant’s Assessment

66. The Wainui East Stormwater Management Plan has been adopted under the Region Wide Network Discharge Consent (“RWNDC”).

67. The Applicant has provided detention and retention to a minimum of SMAF-Flow1 levels in accordance Wainui East Stormwater Management Plan.

Council's Assessment

68. Council's Stormwater Specialist (**Annexure 6**) has undertaken a review of the proposal from a regional discharge stormwater perspective. This assessment sits alongside the stormwater assessments undertaken by Healthy Waters and Auckland Transport. The regional perspective is to specifically assess, mitigate and authorise discharges from private or jointly owned assets into the environment.

69. Healthy Waters has also reviewed the application (**Annexure 3**), and have assessed the stormwater effects from a wider catchment perspective. They have advised that insufficient information has been provided to demonstrate that the stormwater management proposed for Stage 4C and Stages 10-13 complies with the requirements of the Wainui East SMP (V4, September 2016). Therefore, it is uncertain whether the diversion and discharge of stormwater from the development proposed within Stages 10-13 can be authorised under Healthy Water's RWNDC.

    They have identified the following key assessment issues and findings:

    1. **Management of Overland Flow** The design of overland flow paths (OLFPs) within public road corridors must be updated to demonstrate compliance with Auckland Council's safety criteria for depth, velocity, and hazard rating.

    2. **Vesting of Land** The Applicant should provide justification for the extent and location of land proposed for vesting, including evidence that the land delivers essential stormwater function *as well as* wider public benefit. Areas proposed for vesting must be offered as '*Land in Lieu of Reserve – for Drainage Purposes*' and will remain subject to Auckland Council's standard asset acceptance and acquisition processes.

    3. **Riparian Setbacks** To aid in establishing effective riparian set-backs a Geomorphic Risk Assessment should be undertaken to evaluate the current condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation. This must include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution.

    4. **Flood Management and Modelling** The Applicant must provide the full stormwater model to Healthy Waters, including both pre- and post-development scenarios, to enable verification of modelling assumptions and assessment of downstream effects. This should include the Wainui Road bridge, properties downstream between the bridge and Lysnar Road, and 147 Argent Lane.

70. Healthy Waters have advised that a Geomorphic Risk Assessment is essential and must be provided to aid in establishing effective riparian set-backs a Geomorphic Risk Assessment should be undertaken to evaluate the current condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation. This must include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution.

71. Changes to the applicants conditions together with additional consent conditions are required to ensure that the stormwater management approach aligns with the Wainui East SMP and that adverse stormwater effects are appropriately avoided and/or mitigated, these are set out in Appendix A and B of the Healthy Waters Memo.

Conclusions on Stormwater Effects

72. While Council's Stormwater Specialist is in broad in-principle agreement with the proposed stormwater management approach, significant technical uncertainties and unresolved issues remain that prevent full assessment and acceptance of the proposal at this time including uncertainties remaining for erosive effects, flooding impacts and overland flow path changes.

73. The Healthy Waters assessment identifies material concerns requiring resolution, including:

- Incomplete technical assessment due to insufficient review time for critical flood modelling information
- Missing essential technical documentation, particularly the Geomorphic Risk Assessment and design of OLFP.
- Unresolved compliance gaps where specific development areas lack stormwater treatment including with the road reserves.

74. The stormwater effects can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the stormwater management strategy is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters.

<u>Natural Hazards (Flooding and Overland Flowpaths)</u>

Applicant's Assessment

75. A Flood Assessment Report prepared by Woods. This has included a Flooding Hazard Assessment.

Council's Assessment

76. The Flood Assessments and flood modelling have been reviewed by Healthy Waters and Auckland Transport.

77. Auckland Transport has raised concerns regarding a range of stormwater matters including calculations for Overland Flowpaths within the roads. Further assessment of flooding matters has been provided under Transportation as they relate to roading.

78. Healthy Waters have identified that the full stormwater model, including both pre- and

post-development scenarios is required to be provided, to enable verification of modelling assumptions and assessment of downstream effects. They have identified potential flooding effects on Wainui Road bridge, the properties downstream between the bridge and Lysnar Road, and the private property at 147 Argent Lane.

Conclusions on Natural Hazards (Flooding and Overland Flowpaths) Effects

79. There are fundamental information gaps in the Applicant's assessment for the Council to be able to confirm if the proposal would satisfy s106 of the RMA as it relates to natural hazards.

80. The natural hazard effects relating to flooding and overland flowpaths can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the flooding and overland flowpaths is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters.

SECTION B1.4 TRANSPORT EFFECTS

Applicant's Assessment

81. The proposal includes the construction of collector roads, 28 new local roads together with a series of new shared driveways/ JOALs, vehicle crossings.

82. A Transportation Assessment Report prepared by Stantec has assessed the transport related effects in respect to the road network, public transport, safety, trip generation, modelling, parking, servicing, access and construction. This has stated the proposal provides good pedestrian, cyclist and potentially public transport connectivity; and the proposed road network integrates effectively with the existing and planned network without producing adverse safety effects. Intersection modelling demonstrates that proposed roundabouts will be able to accommodate the anticipated generated trips. The internal road and JOAL layout, crossing locations, widths and gradients, and on-site parking and access are safe and appropriate.

Council's Assessment

83. The application including the Transportation Assessment Report have been reviewed by Auckland Transport (**Annexure 22**).

84. The application has also been reviewed by Council's Traffic Engineer (**Annexure 21**), who has assessed other traffic matters as they relate to shared driveway/ JOAL's, vehicle crossings together with a broader review of the transport/ traffic matters. There are various overlaps between the reviews undertaken by Auckland Transport and Council's Traffic Engineer who have confirmed that there are various outstanding information matters.

85. These include but are not limited to additional plans (long-section drawings and vehicle

tracking diagrams), details of Intersection Spacing on Collector Road 01 (Stage 12), crossings on the Collector Road, stormwater management/ hazards and traffic safety related assessments, visibility assessments, lighting plans, details of loading, speed management and design plans of the shared driveways. These matters remain outstanding and a full assessment of the broader traffic/ transport effects has not been able to be undertaken.

86. Notwithstanding, the identified key information gaps, Auckland Transport have confirmed that in principle the proposed road layout is broadly consistent with the Wainui Precinct Plan. Auckland Transport have not identified any specific significant issues, however they have identified key information gaps in respect to the infrastructure required for the proposed dwellings, the operational performance and safety of the proposed roads and intersections, and stormwater management.

87. Auckland Transport have also identified that a number of key road infrastructure upgrades including the Pine Valley Road/Dairy Flat Highway intersection and Wainui Road Upgrade are required to be completed prior to the occupation of dwellings (2,800 dwellings for Milldale). Additional consent conditions have been recommended by Auckland Transport regarding these matters.

88. Additional consent conditions have also been recommended by Council's Traffic Engineer, noting that further additional conditions may be required pending review of the additional information that will be provided.

Conclusions on Transport Effects

89. There are various outstanding information gaps as they relate to transport matters that have not been provided by the Applicant and have not been assessed by Council.

90. Notwithstanding, the identified key information gaps, Auckland Transport have confirmed that, in principle, the proposed road layout is broadly consistent with the Wainui Precinct Plan.

91. There are no significant residual transport impacts that require proportionality assessment.

Waste Management

Applicant's Assessment

92. The proposal waste management is for Council kerbside collection.

Council's Assessment

93. The proposed waste management has been reviewed by Council's Waste Solutions Specialist who has confirmed the proposal is acceptable**.**

Conclusions on Waste Management Effects

94. There is agreement between the Applicant and Council in respect to waste management and the consent conditions proposed are appropriate.

95. There are no significant residual waste management impacts that require a proportionality assessment.

SECTION B1.5 ECOLOGY EFFECTS

96. This section includes:

- Terrestrial Ecology
- Freshwater Ecology (Streams and Wetlands)
- Arboricultural

Applicant's Assessment

97. An Ecological Impact Assessment prepared by Viridis has assessed the adverse effects on ecology values. This has included assessments of both freshwater (wetlands and streams) and terrestrial ecology.

Terrestrial Ecology

98. The Application includes a range of mitigation measures associated with terrestrial ecology. The Ecological Impact Assessment had stated the proposed revegetation planting would achieve a net gain in riparian and wetland vegetation and habitat.

99. At the time of lodgement, the Application has proffered a Fauna Management Plan as a condition of consent.

Freshwater Ecology

100. The Ecological Impact Assessment has included an assessment as they relate to stream works/ construction of culverts and wetlands including works within the wetland extent and modification/ loss of existing wetlands.

101. To mitigate the effects of the works within streams and wetlands the Application includes a range of mitigation and off-setting measures including proposed protection and enhancement riparian and natural creation of a natural inland wetland at the Milldale North Site

Arboricultural

102. An Arboricultural Assessment prepared by Arborlab has assessed the adverse effects of tree removal and where trees that are proposed to be retained and are located within proximity to the proposed works.

Council's Assessment

Terrestrial Ecology Effects

103. The Terrestrial Ecology matters have been reviewed by Council's Ecologist (**Annexure 14**), who have raised a concern with the proposed Fauna Management Plan as a consent condition, and that the current condition is insufficient and should be more prescriptive and subjective.

104. Notwithstanding this, they have recommended new consent conditions in respect to specific Bat Management Plan and Lizard Management Plans. These will ensure that adverse terrestrial ecology effects are appropriately mitigated.

Fresh Water Ecology

105. The freshwater/ aquatic ecology matters have been reviewed by Council's Freshwater Ecologist (**Annexure 14**) who has advised that there are significant gaps in the Applicant's assessment including the identification and delineation of wetlands; and the Hydrology assessment (particularly the size of the catchment and water volume) demonstrating the proposed offset wetland can be supported by sufficient water so that wetland habitat will form/ function as proposed by the applicant.

