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Urban & Environmental

Volume 7: Planning Overview Response Report

Milldale, Wainui

Fast-track Approvals Act 2024 Substantive Application

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1.0 Introduction

Volume 7 provides a consolidated Planning Overview Response Report following lodgement of the Milldale Substantive Application with the Environmental Protection Authority (**EPA**) under the Fast-track Approvals Act 2024 (**FTAA**). It outlines key changes to the proposal, updates to the assessment of effects, and summarises post-lodgement engagement. This document addresses:

- Overview of design refinements and updates to the proposal;
- Additional reasons for consent;
- Updated draft conditions of consent;
- Supplementary assessment of environmental effects and statutory considerations; and
- Response to comments received under section 53(2) of the FTAA.

Updated Application Drawings and Expert Response Memorandums have been **appended** to this Report. Revised conditions of consent have been submitted in **Volume 8**.

2.0 Updates to the Proposal

Following lodgement of the Substantive Application, several discrete updates have been made to the Proposal. These updates are in response to feedback received from key stakeholders, including Auckland Council specialists, and further refinements by the project team to best align with the overall project objectives.

These changes are addressed in the following sections and include the following:

- Adequacy of Engineering Detail;
- Design Changes;
- Updates to Application Documentation & Expert Reporting;
- Additional reasons for consent; and
- Amendments to Conditions of Consent.

2.1 Adequacy of Engineering Information

Across the specialist comments received from Auckland Council and Auckland Transport on infrastructure and road design, comments have been made with regard to the level of design detail in the Application. As outlined in the Overview Report (**Volume 1**), we consider that the engineering information (Reports and Drawings) submitted is sufficient to understand the proposed land use and subdivision activities and to determine any associated effects.

The Milldale Stages 10 – 13, 4C and WWTP have been designed in accordance with all relevant guidelines and standards. Following approval under the FTAA, detailed Engineering Approvals (**EA**) will be prepared and submitted in general accordance with the consent conditions and approved plans.

At that stage, comprehensive engineering design, calculations, and plans will be provided to Council for review to confirm compliance with its development engineering standards. In our opinion, this is a more efficient approach for the following reasons:

- The resource consent process is focussed on evaluating the effects of proposed land uses and development layout broadly. Matters of detailed design can and should be addressed at later stages of the development through separate Council processes, with conditions providing certainty on matters of detail. From time to time, this may result in the variation to the approved resource consent, and this is the Applicant's risk, which is accepted; and
- Providing detailed engineering design at the resource consent stage is inefficient, as the Engineering Approval (EA) stage involves further refinement and finalisation of specific design details prior to the commencement of construction. Undertaking this level of work too early would duplicate effort and would result in significant and unnecessary cost to the Applicant.

Accordingly, we consider that the Panel has adequate information to be able to make a decision on the Application.

2.2 Design Changes

Design changes to the Proposal have been made to respond to technical feedback, improve integration with previous stages of development, and to address matters raised by Auckland Council. These changes are considered to be nominal and have not resulted in any significant change to the overall extent and quantum of effects as assessed in Volumes 1 to 4 of the lodged Application.

Design changes are set out in **Table 1** below, are addressed in the Stages 10 – 13 Engineering Memo included in **Appendix 7A** and identified on the updated Application Drawings in **Appendix 7B**.

The design changes respond to comments from the Council, with the exception of the changes to subdivision stage boundaries. These are proposed following a detailed review and refinement by FHLD in response to its detailed delivery programme. Section 2.2. of the Engineering Response Memo – Stages 10 – 13 (**Appendix 1A**) sets out the staging amendments and the reasons for them. In our opinion, the changes do not have AUP(OP) policy implications or give rise to different effects on the environment than those already assessed, and we therefore do not provide further planning evaluation.

Table 1: Design Changes to Lodged Application

Design Change	Rationale
Milldale Stages 10 - 13	
Subdivision Stage Boundaries	Stage boundaries have been amended to reflect the FHLD construction and delivery programme.
Retaining walls	Clarification of the height of Retaining Wall 09, and reduction in the height of Retaining Wall 14, in response to comments from Council's Parks team.
Culverts	A detailed design review of the culvert designs was undertaken to enhance stormwater flood conveyance and ecology outcomes around culverts. This included:

	1. upsizing of five of the culverts to provide more flood conveyance; 2. decreasing the overall combined length of culverts by 13 meters; 3. flattening longitudinal grades where possible; and 4. undertaking a detailed design for invert levels to ensure countersinking into the stream bed profile will be achieved for the updated longitudinal designs.
Bus Stop Locations	A review of the bus stop locations has been carried out, and the bus stop proposed on Waiwai Drive has been relocated to Wainui Road. This responds to the Council's request for a sight visibility assessment for the staggered T-intersections on Waiwai Drive.
Stormwater Basin	Provision of an additional stormwater dry basin (Basin F) to accommodate stormwater runoff from the stream edge road in Stage 11. All roads catchments are reticulated via a dry basin device. This responses to the Council's request for further information from Council (Healthy Waters) regarding the stormwater management approach. Updated landscape drawings have been provided for the additional stormwater basin. A memo has been included in the Stages 10 – 13 Engineering Response Memorandum (**Appendix 7A**) which addresses the offset detention strategy.
Overland Flow Paths	A full review of overland flow paths has been undertaken in response to Council feedback. The design criteria has been modified to allow for 3.8 degrees celsius of climate change for the 1% AEP assessment. This is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**), and on the updated Engineering Drawings (**Appendix 7B**).
Water Supply High Zone	The water supply high zone has been refined. This is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**), and on the updated Engineering Drawings (**Appendix 7B**).

2.3 Updates to Application Documentation & Expert Reporting

Following lodgement and subsequent Council feedback, two approaches have been used to address and document technical responses:

1) Expert Response Memos

Where appropriate, subject-matter experts have prepared standalone response memos addressing specific feedback items. These memos supplement the original lodged reports, which remain unchanged.

2) **Updated Reports**

In cases where minor factual or illustrative changes (e.g. updated figures or calculations) were required, revised versions of the original reports have been issued. A new revision number and date clearly identify the updated reports and include a foreword note outlining the specific amendments made.

3) **Drawing Updates**

Where plans or drawings have been updated, the full drawing set has been reissued with a new revision number given.

The expert areas where updated documentation has been submitted are identified in **Table 2** below.

Table 2: Format of Expert Responses to Feedback

Appendix	Area / Expert	Response Format
Appendix 7A	Engineering / Woods	Engineering Response Memorandum – Stages 10 – 13
Appendix 7Ai	Engineering / Woods	Engineering Response Memorandum – Stage 4C
Appendix 7Aii	Engineering / Woods	Engineering Response Memorandum – Wastewater Treatment Plant
Appendix 7B	Engineering / Woods	Revised Engineering Drawings
Appendix 7C	Engineering / Woods	Revised Flood Assessment Report
Appendix 7D	Engineering / Woods	Stormwater Memorandum (Stormwater Model)
Appendix 7E	Urban Design / Woods	Urban Design Memorandum
Appendix 7F	Urban Design / Woods	Revised Residential Design Outcomes and Controls Document (RDOC)
Appendix 7G	Urban Design / Woods	Building Coverage Study
Appendix 7H	Survey / Woods	Survey Response Memorandum
Appendix 7I	Engineering / Woods	Stream Erosion Risk Assessment
Appendix 7J	Ecology / Viridis	Ecology Response Memorandum
Appendix 7K	Economics / Insight Economics	Economic Response Memorandum
Appendix 7L	Geotechnical / CMW	Geotechnical Response Memorandum
Appendix 7M	Groundwater / WWLA	Revised Groundwater Report
Appendix 7N	Hydric Soils / WWLA	Hydric Soils Response Memorandum
Appendix 7O	WWTP Design Report / APEX	Wastewater Treatment Plant Response Memorandum
Appendix 7P	Landscape / Beca	Revised Stage 10 – 13 Landscape Drawings
Appendix 7Q	Landscape / LASF	Revised Stage 10 - 13 Landscape Drawings
Appendix 7R	Contamination	Stage 4 Contamination Reporting
Appendix 7S	AMP / Southern Skies	Revised Adaptive Management Plan

2.4 Additional Reasons for Consent

Following lodgement and subsequent Council feedback, it has been confirmed that additional resource consents are required for aspects of the proposal that were not initially identified. The additional reasons for consent include:

2.4.1 Milldale Stages 10 – 13

Groundwater

- The proposal involves groundwater diversion that does not meet the permitted activity standards under E7.6.1.6(2) and (3). This requires resource consent as a restricted discretionary activity under rule E7.4.1(A20) of the AUP(OP).
- The diversion of water within a 100m setback from a natural inland wetland for the purpose of constructing specified infrastructure where the proposal will change, or is likely to change, the water level range or hydrological function of the wetland is a restricted discretionary activity under regulation 45(4a – c) of the National Environmental Standards for Freshwater 2020.

Surface Water

- The proposal involves diverting surface water not complying with standard in E7.6.1.2. This requires consent as a discretionary activity under rule E7.4.1(A13) of the AUP(OP).

New Structures and associated bed disturbance of streams

- The proposal involves the construction of 8 culverts more than 30m in length (including the length of the wingwalls) when measured parallel to the direction of water flow. This requires consent as a discretionary activity under rule E3.4.1(A33) of the AUP(OP).
- The proposal involves the construction of 8 culverts that do not meet the permitted activity standards under E3.6.1.14(1)(c) relating to progressive encasement. This requires resource consent as a discretionary activity under rule E3.4.1(A44) of the AUP(OP).

These matters have been addressed in the relevant expert reporting. A supplementary assessment of effects is included in **Section 3** below.

2.5 Amendments to Conditions of Consent

Amendments to conditions have been made in response to feedback received from Auckland Council, comments from other parties, and to align with refinements to the proposal. The Applicant's overall approach to conditions remains consistent with that outlined in the Application as lodged.

The feedback memos from Auckland Council Specialists included commentary on the proposed conditions of consent. The Applicant's response to these recommended changes is provided in **Section 5.0** below and in **Appendix 7V**. We note that Council has not compiled the requested condition changes into a single document; instead, they are dispersed across the expert memorandums. Several expert comments also contradict one another, which has made it challenging for the Applicant to accept and reconcile the requested changes. The Applicant has taken a best for project approach in making changes any amendments to conditions.

Where additional reasons for consent have been identified in Section 2.4 above, no significant amendments to the proposed consent conditions are required.

A full set of updated draft conditions, along with explanation of the changes made, is included in Volume 8 of the updated documentation.

3.0 Supplementary Assessment of Effects and Statutory Assessment

This supplementary assessment provides additional commentary to address the further reasons for consent identified following lodgement. It is intended to be read alongside the Assessment of Effects and Statutory Assessment which are included in Volumes 1 - 5 of the Application as lodged.

In many cases, the assessment of effects remains unchanged from the lodged application, and no material change to the overall conclusions is required. Where new or clarified matters have arisen, either through refinement of the proposal or feedback from Council and other parties, these are addressed below.

3.1 Groundwater Effects

The proposal involves groundwater diversion that does not meet the permitted activity standards, and the diversion of water within a 100m setback from a natural inland wetland for the purpose of constructing specified infrastructure where the proposal will change, or is likely to change, the water level range or hydrological function of the wetland.

The WWLA report included in Appendix 7M has provided detail in relation to the Milldale Stages 10 – 13 construction work including the impact on groundwater as a consequence of the proposed earthworks.

WWLA provide an assessment against the relevant restricted discretionary criteria under E7.8.2(10) of the AUP:OP in relation to the proposed diversion of groundwater (refer to Section 5.1.1. of their report). They make the following statements:

- Groundwater level drawdown is passive and of a small magnitude, and does not extend past site boundaries; and
- The new groundwater diversion is rather a realignment of groundwater baseflows within the downgradient streams, which is minor and will not exacerbate flooding. Ultimately the groundwater discharges from the underdrains return to the same water courses that groundwater flowed naturally to.

Relying on this technical advice, any effects associated with the impact to groundwater are considered to be less than minor and can appropriately be managed during construction. For the same reasons, and relying on the assessment provided by WWLA, in our opinion, the infringement is consistent with the assessment criteria in E7.8.2(10) of the AUP:OP and is therefore consistent with the corresponding objectives and policies in E2.2 and E2.3.

3.2 Surface Water Effects

The proposal involves diverting surface water not complying with standard in E7.6.1.2. This requires consent as a discretionary activity under rule E7.4.1(A13) of the AUP(OP). This relates to the diversion of approximately 1,134m of intermittent stream length and the associated discharge of water. The works are necessary to enable urban development on the site in a manner consistent with the Wainui Precinct Plan.

