

Response ID ANON-URZ4-5F9U-X

Submitted to Fast-track approval applications
Submitted on 2024-05-02 16:28:06

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Fulton Hogan Land Development Ltd (FHLD)

2 Contact person

Contact person name:
Greg Dewe

3 What is your job title

Job title:
Operations Manager - FHLD

4 What is your contact email address?

Email:
§ 9(2)(a)

5 What is your phone number?

Phone number:
§ 9(2)(a)

6 What is your postal address?

Postal address:

PO Box 39185, Christchurch 8545

7 Is your address for service different from your postal address?

Yes

Organisation:
Barker & Associates

Contact person:
Nick Roberts / Cosette Pearson

Phone number:
§ 9(2)(a)

Email address:
§ 9(2)(a)

Job title:
Director - Planning

Please enter your service address:

Level 4, Old South British Building, 3/13 Shortland Street, Auckland City, Auckland 1010

Section 1: Project location

Site address or location

Add the address or describe the location:

The subject site fronts Wainui Rd, Argent Lane, Lysnar Rd, and Cemetery Rd, Wainui, Auckland.

The area makes up the northern and western extents of the existing Milldale development, as shown in the site plan in Appendix 1 – Plans.

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Appendix 1 - Plans.pdf was uploaded

Upload file here:

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Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

Appendix 2 - Records of Title.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Fulton Hogan Land Development Ltd (FHLD)

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

FHLD owns the land subject to the application and has been successfully developing the areas adjacent to the subject site that make up the existing Milldale community, since 2018.

FHLD confirm that Milldale Stages 4C and 10-13 are construction ready, subject to obtaining resource consents, and FHLD are ready and able to commence works for the project over the land in question, immediately upon receipt of approved consent.

Section 2: Project details

What is the project name?

Please write your answer here:

Milldale Stages 4C and 10-13

What is the project summary?

Please write your answer here:

To undertake earthworks and civil works to create sites for over 1,100 residential sites which will be built on by the 40 house building partners already active in the earlier stages of Milldale. These houses will be ready for occupation from mid-2027.

What are the project details?

Please write your answer here:

Milldale is a master planned community that at completion will be home for over 10,000 people in north Auckland. In addition, already on site there is a primary school, pre-schools, and a retirement village. The first set of neighbourhood shops are currently under construction and due to be open before the end of 2024 and civils works on the town centre have commenced. Please refer to Appendix 1 for the comprehensive Milldale masterplan.

This application, for Milldale Stages 4C and 10-13 (see Appendix 1 for comprehensive masterplan) is for the final stages of the development which will enable an additional 1,100 dwellings to be constructed in a more timely and efficient manner than the current RMA processes allow (as set out in comparison timeline at Appendix 3), given what must be the unintended consequences of the Freshwater NES/NPS which results in areas of creeping bent grass being defined as wetlands (the spatial extent of this unintended consequence is highlighted in the aerial plan included as part of Appendix 1). Whilst these provisions are being reviewed, which we understand could be a two-year process, consenting the 1,100 dwellings that are subject to this proposal would be delayed by a minimum two-year period.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

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. Please refer to Appendix 1 for the staging plan and Appendix 3 for the project timeline utilising the Fast-Track consenting process.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991
Resource Consent

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Auckland Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

No consents have been lodged for the stages of this project that are the subject of this application (Milldale Stages 4C and 10-13). Multiple applications for earthworks and subdivision have been sought and granted for earlier stages of the wider Milldale development. In recent years, as a result of the Freshwater NES/NPS a number of significant compromises including losing a significant number of house sites, inferior urban design outcomes, increased levels of earthworks and retaining walls and associated costs have had to be made to keep the Milldale development project going.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No, FHLD are the sole landowners.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

FHLD confirm that this project is construction ready, subject to obtaining resource consent. FHLD are extremely experienced land developers and have delivered or are in the process of delivering Stages 1-9 of the existing Milldale development. The consultant team to prepare all the necessary documentation for the resource consent application has been appointed and, should this project be successfully listed in the Fast-Track Schedule, the consultant team will immediately commence preparation of the full resource consent application.

The detailed project timeline (refer Appendix 3, in emailed OneDrive link) includes all key milestones (including earthworks, EPA, civil works and construction of dwellings), and specifically includes the programmed release of dwellings utilising the Fast-Track consenting process (assuming consent is granted by Q1 2025): Stage 4C dwellings (273 dwellings) being released by June 2027, Stage 10 dwellings (168 dwellings) by July 2027, Stage 11 dwellings (159 dwellings) by September 2027, Stage 12 (317 dwellings) by October 2027 and Stage 13 (267 dwellings) released by the end of 2027.

As shown in the timeline in Appendix 3, FHLD will be able to deliver all final stages of the Milldale development in a much more condensed and efficient manner than utilising the standard RMA consenting process which wont result in the completion and release of the final stage (Stage 13) dwellings until Q3 2029.

With regard to procurement, FHLD has well established relationships with over 40 reliable house building partners that FHLD have been working with in the earlier stages of Milldale, ensuring quality and integration with the existing Milldale development is ensured through this project.