106. These information gaps result in the extent and degree of adverse freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including wetland off-set are proportionate to the adverse effects.

107. Council's Freshwater Ecologist has identified a number of additional reasons for consent that not been applied for by the Applicant.

108. Notwithstanding that there are information gaps as it relates to freshwater ecology, additional conditions have been recommended by Council's Ecologist to ensure that ecological effects are avoided, mitigated and managed.

Arboricultural Effects

109. In respect to arboricultural related effects, the Arboricultural Assessment prepared by Arborlab and relevant application documentation has been reviewed by Council's Arborist (**Annexure 15**). They have advised that the removal/ loss of trees from the site including those protected trees which are located within close proximity to streams, can be appropriately mitigated from an arboricultural perspective through the implementation of the replacement planting (as proposed in the landscape plans), and through tree protection measures as proposed in the application, and set out a suite of conditions proposed by the Applicant.

Conclusions on Ecology

110. There are a number of information gaps in the application assessment which result in the adverse effects as they relate to freshwater ecology not able to be fully assessed;

and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid ecological effects, and to confirm the proposal will provide a no net ecological loss.

111. The adverse ecological impacts are potentially significant and these require a proportionality assessment to be undertaken. See **Section C** below.

SECTION B1.6 LANDSCAPE AND VISUAL EFFECTS AND URBAN FORM AND NEIGHBOURHOOD CHARACTER

Applicant's Assessment

112. An urban design assessment prepared by Woods sets out the design response and assessment against key urban design principles. The Applicant's assessment states that the proposal will provide for a high-quality urban environment, with a good level of amenity and positive urban design outcomes.

Council's Assessment

113. The Application including the Urban Design Assessment has been reviewed by Council's Urban Designer (**Annexure 16**) and Councils Landscape Architect (**Annexure 17**).

114. Council's Landscape Architect has confirmed that there are no specific issues from a landscape and visual effects perspective. It is noted that they have recommended some changes to consent condition in respect to landscape planting including the maintenance period.

115. Council's Urban Designer considers the proposal provides a coherent and well-integrated urban structure. They have advised that:

> *The block layout responds positively to the site's topography, supports a legible and permeable movement network, and allows for a variety of residential typologies aligned with the Wainui Precinct and broader growth objectives. The integration of open spaces, reserve-edge roads, and pedestrian connections, including bridges, supports high levels of amenity and walkability. While some superlots depart slightly from the anticipated zone character, these could be consistent with the evolving urban context and in my view, do not undermine the overall quality or intent of the development. From an urban design perspective, the subdivision layout provides a positive and adaptable framework for future development.*

116. The proposal includes a Neighbourhood Centre that is located at the northern end of Stage 12. Whilst the location and reduced size of the proposed Neighbourhood Centre deviates from the Wainui precinct Plan, this is considered to provide a suitable location to serve the Milldale development, and the applicants assessments including planning and economic assessments are acknowledged and accepted.

117. As part of the proposal the applicant has sought various blanket consents. In most

instances these align with previous blanket consents that have been approved for earlier stages/ resource consent applications for Milldale. However, where blanket consents have been sought for 50% Building Coverage in the Residential: Mixed Housing Suburban and Residential Single House zoned land these are not currently supported. It is understood that as part of the Applicant's 4 August 2025 response/ information package that this will include a Building Coverage Study for Milldale with recent examples of development within Milldale, and how these address/ relate to streetscape and neighbourhood character. This information has not been reviewed and Council are unable to provide confirmation (or otherwise) whether these blanket consents are acceptable.

118. As part of the proposal for Stages 10-13, the applicant has proposed 13 future superlots that are located within the Residential Single House zone. The application has proposed that the future development on these superlots would be subject to a bespoke set of Residential Design Outcomes and Controls which would be secured by consent notices on the future titles. Council broadly support this approach, and the applicant has positively engaged with Council seeking input and refinement to the proposed Residential Design Outcomes and Controls. It is understood that the applicant is undertaking further updates to the Residential Design Outcomes and Controls, and these will be included in the Applicant's 4 August 2025 response. Council would request the opportunity to further review these.

Conclusions on Urban Form and Neighbourhood Character Effects

119. The proposal contributes to a well-functioning urban environment, and provides a coherent and well-integrated urban structure.

120. There are some information gaps as they relate to finalised Residential Design Outcomes and Controls, and the Building Coverage Study and these are understood will be included in the Applicant's 4 August 2025 response.

121. The adverse impacts related to urban form and neighbourhood character, are broadly acceptable and these do not require a proportionality assessment to be undertaken.

SECTION B1.7 PARKS AND RESERVES

Applicant's Assessment

122. The Applicant has proposed two Neighbourhood Parks Lot 7000 (Stage 10 - 3,107m²) and Lot 7002 (Stage 12 - 3,852m² that are to be vested to Auckland Council as 'land in lieu of reserve'.

123. In addition, 22 drainage reserves are to be vested to Council as 'land in lieu' of reserves.

Council's Assessment

124. Council's Parks Planning Specialist has confirmed that the locations of the two Neighbourhood Parks align with the Open Space Provision Policy 2016, and that these

indicate that the key metrics including the lot size, kick ball area, and the gradients will be met, though note that additional cross sections of these areas are needed to demonstrate that all the metrics will be achieved.

125. Healthy Waters have assessed the 22 drainage reserves which contain stormwater management devices. They have advised that the Application has not sufficiently demonstrated whether the extent/ area of the proposed land to vest is appropriate and will deliver additional public benefit that cannot otherwise be achieved through private ownership and maintenance.

126. The extent (and the vesting) of the drainage reserves is not supported by Healthy Waters as it is currently unclear how some of these areas function beyond a stormwater purpose. In general, Healthy Waters does not support vesting of wider floodplain or overland flowpath land where that land does not contribute meaningfully to stormwater function or deliver additional recreational, ecological, or amenity values. Healthy Waters have identified that further clarification is required to ensure that the areas to be vested are functionally necessary and represent an efficient and appropriate use of public land ownership.

127. Council's Parks Planning Specialist has reviewed the drainage reserves from a visual amenity and passive activation perspective and has sought further clarification regarding the plant species within the reserves.

128. Auckland Transport have advised that Bridge 5 would not be supported as a vested Auckland Transport asset. Furthermore, Councils Parks Planning Specialist have advised that there is conflicting information within the Application to ascertain whether the bridge would serve as part of the active mode/ shared path network or as a recreational path. Notwithstanding this, Parks do not seek ownership or vesting of Bridge 5. It is highlighted that Bridge 5 does serve a dual function in terms of providing pedestrian connectivity and screening of the wastewater pipe. Discussions regarding the vesting of Bridge 5 are continuing with the applicant but remain unresolved.

129. Council's Parks Planning Specialist has identified concerns in respect to two key site interfaces:

    1. The Neighbourhood Park (Retaining Wall 09) which is 1.5m-2.0m in height and, with fencing, may reach a total height of 3.2m. The proposed visual mitigation is not demonstrated in the design or landscape plans. A staggered design with private-lot landscaping is recommended to soften the interface and maintain passive surveillance.

    2. Drainage Reserve (Retaining Wall 14) exceeds 2.0m in height and the Application does not provide clear mitigation. A staggered retaining approach and clear separation of private and public mitigation responsibilities is required.

130. The location of proposed street trees is acceptable and the final details of location and species of street trees and infrastructure can be addressed at by consent conditions and through detail design at the Engineering Approval Stage.

131. There are information gaps in the Application as they relate to connectivity within the site, including between the proposed parks and the roads.

Conclusions on Parks Effects

132. The adverse impacts related to parks, particularly in respect to the drainage reserves are significant and these require a proportionality assessment to be undertaken. See **Section C** below.

B2: STAGE 4C

SECTION B2.1 CONSTRUCTION EFFECTS

Earthwork (sediment and erosion)

Applicant's Assessment

133. Woods (on behalf of the Applicant) has provided a description of the proposed erosion and sediment control measures for the bulk earthworks in the Earthworks Report with further details in the submitted Erosion and Sediment Control Plans (**ESCP**).

Council's Assessment

134. The adverse effects (sedimentation) associated with the earthworks have been reviewed by Council's Regional Earthworks Specialist (**Annexure 12**) who has confirmed that the indicative ESCP are generally appropriate and that the preparation of final ESCP for certification by Council is acceptable.

135. The Council's Regional Earthworks Specialist has recommended a number of changes/ additional consent conditions which include but are not limited to:

136. It is noted that a consent condition for a maximum duration of 7 years with a seasonal restriction for the earthworks has been recommended.

Conclusions on Sedimentation Effects

137. There are no significant Earthwork (sediment and erosion) impacts that require proportionality assessment.

138. Changes to consent conditions are considered necessary.

Geotechnical and Land Stability

Applicant's Assessment

139. A Geotechnical Investigation prepared by CMW Geosciences has been lodged with the Application. This includes a range of recommendations including the earthworks, retaining wall and foundation design for dwellings. These recommendations form part of the Application.

Council's Assessment

140. Council's Geotechnical Specialist has reviewed the proposed earthworks in respect to the geotechnical matters including land stability. There is broad agreement with the assessments undertaken and conclusions reached.

141. There are some information gaps including no site-specific investigation information to support the geotechnical reporting, assessment and recommendations of Stage 4C works. This is required upfront to ensure the slope stability and geotechnical risks are adequately managed and controlled so these do not create adverse safety or operational issues.

142. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability-related effects are avoided and mitigated.