The Woods drawings P24-128-00-1450-EW to P24-128-00-1453-EW shows the location and extent of proposed stream diversion.

Policy E2.3(22) sets out the relevant matters to consider for surface water diversions. This policy requires surface water diversions to avoid adverse effects to the extent practicable and remedy or mitigate other adverse effects. It includes specific matters to consider which are listed in **Table 3 below**. We assess these matters in Table 3 and provide cross references to the lodged reporting and a brief summary of the assessment, where relevant.

Table 3: Assessment of Surface Water Effects against Policy E2.3(22) of the AUP(OP)

Policy E2.3(22) of the AUP:OP	Planning response and cross reference to technical reporting
(22) Require proposals to divert surface water to demonstrate the diversion will to the extent practicable avoid significant adverse effects and remedy or mitigate other adverse effects including where relevant, effects on:	
a) existing lawfully established surface water takes including those allowed by section 14(3)(b) of the Resource Management Act 1991;	There are no known surface water takes within the FHLD development. The effects of the infringement are confined to the project boundary extent and are otherwise addressed below.
b) existing buildings, structures and services;	As a greenfield development, there are no existing buildings, structures and services that will be affected by the infringement. The existing buildings on 147 Argent Lane are located away from the stream network.
c) existing flood hazard risks;	The post-development flood hazard risks are comprehensively assessed in Stormwater Report at Appendix 2F to the lodged application. The flood assessment report has been updated in response to Council comments and is included at **Appendix 7C**. This reporting demonstrates that development will not worsen any existing or create new flood risk hazards for properties upstream or downstream. See also Section 5.10 and 6.3.2.16 of the lodged AEE – Volume 2.

d) river bank stability;	A Stream Erosion Risk Assessment has been completed in response to Council comments (refer **Appendix 7I**). This report analyses the pre and post development stream erosion conditions of the site. This shows that: 1.0 In the pre-development scenario, there is active erosion in all reaches and the main tributary of Stream 21; 2.0 The post-development scenario shows minor increases in active erosion in a number of locations, however, the increase will be managed via SMAF mitigation and the energy dissipation features included in the future stormwater network outlet design (located upstream of Zone 1). No change to the extent of riparian margins is required.
e) scheduled historic heritage places or scheduled sites and places of significance to Mana Whenua;	The only heritage features within the site are proposed to be removed and will therefore not be affected by this aspect of the proposal. There are no sites and places of significance to Mana Whenua within the site, however, consultation has occurred with Ngāti Manuhiri Settlement Trust and Te Kawerau Iwi Settlement Trust, who did not raise any issues with the proposed steam diversion.
f) people and communities; and	This is otherwise addressed by (a)-(e) and (g).
g) the life supporting capacity of freshwater, ecosystem processes, and indigenous species and their ecosystems.	The ecological effects of the proposed stream diversion have been comprehensively assessed as part of the lodged application (refer Section 7.3.2 of the ecology assessment at Appendix 2C). This is also addressed in Section 5.10, 6.3.2.5 – 6.3.2.7 and of the AEE – Volume 2.

For the reasons give above, the potential effects of diverting surface water not complying with standard in E7.6.1.2, are considered appropriate, and the activity is consistent with the relevant provisions of the AUP:OP including E2.3(22) in particular.

3.3 Stream Work Effects

The proposal involves the construction of eight culverts more than 30m in length (including the length of the wingwalls) when measured parallel to the direction of water flow. This requires consent as a discretionary activity under rule E3.4.1(A33) of the AUP(OP). The proposal also involves the construction of 8 culverts that do not meet the permitted activity standards under E3.6.1.14(1)(c) relating to progressive encasement. This requires resource consent as a discretionary activity under rule E3.4.1(A44) of the AUP(OP).

In our opinion, these are technical infringements and resource consent is sought conservatively. The AUP(OP) drafting is unclear, and it could equally be interpreted that the length of the wingwall

is specifically excluded as scour and erosion works. Equally, on a logical interpretation, the culverts cannot be said to "progressively encase" the stream network given their locations and the significant size of the site (71 hectares).

Despite this, Viridis has provided an assessment of these matters as technical infringements (refer to Appendix 7J). They conclude that the residual adverse effects associated with progressive stream encasement are considered low and do not require additional offsetting, due to:

- The minor extent of encasement relative to the total stream network;
- The removal of existing culverts;
- The ecological design of new culverts; and
- The extensive riparian restoration proposed.

Relying on the Viridis assessment, in our opinion, the potential adverse effects of the activities on the environment will be less than minor and will be consistent with Policy E3.3(7) for the following reasons:

- There is no practicable alternative to the location of the culverts as they are necessary to deliver a roading network that implements the Wainui Precinct Plan;
- The culverts are the minimum size necessary, and the wing walls are designed to enhance aquatic connectivity across the site;
- The Revised Flood Assessment Report (Appendix 7C) demonstrates that the culverts will not increase flood hazards;
- The structures are necessary to provide access across streams; and
- The design of the structures avoids significant adverse effects and mitigates other effects and will support improved ecological outcomes for the site compared with the existing environment.

3.4 Wastewater Treatment Plant

3.4.1 Adaptive Management

In response to post-lodgement discussion with Auckland Council, amendments are proposed to the conditions of consent relating to the operation of the wastewater treatment plant (refer Volume 8). In particular, an adaptive management approach has been incorporated into the wastewater treatment plant discharge conditions to enable operational flexibility without generating additional adverse effects. This has been introduced in consultation with Council's wastewater expert.

The approach allows for adjustments to discharge quality parameters based on the outcomes of baseline monitoring and supporting technical evidence. This framework ensures that environmental outcomes are maintained while allowing for refinements to system performance. The adaptive management mechanism does not introduce any new or increased adverse effects beyond those already assessed and provides an appropriate safeguard to respond to site-specific conditions as they arise.

Adaptive management is achieved through regular water quality testing of the receiving environment against baseline monitoring. It ensures appropriate environmental safeguards are in

place while allowing flexibility to respond to changing ecological quality of the upstream and downstream environs.

Adaptive management is outcomes based compliance and assesses actual effects of any changes to daily mass loading against appropriate water quality parameters. It enables management of discharge quality prior to and during the operation of the WWTP without generating effects over and above what has been consented.

3.4.2 AUP Considerations

As detailed in the substantive application, the relevant objectives and policies relating to the subdivision activity are contained in sections E38.2 and E38.3, and of relevance are objectives 1–10 and policies 1-4, 9-20 and 22. Specifically in relation to services, sufficient evidence has been provided that confirms all lots will be serviced by a reticulated wastewater network. A privately owned WWTP will be operated for up ten years while Watercare complete the necessary upgrades to their wastewater network. The WWTP will then be decommissioned.

Similarly with reference to the Wainui Precinct objectives and policies, adequate evidence has been provided by the applicant to satisfy the Panel that reticulated wastewater will be made available to service the subdivision. Wastewater infrastructure recently constructed by FHLD, along with the proposed WWTP, ensures that future dwellings within the application site can be serviced without placing undue pressure on the existing wastewater network (including the yet-to be upgraded Army Bay WWTP). With the construction and operation of the temporary WWTP, the proposal has been specifically staged and designed in such a way to align with the upgrades of the wastewater network.

Consistent with typical resource consent practice, other processes under the Trade Waste Bylaw 2013 (for the discharge of the RO waste stream) and the Water Supply and Wastewater Network Bylaw 2015 will address the detailed approval of connections to the public network. As set out in the legal memorandum (Appendix 7X) these processes require Watercare to form a "reasonable opinion" in deciding whether to approve such applications, which must be based on facts and evidence. The detailed technical analysis completed for this Application demonstrates that Watercare can approve such an application when it is made.

Overall, it is considered that the proposed WWTP and its operation is consistent with the objectives and policies of E38 of the AUP and the Wainui Precinct. The proposed wastewater infrastructure is consistent with achieving the outcomes of the Wainui Precinct. The proposed discharge back into the Watercare network will not negatively impact the capacity or durability of the network or Army Bay treatment plant, health and safety of operators and maintenance staff, or compliance under the current discharge consent.

3.5 Vesting of Assets to Council

The Council has provided feedback from Healthy Waters and Auckland Transport regarding the appropriateness of identifying the following assets to vest in Council:

- The proposed drainage network shown in P24-128-00-1460-EW to P24-128-00-1466-EW (Appendix 7B); and
- Pedestrian bridges 4 and 5.

The Council has stated that they are satisfied with the proposed location of the neighbourhood parks, subject to matters of detailed design being resolved. The purchase and vesting of these parks will be subject to separate Council processes and Local Board approval.

We note at the outset that the matter of ownership is not a relevant resource management effect in and of itself. In our opinion, the appropriate focus of the assessment is on the function, design and location of the open space, transport and drainage network, and matters of ownership can generally be addressed at subsequent stages of the development. Notwithstanding, a degree of certainty for the Applicant on the vesting approach is beneficial at this stage, given that it is impractical and unfeasible to retain an extensive drainage network in private ownership. If the Council is concerned about future on-going maintenance costs, this can be addressed through the range of funding mechanisms available to it, including rates.

We support the approach in the lodged application, which identifies the drainage network as Local Purpose (Drainage) Reserves, including Bridges 4 and 5, for the following reasons:

- The drainage reserves to be vested provide an integral stormwater drainage function for the Milldale network. This is illustrated in the Woods drawings referenced above, which superimposes the location of the post-development flood extents from the Flood Report with the proposed drainage reserves. The drainage reserves also serve a dual open space and recreational amenity purpose, with riparian planting and pedestrian connectivity integrating with stormwater management areas. These areas have a clear future public benefit and function;
- Ensuring that these areas are publicly managed and maintained provides flexibility for the Council to manage the open space and stormwater network in an integrated manner, taking into account what is occurring in the wider Future Urban area in the long term. Conversely, maintaining these areas privately gives rise to risks about the effectiveness of legal mechanisms and the cost on future landowners. i.e. the Council can maintain these areas more efficiently than small private entities/residents associations given the size of their wider network and the resulting economies of scale; and
- Pedestrian bridges 4 and 5 provide a dual pedestrian access and visual amenity function. It is not entirely clear, but we understand that Council's concern is primarily with Bridge 5. In our opinion, the dual purpose justifies its inclusion, particularly in light of the high quality of the adjoining public open space, which a visible pipe bridge would clearly detract from. The Council has acknowledged that this issue is subject to further discussion.

For these reasons we do not propose any changes to the lodged application with regard to the vesting of Drainage Reserves or the location of bridges 4 and 5 and we do not propose to alter their proposed status on the survey plans.

3.6 Residential Amenity Effects

3.6.1 Blanket Consents Relating to RDOC

In order to provide certainty for the decision-making authority, and future owners/developers of the super lots within the Single House Zone, the lodged application sought blanket resource consents that apply the development standards set out within the Residential Design Outcomes and Controls Document (**RDOC**) (**Appendix 7F**).

The approach is intended to provide flexibility while providing sufficient certainty of the envelop of effects, such that they can be assessed as part of this resource consent application. It is not new, and there are many consented examples of a design guideline approach in Auckland. This includes:

- Ockleston Landing: Granted by Auckland Council in August 2016, the proposal was for the establishment of a greenfield subdivision comprising of 74 residential allotments within the Public Open Space – Informal Recreation Zone, 74 dwellings and supporting infrastructure, as well as associated works; and
- Waihoehoe Precinct: Granted under the COVID-19 Recovery (Fast-track Consenting) Act 2020 in September 2023, the proposal involves the development of 34.65 hectares of Residential – Terrace Housing and Apartment zoned land into a comprehensively planned, transit-oriented development, including 357 dwellings, nine residential super lots and supporting infrastructure, as well as associated works.

A copy of the Ockleston Landing resource consent is included at Appendix 7T.

Council provided feedback on the lodged approach, and this is documented in the Workshop Meeting Minutes dated 27 May 2025, and the Planning Meeting Minutes dated 2 July 2025 (Appendix 7U). In response to the feedback received, we have made a range of changes to the RDOC to clarify the design outcomes sought and remove the qualitative assessment matters to ensure that certification of future development can occur without the need for further assessment (Appendix 7F).

The amendments set out above are intended to improve the workability and efficiency of the RDOC, and the outcomes sought remain the same with respect to the quality of the built environment and neighbourhood character and amenity. The conclusions reach in section 5.4 of the Volume 2 AEE therefore remain valid as does the statutory assessment in terms of the objectives and policies of the H3 Residential – Single House chapter in section 6.3.2.20 of the AEE. This assessment and conclusion has not changed as a result of the updated RDOC.