With regard to funding, FHLD has a long-term plan in place to manage cash-flow, providing certainty to ongoing investment and project completion.

FHLD have entered two Infrastructure Funding Agreements (refer Appendix 9 for the media statement on the IFA between Auckland Council, Crown Infrastructure Partners and FHLD) for \$91 million to fund roading and wastewater infrastructure to support building 9,000 homes in Wainui), which will ensure the delivery of all infrastructure required to service the Milldale Stages 4C and 10-13 development.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Auckland Council (including the Healthy Waters team), Auckland Transport and Watercare.

Ngāi Tai ki Tāmaki

Ngāti Manuhiri

Ngāti Maru

Ngāti Pāoa

Ngāti Te Ata

Ngātiwai

Ngāti Whanaunga

Ngāti Whātua o Kaipara

Ngāti Whātua Ōrakei
Te Ākitai Waiohua
Te Kawerau ā Maki
Te Patukirikiri
Te Rūnanga o Ngāti Whātua

Of the aforementioned iwi, those with treaty settlements specifically applying to the area are listed in section 18 of this application.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

The following local authorities; Auckland Council, Auckland Transport and Watercare have all been involved through Milldale Stages 1-9 and will continue to be engaged throughout the final stages of the development. Auckland Council, Auckland Transport and Watercare will all have assets vested in them following the subdivision works and all will be involved with the Engineering Plan Approvals required before works can commence. Consultation has been ongoing with interested iwi groups since 2016. Te Kawerau ā Maki and Ngāti Manuhiri have been involved in all stages of the Milldale development with engagement continuing on an ongoing basis. FHLD have been consulting with the organisations listed in Item 15 above, since 2017 on the earlier stages of the development, the bulk infrastructure for the development, as well as the wider transport network upgrades which have all been agreed –refer to Transport assessment memo prepared by Stantec at Appendix 4. The area subject to this application for Milldale Stages 4C and 10-13 represents the balance areas to be completed and the layouts are consistent with the comprehensive Milldale masterplan (refer to Appendix 1) as well as the Wainui Precinct Plan 1 (Chapter I544) under the Auckland Unitary Plan. The bulk sewer and water infrastructure to serve the development has already been completed as have several of the transport upgrades and the remaining projects are either in construction or due to commence before the end of 2024 as set out in the Transport assessment memo prepared by Stantec (Appendix 4). The location and design of all key infrastructure and the location of reserves have been agreed with Auckland Council, Auckland Transport and Watercare.

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Appendix 9 - CIP Milldale Media Statement.pdf was uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

No Public Works Act ('PWA') processes are required or undertaken in respect of the land subject to this application. There have been earlier PWA processes completed to enable the construction of a multi-modal bridge (construction underway and due to be completed by early 2025) over SH1 linking Milldale with the Highgate Business Park and the extension of Argent Lane through to Dairy Flat Highway (due to commence in Spring 2024).

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Statutory acknowledgements

There are no statutory acknowledgements applying to the project site, as shown by the Auckland Unitary Plan.

The closest statutory acknowledgement site is to the east, across SH1, across a portion of central Ōrewa down to the coast.

Treaty settlements

There are 7 treaty settlements applying to the project site. These are:

Ngāti Manuhiri Claims Settlement Act 2012 (associated Deed of Settlement signed on 21 May 2011).

The related iwi authority is Ngāti Manuhiri Settlement Trust. FHLD are in ongoing consultation with the Trust (refer section 16 of this application).

Te Kawerau ā Maki Claims Settlement Act 2015 (associated Deed of Settlement signed on 22 February 2014).

The related iwi authority is Te Kawerau Iwi Settlement Trust. FHLD are in ongoing consultation with the Trust (refer section 16 of this application).

Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (associated Deed of Settlement signed on 7 November 2015).

Te Patukirikiri Deed of Settlement 2018 (signed on 07 October 2018).

Ngāti Whātua o Kaipara Claims Settlement Act 2013 (associated Deed of Settlement signed on 9 September 2011).

Ngāti Paoa Deed of Settlement 2021 (signed on 20 March 2021).

Te Ākitai Waiohua Deed of Settlement 2021 (signed on 12 November 2021).

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

Appendix 8 - Record of iwi consultation to date.pdf was uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The anticipated and known adverse effects of the project on the environment are addressed below and should be reviewed in conjunction with the supporting technical assessments accompanying this application.

Built Character and Amenity

The Milldale Stages 4C and 10-13 project represents the final stages of the comprehensively master planned Milldale development, which is clearly contemplated and planned within the Wainui Precinct provisions and the operative Auckland Unitary Plan zones. Wainui is earmarked for growth and is identified in Council's strategic planning documents and, if the project is listed and subsequent consent is granted, the proposal will complement the existing Milldale development as well as other future planned development in the wider Wainui / Upper Ōrewa area. Enabling the development of 1,100 new residential lots to complete the Milldale development, close to existing and planned employment areas and where all infrastructure is funded will help create a well-functioning urban environment.

