

# Panel's Working Draft Conditions For Comment – 23/01/2026

## ARATAKI PROJECT CONDITIONS OF CONSENT

*Summary of all activities authorised by this consent:*

Subdivision, land use, structure within proximity to a stream, regional diversion and discharge and regional water take activities to enable:

- (a) Maximum yield of 171 standalone residential dwellings as part of a comprehensive urban development (RMA s9).
- (b) Residential activities and development on Plains Production zoned land.
- (c) Subdivision (RMA s11) including vested roads, accessways and a local purpose drainage reserve.
- (d) Infrastructure associated with the subdivision and the development, including roads, reserves, parking, accessways, jointly owned access lots, and infrastructure for three waters services.
- (e) Comprehensive landscaping scheme and covenanted landscape buffer.
- (f) Earthworks and siteworks to enable development.
- (g) Construction of a stormwater outfall within 6m of a stream (unnamed) in a flood control scheme area (RMA s9).
- (h) Temporary take and use of surface water for construction purposes (from impounded stormwater) (RMA s14).
- (i) Diversion and discharge of stormwater into water or onto land (existing and new discharge points) (RMA s15).
- (j) Disturbance and discharge of contaminated soil (RMA s9).

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## A. GENERAL CONDITIONS

All aspects of the substantive consent application are subject to the following general conditions:

**Explanatory Note:** *The following general conditions apply to all parts of this bundled resource consent, including the land use and subdivision consent authorised under district consents [LUC-XXX], LUC-EW] and [SUB-XXX], and land use, water take/use and diversion and discharge activities authorised under regional consents [LUS-XXX], [WAT-XXX] and [DIS-XXX]. These conditions are not repeated under each individual consent to avoid duplication and to ensure consistency across the consenting package.*

### GENERALLY IN ACCORDANCE WITH

1. The proposal must be carried out in general accordance with the drawings, plans and documents listed in Schedule 1 and referenced by the HDC and HBRC under consent numbers [LUC-XXX, LUC-EW, SUB-XXX, WAT-XXX, LUS-XXX, and DIS-XXX].

In the event of any conflict between the drawings, plans and documents listed in Schedule 1 and the conditions of these consents, the conditions shall prevail.

### LAPSE & EXPIRY DATES

2. Under section 125 and 123 of the RMA, the approved consents lapse and/or expire after the date it is granted (unless otherwise stated below) as follows:

Content Reference & Activity	Lapse Date	Expiry Date
LUC-XXX (s9 Land Use)	5 years	
LUC-EW (s9 Bulk Earthworks)	5 years	
SUB-XXX (s11 Subdivision)	5 years	
LUS-XXX (s9 Stream works)	5 years	
WAT-XXX (s14 Temporary take and use of surface water for construction purposes)	5 years	5 years
DIS-XXX (s15 Discharge of stormwater to network and stream)	5 years	35 years

- (a) *These consents will lapse 5 years after the date they commence unless they have been given effect to.*
- (b) *In the case of approved subdivision SUB-XXX, under section 125 of the RMA this consent lapses five years after the date it is granted unless:*

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- (i) A survey plan is submitted to Hastings District Council (**HDC**) for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
- (ii) An application under section 125 of the RMA is made to the HDC before the consent lapses to extend the period after which the consent lapses and the HDC grants an extension

### **MONITORING**

#### 3. *HDC*

A monitoring deposit of \$300 (including GST) shall be payable to cover the reasonable costs of monitoring compliance with the consent conditions in accordance with HDC schedule of charges respectively, noting that:

- (a) *The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s).*
- (b) *In the event of non-compliance being detected by monitoring or justified complaint and/or the costs of monitoring the consent exceeding the deposit, the costs to HDC of any additional monitoring shall be paid by the Consent Holder in accordance with the HDC advertised schedule of fees.*

The Consent Holder will be advised of the further monitoring charge from HDC.

Only after all conditions of the resource consent(s) have been met, will HDC issue a letter confirming compliance on request of the Consent Holder.

#### *HBRC*

Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the HBRC when monitoring the conditions of this consent and will be charged to the consent holder in accordance with HBRC's Annual Plan of the time.