Conclusions on Geotechnical and Land Stability Effects

143. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability related effects are avoided and mitigated.

144. There are no significant Geotechnical and Land Stability impacts that require proportionality assessment.

Construction Noise and Vibration

Applicant's Assessment

145. Styles Group has undertaken an assessment of the construction noise and vibration effects in the Noise Assessment Report provided with the Application.

146. The Noise Assessment Report has stated that construction vibration can be managed to comply with the construction vibration. During construction of a vehicle accessway a 5 – 10 dBA exceedance is predicted due to the proximity of multi-level dwellings within Stage 4C-1A. The Applicant has proposed that construction noise and vibration effects will primarily be mitigated/ managed through the preparation and implementation of a Construction and Vibration Management Plan (CNVMP), together with the installation of acoustic barriers/ screens.

Council's Assessment

147. The construction noise and vibration effects including on neighbouring properties have been reviewed by Council's Acoustic Specialist (**Annexure 19**) who has confirmed these effects have been appropriately addressed by Styles Group, and they are broad agreement with the mitigation measures proposed.

Conclusions on Construction Noise and Vibration

148. Adverse construction noise effects can be appropriately addressed through the implementation of the CNMVP, and installation of acoustic screens/ barriers.

149. Council's Acoustic Specialist has recommended some minor changes to the Applicant's consent conditions.

150. There are no significant residual construction noise and vibration impacts that require

proportionality assessment.

Contamination

Applicant's Assessment

151. The AEE has stated that properties/land within the Stage 4C development have been extensively modified by underlying bulk earthworks completed as part of Stage 4. There is no presence of contamination, or likelihood for it to be present across the site.

Council's Assessment

152. The contamination matters have been reviewed by Council's Contamination Specialist (**Annexure 11**) who has advised that a Site validation report is required to be provided confirming that the land within stage 4C has been appropriately remediated for the proposed landuse and validation has been certified by the Council.

Conclusions on Contamination

153. A Site validation report is required to be provided confirming that the land within stage 4C has been appropriately remediated for the proposed landuse and validation has been certified by the council. This can be addressed by an additional consent condition.

154. There are no significant residual contamination impacts that require a proportionality assessment.

SECTION B2.2 INFRASTRUCTURE EFFECTS

Water Supply Effects

Applicant's Assessment

155. The water servicing strategy for Milldale Stage 4C is included in the Infrastructure Report prepared by Woods with the existing water supply network extend along either side of the proposed new Roads to provide connections to Stage 4C.

Council Assessment

156. The application has been reviewed by Watercare who have advised that the proposed water supply in appropriate on this live zoned site, and that final design details can be appropriately addressed through consent conditions and as part of the Engineering Approval process.

Conclusions on Water Supply Effects

157. There are no significant residual water supply related impacts that require proportionality assessment.

Wastewater Effects

Applicant's Assessment

158. The wastewater servicing strategy for Milldale Stage 4C is included in the Infrastructure Report prepared by Woods with the existing wastewater network extended to serve all of the proposed development for wastewater flows via new gravity networks.

159. The Application proposes a temporary WWTP to service up to 1,250 dwellings in Stages 4C and 10–13. The temporary WWTP is designed to operate until the upgrades at Army Bay Wastewater Treatment Plant are complete. These are currently scheduled for completion circa 2031. Once the Army Bay Wastewater Treatment Plan upgrades are complete Stage 4 will connect to existing wastewater line.

Council Assessment

160. The application has been reviewed by Watercare who have advised that the proposed wastewater for Stage 4C is appropriate and that final design details can be appropriately addressed through consent conditions and as part of the Engineering Approval process.

161. It is noted that the matters raised in respect to the WWTP including the RO Waste Stream for Stages 10-13 are also relevant to Stage 4C and are not repeated here.

Conclusions on Wastewater Effects

162. Watercare have confirmed that the proposed wastewater strategy is supported in principle. However, further details and assessments are required from the applicant to satisfactorily demonstrate that the discharge from the RO waste stream to will not adversely affect the operation, integrity and compliance of Watercare's network, and subject to appropriate controls, monitoring, and formal approvals.

163. This requires further review and assessment, and is a potentially significant adverse impact requiring a proportionality. See Section C below.

Stormwater Effects

Applicant's Assessment

164. The Wainui East Stormwater Management Plan has been adopted under the Region Wide Network Discharge Consent ("RWNDC").

165. The Applicant has provided detention and retention to a minimum of SMAF-Flow1 levels in accordance Wainui East Stormwater Management Plan

Council's Assessment

166. Council's Stormwater Specialist (**Annexure 6**) has undertaken a review of the proposal from a regional discharge stormwater perspective. This assessment sits alongside the

stormwater assessments undertaken by Healthy Waters and Auckland Transport in addition to comments from the Development Engineer. The regional perspective is to specifically assess, mitigate and authorise discharges from private or jointly owned assets into the environment. An updated Engineering Report is awaited, including the applicant's rational for utilising private stormwater proposals and a review of easements / covenants.

167. Healthy Waters has also reviewed the application (**Annexure 3**), and have assessed the stormwater effects from a wider catchment perspective. They have advised that sufficient information to demonstrate that the stormwater management proposed for Stage 4C complies with the requirements of the Wainui East SMP (V4, September 2016) has not yet been provided. Therefore, it is uncertain whether the diversion and discharge of stormwater from development proposed within Stage 4C can be authorised under Healthy Water's RWNDC.

168. Healthy Waters have advised that a Geomorphic Risk Assessment is essential and must be provided to aid in establishing effective riparian set-backs a Geomorphic Risk Assessment should be undertaken to evaluate the current condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation. This must include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution.

169. It is understood that the applicant is currently preparing a Geomorphic Risk Assessment and Council would request the opportunity to review this once completed. Council have met with the applicant to discuss the scope of the Geomorphic Risk Assessment. Whilst Healthy Waters have included this as an additional recommended condition, it is considered that this should be provided with the application.

170. Changes to the Applicants conditions together with additional consent conditions are required to ensure that the stormwater management approach aligns with the Wainui SMP and that adverse stormwater effects are appropriately avoided and/or mitigated, these are set out in Appendix A and B of the Healthy Waters Memo.

Conclusions on Stormwater Effects

171. While Council's Stormwater Specialist is in broad in-principle agreement with the proposed stormwater management approach, significant technical uncertainties and unresolved issues remain that prevent full assessment and acceptance of the proposal at this time including uncertainties remaining for erosive effects, flooding impacts and overland flow path changes.

172. The Healthy Waters assessment identifies material concerns requiring resolution, including:

- Incomplete technical assessment due to insufficient review time for critical flood modelling information
- Missing essential technical documentation, particularly the Geomorphic Risk Assessment requested in May 2025

- Unresolved compliance gaps where specific development areas lack stormwater treatment including with the road reserves

173. The stormwater effects can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the stormwater management strategy is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters.

Natural Hazards (Flooding and Overland Flowpaths)

Applicant's Assessment

174. A Flood Assessment Report prepared by Woods. This has included a Flooding Hazard Assessment.

Council's Assessment

175. The Flood Assessments and flood modelling have been reviewed by Healthy Waters and Auckland Transport.

176. Auckland Transport has raised concerns regarding a range of stormwater matters including calculations of Overland Flowpath within the roads. Further assessment of flooding matters has been provided under Transportation as they relate to roading.

Conclusions on Natural Hazards (Flooding and Overland Flowpaths) Effects

177. The natural hazard effects relating to flooding and overland flowpaths can potentially be appropriately managed through the proposed approach, subject to resolution of the outstanding technical matters and implementation of comprehensive consent conditions. However, the current level of technical uncertainty means that acceptance of the flooding and overland flowpaths is conditional upon satisfactory completion of the additional assessments and design refinements identified by Healthy Waters and Auckland Transport.

SECTION B2.3 TRANSPORT EFFECTS

Applicant's Assessment

178. The proposal includes the construction of 3 new local roads together with a series of new shared driveways/ JOALs, vehicle crossings.

179. A Transportation Assessment Report prepared by Stantec has assessed the transport related effects in respect to the road network, public transport, safety, trip generation, modelling, parking, servicing, access and construction. This has stated the proposal provides good pedestrian, cyclist and potentially public transport connectivity; and the proposed road network integrates effectively with the existing and planned network

without producing adverse safety effects. Intersection modelling demonstrates that proposed roundabouts will be able to accommodate the anticipated generated trips. The internal road and JOAL layout, crossing locations, widths and gradients, and on-site parking and access are safe and appropriate.

Council's Assessment

180. The application including the Transportation Assessment Report have been reviewed by Auckland Transport (**Annexure 22**).

181. The application has also been reviewed by Council's Traffic Engineer (**Annexure 21**), who has assessed other traffic matters as they relate to shared driveway/ JOAL's, vehicle crossings together with a broader review of the transport/ traffic matters. There are various overlaps between the reviews undertaken by Auckland Transport and Council's Traffic Engineer who have confirmed that there are various outstanding information matters.

182. These include but are not limited to additional plans (long-section drawings and vehicle tracking diagrams), stormwater management/ hazards and traffic safety related assessments, visibility assessments, lighting plans, details of loading, speed management and design plans of the shared driveways. These matters remain outstanding and a full assessment of the broader traffic/ transport effects has not been able to be undertaken.

183. Notwithstanding, the identified key information gaps, Auckland Transport have confirmed that in principle the proposed road layout is broadly consistent with the Wainui Precinct Plan. Auckland Transport have not identified any specific significant issues. However, Auckland Transport have identified key information gaps in respect to infrastructure required for the proposed dwellings, the operational performance and safety of the proposed roads and intersections, and stormwater management.