The proposed development has been designed to be consistent with the Milldale masterplan (which includes Stages 1-9) as well as the Wainui Precinct (Chapter I544 of the AUP).

Earthworks and Construction

Erosion and Sediment Controls

Bulk earthworks for the project will be carried out in accordance with best practice appropriate erosion and sediment control measures to ensure that the potential for sediment to discharge into receiving waters is avoided and minimised. Earthworks are also programmed to be carried out during the spring/summer earthworks season to further reduce the potential discharge of sediment to receiving waters.

Although the bulk earthworks will change the existing landform character of the site, this is anticipated through the zoning of the site. There are no natural heritage overlays that apply over the site under the AUP either which further supports our conclusion that modifications to the existing landform and character from earthworks and development will not be an adverse effect.

Construction Noise and Traffic

To mitigate and minimise construction noise effects that could be experienced by closest receivers, a Construction Noise Management Plan (CNMP) will be prepared and implemented throughout the duration of the construction period for the Project. In our view, this management framework for construction noise effects is considered to represent the best practicable option for enabling construction of the Project while avoiding and protecting people from the unreasonable emission of noise.

With respect to construction traffic, a Construction Traffic Management Plan (CTMP) will be prepared and implemented to address the traffic effects

arising from the demolition, bulk earthworks and construction phases of the Project.

Contamination

A Detailed Site Investigation (DSI) will be commissioned including the preparation of a Site Management Plan (SMP) and Remediation Action Plan (RAP) as required. This will ensure that any adverse effects on human health and the environment will be avoided, remedied or mitigated during the bulk earthworks phase of the Project.

Transport

The transportation memo prepared by Stantec (refer to Appendix 4) includes an overview of the Integrated Transportation Assessment prepared for the development enabled in Milldale to accommodate up to 4,500 dwellings and 40,000m² of commercial GFA, of which this project fits within.

The transport memo notes that the ITA (which was approved by Auckland Transport) concluded that with recommended roading infrastructure implemented, the anticipated build out could be supported with no significant impacts on the surrounding transport network.

Since the original ITA, no additional projects have been required to enable Stages 1-9, and Stantec have confirmed that the projects identified through the original ITA remain current and will ensure that the delivery of the dwellings enabled through Milldale Stages 4C and 10-13 will not adversely impact the operation of the surrounding transport network.

The ITA identified three unfunded roading projects which would be required to support the full buildout of Milldale to 4,500 dwellings if the O Mahurangi - Penlink project ('Penlink'), was not to proceed. The trigger point for these projects was 3,800 dwellings within the Milldale development. However, as of November 2023 the Penlink project entered its main construction phase and the target date for completion of the project is late 2026. Therefore, the development of Milldale Stages 4C and 10-13 will not adversely impact the operation of the surrounding transport network particularly as a result of the confirmed completion of Penlink in 2026.

The transport memo sets out a list of projects (refer Table 1 in Appendix 4) that have either been completed, are underway, or will be completed to enable the development and full build out of Milldale. FHLD have entered two Infrastructure Funding Agreements which will ensure the delivery of these projects. All identified transport infrastructure that will enable the full build out of up to 4,500 dwellings in Milldale will either be completed by 2026, or as Milldale is fully built out.

FHLD also continue to work with AT to ensure a robust and efficient public transportation system. A new bus route (Route 989) was established in 2022 which connects Milldale with the Hibiscus Coast Station, and patronage numbers have increased rapidly as Milldale develops. This uptake of public transport in Milldale will ensure that public transport continues to provide a viable alternate transport mode and will help reduce reliance on private vehicles for future residents.

Stantec have also confirmed that all internal roads will be consistent with the internal roads developed as part of Stages 1-9 of the Milldale development, which have been subject to AT approvals for each respective stage.

In conclusion, Stantec consider that there are no transport related matters that should prevent the Milldale Stages 4C and 10-13 listed as a scheduled project, and that the anticipated traffic generation from the proposal can be accommodated with the necessary transport upgrades in place, such that there will be no significant adverse effects on the environment in terms of traffic generation and safety.

Stormwater and flooding

The stormwater and climate change resilience memo prepared by Woods (Appendix 5) confirms that the adopted Wainui East Stormwater Management Plan that covers the entire Milldale area, and therefore includes this project area will ensure that stormwater infrastructure successfully manages the quality and flow of stormwater generated by the development.

The flood modelling undertaken for this proposed stage of the development confirms that all potential flooding can be contained within the stream network, with no flooding observed within proposed development areas, and the adoption of the pass flows forward strategy (as per the Wainui East SMP) does not impact any areas upstream/downstream of the site.

The Stormwater and flooding memo confirms that the development is resilient to future climate change including uplift to 3.8oC by 2110 and is not identified to be at risk of being impacted by the effects of climate change or natural hazards. The memo also confirms that the infrastructure has already demonstrated its resilience to flooding and natural hazards through the 2023 Auckland Anniversary flood event.

