

To: Listed Projects Team – Ministry for the Environment  
From: Charlotte MacDonald/Rachel Morgan – Barker & Associates Limited  
Date: 24 November 2025  
Re: Planning Memorandum for Milldale North Referral Application

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## 1.0 Introduction

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### 1.1 Overview

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Fulton Hogan Land Development (**FHLD**) is applying for a Referral Application under the Fast Track Approvals Act 2024 (**FTAA**) for their Milldale North Development. The site is approximately 231 hectares and is located immediately adjacent to the existing Milldale urban area and represents the logical next stage of the Milldale development. Key components of the proposal include:

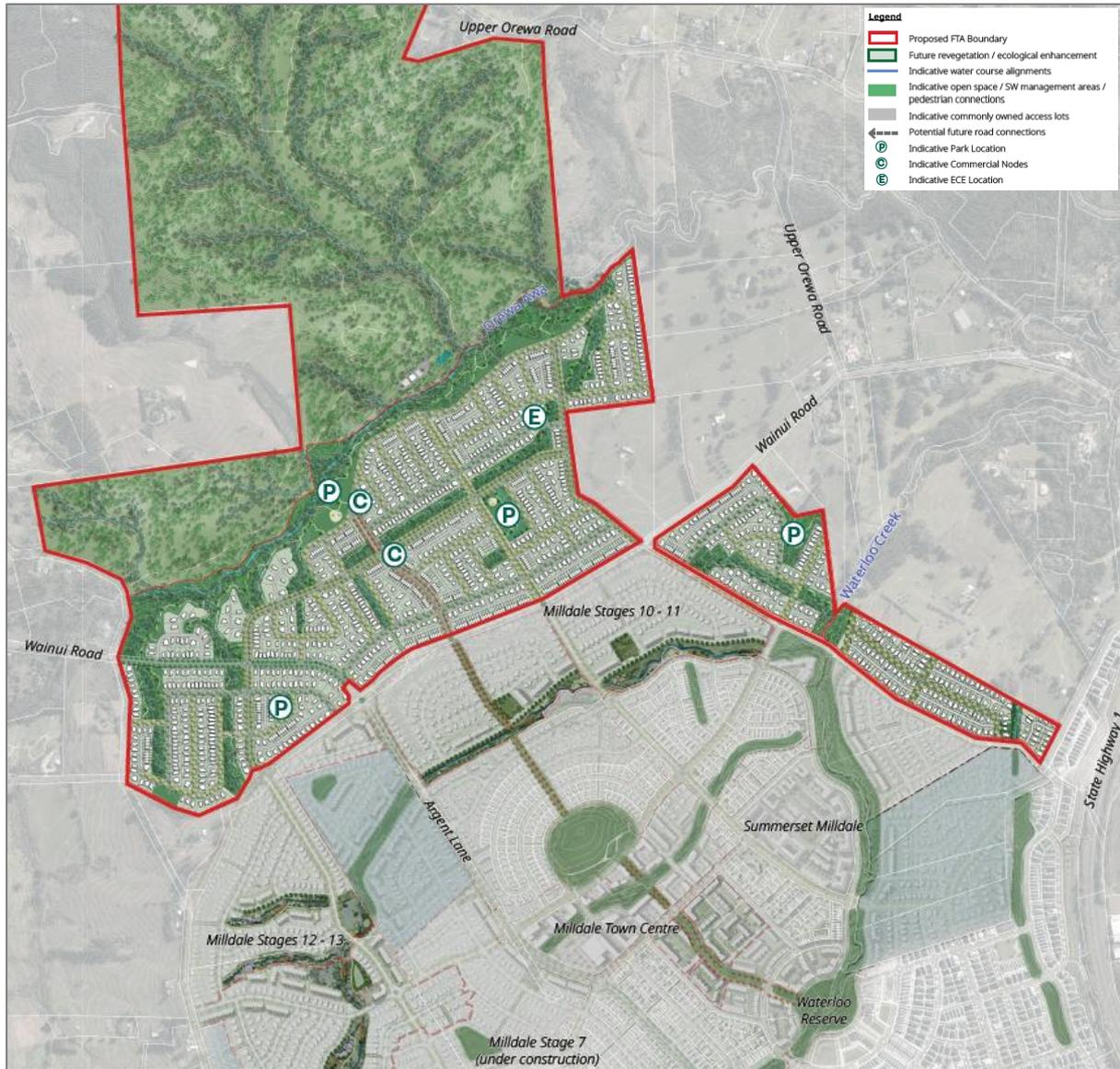
#### Land use and activities

- 1) Approximately 1,500 residential lots including 69 terraced housing super lots located on the southern side of the Ōrewa Awa in a range of typologies and sizes.
- 2) A large-scale ecological restoration area of approximately 129 hectares of farmland on the northern side of the Ōrewa Awa, including walking and cycling trails to enhance recreation and amenity.
- 3) Extensive riparian and wetland enhancement along the Ōrewa Awa and Waterloo Creek.
- 4) Provision for supporting commercial services, including a proposed early childhood education facility.

#### Supporting infrastructure

- 5) Extensions to the infrastructure networks delivered as part of the Milldale development including:
  - a) Extensions to the roading and transport network (including the active mode connection to the Milldale town centre and Waterloo Reserve) to service the new lots, which will be a logical continuation of the Milldale network and build on the significant investment in transport infrastructure already delivered or underway in the Milldale area.
  - b) Implementation of a comprehensive stormwater management strategy based on the Wainui East Stormwater Management Plan, which is consistent with earlier stages of the Milldale development.
  - c) Interim private water supply and wastewater infrastructure should Watercare's available capacity at the Army Bay wastewater treatment plant (WWTP) and water supply network be constrained in the short to medium term.

The Masterplan is shown below in **Figure 1**.



**Figure 1: Milldale North Masterplan. Source: Barker & Associates.**

### 1.1.1 Transport

The proposed roading and access arrangement is set out within the Transport Assessment prepared by Stantec (**Attachment A**). In summary, the proposal includes the following transport measures:

#### Within the development

- A network of new roads within the development are proposed that follow the same road cross sections being implemented for the Milldale development. This includes future Auckland Transport bus routes on appropriate roads.
- A network of walking and cycling tracks within and along the open space network is proposed, including within the ecological restoration area.
- Continuation of the active mode connection from the Waterloo reserve through the Orewa Awa which passes through the Milldale town centre.

- Upgrade of Wainui Road on both sides to a multi-modal corridor where the proposed development fronts it, providing a complete and integrated roading network to the south and north.

#### External to the development

- Upgrades to the Pine Valley Road / Dairy Flat Highway intersection to include a second right turn short bay from the east.
- Signalisation of the Wilks Road / Dairy Flat Highway intersection.
- Signalisation of the Wilks Road / East Coast Road intersection.
- Provision of a slip lane on the western approach to the Silverdale interchange which connects to the northbound on-ramp.
- Extending the length of the left turn slip lane on the southbound off-ramp at the Silverdale interchange to around 150m and introducing a ramp meter for the AM peak.
- Double-laning of the Argent Lane / Pine Valley Road roundabout and additional widening of approaches and departure lanes.

These external upgrades are also required by the recently approved Silverdale West Plan Change<sup>1</sup>, of which FHL D is a joint applicant. Costs will be shared appropriately amongst the developers and conditions of consent will effectively ensure that development is coordinated with transport infrastructure provision.

#### 1.1.2 Three Waters

The proposed three-waters strategy for the site is set out in the Infrastructure assessment (**Attachment B**) prepared by Woods. By way of summary, the follow strategies are proposed.

#### Stormwater

The stormwater strategy for Milldale North, is consistent with the Wainui East Stormwater Management Plan which includes Milldale, and is based on at-source management supported by a pass flow forward approach through natural watercourses. Specifically, the following is proposed:

- **Water quantity management:** Detention of stormwater of the 95th-percentile 24-hour rainfall event and retention of a minimum 5 mm rainfall depth. This will be achieved via use of communal devices and on-lot rainwater reuse tanks.
- **Water quality management:** Treatment for all impervious areas will be designed in accordance with Auckland Council's GD01 and TP10. Communal devices will also provide water quality treatment.
- **Flood management:** A pass-forward approach is proposed for flood management given the site's locality within the catchment. The approach of passing flood flows forward is consistent with the wider strategy for this area. Flood flows will be contained within the stream reserves/corridors and riparian margins.
- **Water sensitive design:** Stream corridors will be protected and enhanced to provide ecological and recreational benefits. Stormwater wetlands and bioretention areas will be designed as landscaped features within the urban environment that incorporates a treatment train approach. The staged approach aligns with development sequencing to ensure network capacity is maintained as the area urbanises.

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<sup>1</sup> <https://new.aucklandcouncil.govt.nz/en/plans-policies-by-laws-reports-projects/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/pc-103-silverdale-west-industrial-area.html>

## Water supply

Two feasible options are proposed for water supply to service Milldale North. Extending the existing public network is preferable to FHLD and is ultimately more efficient for ratepayers, however, should Watercare determine it is unable to service the development in the short to medium term then there is a feasible private option. If the project is successfully referred, we expect to consent both options to provide flexibility.

- **Option 1: Public Water Supply** – under this option the development would be serviced in the interim from the existing Wainui bulk supply point and the proposed Orewa 3 bulk supply point, both being supplied from the Orewa 1 Transmission Main and in the long term by a local reservoir supplied by the proposed Orewa 3 Transmission Main.
- **Option 2: Private Water Supply** – under this option, water to the development would be supplied from local bores, which would include a separate private system of treatment, storage and booster infrastructure. Feasibility of this has been confirmed in principle but is subject to further groundwater investigations as part of any substantive application.