#### **Advice Notes:**

##### *Routine Monitoring*

*Routine monitoring inspections may be undertaken by HBRC compliance officers during construction and/or after the completion of works. The costs of any routine monitoring will be charged to the consent holder in accordance with HBRC's Annual Plan of the time.*

##### *Non-Routine Monitoring*

*"Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA shown below.*

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*Section 17(1) of the RMA states:*

*Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with*

*any of sections 10, 10A, 10B, and 20A; or*

*a national environmental standard, a rule, a resource consent, or a designation.*

*Consent Impact Monitoring*

*In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.*

*Debt Recovery*

*It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.*

## **SUITABLY QUALIFIED PERSONS**

4. The Consent Holder shall ensure that all investigations, calculations, design, supervision, and certification of the infrastructure required under the conditions of this consent are carried out by or under the control of persons who:
  - (a) *are experienced in their respective fields;*
  - (b) *for engineering matters, are considered as "suitably qualified persons" under Section 1.3, Part 3 of the HDC's Engineering Code of Practice 2020 (ECoP);*
  - (c) *hold full membership in their respective professional bodies; and*
  - (d) *have appropriate professional indemnity insurance and public liability insurance.*

## **COMMENCEMENT OF STAGED WORKS**

5. Ten (10) days prior to the commencement of the bulk earthworks on site for each stage (or combination of stages), the Consent Holder shall notify and arrange an on-site pre-construction meeting with the HDC and HBRC Compliance Monitoring Officers and representatives of the contractors who will undertake the works and any suitably qualified persons if required by other conditions.

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The purpose of the meeting is to discuss practical implementation and supervision of the erosion and sediment control measures, earthworks methodologies (including staging), stormwater management, relevant management plans, timeframes for the work and to ensure all relevant parties are aware of and familiar with the conditions of this consent and the Engineering Approvals (EA) and Management Plans approved under it.

The following information shall be made available by the Consent Holder at the meeting and shall be accessible on site at all times while any works are occurring in respect of each stage:

- (a) *The conditions of this consent; and*
- (b) *All approved EA, Management Plans, and other material submitted to, and any responses from, the HDC and HBRC under these conditions.*

### CARRYING OUT OF WORKS

#### *Works in accordance with Conditions*

6. The Consent Holder shall ensure that all works are carried out in accordance with these conditions, including any EA or certification obtained in accordance with these conditions.

#### *Experienced contractors*

7. The Consent Holder shall ensure that all works carried out in accordance with these conditions, including any under EA or certification obtained in accordance with these conditions, are undertaken by persons who:
  - (a) *are suitably qualified and/ or have the appropriate experience in the relevant areas;*
  - (b) *have the appropriate equipment;*
  - (c) *have the appropriate public liability insurance; and*meet the requirements of the Health and Safety in Employment Act.

#### *Works within Public Road Reserve*

8. The Consent Holder shall ensure that all works within a public road reserve are undertaken by a contractor who is pre-approved to do so by the HDC.

#### *Works within Site Boundaries*

9. The Consent Holder shall ensure that no earthworks, temporary or permanent, breach the boundaries of the site, except for authorised works addressing:
  - (a) *the construction of the intersections, Brookvale Road gateway treatment, and pedestrian crossing;*
  - (b) *the construction of the stormwater outlet structure discharge device;*

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- (c) works required to either connect into or extend/upgrade public infrastructure to service the development.

**Advice note:** Prior to undertaking works on those public assets, the Consent Holder should obtain all necessary approvals from the HDC and HBRC and any other necessary approvals.

### *Maintenance during construction and of vacant areas until works commence*

10. During construction and until works begin on a relevant stage (or combination of stages) in a vacant area, the Consent Holder must ensure that the Site is kept in a tidy condition free of nuisances including but not limited to undertaking vegetation and weed management, rubbish removal, dust and runoff management.

### **ACCIDENTAL DISCOVERY**

#### *Archaeology Identification Training*

11. Prior to commencement of bulk earthworks, the Consent Holder shall ensure that key contractor personnel receive a cultural heritage and archaeology induction by a suitably qualified person. The induction shall include:

- (a) *An overview of the site's archaeological and cultural context;*
- (b) *Guidance on recognising and identifying archaeological features and artefacts;*
- (c) *Instructions on the Accidental Discovery Protocol; and*

Contact details and reporting procedures for archaeological finds, including with Māori entity representatives Tamatea Pōkai Whenua (**TPW**).