184. Auckland Transport have also identified that a number of key road infrastructure upgrades including the Pine Valley Road/Dairy Flat Highway intersection and Wainui Road Upgrade are required to be completed prior to the occupation of dwellings (2,800 dwellings). Additional consent conditions have been recommended by Auckland Transport regarding these matters.

185. Additional consent conditions have also been recommended by Council's Traffic Engineer, noting that further additional conditions may be required pending review of the additional information will be provided.

Conclusions on Transport Effects

186. There are various outstanding information gaps as they relate to transport matters that have not been provided by the Applicant and have not been assessed by Council.

187. Notwithstanding, the identified key information gaps, Auckland Transport have confirmed that in principle the proposed road layout is broadly consistent with the Wainui

Precinct Plan.

188. There are no significant residual transport impacts that require proportionality assessment.

Waste Management

Applicant's Assessment

189. The proposal waste management is for Council kerbside collection.

Council's Assessment

190. The proposed waste management has been reviewed by Council's Waste Solutions Specialist who has confirmed that additional details are required off the applicant, noting concerns in regard to vehicle movements and tracking**.**

Conclusions on Waste Management Effects

191. There is agreement between the Applicant and Council in respect to waste management and the consent conditions proposed are appropriate.

192. There are no significant residual waste management impacts that require a proportionality assessment.

SECTION B2.4 LANDSCAPE AND VISUAL EFFECTS AND URBAN FORM AND NEIGHBOURHOOD CHARACTER

Applicant's Assessment

193. An urban design assessment prepared by B&A sets out the design response and assessment against key urban design principles. The Applicant's assessment states that the proposal will provide for a high-quality urban environment, with a good level of amenity and positive urban design outcomes.

Council's Assessment

194. The Application including the Urban Design Assessment has been reviewed by Council's Urban Designer (**Annexure 16**) and Councils Landscape Architect (**Annexure 17**).

195. Council's Landscape Architect has confirmed that there are no specific issues from a landscape and visual effects perspective. It is noted that they have recommended some minor changes to consent condition in respect to landscape planting including the maintenance period.

196. Council's Urban Designer considers the proposal provides a coherent and well-integrated urban structure. They have advised that:

Overall, the Stage 4C land use proposal presents a generally positive urban design outcome. The proposal achieves a coherent and legible urban form, supported by a generally well-resolved layout and street interface. While the overall density is relatively modest for the THAB zone, the proposal delivers functional dwellings with appropriate amenity. The use of rear lanes to manage vehicle access, varied architectural expression, and integration of CPTED principles contribute positively to the character and safety of the development.

197. Council's Urban Designer has noted the shared access lanes should be designed to a high quality and incorporate lighting, surface differentiation, planting, and dedicated pedestrian footpaths. These matters can be secured by consent conditions including finalised landscape plans.

198. It is understood that the applicant is currently preparing a response to Minute 3 of the Expert Panel dated 15 July 2025 as it relates to the rationale for the proposed density of development within Stage 4C. Council will provide a further response upon review of this additional assessment.

Conclusions on Urban Form and Neighbourhood Character Effects

199. The proposal contributes to a well-functioning urban environment, and provides a coherent and well-integrated urban structure.

200. The adverse impacts related to urban form and neighbourhood character, are broadly acceptable and these do not require a proportionality assessment to be undertaken.

B3: WASTEWATER TREATMENT PLANT

SECTION B3.1 CONSTRUCTION EFFECTS

Earthwork (sediment and erosion)

Applicant's Assessment

201. Woods (on behalf of the Applicant) has provided a description of the proposed erosion and sediment control measures for the bulk earthworks in the Earthworks Report with further details in the submitted Erosion and Sediment Control Plans (**ESCP**).

Council's Assessment

202. The adverse effects (sedimentation) associated with the earthworks have been reviewed by Council's Regional Earthworks Specialist (**Annexure 12**) who has confirmed that the indicative ESCP are generally appropriate and that the preparation of final ESCP for certification by Council is acceptable.

203. The Council's Regional Earthworks Specialist has recommended a number of changes/ additional consent conditions which include but are not limited to the addition of a seasonal restriction. It is noted that a consent condition for a maximum duration of 10 years with a seasonal restriction for the earthworks has been recommended.

Conclusions on Sedimentation Effects

204. There are no significant Earthwork (sediment and erosion) impacts that require proportionality assessment.

205. Changes to consent conditions are considered necessary.

Geotechnical and Land Stability

Applicant's Assessment

206. A Geotechnical Investigation prepared by CMW Geosciences has been lodged with the Application. This includes a range of recommendations including the earthworks, retaining wall and foundation design for future dwellings. These recommendations form part of the Application.

Council's Assessment

207. Council's Geotechnical Specialist has reviewed the proposed earthworks in respect to the geotechnical matters including land stability. There is broad agreement with the assessments undertaken and conclusions reached.

208. There are some information gaps as they relate to partially missing information to justify the geohazard assessment outcomes of the WWTP which are required to be reviewed

upon receipt, to ensure the slope stability and geotechnical risks are adequately managed and controlled so these do not create adverse safety or operational issues.

209. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability-related effects are avoided and mitigated.

Conclusions on Geotechnical and Land Stability Effects

210. Additional consent conditions are recommended to ensure that adverse geotechnical and land stability related effects are avoided and mitigated.

211. There are no significant Geotechnical and Land Stability impacts that require proportionality assessment.

Operational Noise, and Construction Noise and Vibration

Applicant's Assessment

212. Styles Group has undertaken an assessment of the operational, and construction noise and vibration effects in the Noise Assessment Report provided with the Application.

213. The Noise Assessment Report has stated that the WWTP can be designed to comply with the operational noise limits.

214. The Noise Assessment Report has stated that construction noise and vibration can be managed to comply with the construction vibration and construction noise limits and has recommended installation of temporary noise barriers.

Council's Assessment

215. The operational, construction noise and vibration effects including on neighbouring properties have been reviewed by Council's Acoustic Specialist (**Annexure 19**) who has confirmed these effects have been appropriately addressed by Styles Group, and they are broad agreement with the mitigation measures proposed.

Conclusions on Construction Noise and Vibration

216. Adverse construction noise effects can be appropriately addressed through the implementation installation of acoustic screens/ barriers.

217. Council's Acoustic Specialist has recommended some minor changes to the Applicant's consent conditions.

218. There are no significant residual construction noise and vibration impacts that require proportionality assessment.

Contamination

Applicant's Assessment

219. Williamson Water and Land Advisory have undertaken a Preliminary Site Investigation to understand if the site/ land is subject to contamination. This has confirmed based on previous historic land uses that the site is not subject to any land contamination.

Council's Assessment

220. The contamination matters have been reviewed by Council's Contamination Specialist (**Annexure 11**) who agreed with the Preliminary Site Investigation prepared by Williamson Water and Land Advisory.

221. Council's Contamination Specialist has confirmed that the proposed land disturbance/ earthworks would be a permitted activity under both the AUP(OP) and National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS).

Conclusions on Contamination

222. The proposed land disturbance/ earthworks would be a permitted activity under both the AUP(OP) and National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS).

223. There are no significant residual contamination impacts that require a proportionality assessment.

SECTION B3.2 ARCHAEOLOGICAL HERITAGE AND MĀORI VALUES

Applicant's Assessment

224. Clough and Associates have prepared an Archaeological Assessment. This has confirmed that there are no recorded archaeological features within the proposed wastewater treatment plant development area and no previously unidentified sites were encountered during the field survey of the area.

225. To mitigate the risk of discovery of unrecorded subsurface archaeological within the project area, Clough and Associates advise that a general precautionary Archaeological Authority from Heritage New Zealand Pouhere Taonga (2014) be obtained prior to the commencement of earthworks.

Council's Assessment

226. The effects on Heritage values have been reviewed by Council's Heritage Specialist (**Annexure 23**) and Māori Heritage Specialist (**Annexure 24**) who are in agreement with the assessment undertaken by Clough and Associates.

Conclusions on Heritage Values

227. There are no recorded archaeological features within the proposed wastewater treatment plant development area and no previously unidentified sites were encountered during the field survey of the area.

228. No additional consent conditions or changes to conditions are necessary.

229. There are no significant residual impacts on archaeological heritage values that require proportionality assessment.

SECTION B3.3 WASTEWATER TREATMENT PLANT (WWTP)

230. The Application anticipates the interim WWTP would be required until the early 2030s.

Applicant's Assessment

231. An alternative wastewater solution for the site has been designed. This has sought consent for a 10-year duration. This solution is to be used for Stage 4C and Stages 10-13 if the proposal is not able to connect to the Watercare network. The on-site WWTP is described in the Wastewater Design Report prepared by Apex. The WWTP would be in place until such time Army Bay wastewater treatment plant has been upgraded. The Applicant proposes the WWTP would be in place on an "interim" basis only until the public bulk wastewater network has sufficient available capacity to service the development, after which the private WWTP would be decommissioned and the Site (Stage 4C and Stages 10-13) would connect to the public wastewater network.

Council's Assessment

232. The WWTP has been reviewed by Council's Wastewater Engineer (**Annexure 5**) who has advised that there are key information gaps in the Application material. This includes:

    a. There remains uncertainty on the Reverse Osmosis (RO) Waste Stream from the wastewater treatment plant;
    b. Whether the RO Waste Stream would be accepted at the Army Bay WWTP;
    c. Further information on the scale of impacts on Orewa Estuary.

233. In addition to the above, changes to the consent conditions are required to (a) reflect the staged nature of the development, (b) provide some flexibility to avoid Section 127 changes as the development progresses, and (c) adopt a loading (kg/d) metric for the discharge limits.