## Wastewater

In a similar vein to water supply, two feasible options are proposed for wastewater to service Milldale North. Again, extending the existing public network is preferable to FHLD and is ultimately more efficient for ratepayers, however, should Watercare determine it is unable to reasonably service the development in the short to medium term then there is a feasible private option. If the project is successfully referred, we expect to consent both options to provide flexibility.

- **Option 1: Public Wastewater** – under this option the following two routes are viable solutions - the 'pumped route', operating southwards and connecting into the branch at Lysnar Road and the 'conventional route', an extended gravity branch sewer line through abutting Future Urban Zone land, that is subject to future land acquisitions. Both of these options have been discussed with Watercare as part of earlier planning processes.
- **Option 2: Private Wastewater** – under this option, a privately operated temporary WWTP on the northern side of the Ōrewa Awa is proposed. This would operate on similar fundamentals to the temporary WWTP approved as part of the resource consent under the FTAA for Stages 10-13 and 4C and would involve treating wastewater to a high standard. This private WWTP can cater for the entire Milldale North development.

### 1.1.3 Power and Telecommunication

The Milldale North site will be serviced by extensions to the existing power reticulation network established within the earlier Milldale stages. Vector, as the electricity provider, will confirm the final alignment and capacity of the power reticulation network. Telecommunications services will also be extended from the existing Milldale network to service Milldale North. Tuatahi First Fibre will confirm the location and capacity requirements for these services.

## 1.2 The Site

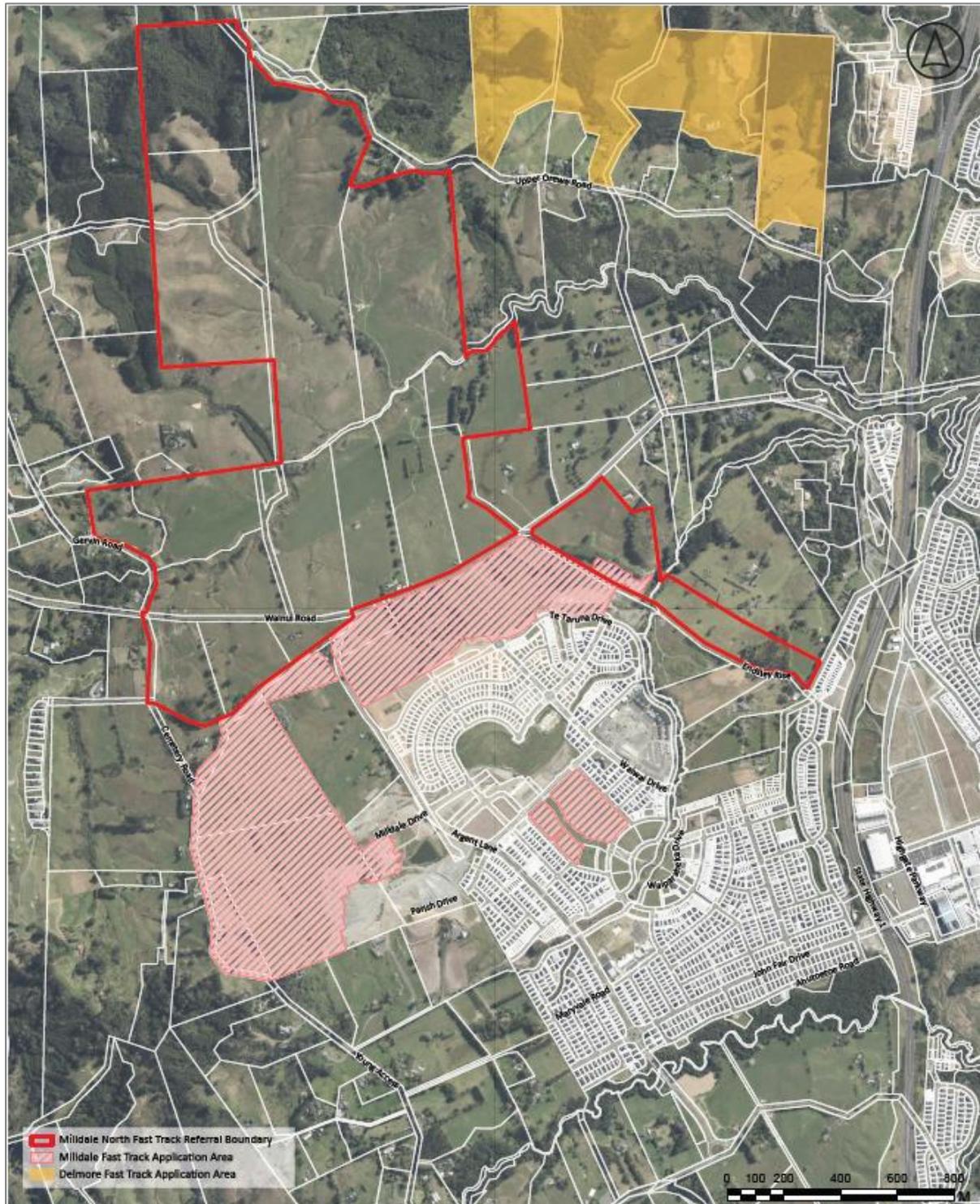
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The site is approximately 231 hectares comprising several land parcels. The following parcels form part of the wider site:

**Table 1: Descriptions of Title Areas within the Milldale North Fast Tract Referral Boundary.**

Address	Appellation	Landowner Name(s)	Area (hectares)
N/A	Lot 4 Deposited Plan 353309	Fulton Hogan Land Development Limited	10.4451 ha
N/A	Lot 1 Deposited Plan 589819	Paul John Wigglesworth and Hibiscus Independent Trustees Limited <i>Unconditional contract in place for FHL D to purchase - see discussion that follows.</i>	7.4370 ha
9 Cemetery Road Wainui 0992	Lot 3 Deposited Plan 130515	Fulton Hogan Land Development Limited	6.5350 ha
597 Wainui Road, Wainui, Auckland	Lot 2 Deposited Plan 130515	Fulton Hogan Land Development Limited	7.0250 ha
555 Wainui Road, Wainui, Auckland 569 Wainui Road, Wainui, Auckland	Lot 1 Deposited Plan 130515 Allotment 549 Parish of Waiwera	Fulton Hogan Land Development Limited	2.2800 ha
N/A	Lot 6 Deposited Plan 198205	Fulton Hogan Land Development Limited	4.3640 ha
N/A	Lot 7 and Lot 14 Deposited Plan 198205	Fulton Hogan Land Development Limited	11.5205 ha
602 Wainui Road, Wainui, Auckland	Lot 5 Deposited Plan 198205	Fulton Hogan Land Development Limited	9.8550 ha
N/A	Lot 8 Deposited Plan 198205	Fulton Hogan Land Development Limited	12.3920 ha
522 Wainui Road, Wainui, Auckland	Lot 9 Deposited Plan 198205	Fulton Hogan Land Development Limited	11.2850 ha
500 Wainui Road, Wainui, Auckland	Lot 10 Deposited Plan 198205	Fulton Hogan Land Development Limited	12.2650 ha
480 Wainui Road, Wainui, Auckland	Lot 11 Deposited Plan 198205	Fulton Hogan Land Development Limited	5.8935 ha
N/A	Lot 12 Deposited Plan 198205	Fulton Hogan Land Development Limited	10.1050 ha
231 Upper Orewa Road Upper Orewa	Part Allotment 74 and Part Allotment 182 Parish of Waiwera	Fulton Hogan Land Development Limited	56.9203 ha
N/A	Allotment 210 and Allotment 216 Parish of Waiwera	Fulton Hogan Land Development Limited	24.2811 ha
N/A	Allotment 549 Parish of Waiwera	Fulton Hogan Land Development Limited	4.2720 ha
173 Upper Orewa Road, Wainui, Auckland	Part Allotment 74 Parish of Waiwera	Fulton Hogan Land Development Limited	28.5857 ha
<b>TOTAL LAND AREA</b>			<b>225.4612 ha</b>

The registered owner of Lot 1 Deposited Plan 589819 is not FHL, however, FHL has an unconditional sale and purchase agreement in place, has paid deposits, and has the ability to settle the site by providing 3 months notice. As such, FHL has control of this property and can give effect to the development proposed over this site.



**Figure 2: Site Locality Plan.**

### 1.3 Auckland Unitary Plan – Zoning, Overlays, Controls and Designations

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The land to be developed for residential purposes to the south of the Ōrewa Awa is located within the Future Urban Zone under the Auckland Unitary Plan: Operative in Part 2016 (AUP) and is within the Rural Urban Boundary. The land within the ecological restoration area to the north of the Ōrewa Awa is located within the Rural Production Zone and is outside of the Rural Urban Boundary. No urban activities are proposed for the land outside of the Rural Urban Boundary.

The following additional restrictions apply to the site under the Operative AUP:

- Macroinvertebrate Community Index applies across the site.
- Notice of Requirement 10 – Upgrade to Wainui Road applies to the 480 Wainui Road and Lot 4 DP 353309.
- Significant Ecological Areas Overlay - SEA\_T\_2223 and Natural Stream Management Areas Overlay applies to the northern parts of the proposed ecological restoration area.
- Flood Plains, Flood Prone Areas and Overland Flow Paths are identified across the site.