#### *Accidental Discovery Protocol*

12. In the event of any discovery of material suspected to be evidence of pre-1900 human activity, taonga/treasured artefacts or Human remains/Kōiwi in a 'place', the Consent Holder shall:
- (a) *cease work at and within 20m of the place ("affected area"), and secure the affected area;*
  - (b) *notify the Heritage New Zealand Pouhere Taonga ("HNZPT"), the HDC and HBRC, and comply with any statutory requirements arising such as under the HNZPT Act 2014 and Protected Objects Act 1975;*
  - (c) *if the material is of Māori origin, notify TPW, and shall allow access to enable appropriate cultural procedures to be undertaken in accordance with tikanga, subject to meeting any statutory requirements; and*
  - (d) *if human remains/Kōiwi are uncovered, notify the NZ Police as well as TPW, and not move any such remains until NZ Police and/or TPW advice is received;*
  - (e) *have agreed that they can be moved and all appropriate cultural procedures have been undertaken in accordance with tikanga;*

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- (f) *not recommence works within the affected area until any necessary cultural procedures have been undertaken and statutory requirements have been met.*

### POST CONSTRUCTION REQUIREMENTS

#### *Notification of Stage Completion*

13. The Consent Holder must notify the HDC and HBRC in writing of the date of completion of any particular stage (or combination of stages), within ten (10) working days of the completion of that stage(s).

### COMPLAINTS

14. During the siteworks and construction period, the Consent Holder shall maintain a record of any complaints received in relation to the exercise of this consent. The register shall include, but not be limited to:
- (a) *the date, time, location and nature of the complaint;*
  - (b) *the name, phone number, and address of the complainant, unless the complainant elects not to supply this information; and*
  - (c) *action taken by Consent Holder to investigate the complaint, and, if it is justified, the action taken to remedy the situation and any measures to be put in place to avoid or mitigate the problem occurring again.*

These records shall be provided to the relevant HDC and/or HBRC Compliance Monitoring Officer upon request.

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### B. SUBDIVISION CONSENT CONDITIONS: SUB-XXX

The consent is subject to the following conditions:

Summary of subdivision activities authorised activities relating to Section 11 of the RMA for the subdivision of:

- (a) *171 residential lots.*
- (b) *Ten jointly owned access lots (JOALs).*
- (c) *Seven roads to be vested in HDC.*
- (d) *Two accessways to be vested in HDC.*
- (e) *One local purpose (drainage) reserve to be vested in HDC.*
- (f) *Landscaping.*
- (g) *Siteworks to establish the subdivision described in (a)-(f).*
- (h) *Consent notices and covenants.*

(a) 14A.

(b)

### STAGING

15. The Consent Holder may stage the subdivision and development in accordance with the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1, provided that it is carried out:

- (a) *in the numerical order set out in the staging plans starting with Stage 1; or*
- (b) *concurrently with one or more of the stages that numerically precede it.*

Any condition shall be applied only to the extent that it is relevant to each stage, and, in particular:

- (c) *EA may be obtained in stages;*

In addition, the following lots need not be serviced at the relevant stage of subdivision:

- (d) *the balance lot remaining at each successive stage;*
- (e) *any non-residential allotment.*

### LIMITATION ON OCCUPATION OF RESIDENTIAL UNITS

16. If a dwelling is fully completed prior to the completion of the corresponding subdivision stage, the dwelling shall not be occupied unless all services and access required to that dwelling are approved through building consent, and fully constructed and operational.

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## SURVEY PLAN APPROVAL (S223) CONDITIONS APPLICABLE TO EACH STAGE

**Explanatory Note:** Unless stated otherwise or excluded from the respective stage, the following conditions apply as required to each independent stage.