234. It is understood that the Applicant is reviewing these matters including the consent conditions, and that these will be included in the Applicant response on 4 August 2025.

235. Council's Wastewater Engineer has raised concerns regarding the Reverse Osmosis (RO) Waste Stream and where this would be discharged. If the RO Waste Stream was

discharged on site, then this would likely require additional discharge consents that have not been applied for by the Applicant. This is a matter that is unresolved and is not able to be a consent condition noting the uncertainty of the adverse effects and outcomes.

236. In addition to the above, there remains some uncertainty regarding the extent of adverse effects on the Orewa Estuarine environment and the scale of the impact of the discharge on the estuary environment.

237. Council's Wastewater Engineer has advised that final conditions are not able to be prepared until a Memo is provided upfront by the Applicant, confirming handling of reject water from the wastewater treatment plant. Notwithstanding this, they have recommended some changes to the consent conditions relating to the WWTP.

238. In respect to the Reverse Osmosis waste stream (containing some residuals nutrients) that is proposed to return to the Watercare wastewater network, Watercare have advised they do not typically support the return of RO waste stream to the wastewater network, however this is accepted in "limited scenarios" where the quality is not detrimental to the operation and integrity of the wastewater network or the Army Bay WWTP. Watercare have advised that there is no agreement in place in respect to the RO waste stream; and that their support is not confirmed at this stage. Further details and assessments are required from the applicant to satisfactorily demonstrate that the discharge from the RO waste stream will not adversely affect the operation, integrity and compliance of Watercare's network, and subject to appropriate controls, monitoring, and formal approvals.

239. Watercare have advised that emergency storage is required as the absence of onsite storage or containment increases the likelihood of unplanned discharges impacting network performance.

Conclusions on WWTP Effects

240. There is outstanding information required from the Applicant in respect to the ecological effects and the Reverse Osmosis (RO) Waste Stream and where this would ultimately be discharged Watercare have advised that there is no agreement in place in respect to the RO waste stream to be Watercare wastewater network; and that their support is not confirmed at this stage. Further details and assessments are required from the applicant to satisfactorily demonstrate that the discharge from the RO waste stream will not adversely affect the operation, integrity and compliance of Watercare's network, and subject to appropriate controls, monitoring, and formal approvals.

241. Final conditions are not able to be prepared until a Memo is provided upfront by the Applicant, confirming handling of reject water from the wastewater treatment plant. Notwithstanding this, they have recommended some changes to the consent conditions relating to the WWTP.

242. This requires further review and assessment, and is a potentially significant adverse impact requiring a proportionality assessment. See **Section C** below.

Hazardous Substance Effects

Applicant's Assessment

243. A Hazardous Substances Assessment report (**HSITA**) has been prepared by Williamson Water & Land Advisory which provides an assessment of effects on people, property and the environment arising from the use hazardous substances within the proposed WWTP. The HSITA includes a number of control and operational measures, including secondary containment, and a site-specific environmental management plan (to be conditioned). The HSITA concluded that with the implementation of the proposed measures that the release of hazardous substances will be unlikely.

Council's Assessment

244. The HSITA has been reviewed by Council's Hazardous Substances Specialist who is in broad agreement with the assessments undertaken and the conclusions reached. They have confirmed that the implementation of the proposed conditions will ensure hazardous substances will avoid or adequately mitigate any adverse effects, including risks to people, property and the environment.

245. The consent conditions as they relate to Hazard Substances are considered appropriate, noting that some minor changes are proposed to ensure the Wastewater Treatment Plan is certified by Council.

Conclusions on Hazardous Substance Effects

246. There is agreement between the Applicant and Council in respect to adverse effects of hazardous substances and the implementation of the proposed conditions will ensure that the use of hazardous substances can be managed to avoid or adequately mitigate any adverse effects, including risks to people, property and the environment.

247. There are no significant residual impacts as they relate to Hazardous Substances that require a proportionality assessment.

Air Discharge Effects

Applicant's Assessment

248. The Air Quality Report (**AQR**) prepared by Air Matters provides an assessment of the air discharge and resultant effects associated with the proposed WWTP. This includes an assessment of likely discharge of odours and has assessed that adverse odour effects can be mitigated through the design the of the WWTP, preparation and implementation of the Air Quality Management Plan and Wastewater Treatment Plant Management Plan and the compliance with consent conditions.

Council's Assessment

249. The AQR has been reviewed by Council's Air Quality Specialist (**Annexure 10**) who is

in broad agreement with the assessments undertaken and the conclusions reached. They have confirmed that air discharges are not likely to cause significant adverse effects at any location beyond the site boundaries

250. The consent conditions as they relate to air discharges are considered appropriate, noting that some minor changes are proposed to ensure the Wastewater Treatment Plan is certified by Council.

Conclusions on Air Quality Effects

251. There is agreement between the Applicant and Council in respect to air quality effects including odour related effects and the implementation of the proposed conditions will ensure air quality effects are avoided or appropriately mitigate.

252. There are no significant residual air quality impacts that require a proportionality assessment.

SECTION B3.4 STORMWATER EFFECTS

Applicant's Assessment

253. The discharge of stormwater from the proposed Wastewater Treatment Plant is sought to be authorised under E8.4.1(A7) as a permitted activity for the diversion and discharge of less than 5,000m^2 outside an urban area, being for 3,670m^2.

Council's Assessment

254. Council's Stormwater Specialist (**Annexure 6**) has undertaken a review of the proposal from a regional discharge stormwater perspective. This has confirmed that stormwater diversion and discharge, and the land use and the discharge of contaminants under industrial or trade activities are permitted activities, though further details are required in regards to the SMAF detention and retention (to demonstrate compliance with E8 permitted standards) and review of additional downstream flooding.

255. The sizing of the dry detention pond is in accordance with the Wainui East Stormwater Management Plan SMAF1 recommendations to attenuate flows, and will provide 110m^3 of storage. The final discharge to the environment will be via a riprap to prevent erosion which is acceptable.

Conclusions on Stormwater Effects

256. The adverse impacts related to stormwater, are broadly acceptable and these do not require a proportionality assessment to be undertaken.

SECTION B3.4 LANDSCAPE AND VISUAL EFFECTS AND URBAN FORM AND NEIGHBOURHOOD CHARACTER

Applicant's Assessment

257. An urban design assessment prepared by Woods sets out the design response and assessment against key urban design principles.

Council's Assessment

258. The Application including the Urban Design Assessment has been reviewed by Council's Urban Designer (Annexure 16) and Councils Landscape Architect (Annexure 17).

259. Councils Landscape Architect has confirmed that there are no specific issues from a landscape and visual effects perspective.

260. Council's Urban Designer considers the proposal provides a coherent and well-integrated urban structure. They have advised that:

> *A dedicated landscape buffer is proposed around the WWTP site to mitigate visual and amenity effects, particularly as experienced from Lysnar Road (indicative landscape plan, Appendix 4O, Sheet 4672100-AL-S9-1000). The proposed planting, existing vegetation, and separation from residential areas by Lysnar Road will help reduce the perceived scale and operational presence of the facility in the interim. The proposed mitigation appears appropriate in principle.*

261. It is understood that the Applicant is updating the application plans to incorporate a denser landscaping planting belt to help screen the WWTP.

Conclusions on Urban Form and Neighbourhood Character Effects

262. The adverse impacts related to urban form and neighbourhood character, are broadly acceptable and these do not require a proportionality assessment to be undertaken.

SECTION C: SUMMARY OF ASSESSMENT OUTCOMES AND PROPORTIONALITY CONCLUSIONS

Overview

263. This concluding section provides a brief overview of the outcome of the overall Council assessment of the application, based on an objective assessment of the application material.

264. The section is structured as follows:

- **Section 85 adverse impacts / proportionality assessment**: Analysis under section 85(3) of the Fast Track Approvals Act, examining whether adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.

- **Key information gaps**: Identification of residual information deficiencies and their implications for decision-making by the Panel.

- **Key findings**: Again, as at the date of providing these comments (29 July 2025), with Council's recommendation to the Panel.

Section 85 adverse impacts / proportionality assessment

265. Under section 85(3) of the FTAA, the Panel ***may*** decline an approval where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.

266. This assessment requires consideration of:

- The nature and significance of adverse impacts identified through the section 81(2) process;

- The project's regional or national benefits as assessed under section 81(4);

- Whether proposed conditions or Applicant modifications could adequately address adverse impacts;

- Whether the proportionality threshold is met even after accounting for mitigation measures, compensation etc.

267. For the avoidance of doubt, the Council's assessment has not identified any reasons why the application ***must*** be declined in terms of section 85(1) of the FTAA.

Headline issues identified

268. Based on the detailed analysis in **Section B** above, the following adverse impacts have been identified, individually and collectively, as potentially meeting the section 85(3) threshold:

- **Issue 1: Potential Ecological Effects** - There are a number of key information gaps in the application including the identification and delineation of wetlands; and the Hydrology assessment (particularly the size of the catchment and water volume) demonstrating the proposed offset wetland can be supported by sufficient water so that wetland habitat will form/ function as proposed by the applicant. These information gaps result in the extent and degree of adverse freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including wetland off-set are proportionate to the adverse effects. In addition, the effects of proposed dewatering and groundwater diversion have been identified as being potentially adverse on the identified wetlands. The Applicant's assessment have not assessed wetland losses due to groundwater diversion and dewatering, which Council's Groundwater Specialist considers to be a significant omission.

- **Issue 2: RO Waste Stream -** There are a number of key information gaps in the application in respect to RO Waste Stream. These information gaps result in the adverse effects as they relate to the provision of infrastructure (wastewater) not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects. Furthermore, if the RO Waste Stream is not accepted at the Army Bay Wastewater Treatment Plan, then additional discharge consents may be required, and an assessment of these undertaken.

