



# Fulton Hogan

LAND DEVELOPMENT LTD.



## WOODS

EST.1970

## B&A

Urban & Environmental

# Volume 1: Milldale Evaluation & Overview Report

Milldale, Wainui

Fast-track Approvals Act 2024 Substantive Application

28 March 2025

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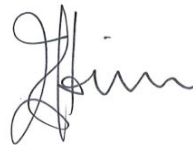
28 March 2025

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## Volume 1 Evaluation & Overview Report Appendices

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## Acronyms Table

The Acronyms and Terms table included in **Table 1** below, applies to all acronyms and terms used across **Volumes 1 – 6** of this application.

**Table 1: Acronyms and Terms Table**

Acronym / Term	Definition
ACM	Asbestos Containing Material
AEE	Assessment of Effects
AMP	Adaptive Management Plan
Apex	Apex Water
Application	Substantive Application under Section 42 of the Fast-Track Approvals Act 2024
AT	Auckland Transport
ATCOP	Auckland Transport Code of Practice 2013
ATTCC	Auckland Transport Traffic Control Committee
AUP(OP)	Auckland Unitary Plan (Operative in Part)
B&A	Barker and Associates Limited
BMP	Bat Management Plan
BUN	Bundled Consent
ChTMP	Chemical Treatment Management Plan
CMP	Construction Management Plan
CMW	CMW Geosciences
CNVMP	Construction Noise and Vibration Management Plan
Council	Auckland Council
CPTED	Crime Prevention Through Environmental Design
CTMP	Construction Traffic Management Plan

Acronym / Term	Definition
DEB	Decanting Earth Bunds
DIS	Discharge Consent
DMP	Dust Management Plan
DWF	Dry-Weather Flow Rate
EA	Engineering Approval
EIA	Ecological Impact Assessment
EMP	Environmental Management Plan
EPA	Environmental Protection Authority
ERP	Emergency Response Plan
ESCP	Erosion and Sediment Control Plan
FHLD	Fulton Hogan Land Development Limited
FMP	Fauna Management Plan
FPMMP	Fish Passage Monitoring and Maintenance Plan
FTAA	Fast-Track Approvals Act 2024
FUZ	Future Urban Zone
GAR	Geotechnical Assessment Report
GCR	Geotechnical Completion Report
GD01	Stormwater Management Devices in the Auckland Region – Auckland Council Guidance Document 2017/001
GD05	Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region - Auckland Council Guidance Document 2016/005
GES	Groundwater and Environmental Services
GIR	Geotechnical Investigation Report
HAIL	Hazardous Activities and Industries List

Acronym / Term	Definition
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPT Act	Heritage New Zealand Pouhere Taonga Act 2014
IMP	Iwi Management Plan
JOAL	Jointly Owned Access Lot
LCID	Land Contact Infiltration Device
LCZ	Local Centre Zone
LINZ	Land Information New Zealand
LMP	Landscape Maintenance Plan / Lizard Management Plan
LUC	Land Use Consent
LUS	Streamworks Consent
MABR-MBR-RO	Hybrid Membrane Aerated Biofilm Reactor with Tertiary Membrane Treatment
MCA	Multi-Criteria Assessment
MfE	Ministry for the Environment
MHS	Residential Mixed Housing Suburban zone
MHU	Residential Mixed Housing Urban zone
NCZ	Business - Neighbourhood Centre Zone
NDC	Network Discharge Consent
NESCS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
NES-F	National Environmental Standard for Freshwater 2020
NFCRP	Native Fish Capture and Relocation Plan
NPS-FM	National Policy Statement on Freshwater Management 2020
NPS-IB	National Policy Statement on Indigenous Biodiversity 2023



Acronym / Term	Definition
NPS-UD	National Policy Statement on Urban Development 2020
NZCPS	New Zealand Coastal Policy Statement 2010
OMM	Operation and Maintenance Manual
OMP	Operation and Maintenance Plan
OMP	Odour Management Plan
OSCZ	Open Space Conservation zone
Overview Report	The Evaluation & Overview Report (Volume 1)
PPE	Personal Protective Equipment
Project	The Milldale Stages 10 – 13, Stage 4C, and temporary Wastewater Treatment Plant proposed through this Substantive Application.
PSI	Preliminary Site Investigation
PT	Public Transport
RDOC	Residential Design Outcomes and Controls Document
RMA	Resource Management Act 1991
ROT	Record of Title
RPS	Regional Policy Statement
RUB	Rural Urban Boundary
SCADA	Supervisory Control and Data Acquisition
SEA	Significant Ecological Area
SECP	Sediment and Erosion Control Plan
SEV	Stream Ecological Value
SF	Silt Fence
SHZ	Residential Single House zone
SMAF	Stormwater Management Area

Acronym / Term	Definition
SMAF-Flow 1	Stormwater Management Area – Flow 1
SMP	Settlement Monitoring Plan / Stormwater Management Plan
SMRAP	Site Management and Remedial Action Plan
SRP	Sediment Retention Ponds
SUB	Subdivision Consent
SVR	Site Validation Report
SWMP	Stream and Wetland Management Plan
THAB	Residential - Terraced Housing and Apartment Buildings Zone
VTa	Visual Tree Assessment
WAS	Waste Activated Sludge
WAT	Groundwater Diversion Consent
WEW	Wetland Ecological Valuation
WMP	Waste Management Plan
Woods	Wood & Partners Consultants Limited
WWTP	Wastewater Treatment Plan
WWFL	Wet-Weather Flow Rate
WWLA	Williamson Water & Land Advisory

## 1.0 Applicant and Property Details

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To:	Environmental Protection Authority (EPA)
Site Address:	Milldale, Wainui, Auckland
Applicant Name:	Fulton Hogan Land Development Limited (FHLD)
Address for Service:	Wood & Partners Ltd   Barker & Associates Ltd Attention: Euan Williams & Rachel Morgan
Legal Description:	Various (refer to Records of Title as <b>Appendix 1A</b> )
Site Area:	78.24ha
Site Owner:	Fulton Hogan Land Development Limited
Unitary Plan:	Auckland Unitary Plan (Operative in Part) ( <b>AUP (OP)</b> )
AUP(OP) Zoning:	Residential – Single House, Mixed Housing Suburban, and Mixed Housing Urban; Terrace Housing and Apartment Building, Business – Local Centre, and Open Space – Conservation, Future Urban
AUP(OP) Precinct:	Wainui Precinct
AUP(OP) Overlays & Controls:	Macroinvertebrate Community Index – Rural Macroinvertebrate Community Index – Exotic Macroinvertebrate Community Index – Native
Designations:	N/A
Additional Limitations:	Water and/or Wastewater Constraints Control; Precinct; Flood Plains
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Stages 10-13 and Stage 4C of the Milldale development, together with a supporting temporary wastewater treatment plant.
Summary of Reasons for Consent:	Refer to Section 9.0.

## 2.0 Statement of Qualifications and Experience

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The following is a statement of the qualifications and experience of the Planners involved in preparing this substantive application. The qualifications and experience of the specialists involved are set out in their respective individual reports.

### Emma Howie – General Manager, Wood & Partners Consultants Limited

I am a Planner / General Manager of Planning & Urban Design at Wood & Partners Consultants Limited (**Woods**). Woods is a multi-disciplinary consultancy specialising in planning, urban design, engineering, water infrastructure, and surveying. I have been employed at Woods in two periods, first from 2013 to 2016 and again from 2023 to the present.

I hold a Bachelor of Planning (Hons) from the University of Auckland | Waipapa Taumata Rau, completed in 2010, and am a Full Member of the New Zealand Planning Institute | Te Kōkiringa Taumata.

I have over 14 years of professional experience in resource management planning, spanning both the public and private sectors. My experience includes land development and subdivision projects, with a focus on delivering master planned communities in Pōkeno, Long Bay, Hingaia, Paerata Rise, and Milldale. I have also led planning for large-scale infrastructure projects, including the Notice of Requirement for Auckland Airport's second runway and the planning of new schools and kura across Aotearoa. My expertise covers the preparation and management of a broad range of planning applications, including district and regional resource consents for bulk earthworks, subdivisions, discharges, and integrated residential developments, as well as the preparation of Notices of Requirement and Outline Plans. I have been involved in submissions on planning documents and the preparation and presentation of planning evidence at Council hearings and have participated in Environment Court mediation.

I confirm that, in my capacity as an author and reviewer of parts of this substantive application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

### Euan Williams – Principal Planner, Wood & Partners Consultants Limited

I am a Principal Planning Consultant at Woods. Woods is a multi-disciplinary consultancy specialising in planning, urban design, engineering, water infrastructure and planning, and surveying. I have been employed at Woods since 2016.

I hold the qualifications of Bachelor of Arts (Geography) from the University of Auckland | Waipapa Taumata Rau and Master of Resource Management (Hons) from Lincoln University | Te Whare Wānaka o Aoraki. I am a full member of the New Zealand Planning Institute. I have completed the Making Good Decisions course, act as a hearing commissioner in Auckland, and have been on an Expert Consenting Panel for a Covid-19 Recovery (Fast Track Consenting) Act 2020 application.

I have 28 years of professional experience in the field of resource management planning and have worked in the public and private sectors. A significant part of my experience relates to land development and subdivision projects. I have extensive experience in leading and preparing resource consent applications for large scale and multi-stage master planned residential projects including Milldale, Millwater, Long Bay, Paerata Rise and Hingaia. These projects involve consents

for stormwater discharges, bulk earthworks, stream and wetland reclamations, offset proposals, subdivision, multi-unit housing, roading, and infrastructure.

I confirm that, in my capacity as author and reviewer of parts of this substantive Application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

#### Hannah O'Kane – Associate Planner, Wood & Partners Consultants Limited

I am an Associate Planner at Woods. Woods is a multi-disciplinary consultancy specialising in planning, urban design, engineering, water infrastructure, and surveying. I have been employed at Woods since May 2024.

I hold a Bachelor of Planning (Hons) from the University of Auckland | Waipapa Taumata Rau, completed in 2012.

I have over 13 years of professional experience in resource management planning, spanning both the public and private sectors. I have extensive experience in resource management, having worked with a diverse range of clients including land developers, commercial businesses, local councils, iwi authorities, and private landowners. My work has encompassed the preparation of resource consent applications, notice of requirement submissions, policy and plan review feedback, and the drafting and presentation of planning evidence at Council hearings. At Woods, I have been involved in securing consents for Stage 8 and 9 of Milldale and served as the lead planning consultant for the resource consents of FHL D projects in Drury East.

I confirm that, in my capacity as an author of parts of this substantive application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

#### Joanne Sunde – Senior Associate Planner – Woods & Partners Consultants Limited

I am a Senior Associate Planning Consultant at Woods. Woods is a multi-disciplinary consultancy specialising in planning, urban design, engineering, water infrastructure and planning, and surveying. I have been employed at Woods since March 2024.

I hold the qualifications of Bachelor of Planning (Hons) from the University of Auckland | Waipapa Taumata Rau, which I completed in 2006. I am an intermediate member of the New Zealand Planning Institute. I have 14 years experience in the planning and property industry including a planning consultant at a specialist planning firm, a development manager at Bunnings Limited, and an independent planning consultant contractor.

I have broad experience in the resource management field working on behalf of a range of clients including land developers, commercial entities, Councils, iwi authorities and individual landowners. This has involved preparation of resource consent applications, private plan change requests, designations, policy and plan review submissions, and preparation / presentation of planning evidence at Council hearings. In my role at Woods, I have been the lead planning consultant delivering residential superlot developments across Milldale on behalf of FHL D's build partners.

I confirm that, in my capacity as author of parts of this substantive Application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.



#### Magdalena Regnault – Senior Planner, Barker & Associates Limited

I am a Senior Planner at Barker & Associates (**B&A**). B&A is a planning, urban design and landscape consultancy with offices around New Zealand. I have been employed at B&A since March 2014.

I hold the qualifications of Bachelor of Arts and Post-graduate Diploma in Planning from Massey University. I am an Associate Member of the New Zealand Planning Institute. I have 5 years of experience in planning, in the private and public sector.

I have a broad range of experience in resource management working on behalf of a range of clients including land developers, commercial entities and Councils in Wellington and around New Zealand. This has involved preparation of resource consent applications, private plan change requests, policy and plan review submissions.

I confirm that, in my capacity as author of parts of the substantive application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

#### Rachel Morgan – Director, Barker & Associates Limited

I am a Planner / Director at B&A. B&A is a planning, urban design and landscape consultancy with offices around New Zealand. I have been employed at B&A since March 2014.

I hold the qualifications of Bachelor of Arts and Masters of Planning Practice (First Class Hons) from the University of Auckland. I am a Full Member of the New Zealand Planning Institute. I have 16 years of experience in planning, in the private and public sector.

I have a broad range of experience in resource management working on behalf of a range of clients including land developers, commercial entities and Councils in Auckland and around New Zealand. This has involved preparation of resource consent applications, private plan change requests, strategic and spatial planning projects, policy and plan review submissions, and preparation / presentation of planning evidence at Council hearings and Environment Court.

I confirm that, in my capacity as author and reviewer of parts of this substantive Application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

## 3.0 Executive Summary

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This report is submitted in support of FHLD's application to the Environmental Protection Authority (EPA) to authorise Stages 10-13 and Stage 4C of the Milldale development, together with a supporting temporary wastewater treatment plant.

Collectively Stages 10-13 and Stage 4C will provide capacity for approximately 1,155 detached and terraced dwellings and supporting commercial services in the form of a compact Neighbourhood Centre. This includes:

- 168 two storey terraced dwellings within Stage 4C;
- One superlot within Stage 4C that will provide capacity for approximately 68 dwellings in apartment and/or terraced typologies;
- 623 vacant residential lots across Stages 10-13 that have been sized to accommodate complying development;
- 27 residential superlots across Stages 10-13 that provide capacity for approximately 296 terraced dwellings; and
- One neighbourhood centre superlot that provides capacity to establish 855m<sup>2</sup> of commercial floorspace.

A series of public open spaces are proposed, as well as supporting transport, utilities, and three waters infrastructure. A temporary wastewater treatment plant (WWTP) is included in the application in the event that there are short term capacity constraints at the Army Bay wastewater treatment plant. This may or may not eventuate, and this aspect of the proposal is therefore included as a precaution.

This report has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 (FTAA). The FTAA is part of the Government's response to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The FTAA establishes an Expert Consenting Panel to determine applications for resource consent. This replaces the role of local authorities as consenting authorities under the Resource Management Act 1991 (RMA). Two categories of projects can use the FTAA and be considered by a panel: Listed Projects and Referred Projects. This proposal is a Listed Project in Schedule 2 of the FTAA. This application is being made in accordance with section 40 of the FTAA.

During the preparation of the development proposal, the applicant and its representatives have undertaken consultation with Auckland Council, including Healthy Waters, Auckland Transport and Watercare. Consultation was also undertaken with the relevant Iwi Authorities who wished to be involved (Ngāti Manuhiri and Te Kawerau ā Maki) as well as the Administering Agencies, which included Heritage New Zealand. The objective of this consultation was to discuss the proposal and infrastructure proposed to service the development, understand any issues that may exist with the site, locality and development as well as the information requirements needed for the application. This consultation meets the requirements of Section 29 and 11 of the FTAA.

The proposal requires resource consent under the Auckland Unitary Plan: Operative in Part 2016 (AUP(OP)), the National Environmental Standards for Freshwater 2020 (NES-F) and the National



Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (**NESCS**). The proposal also requires an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPT Act**).

This application and Assessment of Environmental Effects (**AEE**) has been prepared in accordance with Section 43 of the FTAA and provides a description of the proposal and explains how the project is consistent with the purpose of the FTAA. We also provide an assessment of actual and potential effects on the environment consistent with the requirements of Schedule 5 of the FTAA. With respect to the archaeological authority, this application also addresses the matters set out in Schedule 8 of the FTAA. Finally, this application has also included a description of the mitigation measures including any relevant management plans, monitoring requirements, and conditions of consent.

Overall, the proposal achieves the purpose of the FTAA to facilitate the delivery of infrastructure and development projects with significant regional and national benefits.

Furthermore, the proposal is considered to achieve the purpose and principles of the RMA, particularly as it relates to the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, the protection of historic heritage and the relationship of Māori with their taonga. The proposal is also considered to be consistent with the relevant provisions of the relevant National Policy Statements and the AUP(OP).

A comprehensive AEE has been prepared with supporting technical advice which concludes that any adverse effects on the environment will be less than minor and that the proposal will result in several positive effects, including economic, social and ecological net gain.



## 4.0 Introduction

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This Substantive Application (**Application**) has been made by FHLD to the EPA for approvals relating to the Milldale development. This application relates to the Milldale Stages 10 – 13, Stage 4C and WWTP Project (the **Project**). This Application has been made in accordance with the requirements of the FTAA.

Collectively, Stages 10 - 13 and Stage 4C of the Project will provide capacity for approximately 1,155 detached and terraced dwellings and supporting commercial services in the form of a compact Neighbourhood Centre. The WWTP has been included in the application in the event that there are short term capacity constraints at the Army Bay wastewater treatment plant. Although this may not eventuate, this aspect of the proposal is therefore included as a precaution.

As a Listed Project in Schedule 2, this Application has been made in accordance with s42 of the FTAA and approval is sought for:

- Resource Consents that would otherwise be sought under the RMA; and,
- An Archaeological Authority that would otherwise be applied for under the HNZPT Act.

### 4.1 Structure of the Application

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The Application includes three discrete and connected parts of the Milldale Development. Given the amount of information and plans relating to each part of the application, along with the proposed conditions of consent, to aid decision-making by the Panel, we have separated the Application into **Six Volumes**:

- **Volume 1:** Evaluation & Overview Report (this document);
- **Volume 2:** Milldale Stages 10 – 13;
- **Volume 3:** Milldale Stage 4C;
- **Volume 4:** Milldale WWTP;
- **Volume 5:** Archaeological Authority; and
- **Volume 6:** Conditions of Consent.

The Application information and supporting AEE included in **Volumes 2 – 4** provide a detailed assessment of each respective part of the development. These volumes have the relevant Application Plans and supporting technical reports appended. Additionally, these volumes include a comprehensive description of that part of the proposal, the specific reasons for consent, and a summary of the technical assessments undertaken. Each volume also contains a thorough AEE, along with an evaluation of relevant policy documents, standards, and plan provisions. The assessment considers proposed mitigation measures, monitoring, and the proposed conditions of consent, to ensure that potential effects are appropriately managed.

The Archaeological Authority in **Volume 5** provides a detailed assessment of the removal of the recorded archaeological site within Stage 10 and other works covered by the authority. This includes a detailed proposal description and a summary of the technical analysis undertaken to

evaluate the proposal. It also includes a detailed assessment of the archaeological, Māori and other relevant values of the site and the effect of the proposed activity on those values.

The Conditions of Consent in **Volume 6** includes the proposed conditions covering Milldale Stages 10 – 13, Stage 4C and the WWTP, and the Archaeological Authority.

## 4.2 Purpose of this Evaluation and Overview Report

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As set out in Section 4.0 above, the documentation relating to this application has been separated into six volumes covering separate parts of the Project. This Evaluation & Overview Report (**Overview Report**) is referred to as **Volume 1**.