Overall, stormwater and potential flooding effects will be adequately managed through design consistent with the Wainui East SMP, such that any adverse effects will be minimised, avoided or managed and without adverse impacts to the receiving environment.

Ecology

An ecological assessment memo considering the ecological effects of the proposal has been prepared by Viridis (Appendix 6).

Viridis note that the sites existing freshwater values are associated with a network of streams and modified overland flow paths. Viridis note that, based on preliminary assessment, these features are considered likely to be degraded and adversely affected by the current land use. The proposal will seek in the first instance to avoid the reclamation or modification of these features and FHLD will undertake restoration and enhancement activities (including planting the margins of freshwater streams), however, reclamation may be required if avoidance cannot be achieved. The effects of any adverse effects will be managed at future application stages, ensuring that the mitigation hierarchy is appropriately applied.

There will be the loss of low ecological value creeping bent grass on site, however this will be assessed through the mitigation hierarchy and the detailed design of works will have regard to the effects management hierarchy, and the hydrological function of the creeping bent areas can be easily mitigated through appropriate stormwater controls.

Through proposed riparian margin planting, the proposal is expected to promote an improvement in water quality (i.e., via increased filtration function of riparian vegetation), shading, bank stability and instream fauna habitat, while providing buffer and connectivity function. As some of the existing stream habitats are in poor condition, these restorative actions represent an overall increase in freshwater value.

Terrestrial ecological values on site are limited to areas of exotic shelterbelts, amenity plantings and a few isolated native trees, which offer very limited low-quality fauna habitat. The removal of this vegetation for future developments is considered appropriate for the project and is not considered to result

in a significant loss of ecological function or terrestrial habitat. Rather, the proposal offers the opportunity for extensive planting within the margins of freshwater environments, which will allow for an increase in habitat quality, native vegetation diversity, ecological connectivity and buffering function of terrestrial vegetation on site. Additionally, the intended riparian buffer planting will greatly increase terrestrial ecological connectivity, diversity and habitat values. In light of Auckland's history of biodiversity loss and ecosystem fragmentation, this proposal presents a significant opportunity for biodiversity gain within the area. Any potential direct effects on indigenous fauna can be appropriately managed through fauna management plans.

Overall, Viridis consider that the proposal will adequately minimize potential adverse ecological effects and will generate positive ecological benefits of regional significance.

Based on the above, it is considered that the proposal is acceptable for its location, will be viewed in the context of the existing comprehensive residential developments and construction in Milldale. This project will provide the final stages of the masterplanned Milldale development, which has been comprehensively and appropriately designed to minimise potential adverse effects on the environment in terms of character, visual amenity and landscape effects.

This project is not considered to result in any long term, adverse effects on the environment, noting that the site has been identified for development by way of its operative residential zoning under the AUP. The project seeks to bring this development forward to enable immediate public benefits, including much needed residential development capacity and homes that can be serviced by infrastructure in an area of high demand, much quicker than under the standard RMA consenting process.

This application aligns with, and is entirely consistent with, development anticipated under the current zones applied to the site under the Auckland Unitary Plan, being a combination of Residential – Single House, Residential – Mixed Housing Suburban and Residential – Mixed Housing Urban zones. The proposal will also be consistent with development anticipated through I544 Wainui Precinct, which applies to the application area in its entirety. The development proposed by FHLD is anticipated in this location, as the land is currently zoned for residential development under the AUP, and with the exception of this area subject to this proposal, the buildout of the Wainui Precinct has either already occurred, is well underway or consented (refer aerial images of Milldale in Appendix 10). Therefore, this application forms the final stage of the build-out and development of the existing Milldale (Wainui) Precinct.

Auckland Council undertook a Housing Development Capacity Assessment in 2021, which concluded that there is demand for 332,000 to 384,000 dwellings over the next 30 years. This project will help resolve the growth challenge within Auckland's North through the delivery of 1,100 dwellings that can be serviced by infrastructure in an area of high demand, in a much quicker timeframe than the current RMA processes allow.

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Combined Specialist Memos (Appendix 4-7).pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The project is considered to be consistent with, and give effect to, the relevant national policy statements and environmental standards for the following reasons:

National Policy Statement on Urban Development 2020 (NPSUD)

The NPS-UD enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1).

It is considered that the Milldale Stages 4C and 10-13 project is 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 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;
- In accordance with Objective 1 and Policy 1, the project is part of a comprehensively planned, well connected development, forming the final stages of the Milldale development, delivering an additional 1,100 dwellings to further contribute to a diverse and vibrant community;
- The development will provide more houses in a well-connected, strategic location, within close proximity to both existing and planned businesses and community services, and employment opportunities.
- The project will support competitive land and development markets and contribute to improving housing affordability in Auckland;
- The project will provide for housing choice, variety and capacity within an established residential neighbourhood in Milldale, Auckland by delivering approximately 1,100 dwellings in an area where there is a high demand. The project is located on land that is surrounded by existing residential development, and Milldale Stages 4C and 10-13 will contribute to a well-functioning urban environment in an area that has already been zoned and identified for residential development;
- In accordance with Objective 6, the proposed housing development will integrate the provision of infrastructure servicing; and
- In accordance with Objective 8, 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 10-13 development gives effect to the NPS-UD.