We also understand that the updated RDOC is supported by Council.

For the reasons set out above, the RDOC will ensure that the potential effects of future development on the SHZ superlots, as provide for through the proposed blanket consents, will be less than minor.

3.6.2 Blanket Consents for Building Coverage Infringements

The application seeks to apply a blanket 50% building coverage to lots within the MHS and MHU Zones. The effects of this infringement are assessed in section 5.4, 6.3.2.20 and 6.3.2.21 of the AEE – Volume 2.

We have discussed this with the Council post-lodgement and we agreed to undertake further analysis of the effects of this infringement. We have completed this via a Building Coverage Analysis, which it is included at Appendix 7G. The Council comments state that this information has not been reviewed and Council are unable to provide confirmation (or otherwise) whether these blanket consents are acceptable.

The Building Coverage Analysis demonstrates the effects of additional building coverage are generally muted and are experienced to the rear of sites. This effect is more pronounced in the MHS Zone given the extent of the infringement, however, the analysis demonstrates that the difference in effects to the street are generally imperceptible due to the impact of the other

standards in the MHS and MHU Zones, namely yards, landscaping, height and height in relation to boundary.

Using the typical site sizes proposed in Stages 10-13, the Analysis demonstrates that additional building coverage provides greater flexibility at the rear of dwellings to accommodate greater living space, while also maintaining sufficient open space and landscaped area to achieve a good standard of residential amenity for neighbouring sites. This can be considered a positive effect. This reinforces our findings in the AEE, and we continue to be of the view that the effects of the building coverage infringements are appropriate and are consistent with the objectives and policies of the MHS and MHU Zones.

4.0 Comments Received from Invited Parties

In accordance with section 53(2) of the FTAA, the Expert Panel appointed to the Application must invite comments from persons listed in sections 53(2) (a) to (n), where relevant. Comments on the Application closed on 29 July 2025.

The sections below provide FHLD's comments on the feedback that has been received following the closure of comments period. For ease of reference, feedback has been categorised into feedback from residents, mana whenua, government agencies, Auckland Council, Rodney Local Board, Auckland Transport and Watercare.

4.1 Feedback from Neighbouring Residents

Feedback has been received from six neighbouring residents to the Milldale Application. **Table 4** below provide a summary of the feedback along with a response from the Applicant.

Table 4: Feedback from Residents

Party	Address	Key Issues Raised	FHLD Feedback
Bogdan Bujorenau	[redacted]	• Parking allocation • Access and traffic flow • Fire safety review • Requesting the developer consults with FENZ	• As addressed within Volume 2 & 3, the NPS-UD has removed minimum parking requirements. Notwithstanding this, the vehicle crossings over the permitted 3.5m width will not affect the provision of on-street parking availability or parking bays. • As part of the original application material, Stantec has addressed trip generation and traffic safety (refer Appendices 2N & 3H). The proposal is not considered to compromise the function, capacity or safety of the roading network. • All roading has been designed with Council standards and therefore appropriately provide for emergency service vehicles.
Nikita Pustovoi	[redacted]	• Loss of community space • Traffic and parking overflow on Karapapa Road • Light and noise pollution • Requesting reconsideration of use of the site or reduction of housing density around Karapapa Road.	• Parks and recreational spaces have been addressed within the original application material. It is considered that the proposed parks are appropriately scaled and well-equipped to meet the recreational and social needs of the surrounding community, effectively fulfilling their role within the broader open space network. • As part of the lodged application, Stantec has addressed trip generation and traffic safety (refer Appendices 2N & 3H). The proposal is not considered to compromise the function, capacity or safety of the roading network. • In respect of noise, every occupier of land has a duty to avoid unreasonable noise under section 16 of the RMA. In respect of light, it is noted that Milldale is a residential environment. Lighting is anticipated and will be similar to that of the establish Milldale areas and other residential suburbs. • As addressed within Volume 3, Stage 4C will deliver residential lots and dwellings that are in keeping with areas that have been planned for urban built character to enable terraced housing. It is noted that the zoning also enables development of apartment buildings up to six stories in height however, the proposed density

			is considered to be more commensurate to the scale of the existing and consented development in Milldale.
Peiyao Xu	[redacted]	• Loss of open community space • Overdevelopment and housing density • Conflict with existing neighbourhood character • Tight subdivisions reducing Liveability. • Requesting low density houses on Lees Street and Parish Drive, useable green space incorporated in this area, and that townhouses are shifted further from Karapapa road.	• Parks and recreation have been addressed within the Volume 2 and the lodged Urban Design Report (Appendix 2L). It is considered that the proposed parks are appropriately scaled and well-equipped to meet the recreational and social needs of the surrounding community, effectively fulfilling their role within the broader open space network. • As addressed within Volume 3, Stage 4C will deliver residential lots and dwellings that are in keeping with areas that have been planned for urban built character to enable terraced housing. It is noted that the zoning also enables development of apartment buildings up to six stories in height however, the proposed density is considered to be more commensurate to the scale of the existing and consented development in Milldale. • As addressed within Volumes 2 & 3, the proposed subdivision is of a form, scale and design that supports a high-quality residential streetscape amenity consistent with the Milldale developments existing and planned residential character and pattern of development. The proposal is considered to contribute positively to the overall pattern of subdivision in Milldale.
Jemma Traill	[redacted]	• Construction noise • Dust from Construction vehicles affecting her property • Disruption caused by construction – Access concerns • Runoff and drainage impacting their property • Requesting proper mitigation and to be kept informed of decisions made.	• As addressed within **Volumes 2 – 4**, the proposed construction works are an unavoidable precursor to the provision of additional residential dwellings, and roading sought under the AUP(OP). Notwithstanding this: o As part of the original application material, Styles Group have addressed construction noise and vibration effects (refer **Appendices 2T, 2I & 4N**). Conditions of consent are proposed to mitigate and reduce the potential for any adverse construction noise, construction traffic noise, and vibration effects during the construction phase. o As part of the original application material, Woods have addressed erosion, sediment and dust effects (**Appendices 2F,**

			3F & 4A). Appropriate erosion, sediment and dust control measures are proposed and will be in place for the duration of earthworks activities.
Jason and Louise Dickinson	[redacted]	• Construction Impacts (dust, vibration, traffic) • Stormwater and Flood risk – seeks reassurance • Property Valuation – Major decrease in submitters value • Privacy, light pollution, future use of property • Transport noise (house has a PPF classification) • Seeks to be kept informed of draft conditions of consent and that their comments have been acknowledged	• As addressed within Volumes 2 – 4 of the lodged AEE, the proposed construction works are an unavoidable precursor to the provision of additional residential dwellings, and roading sought under the AUP(OP). Notwithstanding this: ○ As part of the original application material, Styles Group have addressed construction noise and vibration effects (refer Appendices 2T, 2I & 4N). Conditions of consent are proposed to mitigate and reduce the potential for any adverse construction noise, construction traffic noise, and vibration effects during the construction phase. ○ As part of the original application material, Woods has addressed erosion, sediment and dust effects (Appendices 2F, 3F & 4A). Appropriate erosion, sediment and dust control measures are proposed and will be in place for the duration of earthworks activities. ○ In respect of privacy, amenity and future use as addressed in Volumes 2 & 3 the precinct and zoning anticipate residential intensification in the site area, and the density proposed through Milldale Stages 4C, and10-13 subdivision is in general accordance with this. In respect of privacy, the lots and dwellings have been sized to enable development to achieve a reasonable level of privacy. ○ The Applicant is not best placed to comment on land value assessments, however it is noted that the precinct and zoning of the site anticipate residential intensification of the area. As above, the density proposed through Milldale Stages 4C, and 10-13 subdivision is in general accordance with this.

Paul Wigglesworth	[redacted]	• Seeks variations to WWTP conditions to provide notification of any accidental overflows, emergency discharge and breaches of discharge conditions relating to the WWTP • Annual reporting of operational noise and air discharges from WWTP • Operational truck movements relating to the WWTP	• Changes to conditions in response to this feedback is addressed in Volume 8. • In respect of truck movements, condition 38 appropriately limits service trucks from accessing the WWTP outside of the houses of 7am – 10pm Monday – Friday or at any time on Saturday and Sunday. Service trucks include includes trucks for solid waste removal.

4.2 Feedback from Mana Whenua

Table 5 below provide a summary of the feedback received from mana whenua along with response from the Applicant.

Table 5: Feedback from mana whenua

Party	Key Issues Raised	FHLD Feedback
Ngāti Tamaoho Settlement Trust	• No concerns raised. • Supports any comments provided by Te Kawerau Iwi Settlement Trust and the Tupuna Taonga o Tāmaki Limited Partnership, and • Supports any comments provided by Te Ākitai Waiohua Settlement Trust and the Ngāti Te Ata Claims Support Whānau Trust	Comments noted

4.3 Feedback from Government Agencies

Table 6 below provide a summary of the feedback received from government agencies along with response from the Applicant.

Table 6: Feedback from government agencies

Item	Comment	FHLD Feedback
1.0	Department of Conservation	
	Wildlife approval	
1.1	No wildlife approval or complex freshwater fisheries approval has been sought.	A Wildlife approval is not required for the proposal. This matter has been addressed in the Ecological Memorandum (**Appendix 7J**). A complex freshwater fisheries approval is not required at this stage and will be addressed as part of the Engineering Approval stage.
2.0	Ministry for the Environment	
	No comments / concerns raised.	
3 .0	Heritage New Zealand Pouhere Taonga	
	No comments / concerns raised.	

4.4 Feedback from Ministers

Comments have been received from the Minister Responsible for RMA Reform, the Associate Minister of Transport and the Minister for Crown Relations. The Minister for the Environment reviewed the application and provided confirmation that they do not wish to provide comment.

The Minister Responsible for RMA Reform has provided a letter of support noting that the project is consistent with the NPSUD, NPSFM and NES-F. The Minister also considers that effects on freshwater systems will be mitigated/avoided or offset (noting that they rely on Council to assess the efficacy of this). The Applicant agrees with the Minister's comments.

The Associate Minister of Transport has provided a letter of support noting that the development aligns with the Governments priorities for housing and economic development. The Applicant agrees with the Associate Minister's comments.

The Minister for Crown Relations has provided a letter of support subject to comment received from the relevant Maori groups. It is noted that Ngāti Tamaoho Settlement Trust are the only Maori group to provide comments and have not raised any concerns in relation to the proposal. The Applicant agrees with the Minister's comments.

4.5 Feedback from Auckland Council

4.5.1 Overview of Post-Lodgement Engagement

Extensive engagement with Auckland Council has been undertaken both prior to and following lodgement of the application to identify, narrow, and resolve key issues.

Post-lodgement engagement has included:

- **Workshops and Meetings**

  Held with Council subject matter experts to discuss unresolved items and clarify expectations. Copies of all Meeting Minutes are included in **Appendix 7U**[1]. Following the meetings, there has continued to be proactive engagement between the Applicant, Specialists and Auckland Council and this is on-going.

- **Council Tracker Document**

  This was used to record and respond to feedback across disciplines between the Council and the Applicant. The content of the tracker is reflected in the Council's comments dated 29 July 2025 and has therefore been superseded.

- **Specialist Memos from Council Experts**

  Specialist Memos have been issued by Auckland Council providing a summary of technical reviews of the Application. These were reviewed and where appropriate addressed by the applicant team. These memos are reflected in the Council's comments dated 29 July 2025 and have therefore been superseded.

- **Circulation of Updated Application Documentation**

[1] These meeting minutes have been finalised in agreement with Auckland Council and are a true and accurate record of the discussions held.

Where appropriate, updates to information lodged with the EPA through the Substantive Application has been shared with Auckland Council in advance of the formal resubmission of information to the EPA through this response to Comments. This was provided on an informal basis for feedback and the Applicant's formal response in contained in this report and the attachments.

4.5.2 Auckland Council – Information Gaps

4.5.2.1 Auckland Council – Planning Memorandum Information Gaps Table

The Planning Memorandum has included an Information Gaps Table at Para 274. The Applicant's response to these information gaps is provided in **Table 7** below.