The purpose of this Overview Report is to provide a high-level summary of the project, outline the applicant and project background, site context, the proposed development, the approvals required, and the proposed conditions of consent.

This Overview Report also provides sufficient detail to confirm that the application has met the requirements for a Substantive Application under the FTAA and provides an assessment of the application against the Purpose of the FTAA as set out under s3, confirming the significant regional or national benefits.

Additionally, this Overview Report provides a strategic assessment of the proposal's effects and evaluates it against all relevant statutory planning documents. By considering all elements of the proposal cohesively across Milldale Stages 10 – 13, 4C and the WWTP, the Overview Report ensures that the potential effects are assessed and considered in an integrated manner. This approach complements the detailed assessments within the respective application volumes.

Finally, a summary of the assessment of the application against clause 17 of Schedule 5 of the FTAA has been provided within this Overview Report.

## 5.0 Requirements under the Fast-Track Approval Act 2024

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### 5.1 Referral Application

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This proposal is a Listed Project in Schedule 2 of the FTAA. Section 43(2) of the FTAA requires that a substantive application for a Listed Project contain the information required by s13(4). These matters are largely similar to the information required under s43 of the FTAA. For this reason, the information requirements are addressed within the report and are not duplicated here.

Schedule 2 of the FTAA specifies the following details for the project:

- **Authorised person:** Fulton Hogan Land Development Limited;
- **Project name:** Milldale—Stages 4C and 10 to 13;
- **Project description:** Earthworks and site work for approximately 1,100 residential allotments; and
- **Approximate geographical location:** Wainui Road, Argent Lane, Lysnar Road, and Cemetery Road, Wainui, Auckland.

For completeness, a copy of the Referral Application is included as **Appendix 1C**.

## 5.2 Substantive Application

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As a Listed Project in Schedule 2, this Application has been made by FHLD in accordance with s42 of the FTAA.

Under s42(4), this substantive application is seeking approvals for:

- A resource consent that would otherwise be applied for under the RMA (s42(4)(a)); and
- An Archaeological Authority that would otherwise be applied for under the HNZPT Act (s42(4)(i)).

Section 43 of the FTAA sets out the information to be included in substantive applications. The information provided in this application across Volumes 1 - 6, as required by s43 of the FTAA, is specified in sufficient detail to satisfy the purpose for which it is required. Specifically, the application:

- Explains how the proposal is consistent with the purpose of the FTAA;
- Demonstrates that the project does not involve an ineligible activity;
- Describes the proposed activity and map of the project area including details of the Applicant's legal interest in the project area and how that affects their ability to undertake the work;
- Outlines the anticipated commencement and completion dates for construction activities including staging;
- Describes the anticipated and known adverse effects of the project on the environment;
- Lists of the persons or groups that are considered likely to be affected by the project and summary of the consultation undertaken and a list of any Treaty Settlements that apply to the project area;
- Outlines of the types of consents and other authorisations that are considered necessary for the project (consent matters) and whether any of those activities have been the subject of an application or decision under a specified Act;
- Describes whether and how the project would be affected by climate change and natural hazards;
- Confirms that no compliance or enforcement actions have been taken against the Applicant under a specified Act;
- Meets the detailed information and assessment requirements of Clauses 2 and 5 of Schedule 5.

As required by clause 5(1)(5) – Schedule 5, we confirm that the application complies with the requirements of s46(2)(a), (b) and (d). Specifically, we confirm that:

- The application complies with sections 42-44 of the FTAA as demonstrated throughout this application and as summarised in the FTAA checklist in **Appendix 1B**;
- The application relates solely to a Listed Project in Schedule 2 of the FTAA;
- All fees, charges or levies payable under regulations have been paid.

The FTAA checklist is included in **Appendix 1B**, which confirms that this application meets the requirements.

## 6.0 Project Background

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### 6.1 Introduction to the Applicant

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FHLD is one of New Zealand's largest residential land development companies and has made a significant contribution to housing supply in the Auckland region over the past 20 years through developments such as Dannemora, Millwater, Milldale and more recently Drury East. FHLD is also developing land for housing at Pokeno and One Tree Point in conjunction with Joint Venture partners, and in Christchurch and Wānaka.

FHLD own the majority of Wainui Precinct. Together with their build partners, they have delivered over 2,100 homes with a total capacity for approximately 4,000 homes within the Wainui Precinct.

FHLD is the authorised person of the project in Schedule 2 of the FTAA.

### 6.2 Planning Background

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#### 6.2.1 Milldale Development

Milldale is a master planned community located approximately 35 km north of Auckland Central and has been developed progressively since 2016. The wider Wainui Precinct has been zoned for urban development under the AUP(OP). The AUP(OP) provides for a mix of residential, business and open space zones that were informed by the original Wainui Masterplan. The AUP(OP) also applies the Wainui Precinct to the area, which includes additional requirements for the location of local infrastructure, including roads and open spaces. The Wainui Precinct is discussed further in section 7.3 below.

The development of Milldale is supported by Crown Infrastructure Partners through an agreement with FHLD. It is further supported by Auckland Council, Auckland Transport and Watercare, who have also entered into Infrastructure Funding Agreements with FHLD.

Situated just west of the Northern Motorway (SH1), near Silverdale, Milldale has been strategically developed to cater to Auckland's increasing demand for housing and infrastructure. Milldale is designed to provide approximately 4,000 dwellings, commercial land for a local town centre, public parks, riparian reserves, cycleways and walkways, and education facilities.

Milldale incorporates all land owned and controlled by the applicant located within the Milldale Precinct.

Bulk earthworks and subdivision consents have been approved by Council for the first nine stages of the Milldale development, with approximately 2,200 residential lots consented to date. Development of Stages 1 to 5 are now complete, with civil works on Stage 6 construction well advanced. Stages 7 and 9 are currently under construction, as is the Milldale Town Centre. As at late 2024, more than 1,220 homes have been constructed in Milldale, with a further 960 enabled by subdivision. Additionally, Ahutoetoe Primary School is now open (as are two pre-schools), and a Summerset retirement village is operating on site.

Milldale offers a mix of housing typologies, including standalone homes, terraced housing, and affordable housing options, to address the diverse needs of Auckland's population. The area is characterised by its modern residential neighbourhoods, carefully designed to integrate with the surrounding natural landscape.

The strategic location of Milldale provides excellent connectivity to major transport routes, including SH1 and the future Penlink connection, improving access to employment hubs in the North Shore and Auckland City. A bus service extends to Milldale. This, combined with the extensive active mode connections completed by FHLD (which includes a path under SH1 off Wainui Road and the recently completed multi-modal Highgate bridge over SH1 off John Farm Drive), all support sustainable travel options.

The Milldale project includes the restoration and creation of a number of key streams and ecological corridors. The vegetation within the completed stream corridors in the wider Milldale area has flourished and these areas have become exemplary riparian enhancement projects along with providing amenity and recreational corridors.

FHLD are committed to achieving high quality design outcomes for Milldale. In addition to the design standards that apply to development under the AUP(OP), FHLD require its Build Partners to adhere to the Milldale Design Guidelines<sup>1</sup>. The intent of the guidelines is to encourage a diversity of design solutions and produce a continuity of quality and interesting streetscapes that will benefit the overall look and feel of Milldale. FHLD review the proposed designs of its Build Partners to ensure that they adhere to the Design Guidelines. This process is secured through private covenants on the titles.

### 6.2.2 Wainui Precinct

Milldale is situated within the Wainui Precinct and is a key growth area identified under the AUP(OP) and covers an area of approximately 300 hectares.

The Wainui Precinct has been carefully planned to balance residential, commercial, and open-space land uses, providing a framework for creating a cohesive and well-functioning urban environment.

Key features of the Wainui Precinct include:

1. **Residential Development:** The precinct provides a variety of housing typologies, including medium- and low-density residential areas. This ensures a range of housing choices from stand-alone dwellings to apartments to cater to Auckland's diverse and growing population.
2. **Employment and Services:** Local and Neighbourhood Centre zones within the precinct are designed to facilitate local employment opportunities and provide essential services, reducing reliance on long commutes and supporting sustainable urban living.
3. **Transport Connectivity:** The Wainui Precinct benefits from proximity to major transport infrastructure, including SH 1 and the under construction Penlink project, which will enhance connectivity to Auckland's wider region. Planned upgrades to public transport and road networks further reinforce its accessibility.

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<sup>1</sup> Refer to Urban Design Report included in Volume 2 of the AEE for a copy of the Milldale Design Guidelines.

4. **Green Networks and Open Spaces:** Significant portions of the precinct are dedicated to green infrastructure, including parks, ecological corridors, and stormwater management systems. These spaces are designed to enhance biodiversity, provide recreational opportunities, and mitigate environmental impacts associated with urban development.
5. **Infrastructure Alignment:** The precinct aligns with key infrastructure investments, including water supply, wastewater management, and stormwater systems, to support sustainable growth in line with the AUP(OP)'s objectives.

The Wainui Precinct's development framework is underpinned by the AUP(OP)'s strategic direction to deliver quality urban environments, optimise land use, and ensure the efficient provision of infrastructure.

The Wainui Precinct Plan 1 (refer I544.10.1) in **Figure 1** below identifies the indicative road layout, key pedestrian links, streams, and reserve edge roads. Development undertaken within Milldale to date has been in general accordance with the Wainui Precinct. Stage 4C and 10 - 13 seeks to continue delivering the outcomes anticipated within the Wainui Precinct.





### 6.3 Milldale Consenting History

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A large extent of the Milldale development has already been developed, or resource consent has been approved for development to occur, including bulk earthworks and subdivisions. The locations of these previously granted consents are identified on the Existing Features Plans in **Volume 2**.

A Table of the Resources Consents approved within the Milldale development relating to the subsequent stages of development are included in **Appendix 1F**. In summary, the suite of resource consent has approved:

- Bulk earthworks and subdivision for Milldale Stages 1 – 9 (inclusive);
- Wainui Road Upgrades;
- Highgate Bridge;
- Wainui – Argent Lane Intersection;
- Local Centre; and
- Wainui East Network Discharge Consent – now incorporated into the Auckland-wide Network Discharge Consent (**NDC**).

Over the years, as the Milldale development has progressed, FHLD has maintained a consistent approach to key issues across the development area, ensuring alignment in how resource consent approvals have been sought. This has been supported by the continued use of largely the same consultant team throughout the project, providing consistency in assessments and oversight of the project delivery.

Key issues within the development area have been addressed, where possible, through standardised approaches within the consent framework. This has ensured a streamlined construction and delivery programme while also supporting the Auckland Council in its monitoring and compliance requirements.

An overview of the previous approaches to consenting under the AUP(OP) planning framework within Milldale and the specific relevance to this Application is provided below, which covers:

- Urban Design;
- Engineering Design;
- Stormwater Management;
- Adaptive Management – Bulk Earthworks;
- Freshwater Management;
- Groundwater Management;
- Blanket Land Use Consents;
- Neighbourhood Centre Zoned Land; and
- Integrated Residential Development – Milldale Build Partners.



#### 6.3.1.1 Urban Design

Since the inception of the Milldale Masterplan and the Wainui Structure Plan, the design objective for the development has been to create a high amenity residential development that responds positively to on-site features and provides good connections to the wider open space network. The design is underpinned by principles of connectivity and movement, urban form and amenity.

Each subsequent stage of the Milldale Development has carried this design philosophy through, ensuring a well-connected, integrated development. Whilst environmental outcomes and site constraints have needed to be balanced through the design phase of each stage of the project, including Stages 10 – 13 and Stage 4C proposed through this Application, the design has been grounded in ensuring good urban design outcomes are achieved.

#### 6.3.1.2 Engineering Design

This Application for Milldale Stages 10 – 13, Stage 4C and the WWTP is supported by a sufficient level of engineering design. The engineering drawings in **Appendices 2J, 3C and 4J** and the Infrastructure Report in **Appendix 2E, 3F and 4A** provide the necessary detail to understand the proposed land use and subdivision activities.

The Infrastructure Report outlines the development's design, covering key aspects such as earthworks and retaining, roading, stormwater, wastewater, and water supply, along with supporting calculations. These documents confirm that the proposed infrastructure and roading network will adequately service the development and have been designed in accordance with relevant guidelines and standards.

Overall, the engineering drawings and Infrastructure Report define the scope of the proposed activities and anticipated development outcomes. Sufficient land has been allocated for vesting in the Council to accommodate transport and stormwater infrastructure.

Following approval under the FTAA, Engineering Approvals (**EA**) will be prepared and submitted in general accordance with the consent conditions and approved plans. At this stage, detailed engineering design, calculations, and plans will be provided to the Council for review, ensuring compliance with its development engineering standards.

#### 6.3.1.3 Stormwater Management

The Wainui East Stormwater Management Plan (**SMP**), which was approved as part of the Wainui East Network Discharge Consent (**NDC**) (Council reference REG-68809) and is now amalgamated into the Auckland-wide NDC applies to the Site. Stormwater management proposed through this Application will meet the requirements set out in the approved Wainui East SMP. A copy of the SMP is included with the Stormwater Report for Stages 10 – 13 in **Volume 2**.

#### 6.3.1.4 Adaptive Management – Bulk Earthworks

Within the Milldale development area, during the Bulk Earthworks stage, up to 30 ha of land may be open at any one time. This is a direct consequence of the scale of the development being delivered.

Within previous development stages, an Adaptive Management Plan (**AMP**) approach has been used for earthworks to manage sediment related effects whilst ensuring compliance with consent conditions. The AMP outlines monitoring, reporting, and erosion control measures, as well as construction methods to maintain performance and minimise environmental impacts within

consented limits of open areas. A similar AMP approach has been taken for Milldale Stages 10 – 13, as set out in **Volume 2**.

#### 6.3.1.5 Freshwater Management

Due to underlying geological conditions and historic land uses, the Milldale development area has a number of freshwater features, including streams, ponds, and wetlands. Avoiding freshwater features has not always been practicable or feasible for earlier stages of the development, given that a strict avoidance approach would result in worse urban design outcomes rather than appropriately enabling activities that are consistent with the underlying zoning. Consents for stream and wetland reclamation have been sought and approved in most previously approved stages of the development. The reclamation works were deemed necessary for the purpose of constructing specified infrastructure and for the purpose of urban development that contributes to a well-functioning urban environment.

Residual adverse effects from reclaiming freshwater features in earlier stages of the development have been offset by restoring and enhancing stream and wetland features within the site, or at nearby land owned by the applicant, or within regional parks within the district. The net contribution to the ecological functioning of the site and wider region has been significant.

Milldale Stages 10 – 13 will result in the reclamation of wetlands and the diversion of intermittent streams in order to deliver efficient and high-quality urban development consistent with the underlying zoning. The approach adopted to assess the effects of these works and mitigate or offset those effects is consistent with the methodology applied in previous stages of the development. This is outlined in further detail in **Volume 2**.

#### 6.3.1.6 Groundwater Management

The Milldale development area has a high-water table, which means that encountering groundwater during the bulk earthworks phase is common. Regional consents for the diversion of groundwater have been sought and approved in previous stages of the development, including Milldale Stages 7 and 8, the Local Centre, along with Wastewater Transmission Main, and the Wainui Road Upgrade consents. The implementation of bulk earthworks across the development site, which has impacted groundwater, has not resulted in any significant adverse environmental impacts.

Milldale Stages 10 – 13 will result in the diversion of groundwater. However, the magnitude and extent of drawdown is localised and minimal, and the approach applied to manage those effects is consistent with previous stages of the development. This is outlined in further detail in **Volume 2**.

#### 6.3.1.7 Blanket Land Use Consents

The split zoning of lots has occurred because the zoning for Milldale was undertaken at a high level, and the implementation of zoning based on the initial masterplan has resulted in a number of inconsistencies. Within previous stages of the Milldale development, residential lots subject to split zoning, where future development will be subject to the requirements of multiple zones, have been resolved through obtaining Blanket Land Use Consents.

The approach to blanket land use consents provides certainty to future lot owners and developers with respect to the development outcomes anticipated on each lot. Blanket land use consents for

the respective sites involve the application of development standards for the predominant residential zone associated with each affected site, which is secured by way of Land Use Consent under the AUP(OP) and imposed as a consent notice on individual ROT.

Milldale Stages 10 – 13 and Stage 4C include split zoned lots, and blanket land use consents have been sought to resolve this, consistent with previous stages of the development and to ensure that land can be developed for housing efficiently following subdivision. This is outlined in further detail in **Volumes 2 and 3**.

#### 6.3.1.8 Neighbourhood Centre Zoned Land

As part of the original Wainui East Masterplanning and zoning exercise, pockets of Neighbourhood Centre zoned land were identified in areas that were considered to be appropriate at the time. However, as the development has progressed, and the demand for commercial land within the development has been further refined, there are areas of the development where the commercial zoning does not align with the anticipated demand. As detailed in the Economic Report prepared by Insight Economics (attached in **Appendix 2L**), the size of the Local Centre zone and Neighbourhood Centre zone within Milldale far outweighs and exceeds any likely future demand by future households.

The reduction and relocation of Neighbourhood Centre Zoned land has been approved through previous stages of the development, including Milldale Stages 2, 5, and 8.

Consistent with this approach, this substantive application seeks to relocate the Neighbourhood Centre Zone within Stage 12 to the northern end near the intersection of Cemetery Road and Argent Lane. This is intended to achieve an efficient commercial layout that takes into account the existing and consented centre network for Milldale delivered through previous stages. This is outlined in further detail in **Volume 2**.

### 6.4 Milldale Build Partners

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Along with creating stand-alone residential lots to enable single dwellings to be constructed, the Milldale development has continued to create superlots that anticipate future comprehensive development to be progressed by FHLD's Build Partners.

Creating superlots within each stage of the development enables a higher density of development to be achieved. FHLD work with their Build Partners developing the superlots to ensure the high amenity values of the development are retained through the delivery of higher density housing.

Stages 10-13 and Stage 4C of this substantive application propose a number of super lots that will be further developed by FHLD's Build Partners through a future consenting process. The dwellings proposed in Stage 4C will also be constructed by FHLD's Build Partners.

In addition to the design standards that apply to development under the AUP(OP), FHLD require its Build Partners to adhere to the Milldale Design Guidelines. The intent of the guidelines is to encourage a diversity of design solutions and produce a continuity of quality at Milldale. FHLD review the proposed designs of its Build Partners to ensure that they adhere to the Design Guidelines. This process is secured through private covenants on the titles.

## 6.5 Milldale North & Wainui West Plan Changes

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FHLD lodged the Milldale North and Wainui West Plan Changes conjointly in 2024. Since lodgement, FHLD and their representatives have responded to the Clause 23(1) request and are currently preparing a response to the Clause 23(2) request. Once the response is provided, Council will make a recommendation under Clause 25 to either accept or reject the plan change for processing. If the plan change is accepted, it will be publicly notified for submissions.

The Plan Changes have no legal status at this time. However a summary of the outcomes that they seek are provided for context below.

The Milldale North Plan Change seeks to rezone approximately 145ha of land in Wainui from Future Urban and Special Purpose Education to a mix of residential zones with a small Neighbourhood Centre, consistent with the Wainui Future Urban Zone Structure Plan. The rezoning proposal provides capacity for approximately 2,080 dwellings. The Milldale North proposed zoning plan is shown below in **Figure 2**.