National Policy Statement for Freshwater Management 2020 (NPS-FM)

The 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. The Project will be designed to be in keeping with the relevant objective and policies of the NPS-FM that relate to land development. In particular:

- In accordance with Policy 3, stormwater runoff within the project site will be comprehensively managed to ensure that the effects of the use and development of the land do not adversely affect downstream catchments and freshwater bodies;
- In accordance with Policies 6 and 7, the potential loss of low ecological value creeping bent grass on site cannot be avoided, however this will be assessed through the mitigation hierarchy and the detailed design of works will have regard to the effects management hierarchy;
- In accordance with Policy 8, there are no significant outstanding water bodies as identified under the AUP (OP) located within the project site; and
- The proposed Project is considered to provide for the social, economic, and cultural well-being of people and communities as it will deliver additional housing while being consistent with the Freshwater NPS for the reasons outlined above.

New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement 2010 ('NZCPS') contains objectives and policies relating to the coastal environment to achieve the purpose of the RMA. The NZCPS is applicable to this development, as the Waitemata Harbour is the ultimate receiving environment for the streams which drain the project area.

This development will give effect to the NZCPS in that any future land use activities will need to comply with the Auckland-wide stormwater quality and stormwater management provisions which will manage sediment and contaminant runoff, which could make its way into the coastal receiving environment. Further mitigation measures will be considered as part of a future resource consent process via the certification requirements of the Council's regional-wide Network Discharge Consent.

National Policy Statement – Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity ('NPS-IB') sets out the objectives and policies to identify, protect, manage and restore indigenous biodiversity under the RMA.

In broad terms, the NPS-IB requires every territorial authority to undertake a district wide assessment in accordance with Appendix 1 of the NPS-IB to determine if an area is significant indigenous vegetation and/or significant habitat of indigenous fauna; and, if it is:

- Classify areas of significant indigenous vegetation and /or significant habitat of indigenous fauna as either High or Medium, in accordance with Appendix 2 of the NPS-IB;
- Local authorities are also required to avoid the loss of significant natural areas and manage all adverse effects of a new subdivision, use or development on significant natural areas;
- A Biodiversity Strategy is also required to be developed by local authorities in addition to a monitoring programme related to this.

The development area is currently worked pasture. Terrestrial ecological values on site are limited to areas of exotic shelterbelts, amenity plantings and a few isolated native trees, which offer very limited low-quality fauna habitat. The removal of this vegetation for future developments is considered appropriate for the project and is not considered to result in a significant loss of ecological function or terrestrial habitat. This project is aligned with the NPS-IB because it proposes enhancement planting of the ecological corridors within the site including an increase in habitat quality, native vegetation diversity, ecological connectivity and buffering function of terrestrial vegetation on site.

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

The purpose of the NESCS is to ensure that land affected by contaminants in the soil column is appropriately identified and assessed before it is developed (and remediated if necessary). Whilst no Preliminary or Detailed Site Investigations has been conducted at this stage, site walkovers and site history indicate that there is no obvious evidence of any HAIL activities having taken place on the site, which is consistent with the previous stages of the development already completed. The proposal is consistent with the intent of the NESCS. Should the project be accepted as a listed project under the Act, detailed site investigations will be undertaken to identify potential areas of contamination and a Remediation Action Plan will be prepared and implemented to ensure that the site is appropriately remediated to make the land safe for human use.

National Environmental Standards for Freshwater 2020 (NESF)

The NESF sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Of particular relevance to the Project are clauses which manage works in and around natural wetlands (specifically in this case the creeping bent grass that dominates this area, and the removal of which would have negligible ecological effect). The relevant resource consents under the NESF will be applied for as part of the consenting process and the extent of any works proposed to existing wetlands will be designed with regard to the relevant framework under the NPS-FM, including the effects management hierarchy.

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

This project effectively achieves the purpose of the Bill as it will enable the delivery of 1,100 households in the north of Auckland, in an area that has been live zoned for residential development, and that can be serviced by infrastructure in an area of high demand, in a much quicker timeframe than the current RMA processes allow (as illustrated in the timeline at Appendix 3).

The efficient delivery of 1,100 homes north of Auckland in an area that is zoned for residential development and that can be serviced by appropriate infrastructure required, will provide significant regional benefits to Auckland and beyond. FHLD have delivered all stages of the existing Milldale development in the Wainui Precinct (refer aerial images in Appendix 10), efficiently delivering significant housing stock to the region. This project will deliver a residential development that is entirely consistent with the existing Milldale development, as FHLD remains the developer, using the same 40 reliable house building partners that FHLD have been working with in the earlier stages of Milldale, ensuring quality and integration with the existing Milldale development is ensured through this project.