The Council has recently notified Plan Change 120 to the AUP. All the natural hazard provisions of Plan Change 120 have immediate legal effect, including the rules. Under Plan Change 120 the following applies to the site:

- Low - Very High Flood Hazard Areas are identified within the extent of the Flood Plains shown for the site.
- Low – Very High Shallow Landslide Susceptibility is shown across parts of the site, generally confined to the riparian edges.
- Very Low – Low Large Scale Landslide Susceptibility is shown across the residential area, with areas of Moderate – Very High Large Scale Landslide Susceptibility within the proposed ecological restoration area.

Plan Change 120 does not propose any changes to the zoning that applies to the site under the AUP.

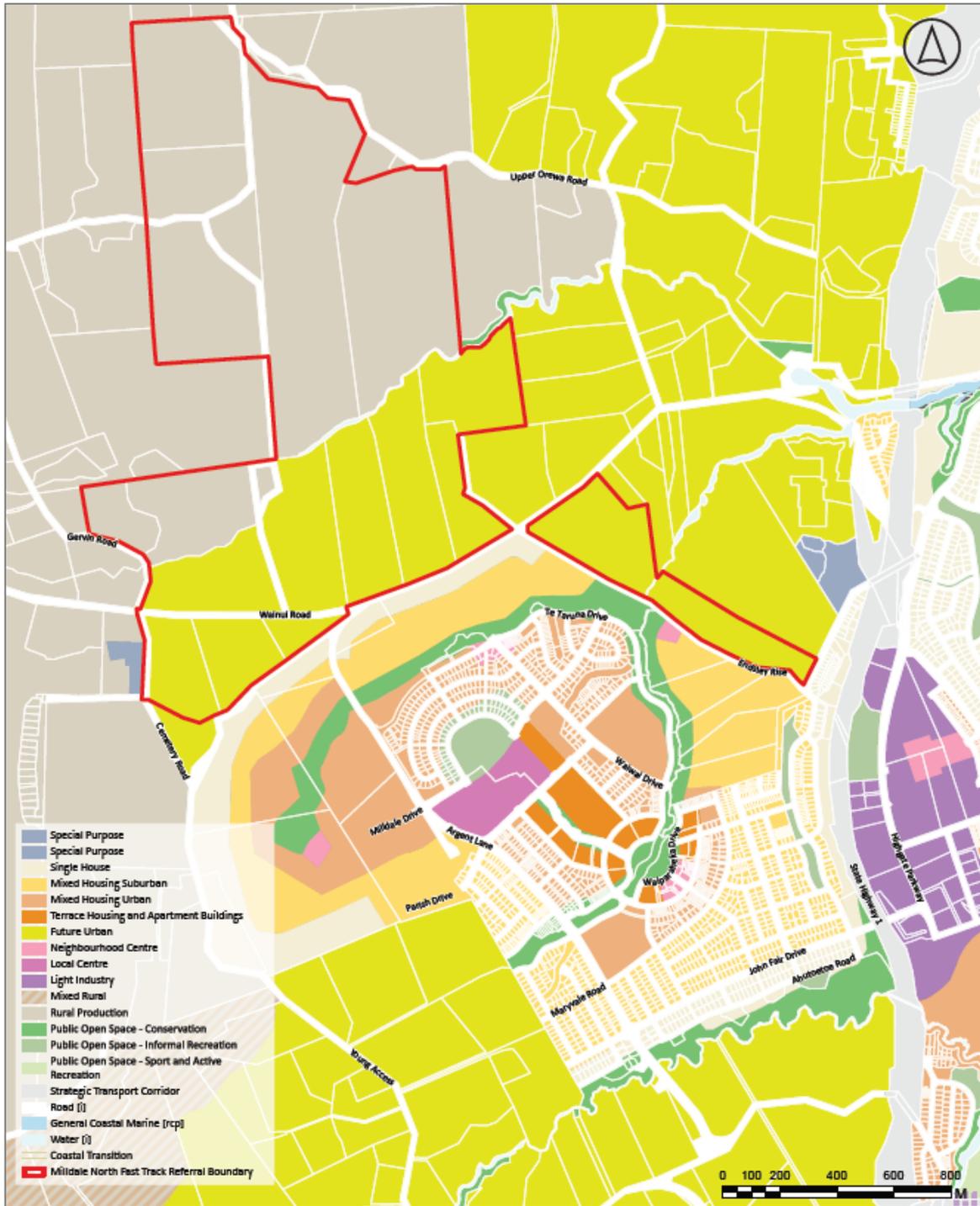


Figure 3: Auckland Unitary Plan Zoning.

## 2.0 Relevant Background

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### 2.1 About FHLD

### 2.2 Milldale Development and Infrastructure Investment

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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 Lincoln, and in conjunction with joint venture partners at Pokeno and One Tree Point, Wanaka and Christchurch.

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

Milldale is a master planned community located approximately 20km north of the Albany Centre and has been developed progressively since 2016. Bulk earthworks and subdivision consents have been approved by Council for the first nine stages of the Milldale development, with the balance circa 1,100 sites being approved recently through the FTTA. Development of Stages 1 to 6 are now complete, with civil works on Stages 7 and 9 being well advanced. Earthworks have commenced through the recently approved 'Fast Track' area with civil works in this area to commence in 2026. Additionally, Ahutoetoe Primary School is now open (as are two pre-schools), a Summerset retirement village is operating on site, and ten small scale businesses are operating from the first neighbourhood centre south of the Waterloo reserve.

The Milldale development has been supported by Crown Infrastructure Partners (now National Infrastructure Funding and Financing) through an agreement with FHLD. It is further supported by Auckland Council, Auckland Transport and Watercare, who have entered into Infrastructure Funding Agreements with FHLD for a range of transport and three waters projects. The plan at Figure 4 shows the infrastructure that has been delivered to support Milldale over recent years, which has required circa \$100 million of investment from FHLD, the Government and Auckland Council. This represents a significant undertaking and a collective commitment from all parties to support and enable development alongside an established and proven land developer. The development proposed as part of this Referral Application is a continuation of that effort and will ensure that the community can realise further benefits from the significant investment already made given it has been designed to cater for the development of the Milldale North area as the wider Future Urban Zone area around Milldale.

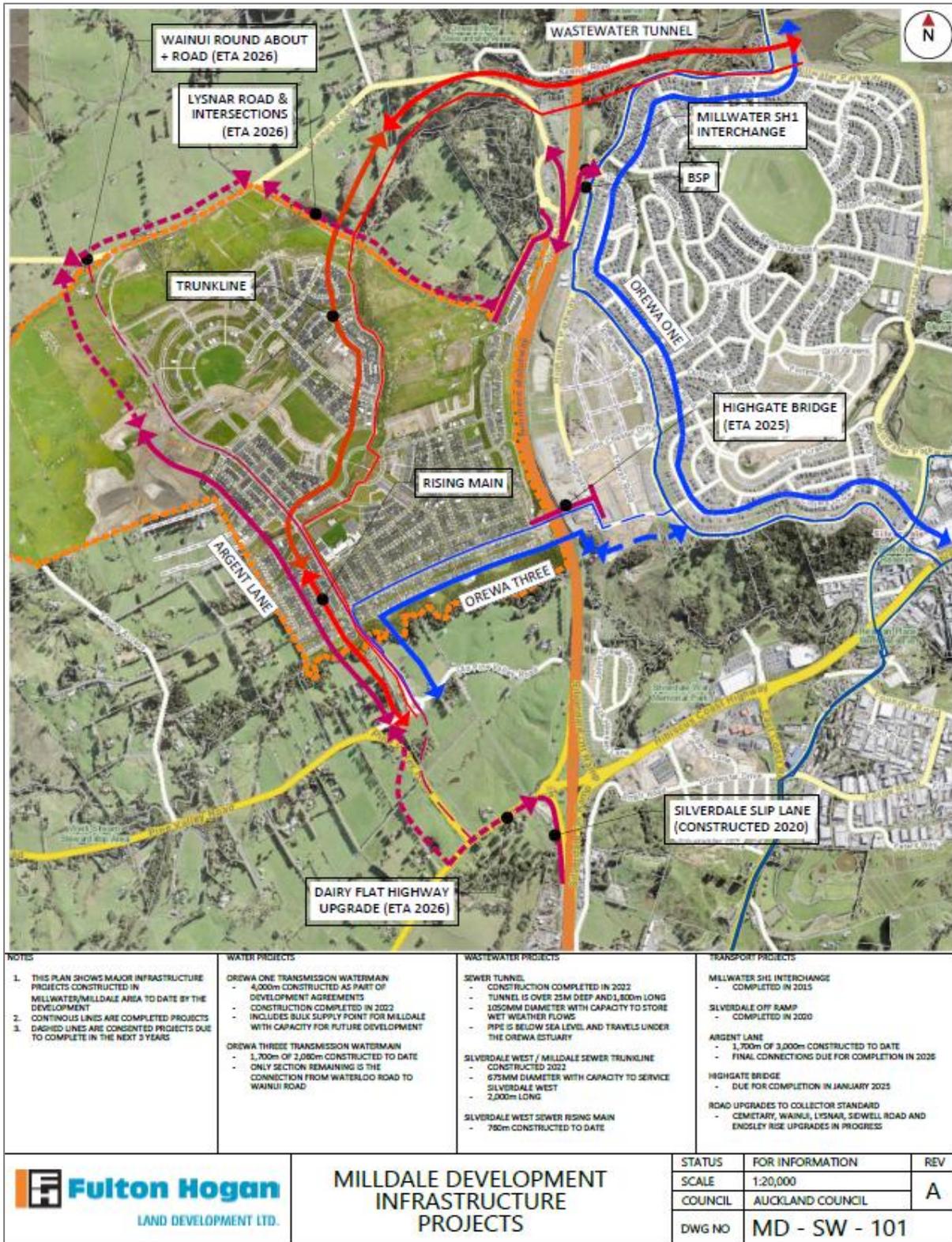


Figure 4: Showing the jointly funded infrastructure projects for Milldale.