The Wainui West Plan Change seeks to rezone approximately 32.2ha of land in Wainui West from Future Urban to Residential – Mixed Housing Urban zone, consistent with the Wainui Future Urban Zone Structure Plan and to incorporate Wainui West into the existing precinct (I544 Wainui Precinct) that is applied to the existing Milldale development. The rezoning proposal provides capacity for approximately 460 new dwellings. The Plan Change also seeks to rezone approximately 2.6ha of existing Business – Neighbourhood Centre zoned land within the Wainui Precinct to Residential zones consistent with the zoning of the adjacent land (Residential – Mixed Housing Suburban and Mixed Housing Urban zones) and to relocate one existing Neighbourhood Centre northward, within the Wainui Precinct, to increase the catchment accessing the centres and to remove areas that could contribute to an oversupply of business zoned land in Milldale. As detailed in **Volume 2** of the AEE, the Stage 10-13 development seeks resource consent to implement this reconfiguration and reduction of the Neighbourhood Centres.

The Wainui West proposed zoning plan is shown below in **Figure 3**.

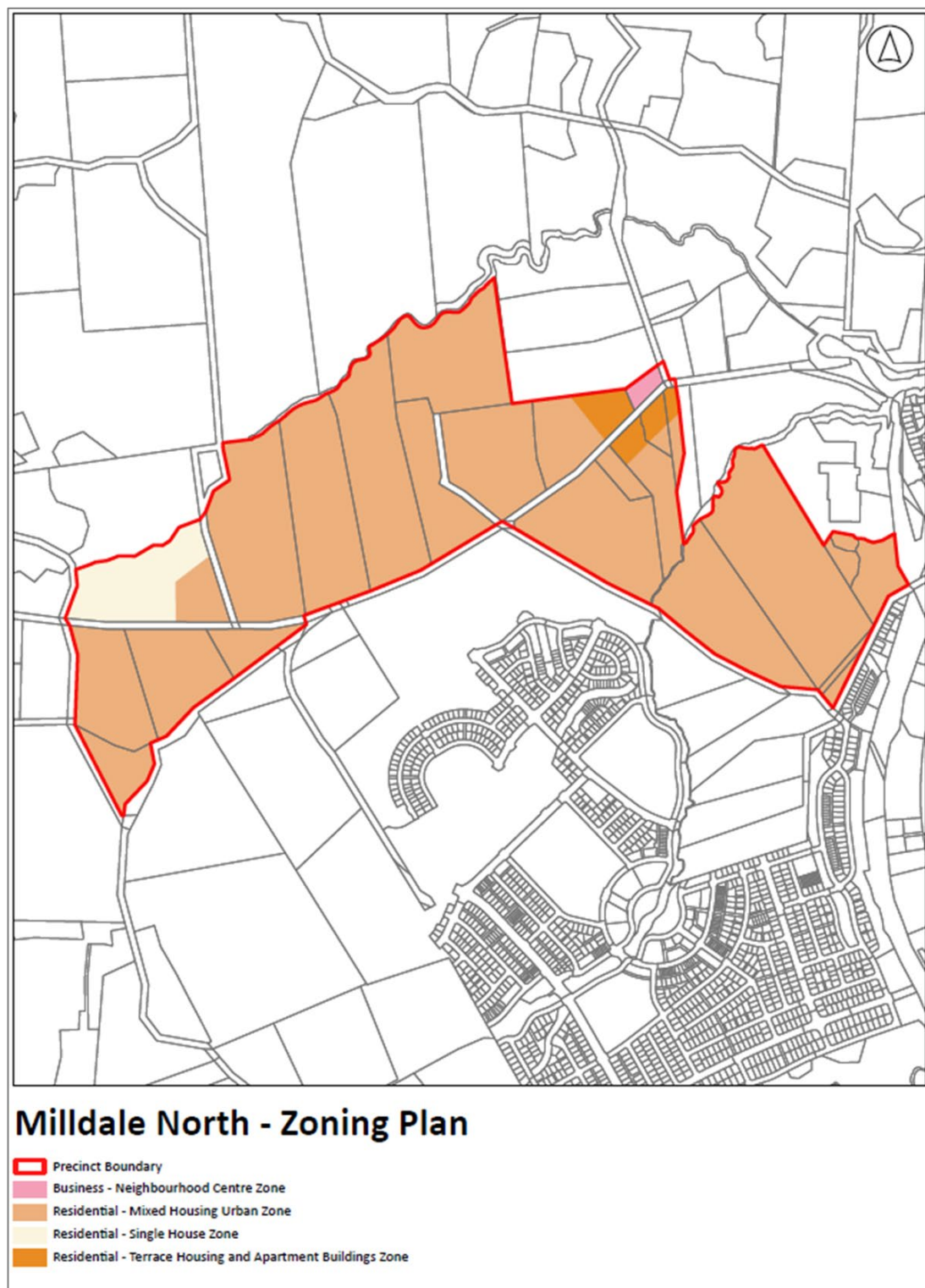


Figure 2: Milldale North Proposed Zoning Plan. Source: Milldale North Private Plan Change Application B&A.



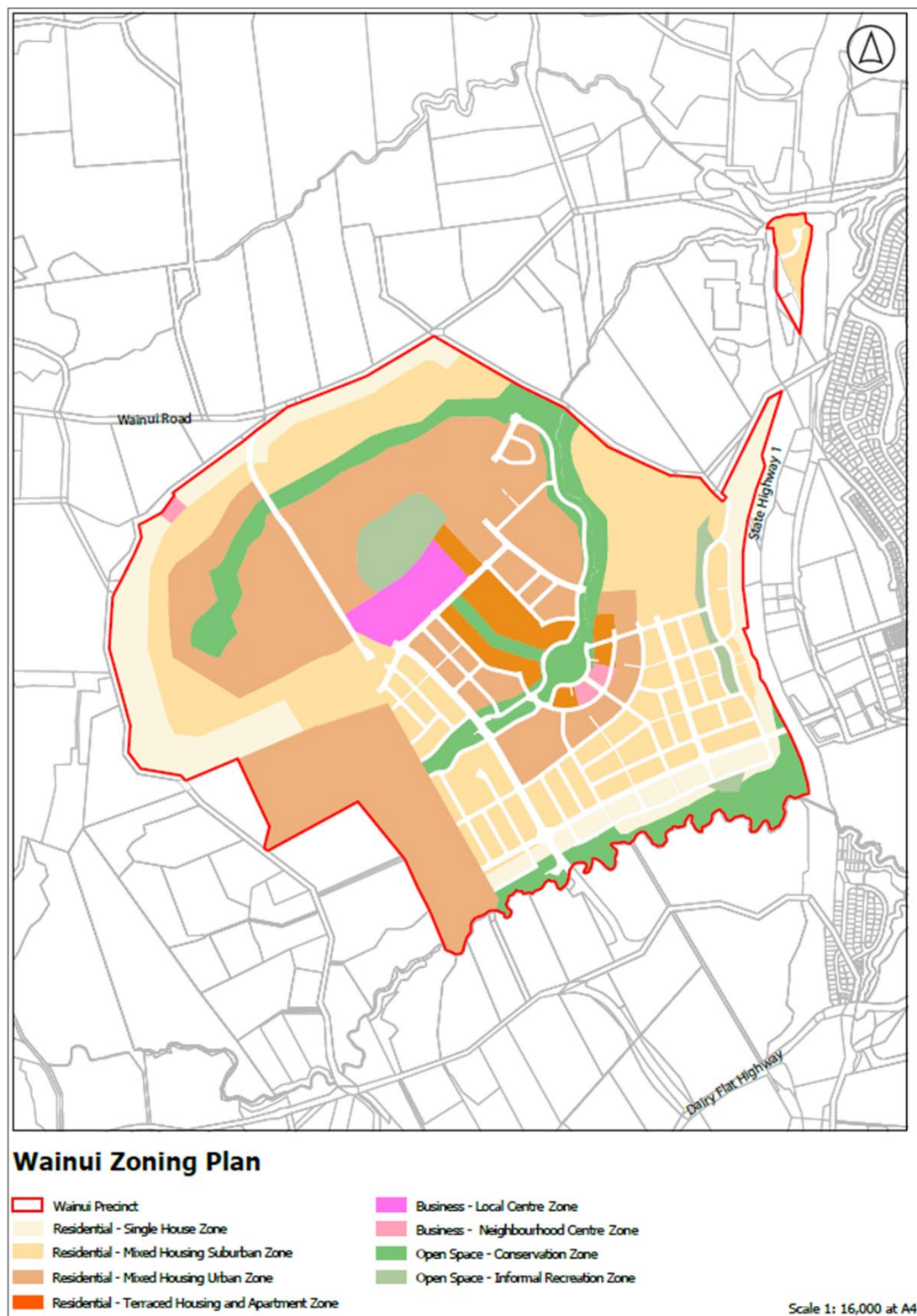


Figure 3: Wainui West Proposed Zoning Plan. Source: Wainui West Private Plan Change Application B&A. (Note: PC78 proposes to apply the MHU Zone across the Wainui Precinct).

## 7.0 Site Context

This section of the application is provided in accordance with clause 5(1)(b) of Schedule 5 of the FTAA.

Copies of Records of Title (ROT) for the FastTrack application site are attached in **Appendix 1A** and detailed in Section 7.1 below. A broad summary of the site and locality details is provided below, with an in-depth, stage-specific, description of each project area included within **Volumes 2 - 4**.

For the purposes of this Overview Report, reference to the Site encompasses the:

- Stage 4C Site;
- Stage 10 – 13 Site;
- WWTP Site; and
- Authority to Modify Site.

**Volumes 2 - 4** reference the Site as is limited to their respective area of the proposed development within the Application.

### 7.1 Application Site Areas

**Table 2** below identifies the site areas relevant to each stage of the Substantive Application, providing clarity on the 'Development Area' that defines the extent of the Site. The Development Area includes earthworks as well as ancillary areas for work compounds and stockpiling.

For clarity, reference to the Site area under this Substantive Application relates to the Total Development area of 78.243Ha.

**Table 2: Milldale Substantive Application Site Areas**

Stage	Underlying ROT Area (ha)	Total Works Area (ha)	Total Development Area (ha)
Stage 4C	6.7489	6.7489	6.7489
Stages 10 – 13	120.1632	71.3025	70.5293
Temporary WWTP	10.4451	0.9648	0.9648
<b>Total Area*</b>	<b>126.9121</b>	<b>78.6672</b>	<b>78.243</b>

*\* Note - Stages 10-13 and the Temporary Wastewater Treatment Plant both utilise the underlying title Lot 4 DP 353309, Area 10.4451 ha, and is therefore not included twice in the underlying Title Area Total*

*\* Note - The Lysnar hardstand for Stages 10-13 and the Temporary Wastewater Treatment Plant both utilise an overlapping area (0.3490ha), and is therefore not included twice in the underlying Works Area Total*

## 7.2 Records of Title and Land Ownership

The Records of Title (ROT) of the Site and associated interests registered are provided in **Appendix 1A**. All land subject to this Application is owned by FHLD.

**Table 3** below summaries the addresses, legal descriptions and area for each title by Stage.

**Table 3: Application Site Details**

Address	Legal Description	Size Area
Stage 4C		
21 Karapapa Road, Wainui, Auckland	Lot 9001 DP 586972 (1112048)	6.7489 ha
Stage 10-13		
507 Wainui Road, 525 Wainui Road, 131 Argent Lane, and 16 Lysnar Road.	Lot 9006 DP 602895 (1187464)	28.4085 ha
168 Argent Lane	Lot 1 DP 147739 (NA88A/16)	1.7895 ha
n/a	Lot 3 DP 151229 (NA90A/713)	6.4280 ha
167 Argent Lane	Lot 2 DP 147739 (NA88A/17)	2.4565 ha
n/a	Lot 2 DP 488814 (701832)	13.3000 ha
n/a	Lot 3 DP 488814 (701833)	25.3000 ha
107 Cemetery Road	Lot 1 DP 488814 (701831)	3.6336 ha
n/a	Lot 2 DP 130515 (NA76C/95)	7.0250
Temporary Wastewater Treatment Plant		
n/a	Lot 4 DP 353309 (218138)	10.4451 ha
Total site area:		105.5351

## 7.3 Zoning and Precinct Context

### 7.3.1 Zoning under the AUP(OP)

The zoning of the Site and relevant precinct and overlays under the AUP(OP) is set out in **Table 4** below.

**Table 4: Site Zoning**

Site	Zoning
Stage 4C	Residential – Terrace Housing and Apartment Building and Open Space – Conservation



Stages 10 – 13	Residential – Single House, Mixed Housing Suburban, and Mixed Housing Urban zone, Business – Local Centre, and Open Space – Conservation
WWTP	Future Urban Zone
Overall Site Extent	Residential – Single House, Mixed Housing Suburban, and Mixed Housing Urban; Terrace Housing and Apartment Building, Business – Local Centre, and Open Space – Conservation, Future Urban  Wainui Precinct

### 7.3.2 Wainui Precinct

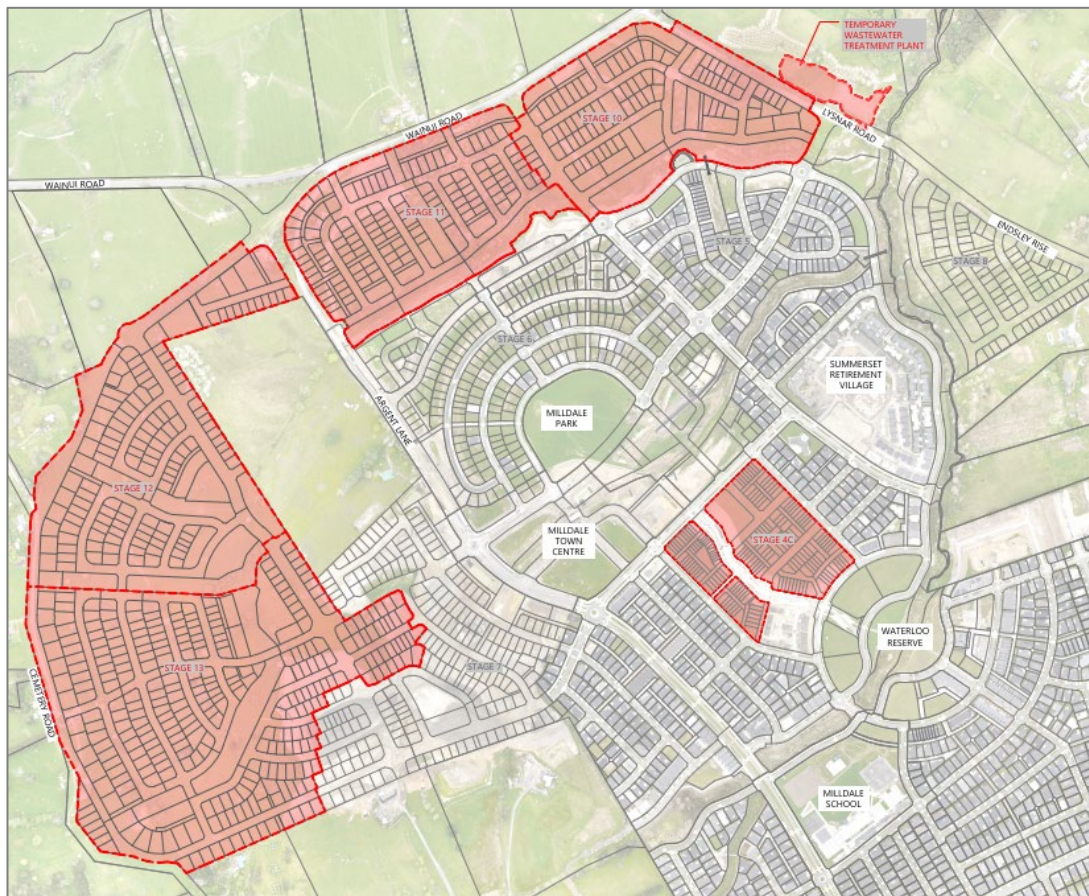
The Stage 4C and Stages 10 – 13 parts of the Site are subject to the Wainui Precinct Plan and include several indicative elements of the Wainui Precinct Plan:

- Stages 10 – 13:
  - An indicative northern collector road connecting Parish Drive and the Cemetery Road Link;
  - An indicative east-west collector road link continuing through from Milldale Drive to Cemetery Road;
  - An indicative reserve edge road along the north/north-western side of Milldale Stream;
  - Continuation of Argent Lane arterial road;
  - Indicative neighbourhood park located in the north-eastern corner (Stage 10); and
  - Indicative stream running east-west across the extent of Stages 10 through 13.
- Stage 4C:
  - Indicative collector road, reserve edge road, and key local road; and
  - Indicative key pedestrian links.

The Wainui Precinct Plan is not relevant to the WWTP site as it is located within the Future Urban Zone, outside of the Precinct. However, it is currently undergoing a rezoning process through the Milldale North Plan Change as set out in section 6.5 above.

## 7.4 Site Description

The Site is shown in **Figure 4** below and is made up of three key land areas within the Milldale development, each related to a part of the substantive application.



**Figure 4: Locality plan shown the site areas in relation to the wider Milldale development (Source: Woods).**

The Site is in the northern part of the Milldale development and is bordered by Wainui Road to the north. Stages 10 – 13 cover the northern section of Milldale, with Stage 4C situated centrally, north of the Neighbourhood Centre. The WWTP site is on Future Urban zoned land, east of Lysnar Road.

Primary characteristics of the Site are summarised below, with **Volumes 2 – 4** containing further description and details of the Stages 10 – 13, 4C and WWTP sites, which have been supported by findings of the expert reporting across the sites.

- Existing Land Use:** The Stages 10 – 13 site is currently used for grazing, awaiting urban development. Earthworks have been carried out within the Stage 4C site extent in accordance with the approved Stage 4 bulk earthworks and subdivision consent ( [REDACTED] ) and it is characterised by grassed areas of land waiting for development. The WWTP site was previously used as a construction compound and comprises compacted gravel and grassed areas previously used for grazing.
- Topography:** Generally, the topography of the Site is similar to the surrounding area in that it is defined by low rolling hills and pasture.
- Groundwater:** Investigations carried across Stages 10 – 13 and the WWTP have identified the presence of groundwater. Groundwater depth varies due to topography and seasonal changes. However, recent monitoring has identified areas where the water table is at a shallow depth and requires management during earthworks.