### VESTING

17. The following lots identified in the table below shall be vested in the HDC at their respective stages and for the purposes and in general accordance with the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1, and subject to Conditions [18] to [24] of this consent:

Lot	Stage	Purpose
1000	1	Local purpose (drainage) reserve
3000	1	Road reserve
1001	2	Accessway
3001	2	Road reserve
3002	3	Road reserve
1002	4	Accessway
3003	4	Road reserve
3004	5	Road reserve
3005	6	Road reserve
3006	1	Road reserve

18. For all of the lots to be vested in HDC, the Consent Holder shall, prior to vesting:
- (a) *remove any garbage, debris and surplus construction material from each lot to be vested;*
  - (b) *for all reserves and accessways, ensure that landscaping is presented in a healthy and weed free condition when they are vested in HDC, which shall be satisfied by the following methods including:*
    - (i) where seeding, grassing or hydroseeding is used, this condition shall be met once a minimum of 80% vegetative cover has been established over the entire surface;
    - (ii) alternative methods of stabilisation including straw mulch; or
    - (iii) an appropriate financial bond; or
    - (iv) other method certified to the satisfaction of the Public Spaces Manager, HDC or equivalent nominee.

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- (c) *Lot 3006 shall vest in HDC as road upon subdivision. However, it is not required to be formed or included in the scope of EA or certification required for s224(c) purposes. No physical works or infrastructure installation are required as part of this subdivision and Lot 3006 may remain unformed until such time as it is required to be constructed by HDC or a future developer.*
19. The proposed local purpose (drainage) reserve (Lot 1000) and all infrastructure required to discharge stormwater to the stormwater outfall, shall be fully constructed and vested in HDC at Stage 1, provided that:
- (a) *The Consent Holder demonstrates that all systems are operational to the satisfaction of the 3 Waters Growth and Development Manager HDC (or equivalent nominee); and*
- (b) *The reserve landscaping has been implemented in general accordance with the approved Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1 to the satisfaction of the Public Spaces Manager (or nominee).*
- (c) *That the condition and contour of the final reserve shall be to the satisfaction of the Asset Manager for Stormwater and Public Spaces Manager (or nominee).*

**Advice note:** *The Consent Holder will be responsible for all obligations and liabilities under its Stormwater Discharge consent [DIS-XXX] until the completion of the last stage of the subdivision and upon the HBRC agreeing with the Consent Holder (at its discretion) to the Stormwater Discharge consent being transferred to the HDC and that transfer having occurred under the relevant transfer provisions of the RMA and Condition [176] of DIS-XXX.*

### LAND TRANSFER PLAN

20. The Consent Holder must submit a Land Transfer Plan for each respective stage (or a combination of stages), in general accordance with the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1.

Stages must be carried out in accordance with the staging requirements set out in Condition [15] above. All lots must have legal road frontage at time of title issue.

### AMALGAMATION CONDITIONS

21. JOALs 2000 to 2009 will be subject to Section 220(1)(b)(iv) of the RMA by their owners as tenants in common in the said shares as detailed in the Amalgamation Conditions detailed on the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1 and must be shown on the Land Transfer Plan.

### RIGHT OF WAY AND EASEMENTS

#### *Easements*

22. The Consent Holder shall provide staged Land Transfer Plans to be submitted for certification under s223 RMA to show any easements required to protect access or for access to services in

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accordance with the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1.

23. No service or right of way required herein shall extend beyond the boundary of the site served unless an appropriate easement is shown within a memorandum or schedule of easements (as required) on the face of the Land Transfer Plan. All such easements shall be dimensioned to the satisfaction of the Environmental Consents Manager, Planning and Regulatory Services, cover the entire physical alignment of that service or right of way, and shall provide all the necessary legal entitlements for the on-going operation and maintenance of that service or right of way
24. All required easements shall be created, duly granted or reserved, and shown on the Land Transfer Plan to the satisfaction of the Environmental Consents Manager, Planning and Regulatory Services.

### LAND COVENANT

*No complaints Covenant (Lots 140 to 171)*

27. This property is in proximity to a productive rural area where agricultural management practices such as agrochemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding productive rural area are carried out in accordance with the relevant HDP requirements or existing consent approvals, the property owner, or their successor in title shall not bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; make nor lodge; be party to; nor finance nor contribute to the cost of any application, proceeding or appeal (either pursuant to the RMA or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

[The consent holder must register with the Registrar-General of Land a no complaints covenant on the titles of Lots 140 to 171 in a form approved by Hastings District Council.](#)

**Advice Note:** This *augier* condition has been imposed on the basis of the Consent Holder's agreement to manage potential reverse sensitivity effects between rural and residential land uses.