Table 7: Information Gaps Table Identified in para 274. of the Memorandum of Planning Matters for Auckland Council prepared by Dylan Pope (29 July 2025)

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
Stage 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.	This matter has been addressed in section 3.6.2 of **Volume 7**.
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.	The updated RDOC is included as **Appendix 7F** of this response. Updates to the RDOC have been addressed within section 3.6 of **Volume 7**.
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.	This matter is addressed in the Engineering Memorandum (**Appendix 7A**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
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.	This matter is addressed in the Engineering Response Memo (**Appendix 7A**), the Survey Response (**Appendix 7H**) and section 3.5 of **Volume 7**.
5. Geomorphic Risk Assessment	To aid in establishing effective riparian setbacks 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	Cannot accurately assess the necessary riparian Setbacks for dwellings/ buildings.	The riparian setbacks may result in insufficient space for the intended building platforms on residential lots.	This matter is addressed in the Steam Erosion Risk Assessment Memorandum (**Appendix 7I**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution			
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.	This matter is addressed in the Revised Flood Assessment Report (**Appendix 7C**).
7. Additional characterisation of geohazards required	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	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.	Geohazard risks not fully captured in current assessment. Potential for inadequate assessment of affecting geohazards.	This matter has been addressed in the Geotechnical Memorandum (**Appendix 7L**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	affecting the site stability.	Missing laboratory testing to verify applied parameters to geohazards.		
8. No assessment of the effect on 5/6 natural inland wetlands	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 potentially adverse.	Potential for significant effect destruction / of these five wetlands which will require mitigation.	This matter is addressed in the lodged Ecological Impact Assessment (**Appendix 2C**) and has been included in the offset calculations. We also refer to the Consultation with the owner of 147 Argent Lane prior to lodgement (refer **Appendix 1G**) of the application who has confirmed they have no concerns with the proposed works.
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.	This matter is addressed in the Groundwater Assessment (**Appendix 7M**) and sections 2.4 & 3.1 of **Volume 7**.
10. No specific methodologies or effects assessment are provided in the AEE for surface water diversion	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	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.	This matter is addressed in the Engineering Memorandum (**Appendix 7A**) and section 3.2 of **Volume 7**.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	other instability of any land or waterbody			
11. Additional reasons for consent relating to culverts not included	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	We agree that consent is required under Rule E3.4.1(A33) and (A44). This matter has been addressed within section 3.3 of **Volume 7**. In short, we consider that this is a technical infringement, and no further offset is required.
12. Consolidated wetland delineation data which includes vegetation, soils and hydrology as specified by MfE'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	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.	This matter is addressed in the Ecological Response Memorandum (**Appendix 7J**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	proposed offsetting that are not supported by 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.	This matter is addressed in the Hydric Soil and Hydrology Memorandum (**Appendix 7N**).
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.	As addressed within the lodged Transport Report (**Appendix 2N**) roading infrastructure upgrades have been linked to the occupation of dwellings within the site. These thresholds have been conditioned in **Volume 8,** with two new conditions proposed to address Council feedback. See Conditions 53-55.
15. Long section drawings and vehicle tracking diagrams	Long-sections drawings identifying roading	Unable to assess whether the proposed development accommodates vulnerable users or meets visibility	Auckland Transport cannot assess the adequacy of roads and changes including to	The Infrastructure Report included as **Appendix 2F** of the lodged application sets out the design information that will be provided at Engineering

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	gradients; including vertical curves; and Tracking drawings identifying vehicles manoeuvre safely through roads and intersections.	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 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.	scheme plans may be required.	Approval (EA) stage. This includes both roading long sections and vehicle tracking. The deliberate omission of these plans is not considered to present a 'significant risk' to the approval process at resource consent stage. This approach has been assessed by the project team, including the project transport engineer, and we consider that a suitable level of information has been supplied to enable a consent approval in the form of: A road gradients plan (refer to drawing P24-128-00-RD-Road Gradient Plan); and Intersections typology plans, typical details plans and concept design plans. All intersections are reviewed for vehicle tracking at Engineering Approval stage.
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	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.	As above, sight visibility will be assessed and resolved at EA stage. All boundaries are appropriately positioned at intersections in accordance with previous intersections within Milldale that allow for adequate sightlines. This approach has been

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
		resolved without altering the scheme plan or lot boundaries, a consent variation may be necessary. Implications for locations in respect to lighting poles.	Unable assess the adequacy of visibility at critical locations and changes including to scheme plans may be required.	assessed by the project transport engineer and is considered to be appropriate.
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 intersection.	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 is required and this remains a safety concern.	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.	The proposed design complies with Auckland Transport's standards, thereby ensuring a minimum of 15m between staggered T intersections. A review of visibility and pedestrian safety in relation to the bus stops has been undertaken. The findings have been set out in the Engineering Response Memo (Appendix 7A).
18. Safety assessment for operation and safety on Collector Road 01 in Stage 12, where T intersections are closely located	Assessment for operation and safety of intersections on Collector Road 01 in Stage 12, where T-intersections are located too close and	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.	The proposed design complies with Auckland Transport's standard. The distance between these intersections is 23.2m, 8.2m *more than* the minimum requirement of 15m. The arrangement has been assessed by the

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	could pose safety risks for all modes of transport.			project transport engineer and is considered to be appropriate.
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.	This matter is addressed in the Engineering Memorandum (**Appendix 7A**). A full review of the OLFP has been undertaken with using 3.8 degrees Celsius of climate change for the 1% AEP assessment. This has added a significant volume but can be managed to comply with COP standards.
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.	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.	This matter is addressed in the Engineering Memorandum (**Appendix 7A**). A full review of the OLFP has been undertaken with using 3.8 degrees Celsius of climate change for the 1% AEP assessment. This has added a significant volume but can be

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	The Assessment provided does not show this.			managed to comply with COP standards.
21. Design of shared driveways (JOALS)	No loading bay proposed at JOALS. No speed management measures proposed at JOALS as per PC79DV. Intervisibility issues and vehicle tracking issues at intersections.	These are matters that could be conditioned and Addressed at Engineering Approval Stage, however this may result in changes to the application that require a variation.	These are important to ensure a safe and functional development.	This has been addressed in the Engineering Response Memo, and the Stage 4C Engineering Response Memo. Reference to the requirements of PC79 on its own is not appropriate, and any experts for Council must engage with the substance of the proposal and its effects, which has not occurred. As outlined in the lodged AEE, while the notified decision of PC79 has been exposed to testing and independent decision making through submissions and a hearing and a decision on the plan change was notified on 9 August 2024, these provisions have been appealed by a number of parties in their entirety. Therefore, in our opinion, limited weight should be applied to PC79 at this stage.
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.	Historically the lighting design at Milldale has always been provided at Engineering Approval stage. The quality of development delivered demonstrates that no issues arise as a result of this approach.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
				While PC79 includes requirements for lighting plans to be submitted with resource consents, as noted above, the plan change is subject to appeal, including the lighting provisions.
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.	Bridges 4 and 5 will be retained on the basis that we consider that they provide for appropriate connectivity and screening of the pipe bridges in these locations. Further discussion with Council on this matter can occur at Engineering Approval stage.
24. The intended function of Bridge It 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.	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.	This matter is addressed in the Engineering Memorandum (**Appendix 7A**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
		Response awaited off applicant.		
25. Large retaining wall structures	The landscape plans and Urban Design Statement 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.	Limits ability to confirm acceptability of interface treatment between public open space and private lots.	High retaining may result in poor visual amenity and reduced passive surveillance. Unclear responsibility for mitigation adds uncertainty.	This matter is addressed in the Engineering Memo (**Appendix 7A**), including clarification to the height of the retaining wall at this interface.
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.	Amendments are not required because changes to the Drainage Reserve classifications are not required.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
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.	The planting list for the wider drainage reserve will be provided at the detail design stage in accordance with Condition 103 – Drainage Reserves and Parks. In our opinion, this is a matter of detail that can be addressed at a later stage.
28. Planting species changes are required.	Specific species in key locations must be reconsidered: Accessway slope planting selection of Phormium tenax requires an alternative. Larger growing trees on the stream side of Stream Road, as there will be no conflict with dwellings. Dry basin details are very general. Planted berms and any reference to planted strips within roads and accessways to vest will not be accepted by Council.	Prevents a robust assessment of future operational suitability and maintenance.	Species changes can be suitably addressed at future detailed design and engineering plan approval.	Noted. These changes will be adopted at the detailed design stage.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
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.	This matter is addressed in the Geotechnical Memorandum (**Appendix 7L**).
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 operational 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.	This matter has been addressed in the response to Item 14.
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	Unable to assess the adequacy of roads and changes including to scheme plans may be required.	This matter has been addressed in the response to Item 15.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
		suitability cannot be confirmed. Additionally, vehicle tracking diagrams are essential to evaluate safe 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	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	This matter has been addressed in the response to Item 16.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
		consent variation may be necessary.	scheme plans may be required.	
33. Waste management collection and reserve 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	This matter has been addressed in the Engineering Memorandum (**Appendix 7A**)
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 JOALs.	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 safety risk on pedestrians and other road users.	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 entail that even smaller trucks need to reverse out.	As noted, the lodged Traffic Assessment (**Appendix 3H**) states that rubbish collection will be Council Kerb-side collection either from public roads *or* the JOALs. This is also addressed in the Engineering Response Memorandum (**Appendix 7A**)
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.	This matter has been addressed in the response to Item 22.

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
Wastewater Treatment Plant				
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: Review and acceptance of proposed flow volumes, discharge rates, and quality parameters; 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 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.	This matter is addressed in the Apex Wastewater Treatment Memorandum (**Appendix 7O**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
37. Impact on Orewa Estuary and SMAF detention and Retention and additional downstream flooding	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. 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.		This matter is addressed in the Revised Flood Assessment Report (**Appendix 7C**).
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	This matter is addressed in the Apex Wastewater Treatment Memorandum (**Appendix 7O**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
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.	This matter is addressed in the Geotechnical Memorandum (**Appendix 7L**).
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 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 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.	This matter is addressed in the Apex Wastewater Treatment Memorandum (**Appendix 7O**).

Info. Gap	Nature of Deficiency	Decision Making Impact	Risk / Uncertainty	FHLD Feedback
	• 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.			

4.5.2.2 Auckland Council – Additional Information Gaps in Expert Reports

We note that several information gaps identified in the Auckland Council expert reports were not captured in the Information Gaps Table within the Planning Memorandum. To ensure completeness, **Table 8** has been prepared to record the information gaps noted in the Annexures to the Council response that were not otherwise included in the Planning Memorandum table.

Table 8: Additional Information Gaps Identified in Individual Expert Memorandums
(These matters were not identified in the Key Information Gaps Table in para 274. of the Memorandum of Planning Matters for Auckland Council prepared by Dylan Pope (29 July 2025))

Comments	FHLD Feedback
Annexure 1: Economics Memo 29 July 2025	
Clarification sought if community / social infrastructure uses are proposed within the Centre.	These matters have been addressed in the Economics Memo (**Appendix 7A**)
Annexure 2: Healthy Waters Memo 29 July 2025	
Sufficient information 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) has not yet been provided.	These matters have been addressed in the Engineering Memo (**Appendix 7A**)
Annexure 4: Development Engineering Memo 29 July 2025	
Awaiting updated Engineering Report (to include rationale of private SE proposals for Stage 4C, easements / covenants, waste collection, updates to Stage 4C drawings which refer to vehicle crossings gradients) and conditions set.	These matters have been addressed in the Engineering Memo (**Appendix 7A**)
Annexure 6: Stormwater, ITA Memo 29 July 2025	
While providing for SMAF detention and retention, it is unclear the impact of a 1% AEP storm event and how the 'pass forward' flows generated from the WWTP will affect the downstream environment. This is required to show meeting of the E8 permitted activity standards.	These matters have been addressed in the Revised Flood Assessment Report (**Appendix 7C**)
Compared to the size of the development this is a medium risk, for the potential to exacerbate additional downstream flooding. For completion this should be undertaken in the same assessment as required by Healthy Waters for stages 4C and 10 to 13.	These matters have been addressed in the Revised Flood Assessment Report (**Appendix 7C**)
Annexure 10: Regional Earthworks Memo 29 July 2025	
Awaiting updated AMP - Change all references to "stream P9" or "stream 21" in the AMP and recommended conditions, to "Milldale Stream" as per the AEE.	These matters have been addressed in the updated AMP (**Appendix 7S**)
Applicant team have confirmed that the AMP will be updated after 29/07 to include: "The rainfall trigger event site audits will be undertaken as	These matters have been addressed in the updated AMP (**Appendix 7S**)

close to the trigger as possible and within 24hrs of the event, excluding Sundays and Public Holidays. Where a trigger event falls on a Sunday or Public holiday, the ESC specialist will visit the site on the next working day to complete the monitoring. This does not negate day-to-day monitoring and maintenance to be completed by the Contractor."	
Annexure 11: Contamination Memo 29 July 2025	
The applicant is required to provide a Site validation report confirming that the land within stage 4C has been appropriately remediated for the proposed land use and validation has been certified by the council.	The Stage 4 subdivision, which included the area of Stage 4C, was approved under resource consent BUN60352918. Contamination reporting was undertaken as part of the broader Milldale Precinct and Staged earthworks and included the entirety of the area encompassed in Stage 4C. No separate Site Validation Report (SVR) has been prepared specifically for Stage 4C, as no contamination requiring remediation was identified within the Stage 4 area by the underlying contamination reporting. A series of Preliminary Site Investigations (PSIs) were completed by Tonkin + Taylor Ltd across the Milldale Earthworks Stages 2, 2A, 3A, and the Precinct 2 and 3 earthworks areas. These investigations confirmed that no HAIL activities had occurred, and no contamination was present at levels that would pose a risk to human health or the environment. These findings are documented in the following approved resource consents: • BUN60303878 (Stage 2), including PSI (August 2017) and Ground Contamination Assessment (26 May 2017) • LUC60329199 (Stage 2A), including PSI (September 2018) • BUN60345362 (Stage 3A), including PSI (March 2019), covering the wider Precinct 2 and 3 areas Stage 4C falls within the area covered by these investigations and earthworks approvals. Based on the above, remediation was not required, and no

	SVR was necessary for certification by Council. The approved Stage 4 consent decision, Stage 4 AEE, and associated Tonkin + Taylor PSI reports are attached for reference. Copies of the previous contamination reporting for Stage 4 is included in Appendix 7R.