## 2.3 Private Plan Change for Milldale North

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In addition to this Referral Application, FHLD is also progressing a Private Plan Change to rezone the Future Urban Zone land to enable urban development. The Plan Change was lodged with the Council in 2024, and the Council is yet to make its decision on whether to accept the application for notification under Clause 25 of Schedule 1 of the Resource Management Act 1991 (RMA). The Plan Change applies to a wider area and includes land that is not under the control of FHLD. The technical reporting and analysis undertaken for the Plan Change has been used to inform this Referral Application and the Milldale North Masterplan.

FHLD intend to continue with the processing of the Plan Change should the Council decide to accept it for notification. The Plan Change and the Referral/Substantive Applications under the FTAA can and should occur concurrently. As outlined below, the FTAA process provides the opportunity to realise appropriate development on the site much sooner than would otherwise occur under the standard RMA process.

## 3.0 Reasons for Consent

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### 3.1 Auckland Unitary Plan (Operative in Part)

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At this preliminary stage, we have identified that the proposal would trigger resource consent under the AUP for the following reasons:

#### E3 Lakes, Rivers, Streams and Wetlands

- Any new structures and associated diversion of water not complying with the general permitted activity standard E3.6.1.14 is a **discretionary activity** pursuant to rule E3.4.1(A44).
- The reclamation of streams is a **non-complying activity** pursuant to rule E3.4.1(A49).

#### E6 Wastewater Network Management

- The discharge of wastewater on-site is a **discretionary activity** pursuant to rule E6.4.1(A6).

#### E7 Taking, Using and Diversion of Water and Drilling

- Take and use of surface water, including dams not meeting the permitted activity, controlled activity or restricted discretionary activity standards or not otherwise listed is a **discretionary activity** pursuant to rule E7.4.1(A9).
- Temporary diversion of surface water for urban development purposes not otherwise listed is a **discretionary activity** pursuant to rule E7.4.1(A13).
- Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed is a **discretionary activity** pursuant to rule E7.4.1(A26).
- The diversion of groundwater caused by excavation that does not meet the permitted activity standards is a **restricted discretionary activity** pursuant to rule E7.4.1(A28).
- Holes or bores not meeting the permitted activity standards or controlled activity standards or not otherwise listed is a **restricted discretionary activity** pursuant to rule E7.4.1(A42).

### E8 Stormwater Discharge and Diversion

- The diversion and discharge of stormwater runoff from impervious areas not otherwise provided for is a **discretionary activity** pursuant to rule E8.4.1(A10).
- The diversion and discharge of stormwater runoff from a new stormwater network is a **discretionary activity** pursuant to rule E8.4.1(A11).

### E9 Stormwater Quality – High Contaminant Generating Carparks and Roads

- Development of a high contaminant generating carpark is a **controlled activity** pursuant to rule E9.4.1(A6).

### E 11 Land Disturbance – Regional

- Earthworks greater than 50,000m<sup>2</sup> where land has a slope of less than 10 degrees outside a Sediment Control Protection Area is a **restricted discretionary activity** pursuant to rule E11.4.1(A5).
- Earthworks greater than 2,500m<sup>2</sup> where land has a slope of equal to or greater than 10 degrees is a **restricted discretionary activity** pursuant to rule E11.4.1(A8).
- Earthworks greater than 2,500m<sup>2</sup> within the Sediment Control Protection area is a **restricted discretionary activity** pursuant to Rule E11.4.1(A9).

### E12 Land Disturbance – District

- Undertaking cut / fill greater than 2,500m<sup>3</sup> is a **restricted discretionary activity** pursuant to rules E12.4.1(A6) and (A10).

### E15 Vegetation Management and Biodiversity

- The removal of vegetation within 20m of rural streams is a **restricted discretionary activity** pursuant to rule E15.4.1(A16).
- The removal of vegetation within 20m of a natural wetland and in the bed of a stream is a **restricted discretionary activity** pursuant to rule E15.4.1(A18).

### E17 Trees in Roads

- The removal of trees that are greater than 4m in height or greater than 400m in girth in the road reserve is a **restricted discretionary activity** pursuant to rule E17.4.1(A10).

### E25 Noise and Vibration

- Construction works are anticipated to exceed the applicable maximum 75dB LAeq long-term construction noise limits under Standard E25.6.27 is a **restricted discretionary activity** pursuant to E25.4.1(A2).

### E26 Infrastructure

- Aboveground pipelines and attached ancillary structures for the conveyance of wastewater are a **restricted discretionary activity** pursuant to rule E26.2.3.1(A50).
- The construction of a booster pump water supply station not complying with standards E26.2.5.2(2)(a) and E26.2.5.2(3)(a) is as a **controlled activity** pursuant to rule E26.2.3.1(A51A).

- Wastewater treatment plants are a **restricted discretionary activity** pursuant to rule E26.2.3.1(A54).
- Stormwater detention/retention ponds/wetlands are a **controlled activity** pursuant to rule E26.2.3.1(A55).
- The alteration or removal trees in the road reserve greater than 4m in height or 400mm in girth is a **restricted discretionary activity** pursuant to rule E26.3.3.1(A92).
- General earthworks greater than 2,500m<sup>2</sup> and 2,500m<sup>3</sup> in a road, and earthworks other than for maintenance, repair, renewal or minor infrastructure upgrade is a **restricted discretionary activity** pursuant to rule E26.5.3.1(A97) and (A97A) respectively.
- Earthworks greater than 2,500m<sup>2</sup> in a road where the land has a slope equal to or greater than 10 degrees other than for maintenance, repair, renewal or minor infrastructure upgrade is a **restricted discretionary activity** pursuant to rule E26.5.3.2(A106).
- Earthworks within the Sediment Control Protection Area greater than 2,500m<sup>2</sup> in a road other than for maintenance, repair, renewal or minor infrastructure upgrade is a **restricted discretionary activity** pursuant to rule E26.5.3.2(A107).

### E27 Transport

- The generation of more than 100 vehicles per hour is a **restricted discretionary activity** pursuant to rule E27.4.1(A3).

### E30 Contaminated Land

- The potential discharge of contaminants onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1 is a **controlled activity** pursuant to Rule E30.4.1(A6).

### E36 Flooding and Natural Hazards

- Construction of stormwater management devices in the 1 per cent annual exceedance probability (AEP) floodplain is a **restricted discretionary activity** pursuant to rule E36.4.1(A33).
- Construction of new structures (culverts) within the 1% AEP is a **restricted discretionary activity** pursuant to rule E36.4.1(A37).
- Piping or diversion of an overland flow path is a **restricted discretionary activity** pursuant to rule E36.4.1(A41).
- Any buildings or structures, including retaining walls located within or over an overland flow path is a **restricted discretionary activity** pursuant to rule E36.4.3(A42).
- Infrastructure on land subject to overland flow paths and the 1% AEP floodplain is a **restricted discretionary activity** pursuant to rule E36.4.1(A56).

### E38 Subdivision

- Subdivision establishing an esplanade reserve is a **restricted discretionary activity** pursuant to rule E38.4.1(A18).
- Subdivision of land within the 1% AEP floodplain or that may be subject to land instability is a **restricted discretionary activity** pursuant to rule E38.4.1(A11).

- Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 is a **restricted discretionary activity** pursuant to rule E38.4.2(A14).

#### E39 Subdivision

- Subdivision establishing an esplanade reserve in the Rural Production zone is a **restricted discretionary activity** pursuant to rule E39.4.2(A5);
- Subdivision of land within the 1% AEP or land which may be subject to instability in the Rural Production Zone or Future Urban Zone is a **restricted discretionary activity** pursuant to rule E39.4.2(A8).
- Subdivision for open spaces, reserves or road realignment in the Rural Production Zone is a **discretionary activity** pursuant to rule E39.4.2(A11).
- Subdivision for open spaces, reserves or road realignment in the Future Urban Zone is a **discretionary activity** pursuant to rule E39.4.3(A28);
- Any other subdivision not provided for in Table E39.4.1 or E39.4.3 in the Future Urban Zone is a **non-complying activity** pursuant to rule E39.4.3(A29);

#### H18 Future Urban Zone

- Dwellings that do not comply with Standard H18.6.8 is a **non-complying activity** pursuant to rule H18.4.1(A28).
- Restaurants and cafes not otherwise provided for are a **discretionary activity** pursuant to rule H18.4.1(A38).
- Care centres for more than 10 people are a **restricted discretionary activity** pursuant to rule H18.4.1(A47).
- Community, healthcare and education facilities are a **discretionary activity** pursuant to rule H18.4.1(A48).

#### E40 Temporary Activities

- Construction activity that exceed 24 months is a **restricted discretionary activity** pursuant to rule E40.4.1(A24).

#### Plan Change 120

- Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 and E36.3.1B.2 in flood hazard areas is a **non-complying activity** pursuant to rule E36.4.1A(A78).
- Surface parking and above ground parking areas (including vehicle entry and exit points) in flood hazard areas is a **restricted discretionary or discretionary activity** pursuant to rule E36.4.1A(A81).
- Construction of private roads, roads intended to be vested, and accessways in flood hazard areas is a **restricted discretionary activity** pursuant to rule E36.4.1A(A81).
- On-site septic tanks, onsite wastewater treatment and disposal systems and effluent disposal fields in the 1% annual exceedance probability (AEP) floodplain and flood prone areas is a **restricted discretionary activity** pursuant to rule E36.4.1A(A89).

- Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1% annual exceedance probability (AEP) floodplain and flood prone areas is a **restricted discretionary activity** pursuant to rule E36.4.1A(A92).
- All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a **restricted discretionary activity** pursuant to rule E36.4.1A(A98).
- Any buildings or other structures located within an overland flow path with a catchment greater than 4,000m<sup>2</sup> is a **restricted discretionary activity** pursuant to rule E36.4.1A(A101).
- Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is a **restricted discretionary activity** pursuant to rule E36.4.1A(A102).
- All other infrastructure in flood and coastal hazard areas not otherwise provided for is a **restricted discretionary activity** pursuant to rule E36.4.1A(A107).
- On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields, accessways private roads and roads intended to be vested in landslide hazard risk areas that comply with Standard E36.6.A1 in a High Landslide Risk Area is a **restricted discretionary activity** pursuant to E36.4.1B(A112).
- New structures and buildings and external additions and alterations to existing structures and buildings (as existing at 03/11/25) with a gross floor area more than 20m<sup>2</sup> associated with activities sensitive to natural hazards in landslide hazard risk areas that comply with Standard E36.6.A1 is a **restricted discretionary activity** in Medium Landslide Risk Areas pursuant to E36.4.1B(A124).
- All other infrastructure in landslide susceptibility assessment areas not otherwise provided for is a **restricted discretionary activity** in Medium Landslide Risk Areas pursuant to E36.4.1B(A133).

Overall, under the Auckland Unitary Plan, the proposal would require consent as a **Non-Complying Activity**.

### 3.2 National Environmental Standard for Freshwater

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At this preliminary stage, we have identified that the proposal would potentially trigger resource consent under the National Environmental Standard for Freshwater 2020 (NES:F) for the following reasons:

- Vegetation clearance within natural inland wetlands for the construction of specified infrastructure (roads and a key pedestrian accessway) is as a **discretionary activity** pursuant to regulation 45(1).
- Earthworks within 10m setback from a natural inland wetland for the purpose of constructing specified infrastructure is a **discretionary activity** pursuant to regulation 45(2).
- Earthworks outside a 10m but within 100m setback from a natural inland wetland for the purpose of constructing specified infrastructure and will result in the complete or partial drainage of the wetland is a **discretionary activity** pursuant to regulation 45(3).
- The diversion of water within a 100m setback from a natural inland wetland for the purpose of constructing specified infrastructure where the proposal will change, or is likely to change, the water level range or hydrological function of the wetland is a **discretionary activity** pursuant to regulation 45(4).

- Vegetation clearance within natural inland wetlands for the construction of urban development is a **restricted discretionary activity** pursuant to regulation 45C(1).
- Earthworks within 10m setback from a natural inland wetland for the purpose of constructing urban development is a **restricted discretionary activity** pursuant to regulation 45C(2).
- Earthworks outside a 10m but within 100m setback from a natural inland wetland for the purpose of constructing urban development, which will result in the complete or partial drainage of the wetland is a **discretionary activity** under regulation 45C(3).
- The diversion of water within a 100m setback from a natural inland wetland for the purpose of constructing urban development where the proposal will change, or is likely to change, the water level range or hydrological function of the wetland is a **restricted discretionary activity** pursuant to regulation 45C(4).
- The reclamation of the bed of any river is a **discretionary activity** pursuant to regulation 57(1).

### 3.3 Resource Management Act 1991

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The proposal will seek a variation to the existing consent notice 12754529.4 registered on Lot 1 Deposited Plan 589819 which requires that no buildings would be established on the site until such time as it is rezoned from Future Urban Zone. The variation of a consent notice is a resource consent that would otherwise be applied for under section 221 of the RMA (as described in Section 42(4)(a) of the FTAA). This would be a **discretionary activity** pursuant to section 87B of the RMA.

### 3.4 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

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The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES:CS) sets a nationally consistent set of planning controls and soil contaminant values.

Given the historical rural uses of the site, it is likely that provisions of the NES:CS will apply to future residential development at the locations where HAIL activities are likely to have occurred. A detailed site investigation (DSI) involving a targeted soil sampling will be undertaken at the site in support of the substantive application. This will ascertain whether NES:CS and/or AUP contaminated land resource consents are required to be sought in support of the development. This will likely be a **restricted discretionary activity** pursuant to regulation 10.

### 3.5 Overall Activity Status

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Overall, under the AUP and the relevant National Environment Standards, the proposal would require consent as a **Non-Complying Activity**.

## 4.0 Treaty Settlements

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Section 7 of the FTAA requires all persons performing and exercising functions, powers, and duties under the Act must act in a manner that is consistent with the obligations arising under existing treaty settlements, while Section 16 sets out the requirements for the Minister.

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

The Treaty Settlements in **Table 2** 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 2: Summary of Treaty Settlements and relevance to the site.**

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</p>

Treaty Settlement	Relevance to the Project Area
	<p>Tāmaki and records the matters required to give effect to a settlement of all the historical claims of Ngā Tai ki Tāmaki.</p> <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>
<p>Ngāti Pāoa Deed of Settlement 2021</p>	<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>
<p>Te Ākitai Waiohua Deed of Settlement 2021.</p>	<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 site.

FHLD has consulted with Te Kawerau ā Maki & Ngāti Manuhiri prior to lodging this Referral Application. A letter of support has been provided by Te Kawerau ā Maki and is included in the Consultation and Iwi Engagement Record. Ngāti Manuhiri attended an initial hui with FHLD to discuss the project but did not provide any further correspondence. All other iwi groups identified above did not respond to an initial request to engage on the project.

## 5.0 Consultation

In preparing this application consultation has been undertaken with Ministry for the Environment, Auckland Council, Auckland Transport, NZTA and Iwi. An overview of the consultation undertaken and the feedback

received is outlined in **Attachment I**. The assessment below provides a response to the feedback received within the relevant sections.

## 6.0 Statutory Framework

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This section is provided in accordance with subclause 2(1)(a)(i) – (iii) of Schedule 5. This requires that applications include an assessment of the activity against the relevant provisions and requirements of the following statutory documents:

- a) any relevant national policy statements.
- b) any relevant national environmental standards.
- c) If relevant, the New Zealand Coastal Policy Statement.

These documents are assessed below. The New Zealand Coastal Policy Statement is not assessed because the site is not adjacent to the coastal environment.

### 6.1.1 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2020 (NPS:FM) seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities.

An ecological assessment has been prepared for this Referral Application by Viridis and is included at **Attachment C**. The assessment finds that the proposal presents substantial opportunities for ecological restoration and enhancement, consistent with the restoration strategy for the project. In particular, it finds that the implementation of large-scale indigenous revegetation, restoration of the WF11 forest remnant, and the establishment of a predator-proof fenced sanctuary zone will transform the site from a fragmented and partially degraded landscape into a connected, functioning indigenous ecosystem. It concludes that these measures will enhance habitat diversity, strengthen ecological linkages to the Nukumea Reserve, and contribute meaningfully to the integration with the wider Milldale development and the ecological recovery of the Milldale catchment.

While some reclamation of wetlands and streams will inevitably be required to facilitate urban development on the site, this will be avoided in the first instance, and where it is necessary, the effects management hierarchy of the NPS:FM will be applied.

On this basis, it is considered that the project is consistent with the relevant policies of the NPS:FM that relate to land development for the following reasons:

- The masterplanning of Milldale North has taken into account the location of wetlands and waterways to design the development around these features (Policies 6, 7 and 9).
- The proposal provides a significant opportunity for wetland redevelopment and restoration and ecological restoration of an area including the establishment of planted and protected riparian margins of waterways, and the extensive ecological restoration area, which will improve the overall quality of freshwater environments on site (Policy 5).
- Engagement with Iwi is on-going for this project (Policy 2).

- The masterplanning for Milldale North maximises the opportunities within the proposed reserve and open space areas for future enhancement, particularly within the northern open space including ecological restoration and enhancement and replanting (Policy 5).
- Ongoing monitoring will take place to ensure the condition of water bodies and freshwater ecosystems is not degraded (Policy 13).