The fast-track process offers a number of advantages in terms of time and cost over the standard RMA process (particularly given this is a straight forward application, which forms the final stages of the existing Milldale development), public and limited notification is precluded under the Fast-track Approvals Bill, the panel is only permitted to invite comments from specified persons and a short timeframe is provided for comment. A comparison timeline (Appendix 3) has been prepared which compares the likely timeframes and delivery dates when using the fast-track process, versus the standard RMA process. The timeline clearly demonstrates the time savings and efficiencies to be gained by utilising the fast-track process to consent the project. In particular, the timeline shows that all 1,100 dwellings will be complete Q4 2027, whereas under the standard sequential process, stages 4C and 10-13 will not be complete until and ready for occupation until 2029. This demonstrates that the fast-track process will enable the project to be efficiently processed and dwellings delivered two years faster than the standard process. Overall, the standard process would create a much longer consenting timeframe for the delivery of Milldale Stages 4C and 10-13 which is a straight forward project that will provide regionally significant benefits, given the rapid delivery of an additional 1,100 homes which can be serviced by funded infrastructure under the Fast Track Approvals Bill.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

There will be minimal impact on the fast-track process resulting from referring this project, as it will enable the consenting of 1,100 houses at one time, without requiring multiple consents. This project is not complicated, in that it will enable the delivery of homes on land that has been zoned for residential development under the AUP. Referring this project will be an efficient process, as it is straight forward in that it is development on live zoned land, that can be serviced by the infrastructure required.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

Milldale Stages 4C and 10-13 is considered a priority project as it is anticipated both through the Auckland Future Development Strategy as well as through the live zones applied to the project area under the AUP.

The Milldale development has also been identified as a priority project through the major infrastructure partnership between Auckland Council, Auckland Transport, Crown Infrastructure Partners and FHLD to fund \$91 million of roading and wastewater infrastructure to support the building of 9000 homes at Wainui, north of Auckland. In the media release dated November 2018 and included as Appendix 9, Milldale was identified as a priority project as it will help address the shortage and unaffordability of housing in Auckland, with the funding solution to enable the roads, water and wastewater servicing required to enable the development of the project area for houses.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The applicant, FHLD, has already delivered regionally significant infrastructure which will serve the Milldale Stages 4C and 10-13 project in the form of the bulk sewer tunnel which extends under SH1 through to Millwater.

FHLD are also in the process of constructing a multi-modal bridge over SH1 (the Highgate Bridge) as described in the response to Item 17 above. The applicant has also been assisting Watercare with the extension of regionally significant watermain extensions. All of the above can be seen on the 'Wainui Infrastructure Plan' attached as part of Appendix 1.

The development of an additional 1,100 houses in Milldale, will provide regionally significant benefits in that this project will bring development of houses forward enabling immediate public benefits, including much needed residential development capacity and homes that can be serviced by infrastructure in an area of high demand, much quicker than under the standard RMA consenting process.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

Yes, the Milldale Stages 4C and 10-13 project will deliver all of the above in that it will enable 1,100 households to be constructed in a much quicker timeframe than the current RMA processes allow and clearly there is a demand for such housing in Auckland. The additional housing will support the neighbourhood shops and town centre being developed which will contribute to a well-functioning urban environment. The increased pace of housing will also mean that Auckland Council and Watercare will receive development contributions and infrastructure growth charges quicker than the current RMA processes are allowing which must be a positive.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Yes.

The project delivers regionally significant economic benefits in the following ways (refer to the economic assessment prepared by Property Economics at Appendix 7 for more details on the regionally significant economic benefits of the Milldale Stages 4C and 10-13 project).

First it will result in the creation of approximately 3, 100 full time equivalent jobs over the development period for the project. The contractors and build partners that have been involved in the development of Milldale Stages 1-9 will be ready to commence works on the stages of development subject to his application as soon as consent is granted.

Second, it will contribute approximately \$595 million within the Auckland region over a three-year period as a result of the proposed development.

Third, it is expected to assist with attracting a diverse buyer pool, by providing aesthetically and locationally desirable housing. An increase in housing supply and choice will in turn result in a positive impact on housing affordability, in an area adjacent to the already established Milldale development. This in turn supports Policy 1 of the NPS-UD by contributing positively to a well-functioning urban environment.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

FHLD has commenced work on a large scale (100+ ha) native regeneration project over rural zoned land it owns to the north of Milldale. This ecological protection area will see approximately 100ha of rural land retired from farming, and will include the protection and enhancement of waterways, as well as the planting of native vegetation, which will act as a carbon sink. This project is being undertaken in conjunction with local Iwi and the current project will help support the planned regeneration works.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

As set out in the climate change and resilience assessment prepared by Woods (included as Appendix 5 to this application) Milldale Stages 4C and 10-13 will support adaptation resilience and recovery from natural hazards. The climate change and resilience assessment confirms that all stormwater infrastructure that forms the wider Milldale stormwater system has been designed and sized to accommodate climate change and natural hazards and this project is resilient to future climate change including uplift to 3.8°C by 2110 and is not identified to be at risk of being impacted by the effects of climate change or natural hazards. The infrastructure that has been developed as part of the existing Milldale Stages 1-9 is shown to be resilient and cater for the uplifted climate change scenario, and the infrastructure and the Milldale development demonstrated its resilience through significant flooding events recently, where no flooding was observed to encroach any properties or lots and all flood flows were contained within the stream network.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