4.5.2.3 Auckland Council – Healthy Waters Feedback

In addition to the feedback from Healthy Waters included as Annexure 2 to the Auckland Council Planning Memorandum, comments were provided directly to the EPA by Healthy Waters. These are addressed in Table 9 below.

Table 9: Feedback from Healthy Waters

Item No.	Comments	FHLD Feedback
1.0	Wainui East SMP (V4, September 2016)	
1.1	Stage 4C and Stages 10-11 are located in Zone C. The stormwater management requirements for this zone include at source hydrology mitigation in accordance with SMAF requirements (retention, detention) and to allow flows from larger storm events to be passed forward (no attenuation). The SMP outlines for this zone flood attenuation 'remains an option due to development increasing the existing effects on Wainui Road Bridge crossing above Waterloo Creek'. This means that the effects of increasing development must be assessed and determined not result in further effects on Wainui Road Bridge crossing above Waterloo Creek for a 'pass forward' approach to be supported.	This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**).
1.2	In addition to the requirements for Zones C and D above, Stage 4C and Stages 10-13 must also avoid the use of high contaminant generating roofing and cladding materials, and ensure water quality treatment is provided for high use carparks and roads.	This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**).
2.0	Public Devices (Operation and Design)	
2.1	The Application proposes a range of public stormwater management devices, including communal raingardens and dry basins, intended for vesting to Auckland Council. While the use of dry basins to achieve SMAF hydrology mitigation is generally supported, HWFR has identified several areas where additional information and refinement of the design is required.	Noted, and additional information has been provided as addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**).
2.2	Insufficient information has been provided to demonstrate that the proposed public devices have been designed with sufficient space available to enable operation and maintenance activities to be carried out in accordance with Council standards, guidelines, and requirements. In addition, it is unclear whether the proposed number of devices has been consolidated to minimise future maintenance	This matter is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**).

	burden. HWFR recommends that these matters be resolved through further engagement prior to lodgement of Engineering Plan Approval.	
2.3	A number of dry basins are proposed, granting of the fast track consent should not preclude the option to design some of the proposed basins as wetlands at EPA stage, particularly those servicing larger catchments (e.g. Basins H and I). It is encouraged that the fast track consent allow flexibility for refinement of the stormwater management approach based on further site investigations and discussions.	The design for stormwater devices within Stages 10 – 13 has been optimised to achieve the required stormwater mitigation under the Wainui Stormwater Management Plan (SMP). Further design information will be provided at Engineering Approval stage. Refer to the Revised Flood Assessment Report (**Appendix 7C**), and Engineering Response Memorandum (**Appendix 7A**).
2.4	The Applicant has indicated, through discussions with Auckland Transport and Auckland Council Parks, that a public stormwater pipe bridge is proposed at the 'Bridge 4' location. No further design information or supporting justification has been provided as part of this application. The Applicant has advised that further detail will be supplied at EPA stage. In the absence of further information on the proposed stormwater pipe bridge, Healthy Waters cannot confirm whether the proposed pipe bridge is suitable for public ownership or whether it can be accepted as a public asset at EPA stage.	Noted. Furter design information will be provided at Engineering Approval stage.
2.5	Several proposed new public stormwater lines are shown to be located within the rear yards of private lots, often at the base of earth-reinforced slopes. HWFR has significant concerns about the long-term maintenance and access implications of the proposed network layout in these instances. These network components are unlikely to be accepted for vesting at the EPA stage unless relocated to public land.	Noted. The plans have been updated to show compliance with the SWCOP in terms of preferred alignments for SW line. This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**).
2.6	HWFR encourages further discussion with the Applicant's stormwater engineers to address these matters, optimise the number and type of devices, ensure alignment with Council requirements, and confirm operational feasibility for long-term asset management.	This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**). The design for stormwater devices within Stages 10 – 13 has been optimised to achieve the required stormwater mitigation under the Wainui Stormwater Management Plan (SMP). Further discussion on these matters can occur at Engineering Approval stage.
3.0	SMAF 'offset' Approach	

3.1	The Application proposes the use of an 'offset' approach to manage hydrology mitigation across relatively large catchment areas, including some that discharge directly to the stream environment. This approach is not supported by Healthy Waters. While offset mitigation may be considered a Best Practicable Option in isolated cases (such as small, constrained catchments where onsite treatment would require impractically small and unmaintainable roadside devices) justification of this approach has not been provided. Given the scale of the catchments proposed to rely on this approach and the absence of a supporting BPO assessment, there is a risk that the proposed design does not align with the requirements of the overarching SMP.	This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**).
4.0	Management of Overland Flow	
4.1	Several Overland Flow Paths (OLFP) are proposed to be conveyed within the proposed public road corridors. Although this approach is generally supported, there are several locations (with reference to the provided OLFP cross-section information) that show the acceptable design safety criteria being considerably exceeded. This is considered to present high flood hazards and risks to people, property and infrastructure and the design should be amended to rectify this.	This matter is addressed in the Engineering Response Memorandum (**Appendix 7A**).
5.0	Vesting of Land	
5.1	The Application proposes to vest land containing stormwater management devices as Local Purpose Reserve (Drainage). However, the supporting documents do not sufficiently demonstrate whether the extent of the proposed land to vest is appropriate and will deliver additional public benefit that cannot otherwise be achieved through private ownership and maintenance.	This matter is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**).
5.2	While the proposal identifies areas of open space associated with the stormwater network, it is unclear how some of these areas function beyond a stormwater purpose. Vesting of land for stormwater management to Council must be limited to only what is essential for ongoing network performance, maintenance, and resilience. In	This matter is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**) and section 3.5 of **Volume 7**.

	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 value.	
5.3	In the absence of clear justification, including an assessment of how the land supports stormwater outcomes and broader public benefit, Healthy Waters cannot support the extent of land proposed for vesting. 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.	This matter is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**) and section 3.5 of **Volume 7**.
5.4	In addition, the land proposed for vesting is referred to on Application Plans as 'Local Purpose Reserve (Drainage)', which is not an accepted mechanism for vesting. Where vesting of land is proposed, it must be offered as 'Land in Lieu of Reserve – for Drainage Purposes' to align with Healthy Waters acquisition processes.	This matter is addressed in the Survey Response Memorandum **Appendix 7H**) and section 3.5 of **Volume 7**.
6.0	Riparian Setbacks	
6.1	The site's stream network is expected to adjust (widen, deepen, meander) in response to urbanisation. Hydrology mitigation and riparian planting alone may not prevent erosion or protect stream health in the long term	This matter is addressed in the Stream Erosion Risk Assessment Memorandum (**Appendix 7I**).
6.2	Due to steep slopes and in-situ soils, which are considered susceptible to erosion, the recommended riparian setbacks may need to exceed those currently proposed. A minimum of 20m, and ideally 30–50m, is recommended, particularly in steep or sensitive areas. Riparian setbacks should be variable and based on a Geomorphic Risk Assessment, not a uniform buffer. It is recommended that a Geomorphic Risk Assessment is sought to support existing ecological and geotechnical assessments.	This matter is addressed in the Stream Erosion Risk Assessment Memorandum (**Appendix 7I**).
7.0	Flood Management and Modelling	

7.1	The Applicant's Engineer has proposed to pass forward flows from the development, meaning attenuation of events up to and including the 1% AEP event is not proposed. As noted in Section 3.2 and 3.3 above, the SMP outlines that where a pass forward approach is proposed the SMP requires this is assessed to determine it will not result in further effects on the Wainui Road Bridge crossing above Waterloo Creek and will not result in effects on 147 Argent Lane.	This matter is addressed in the Revised Flood Assessment Report (**Appendix 7C**).
7.2	To enable verification and support of the proposed pass forward approach, the HWFR Catchment Management Team has requested a full copy of the Applicant's stormwater model, including all pre- and post-development scenarios. This is necessary to confirm the modelling assumptions, assess downstream effects, and verify that the stormwater management approach is appropriate. At the time of writing, this information has not yet been provided by the Applicant's engineer for review and verification. Areas of concern include the Wainui Road bridge itself, the properties downstream between the bridge and Lysnar Road, and the private property at 147 Argent Lane located between Stages 11 and 12.	This matter is addressed in the Revised Flood Assessment Report (**Appendix 7C**).
8.0	Resource Consent Matters	
8.1	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.	This matter is addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**).
8.2	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.	This matter is addressed in the Survey Response Memorandum **Appendix 7H**) and section 3.5 of **Volume 7**.

8.3	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.	This matter is addressed in the Stream Erosion Risk Assessment Memorandum (**Appendix 7I**).
8.4	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.	A copy of the Stormwater Modelling has been provided in this response. Refer to **Appendix 7D**.
9.0	Engineering Plan Approval Matters	
9.1	In this instance, the following matters have been determined as acceptable to be deferred to EPA stage of development. Amendments to the proposed conditions, and additional conditions of consent have been recommended within Appendix A and Appendix B to ensure that these items are sufficiently addressed at a later stage of development.	Noted. Refer to comments on recommended conditions in **Appendix 7V.**
10.0	Public Devices (Operation and Design)	
10.1	A number of matters relating to the design and layout of public stormwater devices remain unresolved. These should be addressed through further engagement with Healthy Waters prior to lodgement of Engineering Plan Approval. Amendments to conditions proposed and additional conditions of consent are recommended within Appendix A and Appendix B respectively to ensure outstanding concerns are resolved.	Noted. Condition feedback has been addressed in **Section 5** of this response and in **Appendix 7V**.
10.2	It is recommended that the consent retain flexibility to allow refinement of the proposed stormwater basins at detailed design stage, including the potential for wetland design (e.g. for Basins H and I), where appropriate and in consultation with Healthy Waters.	Noted. Condition feedback has been addressed in **Section 5** of this response and in **Appendix 7V**.

	Amendments to conditions proposed and additional conditions of consent are recommended within Appendix A and Appendix B respectively to ensure outstanding concerns are resolved.	
10.3	Public stormwater infrastructure located within private lots, particularly at the base of reinforced slopes, should be reconsidered and where possible relocated to public land to ensure long-term accessibility. Amendments to conditions proposed and additional condition of consent are recommended within Appendix A and Appendix B respectively to ensure outstanding concerns are resolved.	Noted. This matter has now been resolved. Refer to Engineering Response Memo (**Appendix 7A**).
11.0	SMAF 'offset' approach	
11.1	The Applicant should be required to re-evaluate the stormwater management strategy for large catchments currently relying on 'offset' mitigation, with a focus on redirecting flows to treatment and hydrology mitigation basins where practicable. Where redirection is not feasible, a robust BPO assessment must be provided to justify the 'offset' approach, including consideration of alternative design solutions and site-specific constraints. This is necessary to ensure alignment with the overarching SMP. An additional condition of consent is recommended within Appendix B to ensure outstanding concerns are resolved.	Noted. Condition feedback has been addressed in **Section 5** of this response and in **Appendix 7V**.
12.0	Vesting of Land	
12.1	Detail on the final extent of land and design of stormwater assets proposed to be vested must be agreed prior to lodgement of Engineering Plan Approval. An additional condition of consent is recommended within Appendix B to ensure outstanding concerns are resolved.	Noted. Condition feedback has been addressed in **Section 5** of this response and in **Appendix 7V**.