**Based on the assessment above, it is considered that the project is consistent with the NPS:FM.**

### 6.1.2 National Policy Statement for Highly Productive Land 2022

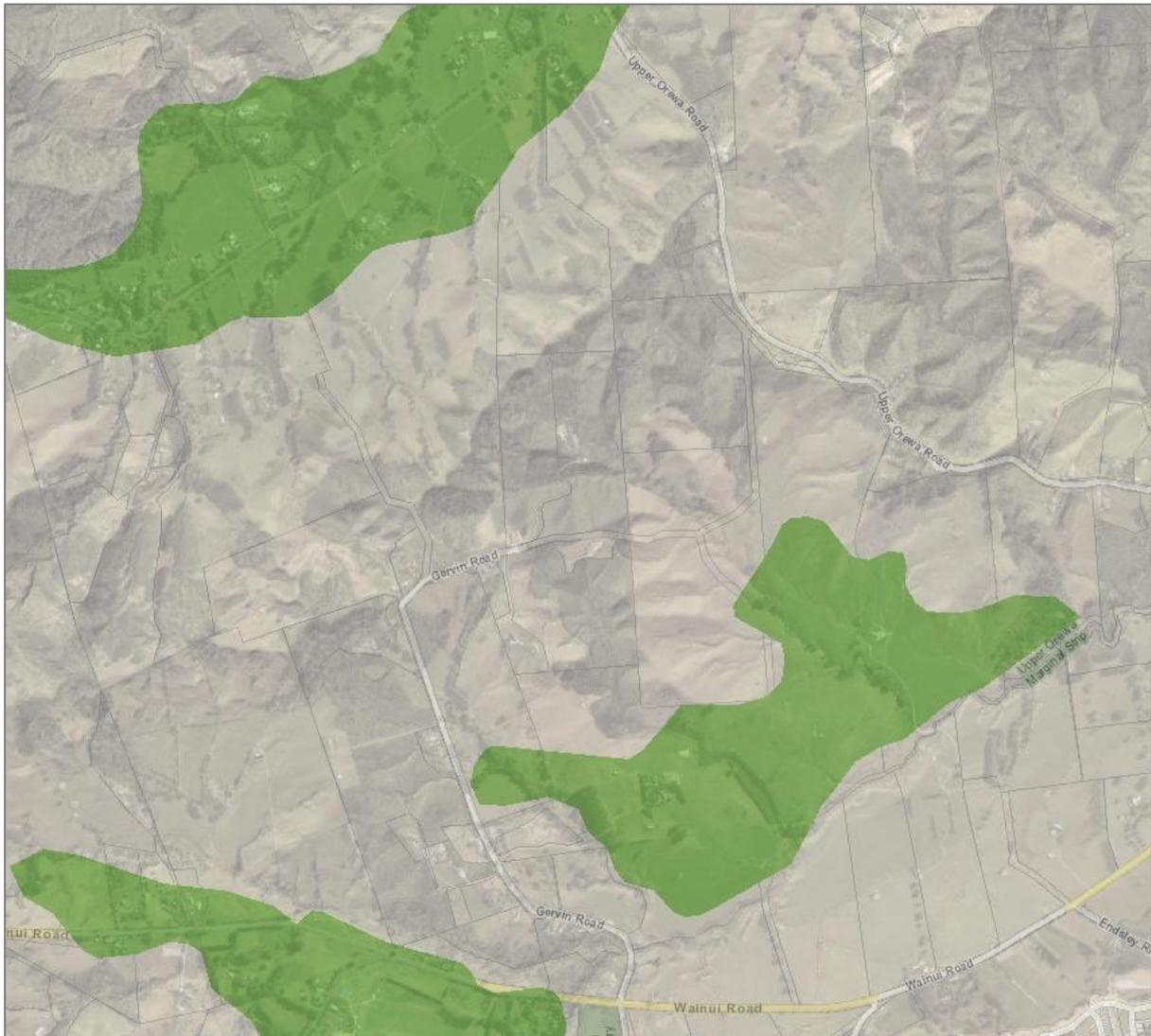
The National Policy Statement for Highly Productive Land 2022 (NPS:HPL) ensures the availability of New Zealand's most favourable soils for food and fibre production, now and future generations. The NPS:HPL recently came into effect on 17 October 2022 and was amended in August 2024.

The land within the Future Urban Zone is not defined as highly productive under the NPS:HPL consistent with the interim definition in clause 3.5(7). For this reason, the urban components of the application do not need to be assessed under the NPS:HPL.

However, there is some LUC3 land within the Rural Production Zone on the northern side of the Ōrewa Awa, within the proposed ecological restoration area. The extent of this area is shown in Figure 5 below and it is not currently in productive use. The activities undertaken within the ecological restoration area will include conservation planting, earthworks, and recreational trails. No urban activities will occur.

Clause 3.9(e) and (i) of the NPS:HPL explicitly provides for the use of highly productive land where it is for the purpose of protecting, maintaining, restoring, or enhancing indigenous biodiversity and where it provides for public access, which is the purpose of the ecological restoration area. In terms of the requirements of clause 3.9(3), there will be no adverse reverse sensitivity effects because there is no land based primary production occurring on surrounding sites and there will be no actual loss of the land's productive capacity because it will be used for growing trees.

**Based on the assessment above, it is considered that the project is consistent with the NPS:HPL.**



**Figure 5: Showing the extent of highly productive land on the northern side of the Ōrewa Awa. Source: Geomaps.**

### 6.1.3 National Policy Statement for Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity (NPS:IB) ensures the protection, maintenance and restoration of New Zealand’s most threatened indigenous species. The NPS:IB came into effect on 4 August 2023.

As stated above, an ecological assessment has been prepared for this Referral Application by Viridis and is included at **Attachment C**. The findings of that assessment already stated above are equally applicable to the assessment of the NPS:IB, if not more so. The assessment states the following which is particularly relevant:

*Since pre-human times, many Auckland ecosystem types have declined to less than 10 % of their original extent. Only about 30 % of indigenous vegetation now remains, with just 16 % of the WF11 (kauri–podocarp–broadleaved forest) ecosystem still present regionally (Griffiths et al., 2021). Over 200 native terrestrial and freshwater species are classified as threatened or at risk (Auckland Council, 2020).*

*Within the Milldale North site, the WF11 ecosystem was historically present but is now largely removed or degraded. Around 17 ha of native-dominant vegetation remain, mainly in the northernmost part of the land north of the Ōrewa River. This area, identified as WF11 and subject to a SEA overlay, is fragmented and affected by pest-plant invasion, with limited habitat connectivity...*

*The Milldale North development will deliver an integrated restoration programme, including approximately 100 ha of indigenous revegetation contiguous with existing WF11 vegetation, restoration of the 17-ha WF11 remnant, and the creation of a 'sanctuary zone' through the construction of a predator-proof fence. Additional stream and riparian restoration within the Future Urban-zoned land will enhance ecological connectivity and resilience.*

*The predator-proof fence and revegetation planting will be a defining feature, excluding invasive mammals such as rats, possums, stoats, and feral cats. This will create a protected refuge for native fauna, enabling the recovery of ground-nesting birds, lizards, invertebrates, and seedlings typically suppressed by predation and browsing. It will also promote self-sustaining ecological processes, such as natural regeneration and seed dispersal, and function as a biodiversity stronghold supporting wider recolonisation across the landscape.*

It is considered that the project is consistent with the relevant objectives and policies of the NPS:IB for the following reasons:

- The proposal provides the opportunity to improve the site's terrestrial biodiversity through enhancement and protection activities, which will improve the overall diversity, native species habitat and quality of the site's terrestrial features (Policies 13 and 14).
- The proposed restoration actions, including the proposed wetland redevelopment and restoration, creation of a predator proof area, planting of riparian margins and wetland buffers, will greatly increase indigenous terrestrial ecological values by increasing ecological connectivity, indigenous plant species diversity and abundance, and habitat values (Policies 13 and 14).
- The benefits from ecological restoration on the site will provide a significant positive contribution in relation to the indigenous biodiversity loss this part of the region has historically experienced (Policies 13 and 14).
- Engagement with Iwi is ongoing for this project (Policy 2).

**Based on the assessment above, it is considered that the project is consistent with the NPS:IB.**

#### 6.1.4 National Policy Statement for Urban Development 2020

The National Policy Statement for Urban Development (NPS:UD) came into force on 20 August 2020 and replaced the National Policy Statement on Urban Development Capacity 2016. The NPS:UD includes a focus on achieving well-functioning urban environments, promoting intensification within urban environments, such as Auckland, as a means of increasing housing supply, supporting competitive land markets and improving affordability. In particular there is now a much greater focus on:

- Introducing and defining the concept of well-functioning urban environments with a key component being the provision of a variety of homes that meet the needs of different households in terms of type, price and location. (Objective 1 and Policy 1);
- A greater emphasis on enabling more people to live in and more business to locate in areas that are near centres, planned public transport and where there is high demand (see Objective 3);

- A greater emphasis on improving housing affordability (see Objective 2);
- A greater emphasis on robust strategic planning and the need to integrate urban development with infrastructure (see Objective 6);
- Changing the policies from providing sufficient development capacity to providing at least sufficient development capacity (see Policy 2). This is coupled with other changes that direct Councils to provide more development capacity, and replacing 'minimum targets' with 'housing bottom lines';
- Being more directive about what it means for Councils to be 'responsive' in the urban environment with respect to Plan Changes (Policy 8); and
- Ensuring New Zealand's urban environments support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change (Objective 8, Policy 1(e)).

An economic assessment has been prepared for this Referral Application by Insight Economics and is included at **Attachment D**. The conclusions of this report are relevant to the assessment of the NPS:UD, including the following in particular:

*The proposal acknowledges and directly responds to the need for more residential land to meet growth in demand over time, by enabling the development of approximately 1,853 new homes. All other things being equal, this supply boost will help the market to be more responsive to growth in demand, thereby reducing the rate at which city house prices grow over time (relative to the status quo)... The dwellings enabled by the proposal equate to at least two years of supply for the area. In our view, this represents a substantial and highly significant regional contribution to housing supply from a single proposal.*

*The significant boost in residential sections enabled by the proposal will help to narrow the gap between likely future supply and demand. All other things being equal, this supply boost will help the market to be more responsive to growth in demand, thereby reducing the rate at which Auckland's house prices grow over time (relative to the status quo).*

*In addition to directly boosting dwelling capacity, the proposal will also help to foster competition in the regional land market. This is important because, as recognised through Objective 2 of the National Policy Statement on Urban Development (NPS-UD), competition is the cornerstone of economic efficiency. When the land market becomes more competitive, land developers have a greater incentive to bring their product to the market in a more timely and cost-effective manner, thus further helping to keep city housing as affordable as possible.*

*The proposal also enables a range of dwellings to be constructed over time, including terraces / duplexes, and detached dwellings of various sizes and configurations. This diversity of end use helps the proposal give effect to Policy 1(a)(i) of the NPS-UD, which requires planning decisions to contribute to well-functioning urban environments that provide a variety of homes to meet the needs of a diverse population.*

Relying on this advice, the proposal is consistent with the NPS:UD for the following reasons:

- The proposal will establish a master planned community which enables a variety of homes including detached and attached housing types that meet the needs of the local market.