- **Vegetation:** In terms of vegetation, the Site includes mixed native and exotic shrubs, scrub, and a number of sparse established trees. There are no notable trees located within the Site.
- **Freshwater – Streams:** Waterloo Creek, a tributary to the Ōrewa River, is a high-order permanent stream that drains to the Ōrewa Estuary in the east. Waterloo Creek forms a natural eastern boundary of the WWTP site. Waterloo Creek is highly degraded due to historical and ongoing agricultural land use. The Stages 10 – 13 site contains one permanent stream identified as Stream 21 (Milldale Stream), which is a tributary to the Waterloo Creek and is highly degraded. Stream 21 begins downstream of Stage 12 and flows through the site along the southern boundary of Stages 11 and 10 in an easterly direction. As the Stage 4C site has undergone earthworks, it contains no freshwater features.
- **Freshwater – Wetlands:** Stages 10 – 13 contain 16 areas that meet the definition of “wetland” under the National Environmental Standard - Freshwater (NES-F). The ecological value of all identified wetlands has been assessed as low due to their degraded nature, relatively small size, lack of indigenous flora biodiversity, general lack of structural tiers, limited habitat availability, and negligible aquatic habitat. There are no wetlands located within the Stage 4C or WWTP sites.
- **Existing Infrastructure:** There is existing water supply, stormwater and wastewater infrastructure surrounding the Site as a result of the extensive development within previous Milldale Stages. The development within the wider Milldale area has been master planned to extend into the Site to cater for the proposed development. The WWTP site will be serviced by extending connections across Lysnar Road through the Milldale Stage 8 development.
- **Transportation Network & Access:** The surrounding roading network has been progressively developed in accordance with the staging of the Milldale development. The Stages 10 – 13 and 4C sites are connected to the wider network through a comprehensive and well-connected street and pedestrian network, which is serviced by Public Transport. The WWTP site will obtain direct access via Wainui Road.
- **Heritage:** There is one recorded archaeological site in the development area. An archaeological authority to destroy is sought through this application for the removal of the site and as a precautionary matter for any accidental discovery within the site extent covering Stages 10 – 13 and the WWTP site. The authority and associated details are included in Volume 5.
- **Statutory and Customary Rights Areas:** The Site is not within nor adjacent to a statutory area (as defined in the relevant Treaty settlement Act), a statutory overlay (as identified in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019) nor a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.

## 7.5 Surrounding Locality

As set out in section 6.3 above, the development of Milldale Stages 1 to 5 is now complete, with civil works on Stage 6 well underway. Stages 7 and 9 are currently under construction, as is the Town Centre. As at late 2024, more than 1,220 homes had been constructed in Milldale, with a further 960 or so enabled by subdivision. In addition, the Ahutoetoe primary school is now open (as are two pre-schools), and a Summerset retirement village is operating on site.

Outside of the Milldale development, the site is surrounded by multiple rural residential properties many of which are owned by FHLd (within the Future Urban Zone). The wider environment to the north is outside the Rural Urban Boundary (RUB). However, as discussed in section 6.5 above, since 2018 Milldale has been undergoing a transitional phase from pastureland to medium density residential activities, which is in line with the Wainui Precinct. The Milldale North and Wainui West Private Plan Changes will represent the next stages of urban growth in this area.

Silverdale and the Highgate Business Park are located east of the site on the eastern side of State Highway 1. The Millwater residential development is also located on the eastern side of State Highway 1 and consists of low to medium density residential housing. Orewa is located 5km to the north, Helensville 20km to the west and Auckland CBD is located approximately 35 km to the south.

## 7.6 Owner and Occupiers

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In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the names and addresses of owners and occupiers of the site and land adjacent to the site (where occupiers were identifiable after reasonable inquiry) are provided within **Appendix 1D**.

## 8.0 Proposal

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

Schedule 2 of the FTAA describes the project as “earthworks and site work for approximately 1,100 residential allotments.” This section provides greater detail and includes a description of any other activities that are part of the proposal to which the consent application relates.

The proposal seeks to authorise Stages 10-13 and Stage 4C of the Milldale development, together with a supporting temporary wastewater treatment plant, to collectively provide capacity for 1,155 detached and terraced dwellings and supporting commercial services in the form of a compact Neighbourhood Centre. A series of public open spaces are proposed, as well as supporting transport and three waters infrastructure.

The proposal is described in detail within the applicable volumes and is supported by a range of specialist reports and information appended to the application. A summary of the key elements of the proposal is provided below.

For completeness, the following approvals are sought under s42(4):

- a resource consent that would otherwise be applied for under the Resource Management Act 1991; and
- an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under that Act.

## 8.1 For Information – Interactive GIS Viewer

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An interactive GIS Viewer has been prepared for information purposes to assist the Panel in navigating the proposed Application.

The viewer allows different layers of the development to be displayed and toggled on or off, providing a clear visual representation of how various elements relate to one another. For example, the viewer enables an overlay of the development control plan against the AUP(OP) zoning, as well as the ecological features in relation to the proposed roading and lot layout.

The GIS Viewer can be accessed via the following link: <https://external.map.woods.co.nz/>

Login credentials will be provided to the EPA and Panel members upon request.

This tool has been provided for information purposes only and does not form part of the documentation to be formally considered and approved. However, all information presented in the GIS Viewer aligns with the details included in the application drawings.

## 8.2 Milldale Stages 10 – 13

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It is proposed to undertake land use (earthworks and civil works) and subdivision across Stages 10, 11, 12 and 13 of Milldale. As detailed on the Development Control Plan prepared by Woods and included as **Figure 5** below, the proposal involves subdivision and bulk earthworks, resulting in the creation of the following in accordance with the Wainui Precinct Plan:

- 623 vacant residential lots that have been sized to accommodate complying development;
- 27 residential superlots with capacity to accommodate approximately 200 terraced dwellings;
- 1 Neighbourhood Centre/commercial superlot with capacity to accommodate approximately 855m<sup>2</sup> of commercial floorspace;
- 2 Land in Lieu Neighbourhood Parks;
- 21 local purpose (drainage) reserves; and
- Lots containing the associated roading and pedestrian network.

The overall design rationale for the Stages 10 – 13 subdivision is to create a high amenity residential development that responds positively to on-site features and provides good connections to the wider open space network.

A detailed description on the particular aspects of the Stage 10 - 13 proposal including enabling works, servicing, roading and access and landscaping is set out in **Volume 3** of the AEE.



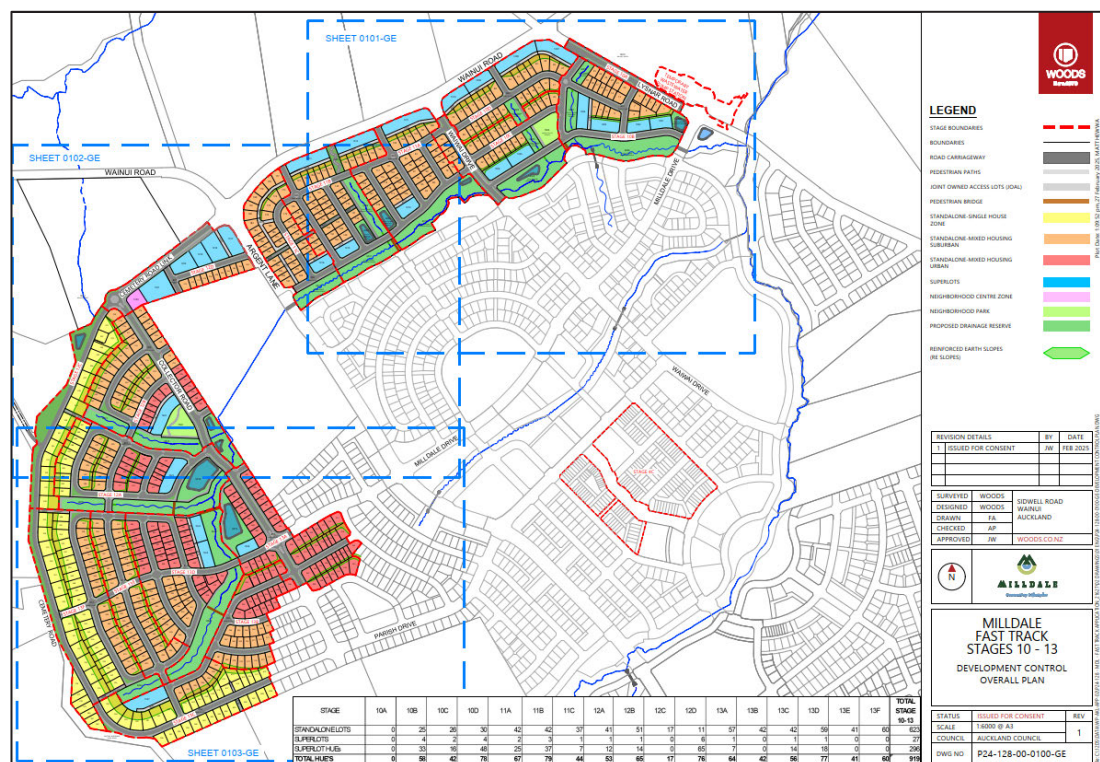


Figure 5: Overall development control plan. Source: Woods.

### 8.3 Milldale Stage 4C

It is proposed to undertake civil works and subdivision and integrated residential development and subdivision across Stage 4C of Milldale (4C-2 – 4C-5).

Overall, the 4C development results in 168 residential dwellings and fee simple lots, 13 JOALs, one balance lot, three local roads, and one pedestrian accessway.

The proposal will be delivered in two distinct phases as follows:

- Phase 1: Civil Works and Subdivision:** Civil works to create four stages 4C-2 – 4C5 inclusive, including earthworks and infrastructure, and subdivision to create 21 individual superlots, one balance lot, associated JOALs, three roads to vest and one pedestrian accessway to vest. The civil works and subdivision phase will be constructed and completed by the applicant, FHLD.
- Phase 2: Comprehensive Residential Land Use and Subdivision:** Construction of new dwellings across the 21 individual superlots including earthworks and infrastructure, and subdivision of each of the superlots around an approved landuse consent into individual fee simple lots. The comprehensive residential development phase which will be delivered by FHLD's build partners once the relevant Phase 1 civil works stages are completed. The intention is that individual superlots can be developed independently from other superlots (and in any order) as complete individual project packages.

The subdivision is illustrated in the Scheme Plan prepared by Woods and included as **Figure 6** below and a detailed description on the particular aspects of the Stage 4C proposal including enabling works and subdivision, servicing, roading and access, landscaping and buildings is set out in **Volume 2** of the AEE.



**Figure 6: Stage 4C Overall Plan. Source: Woods.**

## 8.4 Milldale Temporary Wastewater Treatment Plant

It is proposed to construct and operate a temporary wastewater treatment plant on Lysnar Road, Wainui, if it is determined to be necessary. Currently, there is uncertainty about the capacity available at the Army Bay WTP and when the planned upgrade by Watercare will be completed. As such a temporary WWTP has been proposed in case it is needed.

Under s4 of the FTAA, “Project” is defined as follows (emphasis added):

### *Project*

- a) *Means, –*
  - i. *in relation to a listed project, the project as described in Schedule 2; ...*
- b) *includes any activity that is involved in, or that supports and is subsidiary to, a project referred to in paragraph (a)*

Milldale Stages 4C and 10 – 13 are a referred project under Schedule 2 of the FTAA. The inclusion of the temporary WWTP within this Application is considered to be within the scope of the Milldale Stages 4C and 10 - 13 “Project” under the FTAA. The proposed WWTP is required to support, and is subsidiary to, the proposed Milldale Stage 4C and Stages 10 – 13. Additionally, the WWTP location is on Lysnar Road, which is within the approximate geographical location listed in Schedule 2. Confirmation that the WWTP is within the scope of this substantive application is addressed in further detail in the supporting legal memorandum included in **Appendix 1H**.

The WWTP has been located to provide easy access for operation and maintenance whilst minimising its visual and other environmental impacts. The site compound, with an area of 1.2ha, encompasses all aspects of the WWTP, including hardstand, treatment plant building & storage tanks, and vehicle access.

The WWTP is included in the application in the event that there are short-term capacity constraints at the Army Bay wastewater treatment plant. This may or may not eventuate and this aspect of the proposal is therefore included as a precaution. Accordingly, a condition of consent has been included within the Milldale Stages 10 – 13 and 4C conditions which requires each stage of the development to provide confirmation that adequate wastewater capacity is available within the network for the relevant number of lot connections. If capacity is not available at the respective stage, the 224(c) must not be approved until the temporary WWTP is constructed, commissioned and fully operational<sup>2</sup>.

A detailed description on the particular aspects of the temporary wastewater treatment plant including the site compound, enabling works, plant, ownership and operations and duration and disestablishment are set out in **Volume 4** of the AEE.

## 8.5 Archaeological Authority to Modify

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The proposal requires an Archaeological Authority to Destroy under the HNZPT Act to remove a recorded archaeological site (NZAA Site Number – R10/1452) consisting of a field stone wall situated within Stage 11. Authority is also sought for the extent of the Stages 10 – 13, Stage 4C and WWTP development areas to avoid any potential delays during the earthworks phase.

A detailed description and assessment of this aspect of the proposal is set out in **Volume 5** of the AEE.

## 8.6 Consent Duration, Construction and Staging

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Section 43 of the FTAA requires the substantive application to:

- State whether the application relates to a priority project, and if so, states specific requirements (s43(h));
- With reference to the requirements of s13(4), include a statement of whether the project is planned to proceed in stages and if so, an outline of the nature and timing of the stages, together with other requirements that relate to the referral application (s43(2)).

This application **does not relate to a priority project**.

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<sup>2</sup> Volume 6: Milldale Stages 10-13, 4C and WWTP Proposed Conditions, Section 2.5, Wastewater and Water Reticulation



High level information on the proposed staging for the development was included in the Referral Application. It stated:

*The project will be completed in three stages, commencing in 2025, which will include sub-stages so that the maximum number of civil contractors can be working on site at the same time. Typically, there would be 4-5 civil contractors on site at the same time. Ahead of the civil works there would be two earthwork contractors working over different parts of the site so as to speed up delivery.*

This application refines the staging information submitted with the Referral Application based on the more detailed technical investigations and reporting that has been undertaken. FHLD are seeking up to an **eight-year consent duration** in which to give effect to the resource consent. This includes five years to undertake the necessary earthworks, civil engineering and land subdivision works, and a further three years to complete dwelling construction proposed as part of this substantive application within Stages 4C and 10-13. Specifically, FHLD intends to stage the development broadly as follows, assuming a late-2025 start:

- Bulk earthworks to progress over three years from late-2025;
- Civil works to commence from late-2025 for Stages 4C and 10-13 as follows:
  - Within Stage 10-13, civil works to progress generally from Lysnar Road at the northern end to Cemetery Road at the southern end<sup>3</sup>;
  - Within Stage 4C, civil works to progress generally from Dendro Ring Road in the east to the south-western corner on Parish Drive<sup>4</sup>. The superlot on Parish Drive (4050) is intended to be delivered last in 2029/2030.
- Assuming a start date of late 2025, progressively release lots for development approximately as follows:
  - 2025/2026 – 5 superlots;
  - 2026/2027 – 21 superlots and 123 stand-alone lots;
  - 2027/2028 – 14 superlots and 147 stand-alone lots;
  - 2028/2029 – 6 superlots and 184 stand-alone lots;
  - 2029-2030 – 3 superlots 169 stand-alone lots.
- Construction of consented dwellings in Stage 4C and on superlots in Stages 10-13 that are subject to blanket consents to be completed by 2033, if not prior, on a staged basis.
- Construction of the temporary WWTP to occur any time from 2027. The WWTP would operate over the period where Army Bay is at capacity and stop when the facility has capacity to accommodate the Milldale development. As stated above, this may not be required if development in the wider Army Bay catchment occurs at lower densities and/or at a slower rate than Watercare currently anticipates.

<sup>3</sup> Refer to Drawing Number P24-128-00-0100-GE included at **Appendix 2J** of **Volume 2** of the AEE.

<sup>4</sup> Refer to Drawing Number P23-481-4C-0010-SU included at **Appendix 3C** of **Volume 3** of the AEE.

## 8.7 Other Approvals Required

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This section of the application is provided in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, that an application provides a description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates.

No other resource consents, notices of requirement for designations, or alterations to designations are required to be obtained by the applicant prior to any works commencing on the site.

## 8.8 Mitigation Measures, Management Plans and Monitoring

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This section of the application is provided in accordance with clause 6(1)(d) and (g) of Schedule 5 of the FTAA, that an application provides a description of the mitigation measures to be undertaken to help prevent or reduce the actual and or potential effects of the activity, and a description of any monitoring to be undertaken.

There are various methods to manage the effects associated with the proposal. For some effects, this involves preparing documents that set out how specific activities will be carried out, such as a Construction Management Plan. For other effects, these have been managed through engineering design or consent conditions that require ongoing monitoring.

**Table 5** below provides a clear summary of all mitigation measures incorporated into the Application, from design through to construction and long-term ongoing operation. It outlines how each area of potential effect has been addressed at every stage of the project, including:

- Technical assessments;
- Engineering design;
- Consenting;
- Post consent approvals;
- Construction phase; and,
- Ongoing monitoring after construction.

A detailed overview of the management plans that support the construction and operational phases of Stage 4C, Stages 10 – 13 and the WWTP is included in **Appendix 1I**. This appendix identifies:

- What management plans / reports are required to support the proposed works;
- What information has been submitted with the application (i.e. a draft copy of the management plan, or a description of the plan framework in the relevant AEE);
- Purpose of each management plan / report;
- Where the plan is referenced in the proposed conditions of consent;
- The document status (i.e. will it be updated prior to commencement of works);
- The rationale for the document status (i.e draft or framework or conditions of consent) and the level of information submitted with this application; and

- Whether a similar plan has been prepared to support previous stages of the Milldale development.