269. Having identified the above headline issues, it is important that we signal that there is the potential for other material issues to arise as a result of further assessment. For example, see the comments in **Section B** above concerning potential groundwater impacts on wetlands.

Project benefits summary

270. The Applicant has set out the positive effects/ project benefits in the AEE's (Stages 10-13, Stage 4C and WWTP). These are summarised as:

General

- The proposal will result in public benefits by enabling an increase in housing supply that will support improved market competition and housing affordability. This will be located on live zoned land that forms part of the Wainui Precinct Plan. Council broadly agrees with the stated project benefits put forward by the applicant, and consider that the Application will enable the completion of Milldale to a high level of urban and landscape design that benefits the existing Milldale community, its businesses and its surrounds.

- The proposal will contribute to greater housing choice in north Auckland and meet specific demographic needs.

Stages 10-13

- The proposed subdivision is an efficient use of land which include the creation of 623 vacant residential lots, 27 super lots, two neighbourhood parks, 22 local purpose (drainage) reserves and a supporting roading and pedestrian network in accordance with the Wainui Precinct Plan will be created.
- The subdivision layout including the proposed roading is consistent with the form of development sought within the Wainui Precinct.
- The subdivision will facilitate the development of circa. 919 dwellings of varying typologies, which will contribute towards meeting the demand for housing in the wider Auckland region in an appropriate location and density.
- The proposed neighbourhood and drainage reserves will provide functional and useable open space that will provide positive social and recreation benefits. It is noted that the extent of the area of the drainage reserves to provide stormwater functions has been flagged by Healthy Waters and is subject to further Council review.
- The proposed block layout and road network provides pedestrian permeability and connectivity. This includes the proposed roading, pedestrian accessways, bridges (noting the number and vesting of bridges is subject to further internal Council discussion) and stream edge corridor.
- The proposed planting restoration works along the riparian margins of Milldale Stream will create positive ecological effects and will enhance an existing low value ecological area with high ecological value, which will benefit the wider catchment and receiving environment.

Stage 4C

- The proposed subdivision will provide 168 dwellings which will provide housing stock on land that is intended for increased urban density. It noted that the Applicant is providing further responses in respect to whether the density of the development on the THAB zoned land is an efficient use of this land, and these assessments/ responses have not been reviewed by Council.
- The proposal will provide a range of housing typologies and housing choice, including higher density housing within the central part of Milldale.
- The proposed roads and accessway will complete the road network through Stage 4C and positively contribute to the function of Honohono Avenue (“green street) as a key street within the wider development;
- The proposal will provide a high-quality architectural design and will contribute positively to the streetscapes.
- The proposal will provide an appropriate level of onsite amenity and the functional needs for each of the proposed dwellings / lots.

WWTP

- Council agrees that the proposed WWTP is necessary infrastructure to facilitate urban development on zoned land. As the Army Bay Treatment Plant does not have sufficient capacity to treat the wastewater from the final stages of the Milldale development, progressing of the final stages (Stages 10-13) of Milldale could not occur unless an alternative wastewater treatment plant is developed. However, there are a number of key information gaps in the application in respect to RO Waste Stream which remain outstanding/ unresolved.
- The temporary use of the site for a WWTP is an appropriate use of the site, ensuring that existing urban-zoned areas within Milldale remain available for their intended development.
- The proposed planting restoration works along the riparian margins of Waterloo Creek will create positive ecological effects and will enhance an existing low value ecological area with high ecological value, which will benefit the wider catchment and receiving environment.

271. The assessment of regional benefits has been considered holistically across all adverse impact assessments, and informs the tabular proportionality assessment below.

272. In summary, Council broadly agree with the Applicants assessments of the project benefits, noting that:
    a. The extent of the area of the drainage reserves to provide stormwater functions has been flagged by Healthy Waters and is subject to further Council review.
    b. Applicant is providing further responses in respect to whether the density of the development on the THAB zoned land is an efficient use of this land, and these assessments/ responses have not been reviewed by Council.
    c. There are information gaps regarding whether extent and degree of adverse freshwater ecology effects being unable to be fully assessed, and whether the proposed mitigation measures including wetland off-set works provide a net ecological benefit.
    d. There are a number of key information gaps in the application in respect to RO Waste Stream.

Assessment

273. A detailed assessment is provided below in tabular form.

Adverse impacts	Section 85 assessment
1. Potential Freshwater Ecological Effects	**Significance Assessment:** As noted in the Freshwater and Terrestrial Ecology memo (**Annexure 14**) and as set out in further detail within the Key Information Gap table, there are a number of key information gaps in the application. These information gaps result in the adverse effects as they relate to freshwater ecology not able to be fully assessed; and whether the proposed measures proposed by the Applicant are

	appropriate to mitigate or avoid these effects. In addition, adverse effects of proposed dewatering and groundwater diversion have been identified as being potentially adverse on the identified wetlands. The Applicant's assessment have not assessed wetland losses due to groundwater diversion and dewatering. **Regional/National Benefits Considered:** See Project Benefits Summary above. **Proposed Conditions/Mitigation/Compensation:** The details of proposed conditions and adequacy of mitigation measures including the proposed off-set works are not able to be currently ascertained given the significant gaps in the Applicant's ecology assessments to inform these. **Proportionality Conclusion:** Adverse freshwater ecological impacts may potentially be significant and are unable to fully assessed until this information is provided.
2. Reverse Osmosis Waste Stream	**Significance Assessment:** As noted in the Wastewater Memo (**Annexure 5**) and Watercare Memo (**Annexure 3**) as set out in further detail within the Key Information Gap table, there are a number of key information gaps in the application in respect to RO Waste Stream. These information gaps result in the adverse effects as they relate to the provision of infrastructure (wastewater) not able to be fully assessed; and whether the proposed measures proposed by the Applicant are appropriate to mitigate or avoid these effects. Furthermore, if the RO Waste Stream is not accepted at the Army Bay Wastewater Treatment Plan, then additional discharge consents may be required, and an assessment of these undertaken. and have been assessed including appropriateness of consent conditions. **Regional/National Benefits Considered:** See Project Benefits Summary above. **Proposed Conditions/Mitigation/Compensation:** The details of proposed conditions and adequacy of mitigation measures including the disposal of RO Waste Stream are not able to be currently ascertained. **Proportionality Conclusion:** Adverse infrastructure impacts may potentially be significant and are unable to fully assessed until this information is provided.

Key information gaps

274. The following table identifies residual information gaps that remain having reviewed the current application material provided including the application documents, and explains their significance for decision-making. Council considers that this information is necessary prior to determination and the Panel should request these are provided by the Applicant:

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
Stages 10-13			
1. **Building Coverage Study**	A Building Coverage Study of existing development within Milldale is required to understand the existing built form, building coverage and the impact this has on neighbourhood character and streetscape character/ amenity.	To assess whether the proposed blanket consents sought for building coverage in the Residential: Mixed Housing Suburban and Single House zones are appropriate.	Uncertainty of future design outcomes.
2. **Residential Design Outcomes and Controls**	Updated RDOC is required to assess the design outcomes and controls for the super lots.	RDOC is required to inform consent conditions and consent notices.	Uncertainty of intended design outcomes and controls for the super lots.
3. **Updated Design of OLFP**	The design of overland flow paths (OLFPs) within public road corridors must be updated to demonstrate compliance with Auckland Council's safety criteria for depth, velocity, and hazard rating.	The design is required to ensure roads are safe for vehicles and pedestrians.	The design is required to ensure roads are safe for vehicles and pedestrians.
4. **Vesting of Land**	The Applicant should provide justification for the extent and location of land proposed for vesting, including evidence that the land delivers essential stormwater function as well as wider public benefit. Areas proposed for vesting must be offered as 'Land in Lieu of Reserve – for Drainage Purposes' and will remain subject to Auckland Council's standard asset acceptance and acquisition processes	Cannot ascertain the extent of land for drainage purposes. Required to ensure accurate information is identified on the scheme plans.	Uncertainty around the extent of vesting of land.
5. **Geomorphic Risk Assessment**	To aid in establishing effective riparian set-backs a Geomorphic Risk Assessment should be	Cannot accurately assess the necessary riparian setbacks for	The riparian setbacks may result in insufficient space for the intended building platforms on residential lots.

		undertaken to evaluate the current condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation. This must include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution	dwellings/ buildings.	
6.	**Flood Management and Modelling**	The Applicant must provide the full stormwater model to Healthy Waters, including both pre- and post-development scenarios, to enable verification of modelling assumptions and assessment of downstream effects. This should include the Wainui Road bridge, properties downstream between the bridge and Lysnar Road, and 147 Argent Lane.	The flood modelling is required to ensure downstream effects are avoided.	The flood modelling is required to ensure downstream effects are avoided.
7.	**Additional characterisation of geohazards required for Stage 10-13 works.**	Slope stability analyses are required to be updated for relevant sensitivity assessment and missing design parameters. Including clarification on how the stockpile location will be affecting the site stability.	Additional clarification is required for how stability will be maintained throughout the different substages of the work. Inconsistencies in the reports and drawings to be revised for clarity. Missing laboratory testing to verify applied parameters to geohazards.	Geohazard risks not fully captured in current assessment. Potential for inadequate assessment of affecting geohazards.
8.	**No assessment of the effects on five of the six natural inland wetlands at 147 Argent Lane**	No assessment of effects of the groundwater-related activity	Unable to assess whether or not the effects of dewatering and groundwater diversion on the five off-site natural wetlands is	Potential for significant effect destruction / of these five wetlands which will require mitigation.