- The proposal will deliver an accelerated supply of dwellings to the market, which will be serviced by infrastructure and roading (including provision of active transport facilities) infrastructure. The dwellings are considered to support competitive land and development markets.
- The proposal will deliver a range of typologies and sizes which will contribute to continued creation of a diverse and vibrant community at Milldale. This will also assist in responding to the changing needs of people, communities and future generations.
- The proposal will be coordinated with the delivery of public and private infrastructure (including roading and active transport facilities, stormwater, wastewater, water supply, electricity, gas and telecommunications).
- The proposal provides a range of open spaces, all of which are within walking or cycling distance from proposed residential dwellings, noting that the open space network seamlessly integrates with the existing Milldale community and provides a clear and legible connection through to the Milldale Town Centre.
- The proposal will likely contribute to an overall reduction in greenhouse gas emissions across the Auckland region by enabling Milldale to continue growing in a manner that supports more efficient public transport. The significantly sized ecological restoration area will have a carbon sequestration function as detailed in the Milldale North Masterplan at **Attachment E**. This sets out that the ecological restoration area has the potential to sequester approximately 188,500 tonnes of CO<sub>2</sub> equivalents over a 50-year period. This rises to approximately 252,00 tonnes over an 80-year period.
- The proposal is consistent with Objective 3 and Policy 1(c) as the existing and planned public transport network provides future residents with accessibility to the developing Milldale Town Centre and sub-regional employment, entertainment and service hubs beyond that.
- The proposal brings forward the timing of development of a Future Urban Zone area, which has viable and efficient infrastructure solutions available. While this is not a Plan Change, the proposal nevertheless presents the opportunity for the Government and the Council to be responsive to development that would add significantly to development capacity and contribute to a well-functioning urban environment.

**Based on the assessment above, it is considered that the project is consistent with the NPS:UD.**

## 6.2 National Environmental Standards for Air Quality 2004

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The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES:AQ) sets standards to guarantee a minimum level of health protection for people living in New Zealand.

No specific consents relating to this standard are required for the proposal, although the relevant regulations in the NES:AQ have informed the assessment of construction and operational air quality effects. The potential for effects on air quality in relation to the proposal relate primarily to dust during the construction phase. Measures will be proposed to manage potential effects in response to the air quality objectives and policies and this is standard practice for large scale subdivision and land development projects.

The management of dust and odour will be addressed in the Construction Management Plan and an Erosion and Sediment Control Plan as part of the Substantive Application. As such, ambient air quality will be maintained once the development is constructed.

**Based on the assessment above, it is considered that the project is consistent with the NES:AQ.**

### 6.3 National Environmental Standards for Freshwater 2020

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The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES:F) sets standards to regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Of particular relevance to the proposal are the provisions which require resource consent for works in and around natural wetlands, and works affecting rivers and streams.

As stated above, the Substantive Application will require consents for a variety of reasons under the NES:F and this will be assessed in detail at that stage. The key policy document to consider at the referral stage is the NPS:FM, which has been addressed above.

**Based on the assessment above, it is considered that the project is consistent with the NES:F.**

### 6.4 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

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The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES:CS) sets a nationally consistent set of planning controls and soil contaminant values. Resource consent will be required under the NES:CS as outlined above.

**Based on the assessment above, it is considered that the project is consistent with the NES:CS.**

### 6.5 Auckland Regional Policy Statement

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The Urban Growth and Form objectives and policies are the central part of the Regional Policy Statement (RPS) and set the policy framework for managing Auckland's growth. The RPS seeks to achieve a quality compact urban form by:

- a) Promoting a well-functioning urban environment with a quality compact urban form (B2.2.1(1)).
- b) Primarily accommodating urban growth within the urban area 2016 (B2.2.1(2)), providing sufficient development capacity and land supply to support growth (B2.2.1(3)) and containing urbanisation within the Rural Urban Boundary ((B2.2.1(4)).
- c) Ensuring that the development of land within the Rural Urban Boundary is integrated with the provision of infrastructure and improves resilience to the effects of climate change (B2.2.1(5)).
- d) Enabling higher residential intensification in and around centres and close to public transport (B2.2.2(5)).
- e) Encouraging subdivision, use and development to be designed to promote the health, safety and well-being of people and communities (B2.3.2(2)).
- f) Ensuring residential areas are attractive, healthy, safe and have improved resilience to the effects of climate change with quality development that is in keeping with the planned built character of the area (B2.4.1(2)).
- g) Increasing housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population (B2.4.1(4)).

- h) Ensuring development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints ((B2.4.1(6)).

The proposal will be consistent with the objectives and policies of the RPS. The Future Urban Zone land is expressly intended for urban development owing to its efficient location immediately adjoining the Milldale community and existing urban area. It is simply a matter of timing.

In this respect, a key focus of Chapter B2 is the need to integrate urban development with the provision of infrastructure. As already explained, the proposal is uniquely positioned to leverage the significant infrastructure investment already made to support the Milldale development, which has been jointly funded by FHLD, the Government and the Council. While the Council in the pre-application meeting expressed concerns about the availability of water supply and wastewater infrastructure (see **Attachment I**), FHLD is proposing private water supply and wastewater infrastructure on an interim basis until such time as public servicing is available. This is an efficient outcome that appropriately balances the opportunity to increase housing supply to meet demand now (and all the economic benefits that brings for Auckland), with the need to ensure that appropriate servicing is in place. This meets the policy intent of the RPS, which provides for both public and private infrastructure options.

The Milldale North Masterplan included at **Attachment E** illustrates that a diverse range of housing choices will be provided, consistent with the needs of the local market. The indicative street and block pattern is legible, provides for range of transport modes and will integrate seamlessly with the existing Milldale community as a logical next stage. Similarly, the open space network is extensive and well-connected providing recreational opportunities for people as well as ecological and water quality benefits. In this regard, the proposal will contribute to a quality compact urban form.

**Based on the assessment above, it is considered that the project is consistent with the RPS.**

## 6.6 The Auckland Future Development Strategy 2023-2053

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The Auckland Future Development Strategy (FDS) provides a long-term growth strategy for Auckland looking ahead to 2053. The FDS is a high level strategy that in ordinary RMA proceedings is a document to “have regard to”. It is not necessarily determinative given the strategic nature of the evidence base and the streamlined way in which it is prepared.

The FDS sets out the timing for development of Future Urban Zone areas and identifies Wainui East as being development ready from 2050+. This proposal would see development occurring much sooner than that. For Wainui East the FDS timing is entirely based on when the Council considers that supporting bulk infrastructure will be available. This includes Pine Valley Road upgrade, Dairy Flat Highway upgrade, SH1 Interchange upgrades and new interchanges including active modes (Wilks Road, Redvale & Silverdale), North Shore Rapid Transit (extension to Milldale), Army Bay Wastewater Treatment Plant Upgrade, and the Orewa 3 Watermain.

The Infrastructure and Transport Assessments (**Attachments B and A**) sufficiently demonstrate that these infrastructure upgrades are either not required to support the proposal, or suitable private alternatives can be provided if necessary, in the interim, in the case of water supply and wastewater. These detailed and site/proposal specific assessments should be preferred over the strategic regional scale assessments undertaken by the Council for the FDS. Given that there are feasible and efficient infrastructure solutions available, there is no basis for precluding development, given that the reason for its 2050 timing in the FDS

has been sufficiently addressed. This is particularly the case in light of the conclusion that the proposal is consistent with the RPS, being the principal statutory planning document that applies.

**Based on the assessment above, the project is not consistent with the timing of development for Wainui West in the FDS, but is consistent with its overall intent.**

## 7.0 Assessment of Effects

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This section is provided in accordance with s13(4)(h) of the FTAA. This requires that applications include a description of the anticipated and known effects of the project on the environment.

The proposal will not generate significant adverse environmental effects, as any adverse effects on the environment will be appropriately avoided, remedied or mitigated to be minor or less than minor in nature. The key potential adverse effects are addressed in general below and should be reviewed in conjunction with the supporting technical expert memorandums accompanying this application.

### 7.1 Economics

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An Economic Assessment of the proposal has been undertaken by Insight Economics (**Attachment D**).

The assessment confirms that the Milldale North proposal will generate substantial regional economic benefits, both during construction and once the development is fully established. The one-time construction and land development activity is estimated to contribute approximately \$697 million in GDP, supporting around 616 full-time equivalent jobs per year over the eight-year build period and generating \$416 million in wages and salaries. These effects represent a significant stimulus to Auckland's construction, engineering and professional services sectors.

In the longer term, the additional households enabled by the proposal are expected to generate approximately \$179 million in annual consumer spending, strengthening the viability of existing and planned centres within Milldale and the wider Wainui/Silverdale area. This ongoing expenditure will help support local employment, services, and community amenities, and reinforce the role of Milldale as a growing residential community.

As already discussed, the proposal also contributes to a well-functioning housing market by providing a meaningful supply boost of 1,500 dwellings including 69 super lots, supporting greater competition and helping meet projected growth in the Rodney area. The assessment notes that FHLD's ability to maintain a consistent annual delivery rate provides stability for contractors, trades and suppliers, and supports more efficient utilisation of labour and construction resources over time.

Additionally, the ecological restoration programme north of the Ōrewa Awa is expected to deliver wider amenity and environmental benefits, including long-term recreational value and projected carbon sequestration of between 188,500 and 252,000 tonnes of CO<sub>2</sub>-e over a 50–80 year period.