4.5.3 Auckland Council – Amendments to Conditions of Consent

The Auckland Council expert memos include a range of recommended amendments and new conditions of consent. **Appendix 7V** summarises the requested change to conditions by Auckland Council and identifies whether it is supported and provides the Applicant's response or proposed alternative wording where appropriate. This ensures all condition-related matters raised by Council experts are clearly addressed.

The updated conditions proposed by the Applicant are included in **Volume 8**.

4.5.4 Auckland Council – Additional Reasons for Consent

Across the Auckland Council Expert Memorandums, a number of additional reasons for consent have been noted. These additional reasons have been addressed in **Section 2.4** above.

4.6 Feedback from Rodney Local Board

Feedback has been received from Rodney Local Board on the Application and is included as Annexure 27 to the Auckland Council Planning Memorandum. These comments are addressed in **Table 10** below.

Table 10: Feedback from Rodney Local Board

Item No.	Comments	FHLD Feedback
1.0	Out of sequence development in Rodney	
1.1	In the Rodney Local Board area, we already have massive infrastructure deficits in our greenfield developments that are lived zoned. There is no funding allocated to address these issues in the near term. It is our view, that out-of-sequence developments without the necessary infrastructure prerequisites will only worsen this funding gap and ultimately result in overcrowded schools, parks with no facilities, limited open green space, unbearable traffic congestion, and temporary waste and water solutions. As detailed in the Future Development Strategy, we need to ensure that there is a planned approach to delivering infrastructure, not ad hoc developments that ultimately lead to urban sprawl and poor outcomes.	The application is for the residential development of live zoned land, achieving the anticipated outcome of the AUP:OP and the Wainui Precinct. Infrastructure servicing has been addressed within the lodged application material and is considered to be appropriate. This proposal is not "out of sequence".
1.2	There are large lived zoned areas in Auckland which are still not developed, are fully serviced and are in walking distance to the park n rides, secondary schools and established community facilities. If we continue to allow out of sequence greenfield development, areas that are development ready will continue to remain vacant, as land values are significantly lower in rural areas for developers.	The application is for the residential development of live zoned land.
1.3	The area within in the proposed fast track application is not scheduled to be developed until 2050 and if delivered decades earlier without the necessary infrastructure prerequisites identified in the Future Development strategy, this will have adverse effects on traffic safety, congestion, the environment and community facilities.	The site is live zoned and can be developed at any time. Infrastructure servicing has been addressed within the lodged application material and is considered to be appropriate.
2.0	Impact on traffic congestion and safety	
2.1	We express concern that there are no upgrades proposed to the integrated transport networks to mitigate the effects of increased traffic generated by this proposed development and there is no funding in the Regional Land Transport Plan 2024 to 2034 allocated to address	This matter has been addressed within the original application material (refer **Appendix 2N**). The results of the transport modelling, as summarised in the report, indicate that the traffic demands are likely to have acceptable effects with respect to the operation of the surrounding road network and

	these issues. We already have bus stops with no funded bus service in Milldale and this out of sequence development will put additional strain on the limited funding available for major transport projects. While the Wainui Precinct has relatively close proximity to SH 1, traffic congestion is a major problem along SH 1 between Albany and Silverdale, the motorway interchanges are gridlocked during peak travel times, at both Silverdale and Millwater. While Penlink once operational will reduce traffic volumes through Silverdale this will be offset as houses are constructed in the the live zoned Milldale development as there still capacity for approximately another 2700 dwellings.	for all road-users. Notwithstanding this, the full build out anticipated in the 2019 ITA has not yet been reached. AT is responsible for the operation of the bus network.
2.2	South bound traffic along SH1 from Silverdale to Albany is gridlocked at peak times in the morning and in the afternoon, it is gridlocked in the North bound direction.	Refer to response to item 2.1.
2.3	Parking at the Hibiscus Park n Ride at Silverdale, which provides access to the Northern Busway is full at 7.30am and there is no plans or funding within the 10-year Regional Land Transport Plan for additional carparks at this park n ride facility.	Noted. This has not been raised as a concern by AT.
2.4	There is a feeder bus service from Milldale that runs every half hour to the Hibiscus Park n Ride but that only services part of the Milldale development that is live zoned. There is no allocated funding available to increase the bus service to the bus stops already built by the developer in Milldale such as those on Maurice Kelly Road even though the adjacent housing is now occupied.	Noted. This has not been raised as a concern by AT.
2.5	For current residents of Milldale, there is no direct cycling and walking from Milldale to the Hibiscus Coast Park n Ride in Silverdale, as the Highgate bridge over SH1 is very indirect route to what is a relatively short distance to the Park n Ride, as cyclists will need to go via both Millwater and Silverdale shopping centre due to the roading layout.	Cycle and pedestrian networks within Milldale have been master planned to ensure a high degree of connectivity and functionality. The proposal completes a number of key roading and pedestrian linkages as addressed in Volume 2.
2.6	The roundabout at the Silverdale interchange with SH1 is gridlocked and while Penlink once constructed will reduce traffic volumes through the Silverdale Interchange, this will be offset by the traffic increase from	Trip generation, intersection performance and upgrades have been appropriately addressed within Volume 2 and Appendix 2N.

	future housing which is still to be built/occupied in the live zoned areas of Milldale	
2.7	There is no funding available for separated bus lanes on SH1 between Silverdale and Albany, in both North and South bound direction. The NZTA Silverdale Bus Priority Lane Project is a for Northbound Lane only and will provide a wider emergency stopping lane that will be utilised as a bus priority lane between 3pm – 7pm	Noted. This has not been raised as a concern by AT.
2.8	The motorway interchange at Millwater/Milldale is now congested and gridlocked at peak times	Trip generation, intersection performance and upgrades have been appropriately addressed within **Volume 2** and **Appendix 2N**.
2.9	The alternative to using SH1 from Silverdale to Albany is via Dairy Flat Highway, however the Dairy Flat Highway towards Albany is now gridlocked during peak times and the project to widen Dairy Flat Highway from Stevensons Crescent to Gills Road is no longer funded	Trip generation, intersection performance and upgrades have been appropriately addressed within **Volume 2** and **Appendix 2N**.
2.10	Wainui Road near Milldale is becoming increasingly congested at peak times.	Trip generation, intersection performance and upgrades have been appropriately addressed within **Volume 2** and **Appendix 2N**.
2.11	The Pine Valley Road and Dairy Flat Highway is becoming increasingly more difficult for vehicles turning right onto Dairy Flat Highway	Trip generation, intersection performance and upgrades have been appropriately addressed within **Volume 2** and **Appendix 2N**.
2.12	We express concern around the use of blanket consents in this application for infringing on of vehicle crossings and driveway gradient standards, as this will have adverse effect on pedestrian and cycling safety	This approach has been addressed within **Volume 2** and is considered to be appropriate. The assessment confirms that the effects on pedestrian and cycling safety will be acceptable.
2.13	We express concern that there are no off-road cycleways incorporated into the design for local roads and believe that this is a missed opportunity to create safe cycling connections across this greenfield development which is essentially a blank canvas.	Cycle and pedestrian networks within Milldale have been master planned to ensure a high degree of connectivity and functionality. The proposal completes a number of key roading and pedestrian linkages as addressed in **Volume 2.** The site is subject to the Wainui Precinct Plan and is not a blank canvas.
2.14	We do not agree with the statement in this application that a strong public transport network that has been designed, as there no separated bus lanes provided in the developments and no funding available for the bus service.	Noted. The public transport network has been addressed within the lodged application (refer **Appendix 2N**). FHLD has also been liaising with the AT Metro team in order to develop a high-level Public Transport (PT) plan for the Precinct as it continues to grow. All roads along the indicative routes

		are capable of accommodating buses, taking into consideration road widths and gradients. FHLD will provide the necessary infrastructure, but AT will need to provide the necessary services.
3.0	Neighbourhood parks	
3.1	We express concern that there is a lack of proposed neighbourhood parks within this fast-track development and there has been no consultation with the Rodney Local Board around the proposed two new neighbourhood parks. Local Boards now have greater decision making including the purchase and disposal of assets and managing the maintenance budgets for community facilities and therefore we should have been involved in this decision-making process.	Parks and recreation have been addressed within the lodged application material. It is considered that the proposed parks are appropriately scaled and well-equipped to meet the recreational and social needs of the surrounding community, effectively fulfilling their role within the broader open space network. The neighbourhood parks have been confirmed by Council's parks planning officer. On their advice, the number of neighbourhood parks reduced in pre-lodgement discussions.
3.2	We express concern that within the live zoned Milldale development there is no funding in the long-term plan for playing fields, libraries, tennis courts or any community buildings and there are very little recreational opportunities for older children and adolescents and this has the potential to create social issues. If this out of sequence development is approved this will exacerbate the lack of sport and play opportunities for Milldale residents young and old.	Refer to response to item 3.3.
3.3	We express concern that there is no funding for purchasing the proposed neighbourhood parks or funding the future park infrastructure in the Auckland Council 10 year long term budget as this development was not anticipated by Council until 2050. We express concern that the size and quantity of the parks to vest to Council is based on the Auckland Council Open Space Provision Policy 2016 not the updated 2025 policy.	The size and location of the proposed Neighbourhood Parks has been confirmed with the Council in pre-application discussions, and they have advised that they support this aspect of the proposal. Acquisition of these parks will be subject to Local Board Approval which will be addressed post-resource consent as per the standard process. We note that there are many mechanisms available to Council to fund parks acquisition and maintenance, and the Local Board will be aware that it is Council's obligation to do so in order to provide for growth.
3.4	We express concern that the policies for open space are based on the minimum amount of open space required and assumptions have been	Refer to response to item 3.1.

	made on the density of this development by Council which may not be correct.	
3.5	As this development is not scheduled until 2050, we suggest as a condition of consent that the proposed neighbourhood parks are vested to Council at no cost and that the developer funds the park infrastructure.	We disagree. The application is for the development of live-zoned land.
4.0	1.0 Greenway connections	
4.1	We request that the cycleways within the development connect with the trail network identified in the June 2019, Rodney Local path (Greenways) long term plan as per 3.4 Proposed Greenway Network Plan Map 1 of 6: Waitoki and Wainui.	Cycle and pedestrian networks within Milldale have been master planned to ensure a high degree of connectivity and functionality. The proposal completes a number of key roading and pedestrian linkages as addressed in **Volume 2**
5.0	2.0 Rezoning of Open Space Conservation for housing and removal of trees	
5.1	We do not support the proposal for the Open Space Conservation zone to be developed for housing and the use of blanket consents to do so. We are concerned that we will lose valuable green space within this development, and it will impact on health and wellbeing of the future community.	Parks and recreation have been addressed within the original application material. It is considered that the proposed parks are appropriately scaled and well-equipped to meet the recreational and social needs of the surrounding community, effectively fulfilling their role within the broader open space network. Blanket land-use consents have been addressed within Volume 2 of the lodged application.
5.2	As a Local Board we have requested that the Council led Plan Change 96, to rezone the land from Open Space Zone to a housing zone in the live zoned Milldale development, is declined. At this stage Plan Change 96 is with Council legal team and not progressed to an independent hearing yet.	Noted.
5.3	There has been no consultation between Council and the Rodney Local Board regarding Open Space Conservation zone in this development 'being surplus to Auckland Council Parks requirements for recreation' and we believe that retaining the Open Space Conservation Zone as	Parks and recreation have been addressed within the lodged application material. It is considered that the proposed parks are appropriately scaled and well-equipped to meet the recreational and social needs of the surrounding community, effectively fulfilling their role within the broader

	open space will enhance the amenity of this development and provide for informal recreation.	open space network. We have relied on advice from the Council's parks planner as per the normal process for resource consents.
5.4	We express concern that this application includes the removal of 697 trees including trees within the Open Space Conservation zone.	Tree removal has been addressed within Volume 2 and the lodged material (refer **Appendix 2B & 2N**).
6.0	Removal of streams and flood and land stability risk	
6.1	We express concern that the subject matter experts have identified natural hazards within the development as detailed in the following extract: 'Geotechnical Report ,Stages 10-13 are underlain by the less than favourable Northland Allochthon geology along with boundary constraints whereby the steep gradients of the site are fixed. Furthermore, there are frequent watercourses and wetlands identified across the site that pose significant constraints to the success of slope stability remediation for the proposed urban development'	Stability has been addressed within Volume 2 and lodged material (**Appendix 2A**).
6.2	We express concern that this proposal includes the diversion of approximately 1,134m of intermittent stream length; partial reclamation of approximately 1,028m (402.3m^2) of intermittent stream extent and reclamation of 16 wetlands totalling an area of 2.02 ha, this activity should be avoided as will have adverse impacts on the environment	Effects on wetlands and streams have been addressed in Volume 2 and the lodged material (**Appendix 2C & 2U**).
6.3	We express concern that this development has identified flood hazards and challenging land stability issues, and we are concerned that the proposed engineered mitigations and changing of landform including the removal and diversion if streams and wetlands may fail during extreme weather events and put future residents in harm's way. With limited resources we should be focussing new housing developments in climate resilient areas and working with natural landforms and not areas with identified natural hazards, that risk putting residents in harm's way.	Stormwater servicing has been addressed within the lodged material and is considered to be appropriate (refer **Appendix 2F**).
6.4	We express concern that urbanisation within a flood zone and resulting increase in impervious surfaces will result in flood waters being diverted to neighbouring properties during extreme weather events.	Stormwater servicing has been addressed within the lodged material and is considered to be appropriate (refer **Appendix 2F**). Future lots will be outside of the post-development flood levels.