**Table 5: Mitigation, Management Plans & Monitoring**

Area	Mitigation, Management Plans & Monitoring Measures
Stages 10 - 13	
Geotechnical	<ul style="list-style-type: none"> <li>• Geotechnical site assessment and risk identification.</li> <li>• Pre-construction Settlement Monitoring Plan</li> <li>• Mitigation in engineering design and slope stability assessment.</li> <li>• Removal of uncontrolled fill during construction.</li> <li>• Post-construction Geotechnical Completion Report.</li> </ul>
Engineering / Infrastructure	<ul style="list-style-type: none"> <li>• Engineering site assessment and infrastructure capacity analysis.</li> <li>• Mitigation through Engineering Design.</li> <li>• Safety in Design – Hazard Identification &amp; Risk Assessment.</li> <li>• Post consent approvals - Engineering Approval (EA), Building Consent (BC), Section 224(c) certification.</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>• Mitigation through Engineering Design of earthworks and erosion &amp; sediment controls.</li> <li>• Construction phase Management Plans:               <ul style="list-style-type: none"> <li>○ Construction Management Plan (CMP);</li> <li>○ Construction Traffic Management Plan (CTMP);</li> <li>○ Sediment and Erosion Control Plan;</li> <li>○ Chemical Treatment Management Plan (ChTMP); and</li> <li>○ Dust Management Plan (DMP).</li> </ul> </li> <li>• Monitoring during the construction phase.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Design of water booster pump station mitigated to comply with AUP(OP) noise limits.</li> <li>• Construction mitigation measures to comply with AUP(OP) noise and vibration limits.</li> <li>• Prior to the commencement of construction, communication with neighbours regarding the earthworks will be undertaken. This is for informational purposes only, to inform neighbours of the works, as they comply with the AUP(OP) noise standards and are expected to have no adverse effects on neighbours.</li> </ul>
Contamination	<ul style="list-style-type: none"> <li>• Contamination site assessment and risk identification.</li> <li>• Mitigation in Site Management and Remedial Action Plan (SMRAP).</li> <li>• Monitoring of works during remediation and appropriate contingency measures.</li> <li>• Post-construction – Site Validation Report (SVR) of remediation being completed.</li> </ul>
Adaptive Management	<ul style="list-style-type: none"> <li>• An Adaptive Management Plan has been prepared in support of the application.</li> <li>• Open area limits during construction.</li> </ul>

Area	Mitigation, Management Plans & Monitoring Measures
	<ul style="list-style-type: none"> <li>Monitoring and managing sediment from earthworks during construction.</li> <li>Reporting during earthworks:               <ul style="list-style-type: none"> <li>Adaptive Management Response Report (AMRR) (Annual Rainfall Events);</li> <li>Stream 21 Monitoring Report; and</li> <li>Post-construction survey.</li> </ul> </li> <li>Trigger event management during earthworks.</li> </ul>
Traffic	<ul style="list-style-type: none"> <li>Traffic assessment of the site and the surrounding network.</li> <li>Mitigation through engineering design.</li> <li>Construction Traffic Management Plan.</li> </ul>
Groundwater	<ul style="list-style-type: none"> <li>Groundwater assessment of site.</li> <li>Mitigation through engineering design.</li> </ul>
Archaeology	<ul style="list-style-type: none"> <li>Archaeological assessment of the site.</li> <li>Mitigation through the appropriate recording of archaeology before removal from the site.</li> <li>Archaeological Management Plan to guide earthworks across the site.</li> </ul>
Vegetation (Trees)	<ul style="list-style-type: none"> <li>Vegetation assessment of the site.</li> <li>Methodology for vegetation removal.</li> <li>Monitoring of vegetation removal.</li> <li>Mitigation in replanting/management plan.</li> <li>Audit report following completion of tree removal.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>Landscape Implementation and Maintenance Plan.</li> </ul>
Ecological	<ul style="list-style-type: none"> <li>Ecological assessment of the site.</li> <li>Fish Passage Monitoring.</li> <li>Wetland Monitoring Plan.</li> <li>Management Plans:               <ul style="list-style-type: none"> <li>Fauna Management Plan;</li> <li>Stream and Wetland Planting and Management Plan.</li> </ul> </li> </ul>
Stage 4C	
Geotechnical	<ul style="list-style-type: none"> <li>Geotechnical site assessment and risk identification</li> <li>Pre-construction Settlement Monitoring Plan</li> <li>Mitigation in engineering design.</li> <li>Post-construction Geotechnical Completion Report.</li> </ul>
Engineering / Infrastructure	<ul style="list-style-type: none"> <li>Engineering site assessment and infrastructure capacity analysis.</li> <li>Mitigation through Engineering Design.</li> <li>Safety in Design – Hazard Identification &amp; Risk Assessment.</li> <li>Post consent approvals - Engineering Approval (EA) and Building Consent (BC), and Section 224(c) certification.</li> </ul>

Area Mitigation, Management Plans & Monitoring Measures	
Earthworks	<ul style="list-style-type: none"> <li>• Mitigation through Engineering Design of earthworks and erosion &amp; sediment controls.</li> <li>• Construction phase Management Plans:               <ul style="list-style-type: none"> <li>○ Construction Management Plan (CMP);</li> <li>○ Construction Traffic Management Plan (CTMP);</li> <li>○ Sediment and Erosion Control Plan;</li> <li>○ Chemical Treatment Management Plan (ChTMP); and</li> <li>○ Dust Management Plan (DMP).</li> </ul> </li> <li>• Monitoring during the construction phase.</li> </ul>
Archaeology	<ul style="list-style-type: none"> <li>• Archaeological assessment of the site.</li> <li>• Archaeological Management Plan to guide earthworks across the site.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• Streetscape and Public Accessway Landscaping Plan.</li> <li>• Landscape Maintenance Plan.</li> </ul>
Lighting	<ul style="list-style-type: none"> <li>• Lighting Plans for JOALs.</li> </ul>
Waste Management	<ul style="list-style-type: none"> <li>• Waste Management Plan.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Construction Noise &amp; Vibration Mitigation Plan.</li> <li>• Construction Limits – mitigation measures to comply with AUP(OP) &amp; methodology.</li> <li>• Prior to the commencement of construction, communication with neighbours regarding the earthworks will be undertaken. This is for information purposes only to inform neighbours of works.</li> <li>• Mitigation during works, including acoustic noise barrier, to be installed during the construction of an accessway in Phase 1.</li> </ul>
Traffic	<ul style="list-style-type: none"> <li>• Traffic assessment of the site and the surrounding network.</li> <li>• Mitigation through engineering design.</li> <li>• Construction Traffic Management Plan.</li> </ul>
<b>WWTP</b>	
Geotechnical	<ul style="list-style-type: none"> <li>• Geotechnical site assessment and risk identification</li> <li>• Pre-construction Settlement Monitoring Plan.</li> <li>• Mitigation in engineering design.</li> <li>• Post-construction Geotechnical Completion Report.</li> <li>• Foundation testing for buildings prior to construction.</li> </ul>
Engineering / Infrastructure	<ul style="list-style-type: none"> <li>• Engineering site assessment and infrastructure capacity analysis.</li> <li>• Mitigation through Engineering Design.</li> <li>• Safety in Design – Hazard Identification &amp; Risk Assessment.</li> <li>• Post consent approvals - Engineering Approval (EA) and Building Consent (BC).</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>• Mitigation through Engineering Design of earthworks and erosion &amp; sediment controls.</li> </ul>

Area	Mitigation, Management Plans & Monitoring Measures
	<ul style="list-style-type: none"> <li>• Management Plans:               <ul style="list-style-type: none"> <li>○ Construction Management Plan (CMP);</li> <li>○ Construction Traffic Management Plan (CTMP);</li> <li>○ Sediment and Erosion Control Plan;</li> <li>○ Chemical Treatment Management Plan (ChTMP); and</li> <li>○ Dust Management Plan (DMP).</li> </ul> </li> <li>• Monitoring during the construction phase.</li> </ul>
Archaeology	<ul style="list-style-type: none"> <li>• Archaeological assessment of the site.</li> <li>• Archaeological Management Plan to guide earthworks across the site.</li> </ul>
Vegetation (Trees)	<ul style="list-style-type: none"> <li>• Vegetation assessment of the site.</li> <li>• Methodology for vegetation removal.</li> <li>• Monitoring of vegetation removal.</li> <li>• Mitigation in replanting/management plan.</li> <li>• Biosecurity measures to be implemented in relation to Elm Trees.</li> <li>• Audit report following completion of tree removal.</li> </ul>
Ecological	<ul style="list-style-type: none"> <li>• Ecological assessment of the site.</li> <li>• Management Plans:               <ul style="list-style-type: none"> <li>○ Fauna Management Plan</li> </ul> </li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Design of WWTP building to comply with AUP(OP) standards.</li> <li>• Construction mitigation measures to comply with AUP(OP) noise and vibration limits.</li> <li>• Prior to the commencement of construction, communication with neighbours regarding the earthworks will be undertaken. This is for informational purposes only, to inform neighbours of the works, as they comply with the AUP(OP) noise standards and are expected to have no adverse effects on neighbours.</li> <li>• Operational control for limiting hours of truck access to the site to limit noise.</li> <li>• Operational noise limits.</li> </ul>
Hazardous Substances	<ul style="list-style-type: none"> <li>• Assessment of Hazardous substances associated with WWTP operation and mitigation measures through site design</li> <li>• Operational Management Plans:               <ul style="list-style-type: none"> <li>○ Environmental Management Plan.</li> <li>○ Emergency Response Plan.</li> </ul> </li> </ul>
Water Quality	<ul style="list-style-type: none"> <li>• Water Quality assessment of the existing environment</li> <li>• Mitigation in engineering and WWTP design.</li> <li>• Recording, and monitoring of wastewater discharge.</li> <li>• Pre-discharge surveys - water quality and water ecology</li> <li>• Post-discharge monitoring - water quality and water ecology</li> </ul>
Cultural	<ul style="list-style-type: none"> <li>• Consultation during the preparation of this Application</li> <li>• Cultural monitoring during construction</li> </ul>



Area	Mitigation, Management Plans & Monitoring Measures
Odour	<ul style="list-style-type: none"> <li>• Air quality assessment of the existing environment</li> <li>• Design of WWTP building to minimise discharge of any odours.</li> <li>• Odour Management Plan.</li> <li>• Operations and Maintenance Manual for Odour Control.</li> </ul>
Plant Operation	<ul style="list-style-type: none"> <li>• Operational Management Plan</li> <li>• Emergency Response Plan</li> </ul>

## 8.9 Proposed Consent Conditions

This section of the application is provided in accordance with clause 5(1)(k), clause 18 of Schedule 5, and clause 5 of Schedule 8 of the FTAA, that an application provides conditions for the consent.

The proposed conditions of consent, which seek to implement the mitigation and monitoring that has been identified in the technical assessments as being necessary, are included within **Volume 6**.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k), the conditions are proposed to:

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

The Conditions of Consent document includes an overview outlining the approach to the proposed conditions, key working principles, and their structured application across each component of the proposal.

Given the timing and staging of works for the proposal, the conditions have been structured into three parts. To enhance clarity and ease of implementation, we have sought a separate bundled decision for each project, ensuring compliance requirements are well-defined and manageable for all stakeholders.

The conditions have been designed to provide clarity, practicality, and regulatory alignment, establishing a structured framework that enables efficient implementation, long-term compliance, and robust environmental safeguards. This approach balances the interests of the applicant, Council, and FHLD's future build partners, ensuring that each project can proceed independently while adhering to best practice resource management principles.

It is considered that the conditions meet the requirements of the FTAA and the Panel may grant the resource consents subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

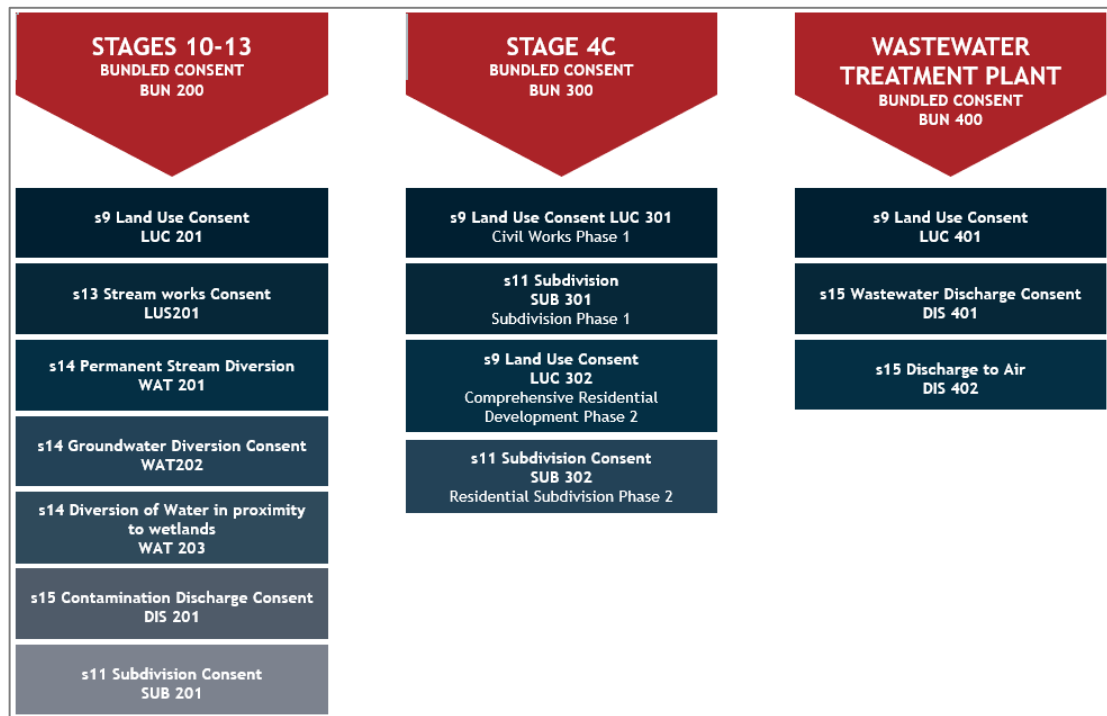


Figure 7: Proposed conditions structure: Source: Woods.



## 9.0 Consents Required

### 9.1 Resource Consent

In accordance with s42(4)(a) of the FTAA, Milldale Stages 10 – 13, Stage 4C and the WWTP proposed through this Substantive Application require a resource consent that would otherwise be applied for under the RMA under the provisions of the AUP(OP), NES-FM, and the NES-CS.

A high-level summary of the consent requirements of the Application is provided in **Table 6** below. **Volumes 2 – 5** of the Application provide a detailed list of reasons for consent relating to each part of the application.

Overall, the application requires assessment as a **non-complying activity**.

**Table 6: Summary of consent requirements under this Application**

Project	Consent Requirements
Stage 4C	AUP(OP) <ul style="list-style-type: none"> <li>• Land Use Consent (s9)</li> <li>• Subdivision Consent (s11)</li> </ul>
Stages 10 - 13	AUP(OP) <ul style="list-style-type: none"> <li>• Land Use Consent (s9)</li> <li>• Streamworks Consent (s13 &amp; s14)</li> <li>• Groundwater Consent (s14)</li> <li>• Diversion Consent (s14)</li> <li>• Subdivision Consent (s11)</li> </ul> NES-FM <ul style="list-style-type: none"> <li>• Streamworks Consent (s13 &amp; s14)</li> </ul> NES-CS <ul style="list-style-type: none"> <li>• Discharge Consent (s15)</li> </ul>
WWTP	AUP(OP) <ul style="list-style-type: none"> <li>• Land Use Consent (s9)</li> <li>• Discharge of Contaminants (s15)</li> <li>• Air Discharge (s15)</li> </ul>

### 9.2 Archaeological Authority

In accordance with s42(4)(i) of the FTAA, Milldale Stages 10 – 13, 4C and the WWTP proposed through this Application require an archaeological authority described in Section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act (HNZPT Act), that would otherwise be applied for under the Act.

Details of the Authority sought in support of this Application as provided in **Volume 5**.

## 10.0 Consistency with the Purpose of the FTAA

Section 43(1)(b)(i) of the FTAA requires the substantive application to explain how the project to which the application relates is consistent with the purpose of the FTAA.

The purpose of the FTAA is set out in Section 3 as follows:

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

“Significant regional or national benefits” is not specifically defined in the FTAA, however, Section 22(2)(a) provides guidance on the matter and provides the following criteria (emphasis added):

(a) *whether the project—*

- (i) has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:*
- (ii) will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure:*
- (iii) will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020):*
- (iv) will deliver significant economic benefits:*
- (v) will support primary industries, including aquaculture:*
- (vi) will support development of natural resources, including minerals and petroleum:*
- (vii) will support climate change mitigation, including the reduction or removal of greenhouse gas emissions:*
- (viii) will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards:*
- (ix) will address significant environmental issues:*
- (x) is consistent with local or regional planning documents, including spatial strategies:*

The proposal is a Listed Project under the FTAA. This means that the project has already been identified as having significant regional or national benefits<sup>5</sup>. However, for completeness, we provide further commentary below.

<sup>5</sup> Refer to the discussion in the report titled “Fast-Track Projects Advisory Group – Report to Ministers”. Dated 2 August 2024.

The economic impacts of the application have been comprehensively assessed in the economic assessment prepared by Insight Economics<sup>6</sup>. We rely on this assessment to evaluate the economic benefits of the proposal.

In our opinion, the proposal is consistent with the purpose of the FTAA for the following reasons:

- The delivery capacity for an additional 1,059 dwellings in Milldale represents a highly significant boost to housing supply for the Auckland Region, particularly in the context of Auckland's housing affordability challenges and supply constraints;
- Related to this, the additional housing supply will assist to boost competition in the local housing market and therefore increase economic efficiency;
- The Milldale development is assessed as catering for specific demographic needs, including young families, which is distinct from the predominant demographic trends across Auckland. This indicates that Milldale is contributing housing supply that meets the needs of different households;
- Increasing housing supply, boosting market competition and meeting demographic needs in this way is consistent with Objective 1-2 and Policy 1 of the NPSUD;
- The development will contribute to significant one-off economic benefits for local GDP, jobs and wage growth. This includes an estimated boost to national GDP of \$429 million and generation of \$259 million in household incomes through 3,550 FTE-years. This translates to an annual impact of \$88 million in GDP, employment for 654 people and \$43 million in household incomes over a six-year period;
- The additional 1,059 households will also assist to boost spending within the Milldale Local Centre, with residents of the proposal expected to boost spending by approximately \$106 million per annum, of which a large proportion is expected to occur locally. This will support the growth and viability of businesses within the Milldale Town Centre, with flow on social and economic benefits;
- With the exception of the temporary Wastewater Treatment Plant, the development will occur on land that is zoned for urban development under the AUP(OP). At a strategic level, the proposal is therefore entirely consistent with the local and regional planning documents and spatial strategies, given that they actively encourage development to occur within the existing urban area.

For these reasons, in our opinion, the proposal is consistent with the purpose of the FTAA.

## 11.0 Ineligible Activities

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Section 43(1)(c) of the FTAA states that a substantive application must demonstrate that the project does not involve any ineligible activities.

Section 5 of the FTAA sets out the meaning of ineligible activity. We make the following comments to confirm that the proposal does not involve any ineligible activities:

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<sup>6</sup> The Insight Economics report is included as an attachment to Volume 2 of the AEE.

- None of the sites subject to the application would occur on:
  - Identified Māori land;
  - A customary marine title area;
  - Māori customary land;
  - Land set apart as a Māori reservation as defined in Section 4 of the Te Ture Whenua Maori Act 1993;
- The proposal is not for an aquaculture activity;
- The proposal is not for an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991;
- The proposal is not for an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991 as the proposal does not involve a coastal permit or relate to the common marine and coastal area;
- The proposal does not involve land that is listed in Schedule 4 and is unrelated to Section 24 of the FTAA;
- The proposal does not involve land on a national reserve held under the Reserves Act 1977 or a reserve held under the Reserves Act 1977 that is vested to someone other than the Crown, the local authority or Department of Conservation;
- The proposal does not involve a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act;
- The proposal does not involve an activity that is described in section 15B of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it;
- The proposal does not involve an activity that is prohibited by section 15C of the Resource Management Act 1991;
- The proposal does not involve a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012); and
- The proposal is not for an offshore renewable energy project.

## 12.0 Compliance and Enforcement

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With reference to s13(4) of the FTAA, s43(2) requires a substantive application to provide a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant under a specified Act.

FHLD has advised that across all their projects currently and historically in New Zealand, they have been subject to one Abatement Notice issued by Auckland Council in July 2024. This related to earthworks that FHLD had undertaken for drainage purposes, and they were unaware that this

technically required resource consent under the National Environmental Standards: Freshwater and AUP (OP). FHLD have complied with all requirements of the Abatement Notice.

## 13.0 Section 30 FTAA

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Section 30 of the FTAA sets out the preliminary steps for substantive applications. This requires the Council to advise the Applicant in writing whether there are any existing resource consents to which section 124C(1)(c) or 165Z1 of the Resource Management Act 1991 would apply if the approval were to be applied for as a resource consent under that Act. Or alternatively, that there are no existing resource consents of that kind.