This condition reflects the Consent Holder's [acceptance acknowledgement](#) of existing and anticipated rural activities occurring lawfully in the surrounding area in accordance with the HDP. It is intended to ensure that future owners and occupiers of Lots 140 to 171 do not seek to curtail those rural activities through legal action or planning processes.

### PRIOR TO THE ISSUE OF S224(C) RMA CERTIFICATION

**Explanatory Note:** Unless stated otherwise or excluded from the respective stage, the following conditions apply as required to each independent stage.

A certificate pursuant to section 224(c) of the RMA will not be issued until all conditions in relation to each independent stage have been met to the satisfaction of the HDC and at the Consent Holder's expense.

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*The s224(c) conditions below apply in accordance with the approved scheme plan P24-244-00-0001-SC Rev 2, prepared by Woods and referenced in Schedule 1.*

### ENGINEERING APPROVALS

#### *Obtaining Engineering Approvals*

29. EA means obtaining 'engineering review and acceptance' certification from the HDC's Environmental Consents Manager (or nominee) that the plans and documentation submitted meet the requirements of the HDC ECoP, except where specified otherwise (or by necessary implication) in the conditions of this consent or in any of the plans approved as part of this consent. "Engineering Plans" are the plans and documentation submitted and approved through the EA process.

EA may be obtained:

- (a) *for each stage, or combinations of stages ("Staged Engineering Approval"); and*
- (b) *within any stage, or combination of stages, for earthworks and trunk infrastructure ("Partial Engineering Approval") in advance of the balance of the EA required for the relevant stage or combination of stages.*

#### *Engineering Plans Additional Documentation*

30. The Engineering Plans submitted for certification shall also include the following information:
- (a) *The location of all other service provider infrastructure and assets (i.e. power and telecommunications), together with confirmation that the standards of the relevant network utility operator will be met;*
  - (b) *A Construction Environmental Management Plan (CEMP) outlining how the potential adverse effects on the environment arising from the works covered by the relevant Engineering Plan(s), including but not limited to noise, dust, erosion and sediment control, will be managed during and after the construction process;*
  - (c) *A schedule of the reserve and accessways to vest in the HDC as identified in Condition [17] and all other assets, including play along the way features, services, drains, etc to vest in the HDC; and*
  - (d) *A schedule of easements for any cross-boundary services proposed.*

#### *Staged Approvals*

31. Prior to the commencement of any work on site for any particular stage (or combination of stages), the Consent Holder shall obtain EA for all proposed works associated with that stage(s), unless Partial Engineering Approval has been obtained (in which case the works to which that Partial Engineering Approval relates may proceed).

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### *Engineering Plan Detail*

32. The Engineering Plans shall detail all works required and be in accordance with the HDC ECoP, except where specified otherwise (or by necessary implication) in the conditions of this consent or in any of the plans approved as part of this consent, noting that:

- (a) *The Engineering Plans associated with this approval are at varying levels of detail; and*
- (b) *Detailed design plans are intended to build on that level of detail, rather than override them.*

The required plans and documentation shall, include, but not be limited to:

- (c) *Stormwater reticulation in accordance with Condition [38] to [41];*
- (d) *Wastewater reticulation, in accordance with Condition [42];*
- (e) *Water reticulation, including the requirements for fire hydrants, and connections to individual lots, and as further specified in Condition [43];*
- (f) *Detailed design of all drains and culverts;*
- (g) *The location of all other service provider infrastructure and assets (i.e. power and telecommunications), together with confirmation that the standards of the relevant network utility operator will be met;*
- (h) *A CEMP in accordance with Condition [70] of LUC-XXX;*
- (i) *A Bulk Earthworks Plan (**BEP**) identifying overland flow paths and proposed finished ground levels within the subdivision, in accordance with Condition [71] of LUC-XXX;*
- (j) *An Erosion and Sediment Control Plan (**ESCP**) (including subsoil drainage, shear keys, retaining walls and any other stability measures including monitoring), in accordance with Condition [72] of LUC-XXX;*
- (k) *A Remediation Action Plan (**RAP**), in accordance with Condition [47];*
- (l) *Confirmation of any hazard mitigation requirements;*
- (m) *Easements;*
- (n) *Detailed design of all roads, including roads to vest, turning heads, intersections, gateway treatment, parking, vehicle crossings, footpaths, and in particular details that address the requirements of Conditions [49] to [50];*
- (o) *Detailed design of all street lighting, any street furniture and other structures/facilities on the roads to be vested to HDC (including traffic calming devices if any, tree pits, raingardens if any, safety measurements, marking layouts and street signs etc);*
- (p) *Detailed design of all lighting, park furniture, and any structures (retaining walls, paths, cycleways, fencing, play equipment, etc) in the reserve and accessways;*
- (q) *Landscaping documentation and plans for all planting and landscaping on the proposed reserve, roads, and accessways, in accordance with Conditions [54] to [58];*