6.5	We request that integrated stormwater planning for all stream catchments within the development area including all surrounding drainage sub-catchments is completed before any development occurs.	Stormwater servicing has been addressed within the lodged material and is considered to be appropriate (refer **Appendix 2F**).
7.0	Temporary Wastewater Solutions	
7.1	We express concern that this development will require a temporary wastewater treatment plant. There will be an increased risk of environment during extreme weather events if this temporary plant fails. We request that conditions of consent include strict monitoring by both applicant and Council compliance team.	These matters have been addressed within **Volume 4 and 6** of the lodged application.
7.2	We express concern that the temporary wastewater treatment plant will have adverse effects on neighbouring properties with regards to odour and noise and have high operating costs for residents.	These matters have been addressed within Volume 4 of the AEE and lodged Air Discharge Assessment and Acoustic Assessment (refer Appendices **4M & 4O**).
7.3	We express concern regarding blanket use consents for noncompliance of design standards and to also allow more than one dwelling within the Single House Zone especially as there are only two parks being provided for this development and there will be a removal of green open space with proposed building in the Open Space Conservation Zone.	This matter has been addressed within Volume 2 of the lodged AEE, the report above, and within the revised RDOC (**Appendix 7F**).
7.4	We express concern about the large volume of earthworks needed in this development (i.e. (i.e 774,125m³ of cut and 1,034,700m³ fill) and the impact of noise, vibration and dust will have on existing residents, we suggest that these activities are only allowed between the operating hours of 8am and 6pm Monday to Friday.	As addressed within **Volumes 2 – 4** of the lodged application, the proposed construction works are an unavoidable precursor to the provision of additional residential dwellings, and roading sought under the AUP(OP). Notwithstanding this: (1) As part of the lodged application material, Styles Group has addressed construction noise and vibration effects (refer **Appendices 2T, 2I & 4N**). Conditions of consent are proposed to mitigate and reduce the potential for any adverse construction noise, construction traffic noise, and vibration effects during the construction phase. (2) As part of the original application material, Woods have addressed erosion, sediment and dust effects (**Appendices 2F, 3F & 4A**). Appropriate erosion, sediment and dust control measures are proposed and will be in place for the duration of earthworks activities.

7.5	We are concerned about timing and funding of the new proposed secondary school in the area and this needs to be considered before more out of sequence housing developments are consented.	The Ministry of Education is responsible for planning and funding for new schools to cater for population growth. The Ministry of Education works closely with Auckland Council to monitor the build out programme within different catchments across the city. In this regard, education infrastructure is responsive to growth, rather than a matter informing the timing and location growth.

4.7 Feedback from Auckland Transport

In addition to the feedback from Auckland Transport included as Annexure 22 to the Auckland Council Planning Memorandum, comments were provided directly to the EPA by Auckland Transport. These are addressed in Table 11 below.

Table 11: Feedback from Auckland Transport

Item No.	Comments	FHLD Feedback
1.0	Infrastructure Requirements	
	Pine Valley Road/Dairy Flat Highway Intersection	
1.1	No traffic modelling has been provided for the layout prepared by Mott MacDonald. While it is expected that the design will increase intersection capacity and improve levels of service—particularly by reducing delays for vehicles turning in and out of Pine Valley Road during peak periods—the relative performance of this design to the interim or full design in the ITA has not been tested through further modelling. However, the proposed design provides adequate space to allow minor modifications and for the addition of extra lanes—such as those shown in the NoR8 design or the 2019 ITA SIDRA model diagram—without requiring changes to the overall road reserve width.	The layout has been assessed by the project engineer and is considered to be appropriate. As addressed within the lodged Transport Report (**Appendix 2N**) roading infrastructure upgrades have been linked to the occupation of dwellings within the site. Additional condition of consent have been proposed that address these thresholds (see Conditions 53-55). Refer **Appendix 7V** and **Volume 8**.
1.2	It should be also noted that Level of Service (LOS) at an intersection refers to its performance in terms of the time drivers spend queued at an intersection, usually measured at the commuter peak times. According to SIDRA software modelling, LOS A represents the least delay, while LOS F indicates the greatest delay—i.e., an intersection with LOS A is performing well, whereas LOS F signifies significant delays and poor performance. Aspirational LOS as per Auckland Network Operating Plan (which is an agreed plan of how the transport network should be operated at different times of day for the different transport modes) vary between B, C and sometimes D. However, LOS C is considered acceptable for general vehicle, freight and public transport in this instance. In this case, the proposed interim intersection design achieves LOS C and	Duplication. Please refer to Table 7, Item 14 response.

	therefore aligns with Auckland Transport's aspirational LOS for general traffic, freight and public transport. A key concern is timing of the upgrade as it may not be completed before the proposed dwellings are occupied. Without the upgrade, LOS drops to E (AM peak) and D (PM peak). With the upgrade, LOS improves to B and C, respectively.	
2.0	Wainui Road/ Argent Lane Intersection Upgrade	
2.12	A condition requiring the upgrade of Wainui Road including the Wainui Road/ Argent Lane intersection is recommended below for the Panel's consideration. The potential future bus route, which has been discussed between the Applicant and Auckland Transport, is shown in Figure 2. It should be noted that the bus stop locations along the proposed collector roads have been suggested by the Applicant, approximately aligning with the potential future bus stop locations indicated in Figure 2. Route 989 will pass through Stages 10 to 13 of the Milldale Development, and Wainui Road shares a boundary with these stages. Therefore, as noted above, it is also required that Wainui Road be upgraded before the dwellings are occupied so that residents can access public transport.	Duplication. Please refer to Table 7, Item 14 response.
3.0	Walking and Cycling	
3.1	Auckland Transport also considers that the Applicant should provide a shared path that accommodates cyclists on Local Road 18 and either Local Road 22 or Local Road 23. This would ensure a continuous bicycle path, forming a loop that connects: 1. Collector Road 01 2. Stream Edge Road 05	The road, cycle and pedestrian networks within Milldale have been master planned to ensure a high degree of connectivity and functionality. The proposal completes a number of key roading and pedestrian linkages as addressed in **Volume 2**.

	3. Bridge 04 4. Local Road 18 5. Bridge 03 6. Local Road 22 or Local Road 23 7. Back to Collector Road 01	
4.0	Recreational Bridges	
4.1	Auckland Transport has reviewed the bridges and has expressed openness to accepting Bridges 2, 3, and 4 as assets, as they can be considered road-to-road bridges serving a transport function, subject to the following conditions: The Applicant must ensure that the bridges and their interfaces are designed in accordance with the Transport Design Manual (TDM); and For any bridges with a dual function (e.g., Bridge 4, which includes a stormwater pipe), the responsibility for maintaining the utility must be clearly defined. Auckland Council's Parks Planning team has confirmed that Bridge 1 will be accepted as a park's asset. Auckland Transport's has reviewed Bridge 5 and noted that it is not considered to have a road-to-road transport function. Therefore, Auckland Transport will not accept Bridge 5 as an asset.	Duplication. Please refer to Table 7, Item 23 response.
5.0	Missing Technical Documentation	
5.1	*Road Long Sections and Tracking Plans* Without long-section plans, Auckland Transport cannot determine whether the development provides suitable options for the most vulnerable footpath users. Auckland Transport requires longsection plans to assess whether vertical curves may create visibility issues for road users. A lack of visibility presents a critical safety risk and can	Duplication. Please refer to Table 7, Item 15 response.

	negatively impact the road network. Without these drawings, Auckland Transport cannot determine the suitability of the roads proposed for vesting Similarly, without vehicle tracking diagrams, Auckland Transport cannot assess whether vehicles can safely operate within the proposed roads and intersections. If operational or safety issues are identified during the Engineering Approval (EA) stage and cannot be mitigated, the Applicant may be required to amend their scheme plans. Therefore, adequate tracking diagrams must be provided to confirm that there is sufficient space for vehicle movements and to ensure there are no operational or safety concerns. These matters have been discussed with the Applicant during the processing of this application and prior to its lodgement. The Applicant has indicated that they believe the deliberate omission of these plans does not present a 'significant risk' to the approval process at the resource consent stage. However, Auckland Transport considers that the absence of long-section plans does present a significant risk to the approval process. If non-compliance is identified at the Engineering Approval (EA) stage, the Applicant may be required to seek a variation to the consent— particularly if road widths are found to be insufficient to accommodate tracking of vehicles.	
5.2	Visibility Assessments No visibility assessments have been provided for the proposed intersections. As a result, Auckland Transport is unable to confirm whether the proposed intersection treatments are sufficient to ensure safe traffic operations. Inadequate sightlines pose a significant road safety risk, particularly at intersections, and can lead to serious accidents. The Applicant	Duplication. Please refer to Table 7, Item 16 response.

	has been made aware of the potential need to amend their plans but has opted not to provide a visibility assessment. If visibility issues are identified during the EA stage and cannot be resolved without altering the scheme plan or lot boundaries, a consent variation may be necessary. While the Applicant has indicated that a visibility assessment will be provided at the EA stage, Auckland Transport strongly recommends that this assessment be submitted now. Early identification of visibility constraints allows for more effective mitigation and avoids complications at later stages when scheme plans may already be approved.	
6.0	Intersection Spacing on Waiwai Drive	
6.1	The proposed layout includes closely spaced T-intersections along Waiwai Drive between Stages 10 and 11, as shown in Woods Drawing P24-128-00-2047-RD. This configuration may result in conflicts between turning vehicles, resulting in road safety and operation risks. Auckland Transport is also concerned about the potential impact of nearby bus stops on visibility at these intersections and recommends that the Applicant assess and mitigate these issues at this stage.	Duplication. Please refer to Table 7, Item 17 response.
6.2	Auckland Transport also has concerns regarding limited pedestrian visibility at the zebra crossing near the WaiWai Drive/Local Road 02/Local Road 04/ Stream Edge Road 01, particularly when looking to the left. This issue may be worsened by buses stopped at adjacent bus stops, further obstructing sightlines. The Applicant has been encouraged to assess this risk and propose appropriate mitigation measures. However, similar to the intersection concerns, these matters have not been addressed at this stage.	Duplication. Please refer to Table 7, Item 17 response.
7.0	Intersection Spacing on Collector Road 01 (Stage 12)	

7.1	A similar concern exists on Collector Road 01 in Stage 12, where T-intersections are located too closely. Auckland Transport suggests relocating the eastern intersection one lot south to improve spacing and reduce potential conflicts.	Duplication. Please refer to Table 7, Item 18 response.
8.0	Direct Lot Access to Collector Road	
8.1	Three lots on the west side of Waiwai Drive have direct access to the Collector Road, which is not considered desirable due to the resulting safety (conflict points with active modes) and efficiency effects (slowing down buses). Auckland Transport recommends that the Applicant explore options to reduce or eliminate these accesses, such as adjusting lot boundaries or introducing a Jointly Owned Access Lot (JOAL).	This arrangement is consistent with all other sections of Waiwai Drive and all other collector roads within Milldale. The arrangement has been assessed by the project transport engineer and is considered to be acceptable. There are no standards that we are aware of that would preclude vehicle access onto a Collector Road.
9.0	Stormwater and Hazards - Stage 4C	
9.1	As per Auckland Transports Raingarden Safety Practice Note 03, roadside raingardens are required to be in accordance with Auckland Transport's Bioretention Design Guide Version 2 published in February 2025. The current design will not be in accordance with this guide and may not be feasible with the current road reserve boundaries. For example, the width required for a raingarden according to Auckland Transport's Bioretention Design Guide Version 2 published in February 2025, is 2.5 metres plus 0.5 metres buffer for safety (so that pedestrians do not fall into the raingarden). The width proposed by the Applicant is 2.4 metres, and there is no buffer between pedestrians and the raingardens. For these reasons, Auckland Transport may not be able to accept the proposed raingardens for vesting on the basis it may cause serious injuries as result of pedestrians falling into them.	This matter has been addressed in the Engineering Response Memorandum (**Appendix 7A**)
10.0	Stormwater and Hazards – Stage 10 - 13	