Relying on the economic assessment, the project will deliver significant and enduring economic benefits, with strong positive effects for employment, household spending and regional growth.

### 7.2 Transport

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A Transport Assessment of the proposal has been undertaken by Stantec (**Attachment A**).

The assessment confirms that the proposal can be integrated into the wider transport network in a manner that maintains safe, efficient and effective network performance. The proposal extends the existing Milldale transport framework and benefits from already completed and committed upgrades that have been jointly planned and funded by FHLD, The Government and the Council.

The transport network improvements proposed have already been outlined in Section 1.1.1 above and form the key mitigation measures.

The assessment makes the following key conclusions:

- The proposal is a logical continuation of the Milldale transport network, with new internal roads and connections ensuring strong integration with surrounding routes, including Wainui Road, Argent Lane and the Milldale overbridge. The layout maintains consistency with previously approved Milldale roading typologies.
- Traffic modelling using the SGA Northern macro-model and AIMSUN micro-simulation confirms that the wider network will continue to operate at acceptable levels with planned upgrades in place.
- The assessment indicates that the integrity and performance of the transport network, including SH1 and major arterials, can be maintained with staged implementation of the identified mitigation measures.
- A programme of intersection and corridor upgrades is already committed or consented, with timing aligned to dwelling thresholds. These include upgrades at Dairy Flat Highway/Pine Valley Road, Wilks Road/Dairy Flat Highway, Wilks Road/East Coast Road, the Silverdale Interchange, and double-laning at Argent Lane/Pine Valley Road.
- With these upgrades accounted for, modelling shows acceptable Levels of Service (LOS) across key intersections in both AM and PM peak periods for all development years assessed, with most intersections remaining at LOS A–C and no deterioration beyond commonly accepted urban operating conditions.
- The development supports the full delivery of Wainui Road as a multi-modal corridor, improving travel choices and enabling efficient active and public transport connections throughout the precinct and to surrounding suburbs.
- Public transport accessibility will continue to improve, with existing bus services already demonstrating increasing patronage and expected to provide a viable alternative transport mode as the area grows.
- The Milldale active mode connection will be extended to the Orewa Awa.

Relying on this assessment, and taking into account the proposed mitigation measures, the potential adverse effects on the proposal on the transport network are considered to be less than minor.

### 7.3 Earthworks

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Bulk earthworks across the site would be staged and would form topography suitable for building platforms, roading networks, stormwater management devices and overland flowpaths, where required.

During construction, erosion and sediment control measures will be utilised to avoid an adverse environmental effect. All proposed sediment and erosion control measures will be designed in accordance with the Auckland Council's GD05.

Any adverse dust effects can be appropriately managed with standard conditions of consent.

On the basis of the above, it is considered that any adverse effects associated with earthworks can be managed in that they will be less than minor.

## 7.4 Infrastructure and Flooding

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Details of the proposed infrastructure services such as stormwater, wastewater, water supply and utilities are outlined above and further detailed within the Infrastructure Assessment at **Attachment B**.

The key aspects of the infrastructure strategy have been set out in Section 1.1.2 and 1.1.3 above. The assessment demonstrates that there are viable and efficient options available for water supply and wastewater servicing and the proposal can be serviced with power and utilities. Conditions of consent as part of the substantive application will ensure that the provision of infrastructure is sufficiently coordinated with development, in a similar manner to what has been approved through the recent substantive application approved for Stage 10-13 and 4C and the earlier stages of the Milldale development.

In terms of potential flooding effects, comprehensive flood modelling has been undertaken for the 2, 10 and 100-year storm events, incorporating both the 2.1°C and 3.8°C climate change scenarios. The modelling confirms that, in the existing environment, flooding within Milldale is contained within the existing and planned stream reserves. While runoff is conveyed effectively through Milldale's consented structures, several older downstream culverts along Wainui Road are undersized and at risk of overtopping, however, these structures are already identified for future upgrade within the wider stormwater management planning for the area.

Modelling also identifies a wide floodplain within land to the south of Argent Lane, but this land sits outside the referral area and is to remain undeveloped. Within Milldale North, existing tributaries and farm drains will require modification or enhancement to ensure any bank overtopping is confined to planned stream reserves under the worst-case climate change scenario.

Post-development the modelling confirms that flood flows will remain contained within the stream reserves across both the existing Milldale development and the Milldale North site. While local water levels increase with urbanisation, flows are fully contained within riparian margins and do not result in increased flooding risk on developable or adjoining land. Overall, the flood assessment concludes that the proposal will not generate adverse flood effects either upstream or downstream of the site.

For these reasons, any potential adverse effects of the proposal on the environment in terms of infrastructure provision and flooding will be less than minor.

## 7.5 Ecology

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An Ecological Assessment of the proposal has been undertaken by Viridis (**Attachment C**). This has already been discussed in some detail above.

The assessment confirms that the Milldale North site is generally characterised by long-established pastoral land, with ecological values largely limited to the Significant Ecological Area (SEA) in the northern part of the site and several moderate to low-value freshwater features. Native terrestrial vegetation outside the SEA is sparse and typically fragmented, comprising mixed exotic–native scrub and shelterbelts with low habitat quality. The SEA contains remnant WF11 forest supporting threatened native species and provides important ecological corridor and riparian functions.

Freshwater features include four permanent streams within the Ōrewa River catchment, assessed as being in degraded condition due to historic land use but retaining moderate ecological value and potential īnanga spawning habitat. Intermittent streams, artificial drains and induced wetlands across the site generally hold low ecological value, reflecting stock damage, modified hydrology and a dominance of exotic wetland plants such as creeping bent.

The proposal avoids high-value features as far as practicable, with any necessary disturbance to lower-value streams or wetlands to be addressed through the effects management hierarchy at later stages. The assessment concludes that the project provides a substantial opportunity for ecological enhancement, including large-scale riparian and wetland buffer planting, restoration of the WF11 remnant, and an extensive programme of indigenous revegetation across Rural Production land. The establishment of a predator-proof fenced sanctuary zone is identified as a key positive measure that will create protected habitat for native birds, lizards and invertebrates.

Overall, the ecological assessment concludes that while the site currently contains limited ecological value outside the SEA, the proposal will result in significant net ecological gains, with meaningful improvements to terrestrial and freshwater habitat quality, landscape connectivity and long-term biodiversity resilience across the Milldale catchment.

For the reasons set out above, any potential adverse ecological effects of the proposal on the environment will be less than minor and are likely to result in positive ecological effects overall.

## 7.6 Cultural Values

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A summary of consultation undertaken with iwi on this proposal to date is included at **Attachment J**. Engagement with Te Kawerau ā Maki & Ngāti Manuhiri is ongoing and FHLD is committed to working with all iwi groups that have registered their interest in this project to further refine the Masterplan should the project be referred. FHLD has worked collaboratively and positively with Te Kawerau ā Maki & Ngāti Manuhiri over many years and they intend to continue doing so.

## 7.7 Positive Effects

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The proposal will deliver a number of positive effects as already outlined. These are summarised as follows:

- **Significant contribution to housing supply and diversity**, enabling approximately 1,500 new dwellings including 69 terrace housing super lots in a mix of typologies, which provides a material, short term uplift in available sections within a high growth area.
- **Substantial economic benefits**, including an estimated \$697 million in GDP during construction, around 616 FTE jobs per year over the eight-year build programme, \$416 million in wages, and approximately \$179 million in annual household spending once occupied.
- **Efficient use of existing and committed infrastructure**, leveraging the significant investment in the transport and three-waters networks serving Milldale and the wider area. The proposal forms the next logical and integrated stage of development, maximising returns on infrastructure already delivered.
- **Improved transport outcomes**, including completion of the multi-modal Wainui Road corridor adjoining the site, strengthened public transport connectivity and provision of a permeable, walkable street network.
- **Large-scale ecological enhancement**, including restoration of approximately 129 hectares of indigenous vegetation, rehabilitation of WF11 forest remnants, riparian and wetland enhancement, and the

establishment of a predator-proof sanctuary zone that will materially improve biodiversity, habitat connectivity and long-term ecological resilience.

- **Positive freshwater and catchment outcomes**, with long-term water quality improvements achieved through wetlands, bioretention, riparian planting, and a treatment-train approach consistent with the Wainui East Stormwater Management Plan.
- **Enhanced recreational and community amenity**, including a comprehensive open-space framework, walking and cycling trails, and an accessible ecological restoration area north of the Ōrewa Awa.
- **Carbon sequestration benefits** from the ecological restoration area (projected 188,500–252,000 tonnes CO<sub>2</sub>-e over 50–80 years) and a transport layout that supports more sustainable travel behaviour.

## 7.8 Mitigation

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This memorandum, and the supporting memorandums from the technical experts, identify a range of measures to address potential adverse effects and ensure that those adverse effects are avoided, remedied or mitigated. This includes the application of standard and well-established mitigation measures and more bespoke approaches to manage the particular effects of this proposal. These can be addressed through design, conditions of consent, and monitoring.

## 8.0 Conclusion

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Having undertaken a high-level planning assessment, it is considered that there are no planning related reasons why the proposal could not proceed under the FTAA. Through strong design and technical input, the proposal can achieve a built form, environment and community that positively impact future residents and the wider Milldale community, without having an adverse effect on the environment.

It is acknowledged that a full and comprehensive Assessment of Environmental Effects will be undertaken as part of any resource consent application, however at this stage, the potential adverse effects have been identified as less than minor and do not preclude the development from occurring.