The written notice from the Council is included at **Appendix 1E**. This confirms that Auckland Council has reviewed their records and do not hold any existing resource consents of that kind.

This letter from Council satisfies the requirements of Section 47 of the FTAA relating to obligations of the Environmental Protection Authority (EPA) following lodgement of the substantive application.

## 14.0 Consultation Undertaken

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Section 29 of the FTAA requires that the applicant consult with the persons and groups referred to in s11 of the FTAA prior to lodging the substantive application. Section 11 requires the applicant to consult with:

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

Details of consultation undertaken with the relevant local authorities, mana whenua and the relevant administering agencies are provided below. The requirements of s11(c), (d) and (f) do not apply in this case.

Under clause 6(1)(e) of Schedule 5 of the FTAA, persons who may be affected by the proposal must be identified and any response to the views of any such person must be provided. The persons who may be affected by the proposal are set out below in sections 16.1 - 16.3 and within the Consultation Summary included as **Appendix 1G**. Responses to the views of those persons identified as being potentially affected by the activity have been provided below and within the Consultation Summary included as **Appendix 1G**.

## 14.1 Territorial Local Authorities

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In meeting the requirements of s11(a), the applicant has had several pre-application meetings with Auckland Council, including Healthy Waters, Auckland Transport and Watercare in December 2024 – February 2025. The purpose of these meetings was to seek feedback on the proposal, including the infrastructure proposed (in particular, transport, wastewater, stormwater and waste management) to service the proposed development.

Auckland Council, along with Auckland Transport and Watercare, provided detailed feedback following these meetings, which the project team has responded to and, where possible, addressed through revisions to the design.

A copy of the feedback from Auckland Council is included in **Appendix 1G**. Also provided in **Appendix 1G** is a table summarising how the proposal has responded to the feedback received from Auckland Council.

The Applicant is committed to working with the Auckland Council, Auckland Transport and Watercare constructively and will continue to meet with its representatives to discuss the lodged application and recommended conditions.

### 14.1.1 Watercare

Prior to lodgement, FHLD has engaged in ongoing discussions and meetings with Watercare to explore solutions for addressing the potential wastewater capacity issues at the Army Bay WWTP that could impact Milldale. These discussions have considered various treatment and discharge options to ensure the proposed WWTP meets the needs of the Milldale development.

A letter from Watercare dated 17<sup>th</sup> December 2024 is included at **Appendix 1G**. This letter sets out the agreed approach to the design of the temporary WWTP, which is reflected in the proposed design as set out in **Volume 4** of the AEE.

Also included at **Appendix 1G** is correspondence from Watercare regarding the proposed water supply strategy. This includes comments on the proposed water supply layout plans and the proposed booster pump site. This confirms that Watercare agree to the location of the booster pump site and otherwise did not have any other queries about the water supply strategy at that time.

## 14.2 Mana Whenua

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In meeting the requirements of s11(b) of the FTAA, the applicant has engaged with the relevant iwi authorities who have historic and territorial rights in Tāmaki Makaurau, Auckland. On 29 October 2024, all iwi authorities with a possible interest in the project area were invited to engage with the Applicant on the project. The following iwi authorities were contacted:

- Ngāi Tai ki Tāmaki Tribal Trust;
- Ngāti Manuhiri Settlement Trust;
- Ngāti Maru Rūnanga Trust;
- Ngāti Paoa Iwi Trust;
- Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua;
- Ngātiwai Trust Board;
- Ngāti Whanaunga Incorporated;
- Ngā Maunga Whakahii o Kaipara Development Trust;
- Ngāti Whātua Ōrākei Trust;
- Te Ākitai Waiohua Iwi Authority;
- Te Kawerau ā Maki Settlement Trust; and
- Te Rūnanga o Ngāti Whātua.

Of those contacted, and Te Kawerau ā Maki requested engagement. A hui was held with representatives of these groups as follows:

- 14 November 2024 – Meeting with Ngāti Manuhiri Settlement Trust;
- 19 November 2024 – Meeting with Te Kawerau Iwi Settlement Trust; and
- 5 December 2024 – On-site meeting with Ngāti Manuhiri Settlement Trust and Te Kawerau Iwi Settlement Trust.

At these meetings, representatives of Ngāti Manuhiri Settlement Trust and Te Kawerau Iwi Settlement Trust stated that their interest in the project related primarily to the temporary WWTP.

Following this, Te Kawerau Iwi Settlement Trust provided a Cultural Investigation Report focussed on the temporary wastewater treatment plant. This is included at **Appendix 1G**. This report states that Te Kawerau Iwi Settlement Trust do not wish to undertake a formal Cultural Impact Assessment (**CIA**) for the property and do not oppose the proposal. The report includes a range of recommendations for the project team. These recommendations are addressed in **Volume 4** of the AEE.

Ngāti Manuhiri Settlement Trust has also prepared a Kaitiaki Report focussed on the temporary WWTP. The report includes a range of recommendations for the project team. These recommendations are addressed in **Volume 4** of the AEE.

The Applicant is committed to working with the iwi authorities constructively and will continue to meet with its representatives to discuss the lodged application and recommended conditions. In particular, this includes FHLD consulting with Te Kawerau Iwi Settlement Trust and Ngāti Manuhiri Settlement Trust when preparing the Stream and Wetland Management Plan for the Milldale North Compensation Site (Recommended Condition 57).

### 14.3 Administering Agencies

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The applicant undertook consultation with the relevant Administering Agencies, which in this case includes Heritage New Zealand. Consultation with Heritage New Zealand occurred in December 2024-January 2025. They have advised in writing that the project is uncomplicated from an archaeological perspective and that conditions of consent can appropriately manage the potential effects. The matters relevant to the Authority to Modify required for the project are addressed in **Volume 5** of the AEE.

The Applicant is committed to working with Heritage New Zealand constructively and will continue to meet with its representatives if required to discuss the lodged application and recommended conditions.

Multiple attempts were made to contact the Ministry for the Environment as an Administering Authority. To date, no response has been received. Details of this correspondence are included at **Appendix 1G**.

### 14.4 Potentially Affected Land Owners

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Under clause 6(1)(e) of Schedule 5 of the FTAA, persons who may be affected by the proposal must be identified and any response to the views of any such person must be provided. The persons who may be affected by the proposal also include the following adjacent sites:

- 147 Argent Lane in relation to the partial drainage of a *potential* wetland on the property associated with the redirection of stormwater in relation to Stages 10 - 13. This matter is addressed in detail in Volume 2 of the AEE. In respect of the views of this property owner occupier, it is noted that their legal representative has confirmed that they are happy for the works to proceed. They also acknowledged that the proposed works may reduce the potential wetlands and that they do not have an issue with that;
- Lot 5700 (vacant superlot created via Created via Stage 4C – 1) in relation to construction noise associated with Stage 4C. This matter is addressed in detail in Volume 3 of the AEE. In respect of the views of this property owner, no response to FHLD's correspondence was received; and
- Lot 5701 (vacant superlot created via Created via Stage 4C – 1) in relation to construction noise associated with Stage 4C. This matter is addressed in detail in Volume 3 of the AEE. In respect of the views of this property owner, no response to FHLD's correspondence was received.

No other potentially affected landowners have been identified. In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the names and addresses of adjacent landowners and occupiers is included as **Appendix 1D**.

The complete correspondence with the potentially affected landowners is included as **Attachment 1G.9**. A summary of correspondence with the potentially affected landowners listed above is set out in within table 3 of the Consultation Summary included as **Appendix 1G**.



## 15.0 Statutory Requirements Relating to Iwi Authorities

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### 15.1 Planning Document Recognised by a Relevant Iwi Authority

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Clause 5(1)(i) of the FTAA requires an application to provide:

*(h) an assessment of the activity against any relevant provisions in any of the documents listed in subclause (2).*

The relevant documents referred to in subclause (2) include:

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

The applicant has requested copies of planning documents recognised by a relevant iwi authority and lodged with Auckland Council from the relevant iwi authorities. The planning documents received from the relevant iwi authorities are assessed below.

### 15.2 Te Kawerau ā Maki Iwi Management Plan

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The Site is located within the rohe of Te Kawerau ā Maki. The Te Kawerau ā Maki Resource Management Statement (1995) is the Iwi Management Plan (IMP) for Te Kawerau ā Maki for the purposes of the RMA. This is the only IMP lodged with Council by a relevant iwi that we are aware of.

The IMP describes the continuing role of Te Kawerau ā Maki as kaitiaki (guardians) and provides policies to guide statutory authorities and applicants:

- Policy 2.2(2) promotes the integration of Te Kawerau ā Maki tikanga in resource management, while clause (3) requires engagement by all agencies within the rohe to help give effect to the kaitiaki role of the iwi;
- Policy 4.1.2(3) requires that cumulative effects upon Te Kawerau ā Maki are fully recognised and provided for;
- Policy 4.2.2 concerns Te Kawerau ā Maki cultural heritage and requires the protection of all heritage Sites including access requirements (s4.2.2(1)); the involvement of Te Kawerau ā Maki in all instances where potential effects may arise (s4.2.2(2)); and the recognition of Te Kawerau ā Maki cultural and spiritual values (s4.2.2(3 and 4));
- Policy 4.3.2 concerns the management of kōiwi, while s4.4.2 regards the management of water. Activities in the Coastal Marine Area are covered by s4.5.2. Waste management policies are described in s4.6.2 and land and landscape policies are set out in s4.7.2; and
- Policy 4.9.2 concerns Te Kawerau ā Maki participation in design of the built environment and interpretation of heritage.

It is considered that the proposal is well aligned with the IMP as it will appropriately treat and manage the quality of stormwater from the Site and will incorporate significant native vegetation planting and sustainability practices. Conditions of consent will manage the effects of earthworks, particularly in terms of any discharges to the streams.

While the site is not noted as a specific site of cultural significance, there is always the potential for the discovery of features of significance to Mana Whenua. The applicant will adhere to accidental discovery protocols, and they will enable cultural monitoring and cultural awareness training as required.

Overall, it is considered that the proposed development can be constructed and operated in a manner that is consistent with the environmental outcomes sought by Te Kawerau ā Maki as expressed in the IMP. Furthermore, the applicant has committed to ongoing engagement with Te Kawerau ā Maki.

### 15.3 Summary

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Overall, it is considered that the proposed development can be constructed and operated in a manner that is consistent with the environmental outcomes sought by planning documents recognised by relevant iwi authorities and lodged with Auckland Council.

### 15.4 Treaty Settlement Provisions and Redress

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Section 13(4)(l) and clause 5(1)(i) of Schedule 5 of the FTAA requires an application to provide:

*information about any Treaty settlements that apply in the area covered by the consent application, including*

*(iii) the identification of the relevant provisions in those Treaty settlements; and*

*(iv) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area*

There are no Treaty Settlement Statutory Acknowledgement areas identified on Auckland Council's GeoMaps for the application site or any adjacent properties.

The Treaty Settlements in **Table 6** apply to the site due to the respective iwi groups having an interest over the area where the site is located. We do not consider that any provisions of the treaty settlements are relevant on the basis that only Crown assets are involved in the redress offered and the statutory acknowledgments are over Crown owned land only.

**Table 6: Summary of Treaty Settlements and relevance to the project area.**

Treaty Settlement	Relevance to the Project Area
Ngāti Whātua o Kaipara Settlement Act 2013	<p>The Ngāti Whātua o Kaipara Deed of Settlement Act 2013 gave effect to certain provisions of the deed of settlement signed on 9 September 2011. Amendment deeds were signed in August 2012 and July 2020.</p> <p>The Deed acknowledges that Ngāti Whātua o Kaipara suffered injustices that impaired the economic, social and cultural development of Ngāti Whātua o Kaipara and records the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua o Kaipara.</p> <p>The Land Settlement provides redress to Ngāti Whātua o Kaipara in the form of land, money, the right of first refusal of Crown lands, statutory acknowledgements; letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, assigning place names and place name changes, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Kaipara Harbour. Agreement has been reached to address this relationship in the future.</p> <p>Only Crown assets are involved in the property redress offered to Ngāti Whātua o Kaipara, and the statutory acknowledgements are over Crown owned land only; therefore, the site is unaffected by the redress offered.</p>
Te Kawerau ā Maki Claims Settlement Act 2015	<p>Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014.</p> <p>The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki.</p> <p>The Settlement seeks to provide redress to Te Kawerau ā Maki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed.</p> <p>Only Crown assets are involved in the property redress offered to Te Kawerau ā Maki. The site is unaffected by the redress offered</p>
Ngāi Tai ki Tāmaki Claims Settlement Act 2018	<p>Ngāi Tai ki Tāmaki Claims Settlement Act 2018 gave effect to certain provisions of the deed of settlement signed on 7 November 2015. Amendment deeds were signed in June 2016, July 2017 and June 2018.</p> <p>The deed of settlement acknowledges that Ngāi Tai ki Tāmaki suffered injustices that impaired the economic, social and cultural development of Ngāi Tai ki Tāmaki and records the matters required to give effect to a settlement of all the historical claims of Ngāi Tai ki Tāmaki.</p>

Treaty Settlement	Relevance to the Project Area
	<p>The Land Settlement provides redress to Ngā Tai ki Tāmaki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, imposition of overlay classifications and statutory acknowledgements/deeds of recognition placed over land sites recognising their interest, relationship agreements with government agencies, place name changes and an apology from the Crown.</p> <p>Only Crown assets are involved in the redress offered, and the statutory acknowledgements are over Crown owned land only; therefore, the site is unaffected by the Deed in this regard.</p>
Ngāti Pāoa Deed of Settlement 2021	<p>The Ngāti Paoa Deed of Settlement 2021 was signed on 20 March 2021.</p> <p>The deed of settlement acknowledges that Ngāti Paoa suffered injustices that impaired the economic, social and cultural development of Ngāti Paoa and records the matters required to give effect to a settlement of all the historical claims of Ngāti Paoa.</p> <p>The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Hauraki Gulf. Agreement has been reached to address this relationship in the future.</p> <p>Only Crown assets are involved in the redress offered to Ngāti Paoa, and the overlay classifications, statutory acknowledgements, and statements of association are over Crown owned land only; therefore, the project site is unaffected by the redress offered</p>
Te Ākitai Waiohua Deed of Settlement 2021.	<p>The Te Ākitai Waiohua Deed of Settlement was initialled on 23 December 2022 and was signed on 12 November 2021.</p> <p>The deed of settlement acknowledges that Te Ākitai Waiohua suffered injustices that impaired the economic, social and cultural development of Te Ākitai Waiohua and records the matters required to give effect to a settlement of all the historical claims of Te Ākitai Waiohua.</p> <p>The Land Settlement provides redress to Te Ākitai Waiohua in the form of land, money, the right of first refusal of Crown lands, leaseback agreements, statutory acknowledgements, letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, an agreed historical account, agreements with MPI with respect to fisheries, statements of association, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Manukau or Waitemata Harbours. Agreement has been reached to address this relationship in the future.</p> <p>Only Crown assets are involved in the redress offered to Te Ākitai Waiohua, and the statutory acknowledgements/statements of association/leaseback agreements are over Crown owned land only; therefore, the project site is unaffected by the redress offered.</p>

Treaty Settlement	Relevance to the Project Area
Ngāti Manuhiri Claims Settlement Act 2012	<p>The Ngāti Manuhiri Claims Settlement Act 2012 gave effect to certain provisions of the deed of settlement signed by Ngāti Manuhiri and the Crown on 21 May 2011. Deeds to amend the settlement deed were signed in February and June 2012.</p> <p>The deed of settlement acknowledged that Ngāti Manuhiri suffered injustices that impaired the economic, social and cultural development of Ngāti Manuhiri and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Manuhiri.</p> <p>The Land Settlement provided redress to Ngāti Manuhiri in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown.</p> <p>The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.</p>
Ngātiwai	<p>The Crown recognised the Ngātiwai Deed of Mandate on 21 October 2015. The Deed of Mandate was amended on 27 May 2016.</p>
Ngāti Whātua Ōrākei	<p>Ngāti Whātua Ōrākei and the Crown signed a Deed of Settlement on 5 November 2011.</p> <p>The deed of settlement acknowledged that Ngāti Whātua Ōrākei suffered injustices that impaired the economic, social and cultural development of Ngāti Whātua Ōrākei and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua Ōrākei.</p> <p>The Settlement provided redress to Ngāti Whātua Ōrākei in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown.</p> <p>The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.</p>

All other iwi settlement Acts and Deeds have been reviewed and there are no other statutory acknowledgement areas, cultural redress properties or deeds of recognition that affect the application site.

## 15.5 Customary Marine Title Groups

Clause 5(5)(b) of Schedule 5 of the FTAA requires:

*if the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under*



*section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document*

There are currently several hundred applications for recognition of customary marine title (CMT) before the High Court under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA), as well as direct negotiations that are currently being conducted with the Crown.

There are no CMTs which affect the proposal, and as such there is no requirement to assess the activity under clause 5(5)(b) of Schedule 5 of the FTAA.

Additionally, the activity will not occur in an area that is within the scope of a planning document prepared by a customary marine title group under Section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.

## 15.6 Protected Customary Rights

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Clause 3(1)(j) of Schedule 5 of the FTAA requires an application to include an assessment of any effects of the activity on the exercise of a protected customary right.

There are no protected customary rights that relate to the site, and as such, an assessment under Clause 3(h) is not required.

## 16.0 Strategic Assessment of Effects

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This section of the application is provided in accordance with clause (5)(4) of Schedule 5 of the FTAA. This requires the application to include an assessment of the activity's effects on the environment that includes the information required by clause 6 and clause 7 of the FTAA.

This also includes an evaluation of:

- Known adverse effects of the project on the environment as required by s43(2) and 13(4)(h) of the FTAA; and
- A description of whether and how the project would be affected by climate change and natural hazards as required by s43(2) and 13(4)(V) of the FTAA.

The evaluation below is at a strategic level and assesses the application as a whole. It focuses on identifying the range of actual and potential effects of the activity on the environment and outlines how those effects have been evaluated and addressed at a high level. The other volumes of the AEE within **Volumes 2 – 4** provide a more detailed assessment.

- **Positive effects:** The proposal will result in significant public benefits by enabling a significant increase in housing supply that will support improved market competition and housing affordability. The proposal will contribute to greater housing choice in north Auckland and meet specific demographic needs. The development will also enable the completion of Milldale to a high level of urban and landscape design that benefits the existing Milldale community, its businesses and its surrounds.
- **Economic effects:** The proposal will contribute to significant one-off economic benefits for local GDP, jobs and wage growth. This includes an estimated boost to the national GDP of \$527 million and the generation of \$257 million in household income. The additional 1,155

households will also assist in boosting spending within the Milldale Local Centre, with residents of the proposal expected to boost spending by approximately \$106 million per annum, of which a large proportion is expected to occur locally.