As per the response to climate change mitigation and reduction of greenhouse gas emissions above, FHLD has commenced work on a large scale (100+ ha) native regeneration project over rural zoned land it owns to the north of Milldale, which will include protection and enhancement of waterways, as well as the planting of native vegetation, which will act as a carbon sink.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

Auckland Future Development Strategy 2023-2053

The Auckland Future Development Strategy 2023-2053 (FDS) incorporates a strategic framework which identifies spatial outcomes and principles for growth within the Auckland region. The FDS identifies four main spatial environments, being existing urban areas, future urban areas, rural areas, and

business areas, and also identifies spatial priorities where the greatest benefits of investment can be achieved.

The FDS is underpinned by five key principles in order to achieve a well-functioning urban environment with a quality compact urban form:

- Principle 1: Reduce greenhouse gas emission.
- Principle 2: Adapt to the impacts of climate change.
- Principle 3: Make efficient and equitable infrastructure investments.
- Principle 4: Protect and restore the natural environment.
- Principle 5: Enable sufficient capacity for residential and business growth in the right place at the right time.

Overall, the Project is consistent with these principles. In particular, the Project site is located within the urban zoned area and will enable capacity for additional residential growth within the existing Milldale development, with infrastructure servicing solutions, to be realised while contributing to a reduction in greenhouse gas emissions due to Milldale's strategic location, bringing people and homes close to existing and proposed surrounding business land uses.

Auckland Regional Policy Statement (RPS)

The objectives and policies of the RPS that are considered to be relevant to the proposal:

B2 – Urban Growth and Form

The Project is consistent with objective B2.2.1(1) to achieve a quality compact urban form with a high-quality urban environment by the development of the final stages of the comprehensively master planned Milldale development with the same build partners as the existing Milldale Stages 1-9 to ensure a comprehensive and integrated development, that is surrounded by quality open spaces for recreation.

The proposal is consistent with the policy framework of policy B2.2.2(4) and (5) because such urban growth and intensification will be contained within the Rural Urban Boundary (RUB) and higher residential intensification is enabled within walking distance of the proposed new Milldale Town Centre.

The Project is consistent with B2.4 Residential growth, in that this project will deliver 1,100 homes in this part of the Auckland region earmarked for development through the operative residential zones under the AUP, providing an increase in housing supply and in turn the range of housing choice, whilst contributing to B2.4.1(6) minimum dwelling targets.

B3 – Infrastructure, Transport and Energy

The objectives and policies for infrastructure under B3.2.1 and B3.2.2 are principally focused on ensuring the importance of infrastructure is recognised and there is appropriate provision of this.

With respect to transport objective B3.3.1(1), the proposal is consistent with this by undertaking a series of transport infrastructure upgrades to the surrounding road network as set out in the Milldale ITA and the local road network, such that they would be of an urban standard and can safely support the movement of people, goods and services in an efficient and effective manner. In doing so, this would also be consistent with policy B3.3.2(5) in terms of land use and transport integration to the extent that the necessary transport infrastructure is planned, funded and staged to integrate with urban growth of this proposal.

B7 – Natural Resources

The relevant objectives and policies of B7.3 seek to ensure that degraded freshwater systems are enhanced and the loss of freshwater systems is minimised. There is an emphasis to integrate the management of subdivision, use and development and freshwater systems, identify degraded freshwater systems and to avoid the permanent loss and significant modification of lakes, rivers, streams and wetlands unless no practicable alternatives exist or mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values.

It is considered that the Project is consistent with this policy direction. Although the Project will result in loss of creeping bent, Viridis have confirmed that removal of this will have negligible ecological effect, and the hydrological function of these areas can be mitigated through appropriate stormwater controls. All streams within the Project area will be restored and enhanced thereby giving effect to objective B7.2.1(2).

The site is largely void of any significant vegetation and largely limited to shelterbelt planting and pasture. There are no Significant Ecological Areas across the site either and therefore the policies under B7.2.2 do not apply to the proposal.

B10 – Environmental Risk

The memorandum prepared by Woods confirms that there are no flooding constraints to development that cannot be avoided, remedied or mitigated, thereby giving effect to objective B10.2.1(2) and (3). The proposal is also consistent with objective B10.2.1(4) because the flood modelling undertaken to date and stormwater management approach has also factored in the effects of climate change on natural hazards, including future climate change temperature rises.