10.1	For the current proposal, there are some concerns in relation to flooding hazards which can result in safety issues and damage to property if no adequate assessment has been provided: The Applicant has not provided road long-section drawings. Additionally, the Overland Flow Path (OLFP) calculations appear to use incorrect input values, including road slopes that, in some instances, exceed Auckland Transport's maximum allowable gradient of 12.5% for roads intended to be vested. For example, Section A-A on drawing P24-128-00-3021-DR applies a road slope of 0.276 m/m (equivalent to 27.6%) to calculate OLFP parameters such as flow depth and velocity for a 100-year rainfall event. Further information is required to determine whether the assets proposed for vesting appropriately address safety concerns and avoid potential property damage.	This matter has been addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**)
10.2	For the current proposal, there are some concerns in relation to flooding hazards which can result in safety issues and damage to property if no adequate assessment has been provided: OLFPs 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 Transport's TDM. In relation to these safety requirements, the calculations provided show the depth x velocity products significantly exceed the maximum value for safety of pedestrians. This is a major concern for pedestrians' safety during major rainfall events that are expected to become more frequent in the future. Aukland Transport requires that new designed roads are safe for use, and at this stage this does not appear to be the case.	This matter has been addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**)

	The Applicant should note that the design of an unsafe road may not be granted EA in later stages.	
10.3	Although some provision for fish passage has been shown in the details for the proposed culverts, no assessments have been provided that show the proposed culverts will meet the requirements of the National Environmental Standards for Freshwater 2020. The Applicant has proposed fish baffles but also has the culverts 25% below upstream/downstream bed levels, meaning the baffles may become fully covered by bed substrate, negating any benefits they provide to fish passage. The bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time.	The culverts have been designed to allow for Fish Passage in accordance with the National Environmental Standards for Freshwater 2020. Please refer to the lodged Ecological Impact Assessment (Appendix 2C).

4.8 Feedback from Watercare

In addition to the feedback from Watercare included as Annexure 3 to the Auckland Council Planning Memorandum, comments were provided directly to the EPA by Watercare. These are addressed in **Table 12** below. In addition, a legal memorandum has been prepared and is included in **Appendix 7X**.

A summary of communication with Watercare following lodgement of the Substantive Application is provided below:

- Watercare letter dated 10 July previously provided to the Expert Panel in response to Minute #3;
- Applicant response to Watercare from the Applicant's technical advisors dated 31 July 2025; and
- Watercare letter dated 04 August 2025.

A copy of all correspondence with Watercare referred to above is included in **Appendix 7W.**

It is noted that prior to and following the lodgement of the Substantive Application the Applicant has met with Watercare on a weekly basis to discuss the proposed WWTP. The Applicant continues to work with Watercare in relation to the matters they have raised on the RO unit and will keep the expert Panel updated with respect to progress on the technical matters raised.

Table 12: Feedback from Watercare

Item No.	Comment	FHLD Feedback
1.0	Principle Issues	
1.1	Unable to confirm support for the acceptance of RO waste stream into the wastewater network until further information is provided and further discussions are held. As outlined in our letter to Grant Fahey, dated 10 July, 2025 any in principle agreement to the discharge of the RO waste stream applies only in certain limited scenarios and is subject to strict conditions. As noted, this aspect requires further discussion and agreement. Support is also subject to confirmation of flow volumes, discharge rates, quality parameters, and the formalisation of operational responsibilities through a binding agreement. As we understand, the use of RO for wastewater in New Zealand is relatively untested. The current testing undertaken at Army Bay WWTP does not cover the specific contaminants expected in the RO waste stream. If a decision is made to accept the RO waste stream, we would expect that, as part of any future commercial agreement, the cost of additional targeted testing would be borne by the Applicant.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).
1.2	Furthermore, we remain uncertain whether the Applicant will be able to meet the requirements set out in our letter and this technical memo—specifically, that the discharge is not detrimental to the operation, integrity or compliance of the Watercare network or the Army Bay WWTP.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).
1.3	The proposal assumes emergency storage is not required, as untreated flows would bypass the private WWTP and remain in the Watercare transmission line in the event of plant failure. 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.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).

	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.	
2.0	Pedestrian Bridge 5	
2.1	The proposal to strap a wastewater pipe under Bridge 5 raises concerns around asset protection, long-term maintainability, and unclear ownership responsibilities. Watercare does not intend to assume ownership or shared responsibility for bridge structures, particularly those serving dual functions. Watercare considers this a critical issue that must be addressed at the Engineering Approval (EA) stage, once sufficient technical detail is available.	Noted. This matter has been addressed in the Stage 10 – 13 Engineering Response Memorandum (**Appendix 7A**).
3.0	Watercare's Position for Wastewater Servicing	
3.1	Watercare's support is conditional on the timely delivery of the Stage 8 connection, without which wastewater servicing to a significant portion of the development (Stages 10, 11, and 12D) would not be feasible. Additionally, this support is subject to the Applicant's ability to meet the requirements outlined above regarding the RO waste stream—specifically, that the discharge does not adversely affect the operation, integrity and compliance of the Watercare network or the Army Bay WWTP.	The discharge will not adversely affect the operation, integrity and compliance of the Watercare network or the Army Bay WWTP. This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).
4.0	Section 67 Information Gap	
4.1	While the application documents and Appendix 4K – Wastewater Treatment Plant Design Report outlines the proposed treatment process and indicates that the RO waste stream will be reintroduced into the Watercare transmission main under a bespoke Trade Waste Agreement, it does not provide sufficient information for Watercare to assess the potential risks associated with this discharge to make an informed decision regarding acceptance of the waste stream. Specifically, the report does not adequately address:	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).

	The composition and variability of the RO waste stream, including concentrations of salts, nutrients, trace contaminants, and any emerging 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. Due to the above information gaps, this proposal currently presents a high level of risk to Watercare. 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.	
5.0	Further information requested	
5.1	A detailed characterisation of the RO waste stream under a range of operational scenarios. This should include concentrations of key parameters such as salts, nutrients, heavy metals, organic compounds, emerging contaminants, and any other substances of concern.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).
5.2	What plans are in place for the disposal of other concentrated waste streams generated by the wastewater treatment system, such as those produced during routine backwash and chemical cleaning cycles (Clean-In-Place waste stream), and centrate or filtrate produced during dewatering of waste activated sludge?	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).

5.3	Clear flow rate profiles, including daily averages and peak discharge volumes.	This matter is addressed in the Wastewater Treatment Memorandum (Appendix 7O).
5.4	An assessment of potential impacts on Watercare's infrastructure and regulatory compliance.	This matter is addressed in the Wastewater Treatment Memorandum (Appendix 7O).
5.5	The proposed operational and monitoring controls, including sampling protocols, alert thresholds, and reporting requirements.	This matter is addressed in the Wastewater Treatment Memorandum (Appendix 7O).
5.6	A comprehensive testing regime, including: Pre-discharge baseline testing for key parameters (e.g., salinity, nutrients, heavymetals, trace organics) Ongoing discharge quality monitoring at defined intervals Defined roles and responsibilities for sampling, analysis, and reporting Escalation procedures for exceedances or system failures Clear contingency measures in the event of treatment failure or non-compliant discharge. Until this information is provided and jointly reviewed, Watercare cannot confirm its support for the proposed discharge of the RO waste stream into its network.	This matter is addressed in the Wastewater Treatment Memorandum (Appendix 7O).
6.0	Recommendations	
6.1	Finalisation of the wastewater and water servicing design through the Engineering Approval (EA) process.	Noted.
6.2	Water Infrastructure is staged to align with development rollout and Watercare's transmission upgrades.	This is addressed in proposed Conditions 91 and 92. Development must not occur unless there is capacity in the network to service development, which will be addressed. This provides an additional measure of certainty.
6.3	Confirmation of critical infrastructure dependencies, including the timely delivery of the Stage 8 wastewater connection.	Again, this is addressed by proposed Conditions 91 and 92. The lodged resource consents, and updated assessments demonstrate that there is capacity available in the network with upgrades in place, including on-site. Development cannot occur until there is servicing in place, and any

		detailed inter-dependencies can be addressed through detailed construction staging and the EA process.
6.4	Further discussion and agreement on the proposed return of RO reject water to the Watercare network. This will be subject to a detailed assessment of flow volumes, discharge rates, quality, and potential network as well as environmental impacts, to ensure compliance with regulatory obligations. If deemed acceptable, this must be formalised through a Trade Waste Agreement. Watercare's support for this component is not confirmed at this stage.	Noted and these discussions are on-going. The Wastewater Treatment Memorandum (**Appendix 7O)** demonstrates that the concerns outlined by Watercare are not valid and the public network can safely and efficiently accommodate the RO reject water as proposed in the lodged application and previously agreed with Watercare. It is unclear why Watercare has changed their position at this late stage.
6.5	Execution of a formal agreement between Watercare and FHLDL documenting the temporary WWTP arrangement — including flow volumes, discharge quality, monitoring requirements, and commercial terms.	Noted. This can occur separately to the resource consent process and will be required prior to the satisfaction of Condition 91.
6.6	Implementation of emergency storage onsite wastewater buffer storage and a contingency plan that ensures operational failures can be managed without relying on Watercare's infrastructure.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**).
6.7	Implementation of appropriate monitoring measures to ensure compliance with the agreed flow volumes, discharge rates, and discharge quality standards.	This matter is addressed in the Wastewater Treatment Memorandum (**Appendix 7O**). See also the recommended amendments to the proposed Conditions in **Volume 8**.
6.8	Decommissioning of the temporary WWTP within 12 months of the Army Bay WWTP upgrades becoming operational.	See the recommended amendments to the proposed Conditions in **Volume 8**.

5.0 Response to Council's Proportionality Assessment

Dylan Pope has provided a Planning Memorandum on behalf of Auckland Council which details the outcome of his peer-review of the lodged Application. Mr Pope outlines a range of further information that is required to assist with his overall assessment. We have generally provided this information in the technical advice attached to this report. Where we have not provided the information, we state our reasons for this.

Throughout Mr Pope's assessment he refers to a "proportionality assessment". It is unclear what this assessment is or its statutory basis, however, we assume that that this is with reference to Section (85)(3) of the FTAA. This section states that the Panel may decline an application if the adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits. Mr Pope states that a "proportionality assessment" may be required for:

- Wastewater effects;
- Ecology effects; and
- Parks effects.

As discussed above, "parks effects" is not an effect on the environment. If Mr Pope is referring to who would own and maintain these spaces in the future, then this is addressed in Section 3.5 of the report above. The analysis in the lodged application, together with the updated detailed design information provided demonstrates that the size, location and function of proposed open spaces would be entirely consistent with the relevant objectives and policies of the AUP:OP, including E38.3(10) and (18).

In terms of ecology effects, the further wetland assessments and analysis provided by Viridis reinforce our analysis and findings in the lodged AEE. In relation to wastewater, Mr Pope is concerned about the matters raised by Watercare. These focus on the effects of the RO waste stream on the public network. Apex has addressed this matter comprehensively and conclude that the discharge would not adversely affect the network, noting that this matter will also be considered again through separate Bylaw processes discussed in the report above.

Overall, in our opinion, the additional information provides the Panel with greater surety that the adverse impacts of the proposal on the environment will be less than minor, and not sufficiently significant to be out of proportion with the project's regional benefits as quantified by Insight Economics.

6.0 Conclusion

This Planning Update has been prepared to support the Expert Panel's consideration of the Milldale Substantive Application under the FTAA. It responds to feedback received from Auckland Council and other parties, provides clarification on additional consent requirements, and documents refinements made to the proposal since lodgement.

The supplementary assessment confirms that the proposal continues to result in effects that are acceptable and appropriately managed through the revised conditions of consent. No material change to the conclusions of the lodged Assessment of Environmental Effects is required. This information is provided to assist the Panel in its decision-making under the FTAA.