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- (r) *Street trees in accordance with LD1 and LD2 of the HDC ECoP. The tree plan is required to be approved by the Public Spaces Manager (or nominee) prior to being approved as part of the EA process;*
- (s) *Play Along the Way spaces plan in accordance with Condition [56].*

The Engineering Plans may provide the following lots to not be serviced at the relevant stage of subdivision:

- (t) *the balance lot remaining at each successive stage;*
- (u) *any non-residential allotment.*

Meeting the minimum requirements identified in (s) to (t) above shall be sufficient for s224(c) RMA certification in respect of servicing of these lots.

### *Certification of documentation*

- 33. All information and documentation for EA and/ or Management Plan certification by the HDC under Condition [32], must be submitted at least 20 working days prior to the intended date of commencement of construction. Updated information for certification

### *Updated information for certification*

- 34. Should the HDC refuse to certify anything submitted for EA and/or a Management Plan in accordance with Condition [32], the Consent Holder must submit updated information and documentation for EA and/ or an updated Management Plan for certification as soon as practicable.

### *Amendments to certified documentation*

- 35. Any certified EA or Management Plan may be amended, if necessary, to reflect any changes in design, construction methods or approaches to the management of effects. Any amendments must be discussed with and submitted to the HDC for confirmation in writing prior to implementation of the change, unless the HDC determines in its discretion that those amendments once implemented would not result in a materially different outcome to that described in the original approved plan.

### *Amendments / Compliance with Conditions*

- 36. Any changes to a certified EA or Management Plan involving a materially different outcome under Condition [32] must be submitted to the HDC for recertification that demonstrate that they comply with the applicable requirements of these conditions. Any material change must be consistent with the purpose of the relevant EA or Management Plan and the requirements of the relevant conditions of this Consent.

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### WORKS IN ACCORDANCE WITH APPROVALS

37. The following certificates, completion reports, as built plans, and other similar documentation to demonstrate that all works for the relevant stage (or combination of stages) have been carried out in accordance with EA shall be provided to HDC as appropriate for the stage(s) in question:
- (a) A 'Constructors Certificate Upon Completion of Land Development/Subdivision': Schedule 1B: NZ4404 certifying that all public and private three waters and roading infrastructure has been constructed in accordance with EA;
  - (b) Confirmation that vehicle crossings to service JOALs have been constructed in accordance with the HDC ECoP;
  - (c) Confirmation in writing from the relevant authorities that electrical and telecommunication service connections have been installed to each lot and are operational;
  - (d) A GCR including a Schedule 2A certificate in accordance with Condition [46];
  - (e) Contractor confirmation that only clean fill has been imported on to site and complies with:
    - (i) The requirements of NZS 4431: 2022 Engineered Fill Construction for Lightweight Structures;
    - (ii) The definition for 'cleanfill' in the Ministry for the Environment publication 'A Guide to the Management of Cleanfills' (2002);
    - (iii) Is solid material of a stable, inert nature; and /or
    - (iv) Does not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.
  - (f) Evidence that exposed earthwork areas have been top-soiled and grassed/revegetated or otherwise permanently stabilised;
  - (g) A Site Validation Report (**SVR**) confirming that the methods outlined in the approved RAP and Site Management Plan (**SMP**) prepared by SQN Geosciences and referenced in Schedule 1 were enforced for the period of the works, and that the measures were successful in ensuring the potential risks were adequately managed. The reporting shall be in accordance with the Ministry for the Environment's Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand (revised 2021) and Condition [48];
  - (h) A "Certification Upon Completion of land Development / Subdivision": Schedule 1C: NZ4404 for the services and roading construction, and the completeness and accuracy of the as built data;
  - (i) A CCTV inspection report in accordance with the New Zealand Gravity Pipe Inspection Manual, 4th Edition, April 2019, including inspection records in accordance with HDC's CCTV technical specification, for all sewer mains, and all storm water mains and sump leads;
  - (j) As-built plans and data (in the relevant current format), in accordance with the requirements of the HDC ECoP, certified as a complete and correct record by a Chartered Professional Engineer;