			potentially adverse.	
9.	**Missing reasons for consent for permanent groundwater dewatering.**	Permanent dewatering has not been included or assessed in the Application.	Ensuring inclusion of appropriate consent conditions.	Potential for adverse dewatering effects to not be robustly assessed.
10.	**No specific methodologies or effects assessment are provided in the AEE for the surface water diversion activity.**	No assessment of effects of the proposed surface water effects including peak velocities through the watercourses during flood conditions and whether appropriate measures have been considered to ensure the diversion does not cause scour, erosion or other instability of any land or waterbody.	Ensuring inclusion of appropriate consent conditions and mitigation measures.	Potential for adverse environment effects relating to surface water diversion including whether appropriate measures have been considered to ensure the diversion does not cause scour, erosion or other instability of any land or waterbody.
11.	**Additional reasons for consent relating to culverts not included in application.**	Culverts have not been included as reasons for consent or assessed.	Assessing associated adverse effects including as it relates to fish passage. Ensuring inclusion of appropriate consent conditions	Potential for adverse freshwater related effects including aquatic species to not be robustly assessed
12.	**Consolidated wetland delineation data which includes vegetation, soils and hydrology as specified by the Ministry for the Environment's Wetland Delineation Protocols**	Significant inconsistencies in the hydric soils and hydrology assessment provided by WWLA, together with an absence of plant species information for sample plots where hydric soils and hydrology were assessed alone result in deficient wetland delineation data. Since the soil affinity for hydrology on this site is known to be complex, inconsistent and incomplete data leads to statements regarding permanent loss of wetland areas and proposed offsetting that are not supported by	The absence of objective and rigorous wetland delineation data precludes my assessment against Appendix 6 of the NPS-FM – Principles for Aquatic Offsetting.	I am unable to assess whether permanent loss of natural wetland will be adequately offset in accordance with the NPS-FM.

		objective assessment in accordance with published requirements.		
13.	**Hydrology assessment (particularly the size of the catchment and water volume) demonstrating the proposed offset wetland can be supported by sufficient water so that wetland habitat will form as proposed by the applicant.**	No hydrology assessment is provided to support the proposal that a new offset wetland will be able to be created to form a stable, permanent aquatic habitat.	The lack of assessment precludes my assessment against Appendix 6 of the NPS-FM – Principles for Aquatic Offsetting.	No supporting evidence is provided that the proposed offset of permanent wetland loss will be able to be achieved.
14.	**Infrastructure upgrade timeline as it relates to road upgrade works.**	While the ITA recommends infrastructure upgrade required for the proposed Fast-track development, it does not discuss any timeline for it (e.g. before or after dwellings threshold is reached).	Without a clear timeline or a condition, unable to assess if the intersection in question/road performs without having operation and safety issues.	Operation and safety of road network and the timeline for infrastructure upgrades, which can be dealt with through conditions.
15.	**Long-section drawings and vehicle tracking diagrams**	• Long-sections drawings identifying roading gradients; including vertical curves; and • Tracking drawings identifying vehicles manoeuvre safely through roads and intersections.	Unable to assess whether the proposed development accommodates vulnerable users or meets visibility and safety requirements for road users. Vertical curves may pose visibility risks, and without these plans, road suitability cannot be confirmed. Additionally, vehicle tracking diagrams are essential to evaluate safe vehicle operation within proposed roads and intersections. If safety or	Auckland Transport cannot assess the adequacy of roads and changes including to scheme plans may be required.

			operational issues arise during the Engineering Approval stage and cannot be resolved, the applicant may need to revise their plans. Therefore, both long-section drawings and tracking diagrams are critical for assessing accessibility, safety, and operational viability.	
16.	**No visibility assessments have been provided for the proposed intersections**	Visibility assessments for intersections have not been provided in accordance with Auckland Transport's engineering guidelines.	Unable to confirm whether the intersection treatments are adequate to ensure safe traffic operations. If visibility issues are identified at the EA stage and cannot be resolved without altering the scheme plan or lot boundaries, a consent variation may be necessary. Implications for locations in respect to lighting poles.	Lack of adequate sightlines adversely impacts the safety of the intersections. This creates risks on all type of road users, including pedestrians and cyclists; this is a significant safety risk. Unable assess the adequacy of visibility at critical locations and changes including to scheme plans may be required.
17.	**Safety assessment for T-intersections in close proximity along Waiwai Drive between Stages 10 and 11, being close to bus stops and points where pedestrians cross the intersections.**	• Assessment for operations and the safety of the intersections in close proximity to each other while also taking into consideration the proposed bus stops; • Assessment for safety of pedestrians near the intersections' zebra crossings, particularly when looking left. This issue may be exacerbated by buses stopped at adjacent bus stops. Additional assessment	The configuration may lead to conflicts between turning vehicles, and unable to assess the risks without assessment.	The intersections may need to be relocated on scheme plans if not proper mitigation has been found; this runs the risks of further changes to the scheme plan.

		is required and this remains a safety concern.		
18.	**Safety assessment for operation and safety of intersections on Collector Road 01 in Stage 12, where T-intersections are located too closely.**	Assessment for operation and safety of intersections on Collector Road 01 in Stage 12, where T-intersections are located too close and could pose safety risks for all modes of transport.	The configuration may lead to conflicts between turning vehicles, and Auckland Transport cannot assess the risks without assessment.	The intersections may need to be relocated on scheme plans if not proper mitigation has been found; this runs the risks of further changes to the scheme plan.
19.	**Lack of long-section drawings for Auckland Transport to check the suitability of overland flow path mitigation measures.**	Long section of the roads to check the slope of the roads to be vested in relation to Overland Fow Path (OLFP) calculations. Some of the drawings for OLFP calculations show a slope of 27%, which is not legal.	Auckland Transport requires this information to assess whether the asset proposed for vesting adequately addresses safety concerns in relation flooding hazard, and it does not cause potential damage to property. This information is required to assess whether the asset proposed for vesting adequately addresses safety concerns in relation flooding hazard, and it does not cause potential damage to property.	OLFP poses a safety risk to life and property if not mitigated adequality through road design.
20.	**OLFP calculations provided show the depth x velocity products significantly exceed the maximum value for safety of pedestrians.**	OLFPs calculations for the 1% AEP + climate change within roads to be vested to AT are required to meet the minimum safety requirements specified in Table 3 of the Road Drainage chapter of Auckland Transports Transport Design Manual. The Assessment provided does not show this.	This information is required to assess whether the asset proposed for vesting adequately addresses safety concerns in relation flooding hazard, and it does not cause potential damage to property.	OLFP poses a safety risk to life and property if not mitigated through road design.
21.	**Design of shared driveways**	No Loading bay proposed at JOALS.	These are matters that could be	These are important to ensure a safe and functional

	(JOALS).	No speed management measures proposed at JOALS as per PC79DV. Intervisibility issues and vehicle tracking issues at intersections.	conditioned and addressed at Engineering Approval Stage, however this may result in changes to the application that require a variation.	development.
22.	**Lighting plans for shared driveways**	No Lighting plans have been provided for the shared driveways.	Lighting Plans for the shared driveways are required to ensure pedestrian and traffic safety.	These can be included as consent conditions, however Council preference is to review lighting plans as part of the application process to ensure these are fit for purpose.
23.	**Duplication of bridge structures between bridge 4 and 5.** **Parks and Community Facilities does not seek ownership or vesting of bridge 4 and 5.**	Bridge 5 appears to duplicate access noting the location of Bridge 4, which connects to the same collector road through the reserve path. Operational concerns for future maintenance have been raised.	Auckland Transport have confirmed they will not vest Bridge 5 based on the Appendix 2N Transport Assessment (Figure 3). Response awaited off applicant.	Uncertainty around the appropriate vesting process, ownership, and whether local board approval is required. Unclear functional intent and subsequent vesting ownership.
24.	**The intended function of Bridge 5 is unclear — whether it serves as part of the active mode/shared path network or as a recreational path.**	Conflicting documentation - Appendix 2N (Transportation Assessment) identifies Bridge 5 as part of the shared path/active mode network, while Appendix 2K (Engineering Drawings Part 4) describes it as a recreational path.	If part of the active mode connection, AT will be responsible for vesting decisions. Auckland Transport have confirmed they will not vest Bridge 5 based on the Appendix 2N Transport Assessment (Figure 3). Uncertainty around the appropriate vesting process, ownership, and whether local board approval is required. Response awaited off applicant.	Unclear functional intent. If dual-use (e.g. stormwater or wastewater, active cycling node) is intended, this could result in delays during handover, operational confusion, or need for redesign and local board approval.
25.	**Large retaining wall structures**	The landscape plans and Urban Design Statement	Limits ability to confirm	High retaining may result in poor visual amenity and

	without clear mitigation for retaining wall 9 (Neighbourhood Park) and Retaining wall 14 (Drainage Reserve.	do not adequately demonstrate how retaining walls exceeding 2.0m (up to 3.2m including fencing) will be visually softened. Previous meetings with the applicant did indicate 1.5m maximum retaining wall heights (Retaining wall 9 & 14). No clear demonstration of mitigation measures.	acceptability of interface treatment between public open space and private lots.	reduced passive surveillance. Unclear responsibility for mitigation adds uncertainty**.**
26.	**Vesting classification of neighbourhood parks**	Neighbourhood park lots are detailed as land in lieu of reserves. Applicant is requested to alter the classification to **'**Land in Lieu of Reserve (for the purpose of recreation)' to avoid confusion with the drainage reserve vesting classifications.	Intention of park lot references are unclear which may impact acquisition	Potential for inaccurate vesting references.
27.	**Riparian planting species lists have not been provided.**	While dry basins include general species lists, the planting lists for the wider drainage reserve network has not been provided. Inhibits the ability to assess ecological and maintenance suitability of proposed planting species.	Offsetting on reserves to vest is not advisable as it would require an encumbrance, in conflict with s239, for its maintenance in perpetuity. This is for Healthy Waters to consider.	Risk of non-compliant or unsuitable species being used, leading to long-term maintenance issues.
28.	**Planting species changes are required.**	Specific species in key locations must be reconsidered: o Accessway slope planting selection of Phormium tenax requires an alternative. o Larger growing trees on the stream side of Stream Road, as there will be no conflict with dwellings. o Dry basin details	Prevents a robust assessment of future operational suitability and maintenance.	Species changes can be suitably addressed at future detailed design and engineering plan approval.