- Visual and landscape effects:** The proposal is consistent with the land use and development outcomes sought by the zones that apply to the sites under the AUP(OP), and the visual effects of the development are, therefore, clearly anticipated. The proposal integrates high quality landscaping within the proposed network of streets, open spaces and riparian margins of waterways that will significantly enhance the visual and landscape of the site compared with the existing environment.
- Residential amenity effects:** The design of the subdivision and buildings within Stage 4C will achieve a high standard of amenity for existing and future residents of Milldale, consistent with the high quality of development delivered in earlier stages. This is delivered through a variety of lot sizes that create a diverse streetscape character for the area while maintaining the potential for well-designed, functional homes. Within Stage 4C, dwellings are orientated to provide an attractive interface to the street and achieve quality on site amenity with private open space and a range of amenities, including secure cycle parking.
- Ecological effects:** The proposal has the potential to result in adverse ecological effects due to the loss of 16 natural inland wetlands within the site, reclamation and diversion of streams, works in proximity to wetlands and urban streams, and the removal of vegetation across the site. The works also have an adverse ecological effect on a potential inland wetland within 147 Argent Lane. These works are necessary to deliver a high-quality urban development on the site in line with the Wainui Precinct Plan, and the ecological values of these features have been assessed as low. Nevertheless, a range of measures are proposed to manage these effects. This includes extensive stream and wetland restoration and enhancement planting within the site and at an off-set mitigation site owned by FHLD in Milldale North adjacent to the application area.
- Water quality effects:** Stormwater runoff from the new impervious surfaces will be conveyed to the proposed reticulated stormwater network. The proposed stormwater management devices will reduce the volume of stormwater discharged to the environment and will provide the level of detention/retention required by the Wainui East Stormwater Management Plan (SMP), AUP(OP) and the Council's Guidance Document GD01 (for Stormwater Management Devices in the Auckland Region). Water quality treatment of new roads will be provided with new stormwater treatment devices. The discharge of flows to watercourses will occur via new outlet structures. Riprap and landscaping will be provided to reduce the impact of engineered structures on watercourses and minimise stream erosion. Potential effects on water quality during the earthworks phase will be managed with appropriate erosion and sediment control measures.
- Natural hazards effects:** Flood modelling has been undertaken for the proposal which demonstrates that the flows up to the 100-year ARI plus climate change storm event will be fully contained within the Stream 21 corridor following the completion of the proposed earthworks activities and installation/upgrade of the 11 identified culverts. The flood modelling demonstrates that the proposal will not displace or increase flood waters upstream/downstream or on neighbouring properties. Geotechnical assessments

undertaken illustrate that the subdivision layout and geotechnical nature of the site is suitable for the proposed earthworks and future development.

- **Traffic effects:** The design of the development will effectively manage the traffic effects of the proposal. Traffic modelling undertaken to support this proposal demonstrates that there is adequate capacity within the wider road network and will continue to operate well during both morning and evening peak hours. It is noted an infrastructure upgrade that identified in the ITA supporting the overall Wainui precinct, requires that no more than 3,800 residential dwellings may be occupied until the O Mahurangi - Penlink link between Whangaparāoa Road and State Highway 1 is operational. While Penlink is under construction and is due to be completed in early 2028, a limit on the number of dwellings occupied forms part of the consent application. Within the site, the development will deliver a well-connected and high-quality street network that promotes walking and cycling and is consistent with the Wainui Precinct Plan.
- **Infrastructure effects:** The development can be adequately serviced by new reticulated stormwater, wastewater, potable water network without placing pressure or loading effects on the existing network. This will be achieved through an extension of the existing public reticulated networks located in and/or adjoining the site. The existing and proposed networks have been sized to accommodate the increase in stormwater, wastewater and water demands on the site. Utilities will also be provided to each new lot. The temporary wastewater treatment plant provides an interim solution in the event that the capacity of the Army Bay Treatment Plant is constrained due to the timing of planned upgrades.
- **Mana whenua values:** Ngāti Manuhiri Settlement Trust and Te Kawerau Iwi Settlement Trust wished to be involved in the project, with their key interests relating to the temporary wastewater treatment plant and the adherence to accidental discovery protocols. Where possible, the recommendations contained within the iwi authorities' reports are reflected in design of the WWTP (sensitive lighting design, sensitive water design that minimises ecological impacts, minimisation and management of earthworks) and the recommended conditions of consent (accidental discovery protocols and cultural monitoring).
- **Noise effects:** The proposal will result in temporary construction effects for the duration of the proposed earthworks, including traffic, noise, sediment and dust effects. These effects are appropriately managed through compliance with AUP(OP) standards and/or the preparation of Construction Management Plans for the various stages of development. The temporary WWTP will comply with the noise standards of the AUP(OP) and any adverse effects are therefore considered to be less than minor.
- **Odour:** The potential odour effects of the temporary WWTP on the environment will be less than minor given the range of control measures that have been integrated into the design and operation of the plant. The WWTP's mitigation measures are identified in the assessment by Air Matters Ltd as the best practicable option for minimising and eliminating odour.

For these reasons, the proposal is appropriate, with several positive social and economic effects for the community. Where there are potential adverse effects on the environment arising, these have been appropriately managed through the design of the development and the mitigation measures proposed including the recommended conditions, such that they will be less than minor.



## 17.0 Strategic Assessment of Relevant Statutory Documents

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This section of the application is provided in accordance with clauses 5(1)(h), and 5(2) of Schedule 5 of the FTAA. This requires that applications include an assessment of the activity against the relevant provisions and requirements of the following statutory documents:

- (a) a national environmental standard;
- (b) other regulations made under the Resource Management Act 1991;
- (c) a national policy statement;
- (d) a New Zealand coastal policy statement;
- (e) a regional policy statement or proposed regional policy statement;
- (f) a plan or proposed plan; and
- (g) a planning document recognised by a relevant iwi authority and lodged with a local authority.

As required by clause 5(3) of Schedule 5, this includes an assessment of the relevant objectives, policies and rules and any requirements, conditions or permissions in any rules of those documents.

The evaluation below is at a strategic level and assesses the application as a whole against the relevant statutory documents. The other volumes of the AEE provide a more detailed assessment.

### 17.1 National Environmental Standards

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#### 17.1.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

Resource consents required under the NESCS have been considered in **Volumes 2, 3 and 4** of the AEE.

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

As outlined in **Volumes 2-4**, the proposal meets the intent of the NESCS as soil sampling is undertaken as part of the DSIs for the development of identified elevated concentrations of contaminants. Therefore, it is proposed to remediate these parts of the site and manage earthworks in accordance with the CSMP / RAP which will ensure that the site is suitable for the intended residential land use and for the health and safety of persons during works.

Based on the above, as the site will be remediated, that potential risks to human health will be appropriately managed and it is considered that the intent of the NESCS will be met.

#### 17.1.2 National Environmental Standard for Freshwater 2020

Resource consents required under the NESF have been considered in **Volumes 2, 3 and 4** of the AEE.

The intent of the NESF is to set out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. It seeks to:

- Protect existing inland and coastal wetlands;
- Protect urban and rural streams from in-filling;
- Ensure connectivity of fish habitat (fish passage);
- Set minimum requirements for feedlots and other stockholding areas;
- Improve poor practice intensive winter grazing of forage crops;
- Restrict further agricultural intensification until the end of 2024; and
- Limit the discharge of synthetic nitrogen fertiliser to land and require reporting of fertiliser use.

The effects of the proposal have been adequately assessed in **Volumes 2 and 4** of this report above. Appropriate mitigation measures have been identified and provided for, to avoid any adverse effects to the health of freshwater and freshwater ecosystems.

Based on the above, the proposal is considered to meet the intent of the NESF. The objectives and policies of the NPSFM are assessed below.

### 17.1.3 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, and therefore, an assessment against the intent of those documents is not required.

## 17.2 National Policy Statements

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### 17.2.1 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (**NPS-UD**) recognises the national significance of:

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

The NPSUD contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth 'up' and 'out' in a way that contributes to a quality urban environment and to ensure their rules do not necessarily constrain growth. Councils must also enable higher density development

in areas close to employment, amenity, infrastructure and demand and in some instances remove minimum car parking requirements.

The proposal is considered to be consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment for the following reasons:

- The proposal will provide for greater intensity of development which has been comprehensively planned, is proximate to planned public transport and will form the final stages of the Milldale development; delivering capacity for an additional 1,155 dwellings to further contribute to a diverse and vibrant community;
- The temporary WWTP will enable the Milldale development to continue where there are otherwise downstream infrastructure capacity constraints with the Army Bay Wastewater Treatment Plant. By proposing a WWTP that resolves the potential capacity issues of the current public infrastructure, the proposal directly contributes to facilitating urban development in an area that has been identified as appropriate for growth;
- The project is located on land that has operative live zones applied under the AUP (OP). The operative zoning of the project area recognises the suitability of the land for urban development;
- The temporary WWTP is located on future urban zoned land, preserving urban-zoned areas for development. It will remain in private ownership by FHLD, with no subdivision of the parent lot planned. If the rezoning of Milldale North succeeds, and when the Army Bay upgrades make the WWTP unnecessary, the WWTP can be decommissioned and the area redeveloped for residential use;
- The development will provide more houses in a well-connected, strategic location, within close proximity to both existing and planned businesses, community services, and employment opportunities, and public transport services;
- The project will support competitive land and development markets and contribute to improving housing affordability in Auckland;
- The proposed housing development will integrate the provision of infrastructure servicing;
- The project will be fully serviced by development infrastructure and additional infrastructure, including the new primary school, Ahutoetoe school, which was opened in February 2023 to meet the educational needs of the community, along with two existing preschools; and
- The Project will support a reduction in greenhouse gas emissions by locating additional houses in close proximity to existing and planned employment areas (Highgate Industrial area and proposed Silverdale West Industrial area) and other amenities.

Overall, it is considered that the Milldale Stages 4C and Stages 10 – 13, along with the WWTP development, gives effect to the NPS-UD.

### 17.2.2 National Policy Statement on Freshwater Management 2020 (NPS – FM)

The National Policy Statement on Freshwater Management 2020 (**NPS-FM**) requirements include:

- Managing freshwater in a way that ‘gives effect’ to Te Mana o te Wai;
- Improving degraded water bodies, and maintaining or improving all others; and

- Avoiding any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration.

The proposal is considered to be consistent with the relevant objectives and policies of the NPSFM that relate to land development for the following reasons:

- The NPS-FM recognises the need for urban growth and specified infrastructure while integrating and managing the effects of development on freshwater, ecosystems and the coastal environment. The proposed works are required to support the delivery of residential and urban development in Auckland with measures proposed to mitigate and manage effects on adjacent freshwater bodies;
- The NPSFM priorities the health and wellbeing of freshwater systems, including water quality. The proposal seeks to ensure the water quality of downstream and adjacent freshwater systems in the catchment is maintained and improved;
- As part of the proposal, an offset package will enhance and extend an existing wetland system and its margins at an offset site within an existing ecological ecosystem adjacent to Milldale (Milldale North). The residual adverse ecological effects associated with the proposed stream reclamation will be compensated by the significant stream enhancement works and riparian planting within the site and at the same offset site. The offset and compensation package is proposed in order to achieve a no-net-loss in respect of extent and any degradation of overall ecological values;
- The proposed reclamation works are deemed necessary to prepare the site for the roading alignment detailed within the Wainui Precinct Plan, stormwater management approach and underlying Single House Zone, Mixed Housing Urban, Mixed Housing Suburban, Neighbourhood Centre and Open Space zoning;
- Furthermore, the area has been zoned for Residential and Business use. The block structure and road network design has been determined by a range of transport and infrastructural connections from adjacent stages as well as the surrounding natural features. The proposed public roads are required in the specified locations in order to meet the functional and operational needs of the wider roading network within the Wainui development. In light of this, the reclamation of wetlands and streams cannot be avoided;
- Retention of Stream 21 and the diversion of streams throughout the development area will be enhanced with extensive riparian planting. These corridors will provide a space for public amenity as well as pedestrian connectivity routes to other stages within the subdivision;
- The freshwater offset and compensation package is located as close as possible to the impacted site by involving significant replanting of the riparian margins throughout the development as well as creation of new wetland and enhancement of streams in Milldale North. The stream and wetland enhancement and planting will achieve a net gain of ecological values. It will also result in significant ecological benefits and improved water quality for the local catchments;
- The proposal will manage the adverse effects on Mana Whenua cultural heritage if discovered on site and will comply with the protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin. Appropriate actions will be undertaken in accordance with

mātauranga and tikanga Māori and any adverse effects will be avoided, remedied or mitigated where possible; and

- There are no practicable alternatives or methods to the proposed reclamations and diversions based on the aforementioned assessment and the planned zoning of the site as envisaged by the Precinct.

### 17.2.3 National Policy Statement on Indigenous Biodiversity (NPS-IB)

The relevant objectives and policies of the NPS-IB includes:

- Indigenous biodiversity is managed in a way that gives effect to Te Rito o te Harakeke;
- Significant indigenous vegetation and significant habitats of indigenous fauna are identified as Significant Natural Areas (SNAs) using a consistent approach; and
- The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

It is considered that the proposed development accords with the NPS-IB objectives and policies for the following reasons:

- Mana Whenua have been consulted throughout the development of the proposal as set out in the Consultation Summary. No concerns have been raised in regard to indigenous biodiversity;
- The Site has not been identified as a Significant Ecological Area or SNA;
- The Site is currently vegetated with pasture, low lying shrubs and sparse trees. The proposal will result in ecological gains through the provision of comprehensive native landscaping, in conjunction with riparian planting to aid in the restoration of the site; and
- The Site does not present any features, fauna or flora habitats that present significant ecological values.

### 17.2.4 New Zealand Coastal Policy Statement 2010

As the proposed development is not located within close vicinity to the coastal environment, the New Zealand Coastal Policy Statement 2010 (NZCPS) is not relevant.

### 17.2.5 Other National Policy Statements

The proposal does not require an assessment against the following National Policy Statements below for the reasons set out as follows:

- National Policy Statement for Highly Productive Land – This NPS sets out objectives and policies for managing highly productive land. Prior to the territorial authority including the relevant objectives, policies and rules in their district plan, the NPS-HPL has limited application in a consenting context. The site is situated within the Wainui Precinct and is a key urban growth area identified under the AUP(OP). For this reason, an assessment of this NPS is not required;
- National Policy Statement for Renewable Electricity Generation – this NPS provides guidance for local authorities on how renewable energy generation (including the construction,

operation and maintenance of structures associated with renewable energy generation) should be dealt with in RMA planning documents. The proposal does not include the construction or operation of renewable energy generation structures or related activities. Therefore, an assessment of this NPS is not required;

- National Policy Statement on Electricity Transmission – this NPS sets out the objectives and policies for managing the electricity transmission network. There are no electricity transmission lines or transmission network structures within the site, and therefore an assessment of this NPS is not required; and
- Greenhouse Gas Emissions from Industrial Process Heat – this NPS sets out the objectives and policies to reduce greenhouse gas emissions by managing the discharge to air from the production of heat for industrial processes. The proposal does not involve the emission of greenhouse gases from fossil fuel-fire heat devices. Therefore, an assessment of this NPS is not required.

### 17.3 Weighting of Proposed Plan Changes: Plan Changes 78 and 79

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PC 78 to the AUP(OP) is an Intensification Planning Instrument (IPI) prepared under section 870F and seeks to give effect to the NPSUD and incorporates the MDRS into relevant residential zones. PC78 was notified on 18 August 2022 and is progressing through the Hearing process. PC78 proposes to apply the Mixed Housing Urban zone to Milldale.

The density standards of the MDRS do not have immediate legal effect because the site is subject to qualifying matters including the water and/or wastewater constraints control, the Wainui Precinct and floodplains. The WWTP site is located outside of the urban environment under PC78. The objectives and policies of PC78 do have legal effect, however, are afforded limited weight in this assessment given that a decision is yet to be released. PC78 is not relevant to the temporary wastewater treatment plant.

Auckland Council notified its decision on Plan Change 79 (**PC 79 DV**) on 9 August 2024, which seeks to respond to and reflect the mandatory residential intensification provisions under the NPS-UD and MDRS and addresses matters such as pedestrian safety, accessible car parking, loading and heavy vehicle management and catering for electric vehicle charging and cycle parking.

While the Plan Change has been appealed to the Environment Court in its entirety, under section 86F of the Act, the PC 79 DV provisions still have legal effect, and have been considered in this application.

### 17.4 Regional Policy Statement, Regional Plan and District Plan

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#### 17.4.1 Auckland Unitary Plan (Operative in Part) 2016

The AUP(OP) comprises Auckland's Regional Policy Statement (RPS), and regional and district plans. A detailed assessment of the proposal against the relevant objectives and policies of the AUP (OP) is included within **Volumes 2 – 4** of the AEE, and a summary is provided below.

#### 17.4.2 Regional Policy Statement

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

To summarise, in our opinion, the proposal is consistent with the relevant objectives and policies of the RPS for the following reasons:

- B2.2 Urban Growth and Form: The proposal is considered to be consistent with this policy direction as the proposal supports a quality compact urban form within the Rural Urban Boundary, by enabling the development envisaged under the Wainui Precinct Plan (which was developed in accordance with the structure plan guidelines). The proposal will enable the provision of a range of housing types, and the proposed neighbourhood centres will provide for residents to meet their day-to-day needs locally.
- B2.2 Urban Growth and Form: The proposal is considered to be consistent with this policy direction as the proposal makes efficient use of the infrastructure that has been consented or completed within the prior Milldale stages.
- B2.3 Quality Built Environment: The proposal is consistent with this policy direction as the development has been comprehensively master planned, is in general accordance with the Precinct Plan and designed to result in a quality-built environment. The development has been designed to respond to the intrinsic qualities and physical characteristics of the site, including natural watercourse, established vegetation and the undulating topography. Although the proposed earthworks will disrupt the landform during construction, the general overall topography of the Site will be maintained.
- B2.4 Residential Intensification: The proposal is consistent with this policy direction as it will deliver additional residential capacity within a quality compact urban form. The development will provide capacity for approximately 1,155 dwellings that will provide for a range of residential typologies that are in keeping with the planned built character of the Wainui Precinct and relevant zones.
- B2.7 Open Space and Recreation Facilities: The proposal is considered to be consistent with this policy direction as the development provides two new neighbourhood parks to meet the needs of future residents as well as new cycling and pedestrian links that will promote the physical connection of open spaces.
- B3.2 Infrastructure: The proposal is considered to be consistent with this policy direction as the development and upgrading of infrastructure is provided for. The proposal will provide three waters infrastructure (including a WWTP), power and telecommunication utilities services for the development.
- B3.3 Transport: Roading will be provided for as envisaged by the Wainui Precinct, resulting in a well-connected road network through the site that integrates transport infrastructure with urban growth. The provision of shared paths and cycle paths will ensure a safe and effective pedestrian and cycling network that connects into and through the site is maintained and improved on.