Auckland Unitary Plan Objectives and Policies

The objectives and policies in the following AUP chapters that are considered to be relevant to the proposal are:

- E1 – Water Quality and Integrated Management
- E3 – Lakes, rivers, streams and wetlands
- E10 – Stormwater Management Area Flow 1 and 2
- E11 and E12 – Land Disturbance Regional and District
- E15 – Vegetation Management and Biodiversity
- E25 – Noise and Vibration
- E27 – Transport
- E30 – Contaminated Land
- E36 – Natural Hazards and Flooding
- E38 – Subdivision
- H3 – Residential Single House Zone
- H4 – Residential Mixed Housing Suburban Zone
- H5 – Residential Mixed Housing Urban Zone
- I544 – Wainui Precinct

The ones we consider to be particularly relevant having regard to the adverse effects are summarised below:

E1 – Water Quality and Integrated Management

Chapter E1 gives effect to the NPS - FM. The objectives are to progressively improve the quality of freshwater in areas where this is degraded; and the mauri of freshwater is maintained or progressively improved over time to enable traditional and cultural use of this resource by Mana Whenua. A water sensitive design philosophy is proposed for the project through the Wainui East SMP. At a minimum, SMAF 1 hydrological mitigation will be provided for all impervious surfaces within the development. This includes the design of stormwater treatment devices consistent with Auckland Council's GD05 "Water Sensitive Design for Stormwater". A "Pass Forward" approach is being adopted, in line with the recommendation in the adopted Wainui East SMP.

E3 – Lakes, rivers, streams and wetlands

The relevant objectives and policies of E3 seek to ensure that Auckland's lakes, rivers, streams and wetlands are restored, maintained or enhanced. This project is consistent with the objectives and policies in Chapter E3 in that degraded freshwater systems on the site will be enhanced and the loss of freshwater systems will be minimised. There is an emphasis to integrate the management of subdivision, use and development and freshwater systems, identify degraded freshwater systems and to avoid the permanent loss and significant modification of lakes, rivers, streams and wetlands unless no practicable alternatives exist or mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values.

Although the Project will result in loss of creeping bent, Viridis have confirmed that removal of this will have negligible ecological effect, and the hydrological function of these areas can be mitigated through appropriate stormwater controls. All streams within the Project area will be restored and enhanced thereby giving effect to objective E3.2(2) and Policy E3.3(3).

E27 – Transport

The relevant transport objectives and policies seek to encourage that land use and transport (including public transport, walking and cycling) is integrated in a manner that enables adverse effects of traffic generation on the transport network to be managed. In addition, the objectives and policies ensure that parking and access is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the site. The proposal is considered to be consistent with these objectives and policies as it provides for an integrated transport network with the existing Milldale development, that will be comprehensively designed to provide connections within the proposed development as well as with the surrounding road network.

E36 – Natural Hazards and Flooding

The memorandum prepared by Woods confirms that there are no flooding constraints to development that cannot be avoided, remedied or mitigated, thereby giving effect to objective E36.2(2). The flood modelling undertaken to date and stormwater management approach has also factored in the effects of climate change on natural hazards, including future climate change temperature rises.

I544 – Wainui Precinct, H3 – Single House Zone, H4 – Mixed Housing Suburban Zone and H5 – Mixed Housing Urban Zone

The Project site is located within the Wainui Precinct and is zoned Residential – Single House, Mixed Housing Suburban and Mixed Housing urban zones under the AUP(OP).

The objectives for the residential zones aim to provide development that is in keeping with the relevant planned suburban built character, that being progressively more enabling with height and density within the Mixed Housing Urban zone, where located closer to amenities and with access to public transport. The policies are centred around enabling a variety of housing types, choice and capacity, and for development to achieve attractive and safe streets and public open spaces.

The objectives and policies for the Wainui Precinct aim to ensure that subdivision and development occurs in a manner which reflects the coordination and delivery of open space and infrastructure including transport, wastewater, water and stormwater services and requires subdivision to be stages to align with the provision of infrastructure.

The proposal is considered to be consistent with these relevant objectives and policies for the reasons below:

- The Project will enable the delivery of houses that are in keeping with and integrated with the planned suburban built character, as per the comprehensive masterplan developed for Milldale;
- The Project will contribute towards the planned future form, consistent with the anticipated built character in the underlying zones and Wainui Precinct;
- The Project will include the necessary upgrades to and provision of wastewater, water supply, and stormwater infrastructure; and
- Subdivision and development of the land will not occur in advance of the necessary transport infrastructure being available and operational.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

The climate change and resilience assessment prepared by Woods (included as Appendix 5 to this application) confirms that all stormwater infrastructure has been designed and sized to accommodate climate change and natural hazards and this project is resilient to future climate change including uplift to 3.8°C by 2110 and is not identified to be at risk of being impacted by the effects of climate change or natural hazards. The infrastructure that has been developed as part of the existing Milldale Stages 1-9 is shown to be resilient and cater for the uplifted climate change scenario, and the infrastructure and the Milldale development demonstrated its resilience through significant flooding events recently, where no flooding was observed to encroach any properties or lots and all flood flows were contained within the stream network.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

No compliance and/or enforcement actions have been taken against FHLD by a local authority under the RMA.

Load your file here:

Appendix 3 - Timeline.pdf was uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Cosette Pearson

Important notes