		are very general. o Planted berms and any reference to planted strips within roads and accessways to vest will not be accepted by Council.		
Stage 4C				
29.	**Lack of site-specific investigation information to support the geotechnical reporting, assessment and recommendations of Stage 4C works.**	Relating previous investigation information that was referenced, and geological long section is to be provided to justify how the assessment outcome was reached.	Cannot accurately assess the appropriateness on how the provided assessment were undertaken due to lack of information.	Potential for inadequate assessment of affecting geohazards.
30.	**Infrastructure upgrade timeline and condition.**	While the ITA recommends infrastructure upgrade required for the proposed Fast-track development, it does not discuss any timeline for it (e.g. before or after dwellings threshold is reached).	Without a clear timeline or a condition, Auckland Transport is unable to assess if the intersection in question/road performs without having operation and safety issues.	Operation and safety of road network**.;** however, it is medium because there is no need to change scheme plans, and the works have been contested. The bigger issue is the timeline for infrastructure upgrades, which can be dealt with through conditions.
31.	**The application lacks vehicle crossing, long-section drawings and vehicle tracking diagrams**	• Vehicle crossing and Long-sections drawings which could show roading gradients; including vertical curves; and • Tracking drawings which could show that vehicles manoeuvre safely through roads and intersections.	Without long-section plans, unable to assess whether the proposed development accommodates vulnerable users or meets visibility and safety requirements for road users. Vertical curves may pose visibility risks, and without these plans, road suitability cannot be confirmed. Additionally, vehicle tracking diagrams are essential to evaluate safe	Unable to assess the adequacy of roads and changes including to scheme plans may be required.

			vehicle operation within proposed roads and intersections. If safety or operational issues arise during the Engineering Approval stage and cannot be resolved, the applicant may need to revise their plans. Therefore, both long-section drawings and tracking diagrams are critical for assessing accessibility, safety, and operational viability.	
32.	**No visibility assessments have been provided for the proposed intersections**	Visibility assessments for intersections have not been provided in accordance with Auckland Transport's engineering guidelines.	Unable to confirm whether the intersection treatments are adequate to ensure safe traffic operations. If visibility issues are identified at the EA stage and cannot be resolved without altering the scheme plan or lot boundaries, a consent variation may be necessary.	Lack of adequate sightlines adversely impacts the safety of the intersections. It creates risks on all type of road users, including pedestrians and cyclists; this is a significant safety risk - Auckland Transport cannot assess the adequacy of visibility at critical locations and changes including to scheme plans may be required.
33.	**Waste management collection & reverse manoeuvring**	JOALs consist of no turnaround area/ D-area or loading bay and require reverse manoeuvring	Unable to confirm if the JOAL design is acceptable from a functionality and safety perspective.	Needs to be reviewed by AC upon receipt of the updated documents
34.	**Lack of tracking drawings for 10.3 meters rubbish trucks for all JOALs, showing that these types of vehicles exit the JOALs in forward direction.**	Tracking drawings are missing for all JOALs for rubbish Council rubbish trucks: Traffic Assessment states that rubbish collection will be Council Kerb-side collection either from public roads or the	If no tracking drawings are provided for all JOALs, Auckland Transport cannot assess if the trucks will be exiting the JOALs in forward direction and this is considered as a	It could be that the owners shared JOAL can decide among themselves to change the rubbish collection method to private, which would require smaller truck, although it is better that tracking for smaller trucks are provided because lack of adequate space may

		JOALs.	safety risk on pedestrians and other road users.	entail that even smaller trucks need to reverse out.
35.	**Lighting plans for shared driveways**	No Lighting plans have been provided for the shared driveways.	Lighting Plans for the shared driveways are required to ensure pedestrian and traffic safety.	These can be included as consent conditions, however Council preference is to review lighting plans as part of the application process to ensure these are fit for purpose.
<u>Wastewater Treatment Plant</u>				
36.	**WWTP Reverse Osmosis (RO) Waste Stream**	There is outstanding information in respect to the Reverse Osmosis (RO) Waste Stream. Watercare would only consider conditionally accepting this to the existing Army Bay plant, subject to: 1. Review and acceptance of proposed flow volumes, discharge rates, and quality parameters; 2. Assurance that the RO waste stream would not compromise the operation, integrity, or regulatory compliance of the Watercare network or the Army Bay WWTP (; and 3. Execution of a formal agreement defining all technical, operational, and commercial terms. Refer also **item 40.**	Details are of RO Waste Stream are required to ensure discharge consents have been applied for and have been assessed including appropriateness of consent conditions	Potential for discharge effects including water quality. Reverse Osmosis (RO) Waste Stream not being accepted at the Army Bay Wastewater Treatment Plant.
37.	**Impact on Orewa Estuary and SMAF detention and retention and additional downstream**	Scale of impact on the estuary hasn't been addressed.	It is unlikely that there will be more than a minor impact on the estuary, based on the findings of the Upstream waters.	

	flooding		However, as new discharge it is important to understand any additional stress that it may be putting the Estuary under in terms of contaminant loads.	
38.	**Details of emergency storage for WWTP.**	WWTP does not propose/ include provision of emergency storage.	WWTP design including emergency storage details are required to be provided with the application to ensure operational risk to be public network is avoided.	Watercare does not support this approach, as it effectively shifts operational risk to the public network. The absence of onsite storage or containment increases the likelihood of unplanned discharges impacting network performance. Watercare recommends that the applicant reconsider the inclusion of buffer storage and develop a contingency plan that ensures operational failures can be managed without relying on Watercare's infrastructure
39.	**Partially missing information to justify the geohazard assessment outcome of the WWTP.**	Relating previous investigation information that was referenced to be provided to justify the accuracy of the provided geological long section. Slope stability analyses to demonstrate stability of proposed permanent batters.	Geohazard risks not fully captured in current assessment.	Potential for unforeseen risks in underlying geohazards and impacting serviceability for wider developments.
40.	**Further Details / Assessment within Wastewater Treatment Plant Design Report**	Refer to Section 6 of the Watercare Memo (**Annexure 3**). In Summary: • The composition and variability of the RO waste stream, including concentrations of salts, nutrients, trace contaminants, and any emerging	The lack of sufficient detail creates a high degree of uncertainty around the quality and impact of the discharge, making it difficult to assess potential effects on Watercare's assets, operations, and compliance obligations.	Potential risks associated with this discharge to make an informed decision regarding acceptance of the waste stream.

	pollutants. • The expected flow volumes of the RO waste stream and how these may interact with or impact the hydraulic performance and treatment processes within the existing Watercare network. • The potential operational impacts on the Army Bay WWTP and the integrity of downstream infrastructure. • The monitoring, control, and fail-safe mechanisms proposed to manage this waste stream prior to and during discharge into the Watercare network. • The testing regime required to verify the quality of the RO waste stream, including baseline sampling, target parameters, frequency, and testing responsibilities.		

Key Findings

275. The identified information gaps (detailed above) create uncertainty in the assessment of adverse impacts, and the Council is not able to assess the extent and degree of the adverse impacts, and specifically whether the Application meets the section 85(3) threshold.

276. A number of potential (based on the Application materials) adverse impacts have been identified in the Council's reporting, and without the key information being provided are not able to confirm whether these can be addressed adequately through conditions of consent, or whether these outweigh the project's benefits. This includes but is not limited

to the assessment of ecology effects as they relate to the delineation and extent of wetlands, and whether the proposed mitigation and off-setting would address these effect; and the WWTP Reverse Osmosis (RO) Waste Stream including potential for discharge effects including water quality; and ultimately the Reverse Osmosis (RO) Waste Stream not being accepted at the Watercare Army Bay Wastewater Treatment Plant.

Section 85(4) consideration

277. Council's assessment has considered that the adverse impacts cannot be found to meet the section 85(3)(b) threshold solely because they are inconsistent with provisions of specified Acts or other documents. The proportionality assessment is based on the substantive significance of impacts relative to benefits.

Relevance of information gaps to assessment

278. The identified information gaps (detailed above) create additional uncertainty in the assessment. However, the adverse impacts identified above meet the section 85(3) threshold even accounting for this uncertainty, as the core constraints are sufficiently clear and significant.

Recommendation and Conclusion

279. Based on our assessment, Council have identified potential (based on the Application materials) adverse impacts and without the key information being provided are not able to confirm whether these can be addressed adequately through conditions of consent, or whether these outweigh the project's benefits. This includes but is not limited to the assessment of ecology effects as they relate to the delineation and extent of wetlands, and whether the proposed mitigation and off-setting would address these effect; and the WWTP Reverse Osmosis (RO) Waste Stream including potential for discharge effects including water quality; and ultimately the Reverse Osmosis (RO) Waste Stream not being accepted at the Army Bay Wastewater Treatment Plant.

DATED the 29th day of July 2025

Dylan Pope
Planning Consultant for Auckland Council