- B6 Mana Whenua: The proposal is considered to be consistent with these policy directions as the proposal recognises the unique relationship between Mana Whenua and natural and physical resources. Consultation has been undertaken with Mana Whenua authorities who have provided feedback within **Appendices 1G**.
- B10.4 Land – Contaminated: The proposal is consistent with this policy direction as testing has been undertaken and potentially contaminated soils have been identified in the DSI provided with the application. It is proposed to remediate areas containing elevated levels of contaminants to ensure the Site is suitable for the intended residential development. Works on the Site will be undertaken in accordance with the measures set out in the SMP/RAP to reduce the potential discharge of contaminants from land to receiving environments and to protect human health.
- B7 Natural Resources: The proposal is not inconsistent with this policy direction. While the proposal involves the loss of wetlands with a total area of 2.02 ha and the partial reclamation of 1,208.5m of stream length, both the wetlands and streams are considered to be of low ecological value and have been highly modified as a result of historical agricultural practices. There are no practicable alternatives to the loss, this matter is addressed within the Functional Need Memorandum included in Volume 2 of the AEE. The loss is mitigated by the proposed wetland off-set and stream enhancement works. The proposed offset works will result in a no-net loss in wetland extent and wetland value. While there will be an overall net loss of intermittent stream extent, the proposed compensation would restore or enhance ecosystem processes equivalent to or greater than those lost. This includes improvements in water quality, habitat diversity, biodiversity support, and hydrological stability. This will result in significant positive effects for the Rodney Ecological District and Auckland region.
- B10.2 Natural Hazards and Climate Change: The proposal is consistent with this policy direction as flood modelling demonstrate that significant adverse flooding effects are avoided through the design of the development. It is confirmed within the Stormwater Assessment that overland flow paths present on site will be incorporated into the development, such that the development will not worsen any existing or create new flood risk hazards for properties upstream or downstream.

### 17.4.3 Summary

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

## 17.5 Regional and District Plan

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A detailed assessment of the proposal against the relevant rules of the Regional and District Plan provisions of the AUP(OP) has been provided within Volumes 2 – 4 of the AEE. Overall, resource consent is required as a non-complying activity. As such, it is relevant to consider the objectives and policies of the Regional and District Plan.

The relevant Regional and District Plan objectives and policies are contained within chapters:

- I544 Wainui Precinct;
- E3 Lakes, Rivers, Streams and Wetlands;

- E15 - Vegetation Management and Biodiversity;
- E7 – Diversion, Dewatering and Water Take;
- E11 and E12 - Land Disturbance - Regional and District;
- E14 Air Quality;
- E17 Trees in Roads;
- E25 - Noise and Vibration;
- E26 – Infrastructure;
- E27 – Transport;
- E30 - Contaminated Land;
- E31 – Hazardous Substances;
- E36 – Flooding;
- E38 - Subdivision Urban;
- E40 - Temporary Activities;
- H3 - Single House Zone;
- H4 - Mixed Housing Suburban;
- H5 - Mixed Housing Urban;
- H6 - Terrace Housing and Apartment Buildings;
- H7 - Open Space Zones;
- H12 - Neighbourhood Centre Zone; and
- H18 - Future Urban Zone.

A detailed evaluation of the proposal against the relevant District and Regional Plan objectives and policies is provided within **Volumes 2 – 4** of the AEE. Some of these objectives and policies are proposed to be amended by PC78 and PC79. We comment below on the relevant objectives and policies of these plan changes. To summarise, in our opinion, the proposal is consistent with the relevant objectives and policies of the District and Regional Plan for the following reasons:

- The proposed subdivision, including the location and design of road networks, pedestrian links, and open spaces is in general accordance with the Wainui Precinct Plan;
- The reclamation of the streams and wetlands is necessary for the purposes of the construction of public roads and pedestrian connections to link up to existing infrastructure within adjacent stages in the Milldale development. The proposed roading network aligns with the Wainui Precinct Plan and facilitates connectivity to the wider roading network. A compensation package will restore, enhance, and create new wetlands and provide extensive restoration planting along existing streams within an existing ecological ecosystem adjacent to Milldale. The residual adverse ecological effects of the proposed wetland and stream reclamation will be compensated for in order to achieve a no-net-loss in respect of extent and any degradation of overall ecological values;

- Groundwater investigations have confirmed that the potential effects on groundwater and ground settlement will be localised. Groundwater induced settlement is not considered to be a risk beyond the subject site;
- Earthworks across the site will be managed appropriately to ensure that any effects associated with silt and sediment are appropriately managed. The proposed erosion and sediment controls have been designed in accordance with GD05;
- Air quality will be maintained within the WWTP's location due to the high degree of mitigation measures designed into the plant. This will avoid any significant odours emanating from the site, mitigating nuisance impacts on the surrounding community and protecting any significant adverse effects on human health;
- Construction noise will be appropriately managed through the adoption of best practicable measures in response to and in recognition of surrounding site conditions and will also be minimised where practically possible;
- The proposal will provide extensions to existing roading, power and telecommunication utilities and new three waters infrastructure, including a WWTP to service the development;
- The safe and efficient operation of the transport network will not be compromised as a result of the proposal. The proposed roading network has been designed to connect and integrate with the existing network. The new roads meet Auckland Transport Code of Practice 2013 (ATCOP) standards and have been designed to accommodate the level of future traffic envisaged in the area;
- The discharge of contaminants from contaminated land into air, water, or land will be managed to protect the environment and human health via the measures outlined in the CSMP / RAP. The remediation of contamination hot spots on the site in accordance with the CSMP and RAP will enable the land to be used and developed for planned residential and commercial purposes;
- A range of measures have been included in the WWTP design to reduce any potential effects associated with hazardous substances. The cumulative risk on neighbouring properties, people and the environment is considered to be low;
- Significant adverse flooding effects are avoided through the design of the development. It is confirmed within the Stormwater Assessment that overland flow paths present on site will be incorporated into the development, such that the development will not worsen any existing or create new flood risk hazards for properties upstream or downstream;
- The subdivision will facilitate subsequent residential and commercial development as anticipated by the underlying zoning and Precinct plan. The lots will provide for a mix of housing typologies, thereby providing for the long-term growth and needs of the Auckland region. The layout of the subdivision follows good urban design principles to ensure a legible, well-proportioned and quality environment is achieved;
- Temporary construction activities will be appropriately managed with best practicable measures in response to and in recognition of surrounding site conditions and will also be minimised where practically possible. Pedestrian safety will also be maintained and prioritised over the course of construction by implementing traffic management procedures and

hoarding/fencing to enclose the construction site to ensure their safe movement is maintained;

- The proposal provides for attractive and safe streets through the site layout, architectural design, and proposed landscaping. The buildings provide for passive surveillance of the street and share spaces through the positions of kitchens and living areas;
- The subdivision is consistent with the vision and form of development sought within the Wainui Precinct and will allow for future development to be generally consistent with the underlying zoning;
- Development within the Open Space Zones is a result of the zone boundary placements between urban and open space zones on the AUP(OP) maps. The Milldale zoning was established before urban development began, leading to anomalies in zone boundaries that do not always align with lot boundaries. Sufficient open space has been provided across the Milldale development;
- The Neighbourhood Centre has been reduced in size and relocated from the western part of the development to the north-western area, near the Cemetery Road Link. This change is based on an economic assessment of Milldale's development that confirms the provision of Neighbourhood Centre zoned land is nearly twice the regional normal, and the zoned centre land provision is far higher than any likely future requirements. Changing the size and location of the Neighbourhood Centre will help improve visibility, increase the opportunity for passing trade, and ensure its long-term viability. Given the relocation and reduction of the Neighbourhood Centre within Milldale Stages 10 – 13, the part of the site zoned Neighbourhood Centre will need to be developed for alternative uses. Given the presence of existing streams across the development, a large part of the Neighbourhood Centre zone will be vested with the Council as a Local Purpose (Drainage) Reserve. The remainder of the zone will be developed in accordance with the Mixed Housing Urban zone provisions; and
- The WWTP is located on future urban land, ensuring that existing urban-zoned areas remain available for their intended development. The site was previously used as a contractor's construction yard, so its redevelopment for infrastructure does not negatively impact the surrounding rural environment, as it was already used for non-rural purposes. The WWTP will remain in private ownership by FHLD, with no subdivision proposed around the compound as part of this application. If the site is rezoned in the future, and the Army Bay treatment plant upgrades eliminate the need for the WWTP, it can be decommissioned, and the land can be redeveloped for residential use as part of the Milldale North expansion.

In addition to the relevant objectives and policies, the AUP(OP) includes matters of discretion and assessment criteria that, while not limiting the exercise of the Panel's discretion, nevertheless provide appropriate guidance to decision makers. Where relevant, matters of discretion and assessment criteria are considered in **Volumes 2 – 4** of the AEE.

### 17.5.1 Summary

Overall, the application is considered to be consistent with, and not contrary to, the applicable provisions of the NESCS, NESF, NPS-UD, NPS-FM and AUP (OP).

## 17.6 Assessment of Sections 5, 6 and 7 of the RMA

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This section of the application provides an overall assessment of the activity against sections 5, 6 and 7 of the RMA, as required by clause 5(1)(g) of Schedule 5 of the FTAA.

Part 2 contains the purpose and principles of the RMA. Section 5 sets out the purpose of the RMA and requires a broad judgement as to whether a proposal would promote the sustainable management of natural and physical resources. This exercise of this judgment is informed by the principles in sections 6 to 7 and considered in light of the particular circumstances of each application.

### Section 5 – Purpose of the RMA

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposed development is complementary to these objectives as it will provide for the social and economic well-being of people and communities by increasing expenditure, employment and income within the local economy and provide capacity for 1,155 new, healthy homes to assist with Auckland's housing shortage. The preceding assessments demonstrate that the development will be appropriately managed and carried out in a manner which will not give rise to significant adverse environmental effects.

### Section 6 – Matters of National Importance

With regard to Section 6 of the RMA, the proposal will enhance public access along Milldale's stream network. FHLD has consulted with Mana Whenua and their recommendations have been addressed in the design of the temporary wastewater treatment plant. This provides for the relationship of Maori and their culture and transitions with water, waahi tapu and other taonga. Historic heritage is protected from inappropriate development through appropriate conditions of consent attached to the Authority to Modify in Volume 5 of the AEE.

### Section 7 – Other Matters

Section 7 of the RMA identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. The proposal is considered to be consistent with the matters in section 7, in particular, it enables and facilitates the efficient use and development of land, will not compromise the visual amenity of the environment and will protect natural water resources.

Overall, as the effects of the proposal are considered to be consistent with all of the above sections of the RMA, and the proposal accords with the relevant AUP (OP) objectives, policies, and assessment criteria, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the RMA.

## 17.7 Parts 3, 6, 8 - 10 of the RMA

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This section of the application provides an overall assessment of the activity against Parts 3, 6, 8 – 10 of the RMA, as required by clause 17(1)(b) of Schedule 5 of the FTAA.

### Part 3 - Duties and Restrictions under the RMA

Part 3 of the RMA relates to the duties and restrictions under the RMA, with particular regard to use of land, subdivision, discharge of contaminants, uses of beds of rivers, and contravention of designations. It is considered that the proposal meets Part 3 of the RMA as the proposal seeks resource consent to provide for land use activities that have been identified as contravening a standard or rule.

### Part 6 - Resource Consents, Proposals of National Significance, Aquaculture Moratorium

Part 6 of the RMA relates to resource consents, proposals of national significance and aquaculture moratorium. With particular regard to resource consents, the proposal is considered to be consistent with and assesses against the resource consent framework identified within Part 6 of the RMA, except where such assessment is not required as directed by the FTAA legislation (such as assessing environmental effects under clause 6 of Schedule 5 of the FTAA, or the exclusion of s104D under clause 17 schedule 5 of the FTAA). As such, for the reasons identified within Volumes 2-4 of the AEE it is considered that the proposal will not offend against Part 6 of the RMA.

Section 105 – Discharge and Coastal Permits, Section 106 – Subdivisions, and Section 107 – Discharge Permit Restrictions contained within Part 6 of the RMA are considered to be directly relevant to this Application. Further commentary in relation to these sections of the RMA are provided in sections 17.7.1 – 17.7.2 below.

### Part 8 - Designations and Heritage Orders

Part 8 of the RMA relates to designations and heritage orders. No designations nor heritage orders apply to the site or are proposed. Part 8 of the RMA is not relevant to this proposal.

### Part 9 - Water Conservation Orders, Freshwater Farm Plans, and Freshwater Ecosystems

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. Part 9 of the RMA is not relevant to this proposal.

### Part 10 - Subdivision and Reclamations

Part 10 of the RMA relates to subdivision and reclamations. With particular regard to subdivision proposed through Stages 10 – 13 and Stage 4C, the proposal is considered to be consistent with and assesses against the subdivision framework. In particular, an assessment of effects has been undertaken in Volumes 2 – 3 of the AEE, and all new boundaries and allotments have been provided within the Scheme Plan as required by Schedule 4 of the RMA. Conditions of consent will ensure that the proposal accords with s223 and s224 and also provides for roads to vest and granting of easements.

#### 17.7.1 Section 105 Discharge and Coastal Permits

Under section 105(1) of the RMA, in addition to the matters in section 104(1) of the RMA, a consent authority must have regard to:

- the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- the applicant's reasons for the proposed choice; and
- any possible alternative methods of discharge, including discharge into any other receiving environment.

With regard to the stormwater discharges, it is considered that the discharges will be acceptable due to the nature of the discharges being approved by Council for previous stages of the development, the nature of the receiving environment, and the proposed treatment methods as outlined in the Stormwater Assessments. Alternative methods of discharge have been considered, and the application demonstrates that effects will be avoided, remedied or mitigated by the nature of the activity and the proposed conditions of consent.

With regard to the potential wastewater discharge, the WWTP process produces exceptionally high-quality treated water that will be discharged via a ground discharge device. The discharge will be acceptable due to the nature of the discharge, the nature of the receiving environment, and the proposed treatment methods as outlined in the Apex Design Report. Alternative methods of discharge have been considered, and the application demonstrates that effects will be avoided, remedied or mitigated by the nature of the activity and the proposed conditions of consent.

With regard to the air discharge, it is considered the discharges will be acceptable for the reasons outlined within the Air Quality Assessment. There are no alternative methods available given the requirement of an on-site wastewater treatment plant may be required to meet the infrastructure needs of the proposed development.

### 17.7.2 Section 106 Subdivision

Section 106 of the RMA sets out additional circumstances when a consent authority may refuse subdivision consent if it considers that there is significant risk from natural hazards, or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

Despite the subdivision being subject to natural hazards referred to in s106, as detailed in Volumes 2 – 4 of this Application and associated appendices, the subdivision will not worsen any flooding or land instability hazards and includes appropriate management and mitigation measures to manage these hazards. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. As a consequence, there are no reasons to refuse to grant the subdivision under Section 106 of the RMA.

### 17.7.3 Section 107 Discharge Permit Restrictions

Under section 107 of the RMA, unless there are exceptional circumstances, or the discharge is temporary, or it is associated with maintenance work, a consent authority cannot grant a discharge permit that would have following effects:

- if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:



- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
- any conspicuous change in the colour or visual clarity:
- any emission of objectionable odour:
- the rendering of fresh water unsuitable for consumption by farm animals:
- any significant adverse effects on aquatic life.

The proposal is not anticipated to give rise to any of the matters listed above. As detailed in the Stormwater Management Plan, the stormwater management approach for Milldale Stages 10 – 13, Stage 4C and the WWTP has been comprehensively considered to ensure stormwater discharge from the site will not adversely affect receiving freshwater environments.

## 18.0 Clause 17 Assessment – Criteria for Assessment of Consent Application

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Clause 17 of Schedule 5 of the FTAA sets out the criteria and other matters for assessment of consent applications. This relates to Section 81 of the FTAA which sets out the process for making decisions on approvals sought in a substantive application.

Clause 17 states that when considering a consent application, including conditions, the Panel must take into account the following, giving the greatest weight to (a), being the purpose of the FTAA:

- (a) the purpose of this Act; and*
- (b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and*
- (c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.*

Section 81(4) states that when taking the purpose of the FTAA into account, the panel must consider the extent of the project's regional or national benefits.

The purpose of the FTAA is simply to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. As described in section 10 of the report above, the proposal has significant regional or national benefits, as assessed by both the Government, having been included in the FTAA as a Listed Project, and as assessed in this AEE. The Panel would give effect to the purpose of the FTAA by granting consent as this would facilitate, or enable, the project to occur.

The criteria at clause 17 also states that the various provisions of the RMA must also be taken into account, excluding s104D and Section 8 of Part 2. The assessment included in this AEE demonstrates that the proposal is entirely consistent with the relevant provisions of the RMA. The proposal is considered to be consistent with the purpose of the RMA (see section 17.6 & 17.7 above).

In terms of the actual and potential effects of the proposal on the environment (s104(1)(a)), the proposal will have significant social and economic positive effects, by enabling a substantial increase in the supply of high quality housing to the market supported by amenities and open spaces, and by enabling job creation and economic growth for the sub-region. Where the proposal is likely to generate adverse effects, these are temporary and/or can be appropriately mitigated through the design of the development and the proposed conditions of consent, in the same manner as has occurred for earlier stages of the Milldale development.

With respect to ecological effects, while reclamation of streams and wetlands are proposed, these are triggered by the technical requirements of the NES:F. The streams and wetlands themselves are assessed as having low ecological value, while the proposal seeks to significantly retain and enhance the key stream and wetland networks within the development. Additional offset is proposed within Milldale North which provides further ecological benefits. In our view, this appropriately balances the need to provide an efficient urban layout in line with the underlying zoning and Wainui Precinct Plan, while ensuring that ecological effects are managed to ensure the health and wellbeing of Milldale's water bodies and freshwater ecosystems.

To the extent that the project generates adverse effects, taking into account proposed conditions to avoid, remedy, mitigate or offset such effects, any adverse impacts are not sufficiently significant to be out of proportion to the project's regional or national benefits.

With respect to the relevant statutory documents (s104(1)(b)), the proposal is entirely consistent with the full suite of plans and policies, including the AUP(OP). Urban development is provided for within the Wainui Precinct, as is the temporary WWTP in the Future Urban zone. Given that the activities are contemplated by the policy documents, the assessment contained in the AEE is focused on matters of design and management of works. These more detailed matters are canvassed in detail in Volumes 2-5 of the AEE and summarised in section 17 of the report above. This concludes that the proposal is consistent with the relevant statutory documents.

## 19.0 Conclusion

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The proposal involves the development of Stages 10-13 and 4C of the Milldale development, together with a supporting temporary WWTP. Collectively Stages 10-13 and 4C will provide capacity for 1,155 detached and terraced dwellings and supporting commercial services in the form of a compact Neighbourhood Centre. A series of public open spaces are proposed, as well as supporting transport and three waters infrastructure. Based on the above report, it is considered that:

- Appropriate consultation and engagement have been undertaken with Auckland Council including Auckland Transport and Watercare, Mana Whenua, and the Administering Agencies;
- Consideration of planning documents recognised by relevant iwi authorities and lodged with Auckland Council has been undertaken;
- Having considered the actual and potential effects of the proposal, the proposal will generate only minor adverse effects that, subject to appropriate conditions of resource consent, will be avoided, remedied or mitigated;
- The proposal accords with the relevant AUP (OP) objectives, policies and assessment criteria;
- The proposal meets the requirements of the NESCS and NESF;
- The proposal accords with the NPSUD, NPSFM and NZCPS;
- The proposal achieves the purpose of the FTAA to facilitate delivery of infrastructure and development projects with significant regional or national benefits;
- The proposal is considered to be consistent with Parts 2, 3, 6, and 8 to 10 of the RMA; and
- The proposal is considered to be consistent with the purpose, principles, and relevant sections of the NZHPT Act.

It is therefore concluded that the proposal satisfies all matters the EPA is required to assess, and that it can be granted consent under the FTAA subject to conditions.