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- (k) *A signed Form 5 "Certification of Construction and Completion of Engineering Works for Subdivision" (Appendix 62 of the HDP) from a Chartered Professional Engineer;*
- (l) *Confirmation that road naming has been carried out, and signs installed, in accordance with HDC's road naming policy;*
- (m) *Confirmation that any damage to all existing road surfaces and berms that result from work carried out for this consent has been remedied;*
- (n) *A Stormwater Operations and Maintenance Manuals in accordance with Condition [41];*
- (o) *In respect of all stormwater works and outlet structures within proximity to the banks and margins of the unnamed stream falling within the jurisdiction of HBRC, certification from a suitably qualified person that the works have been undertaken and completed in accordance with the plans certified under DIS-XXX and LUS-XXX.*

### **STORMWATER REQUIREMENTS**

#### *Stormwater Design and Construction*

38. Stormwater infrastructure, services and devices shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1.

#### *Dry Basin Design and Construction*

39. The Dry Basin and associated outlet structures shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1. In particular, the design shall:
- (a) *Attenuate 2-year and 10-year average recurrence interval peak discharge to pre-development levels as a minimum; and*
  - (b) *Attenuate 100-year average recurrence interval peak discharge to a minimum of 80% of pre-development levels.*

#### *Outlet structure design and construction*

40. The outlet structure of the Dry Basin, including the scruffy dome stormwater outlet or equivalent flow control device, shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1. In particular, the design shall:
- (a) *Regulate outflows in accordance with the peak flow attenuation requirements specified in the approved documentation;*
  - (b) *Prevent blockage through appropriately sized inlets and debris screening; and*
  - (c) *Discharge to the nominated watercourse via energy dissipation and erosion protection measures.*

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### *Operation and Maintenance Manuals for Public Stormwater Devices*

41. Finalised Operation and Maintenance Manuals (**OMM**) must be prepared in general accordance with the approved preliminary OMMs prepared by Woods referenced in Schedule 1 for the following public stormwater devices:

- (a) *Proprietary Gross Pollutant Trap Device;*
- (b) *Dry Basin; and*
- (c) *Raingardens.*

The finalised OMMs must be provided to HDC for the public stormwater management systems.

**Advice note:** *The final specification and model of the Proprietary Gross Pollutant Trap Device will be confirmed during detailed design and agreed and approved by HDC*

### **WASTE WATER REQUIREMENT**

42. Wastewater services shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1.

Section 224(c) certification shall not be issued for any stage (or combination of stages) until HDC confirms in writing that the required downstream wastewater infrastructure upgrades have been completed and are operational to accommodate the wastewater flows from that stage(s) of development.

**Advice Note:** *The wider downstream wastewater infrastructure upgrades referenced in this condition are being progressed by HDC. The timing of 224(c) certification for each stage of the Arataki development are is dependent on the completion and operational readiness of those HDC-led upgrades.*

### **POTABLE WATER**

43. Water services shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1.

### **UTILITIES**

44. Telecommunications and electricity services shall be designed in general accordance with the approved Civil Drawings prepared by Woods and referenced in **Schedule 1**.

### **GEOTECHNICAL**

#### *Geotechnical Works*

45. The Consent Holder must construct retaining walls, building platforms, drainage reserve Dry Basin, and place and compact material, in general accordance with the recommendations of the approved Geotechnical Investigation Report (GIR) prepared by CMW Geosciences and referenced in Schedule 1.

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## *Geotechnical Completion Report*

46. The GCR and Schedule 2A certificate shall include:
- (a) *Specific requirements for future earthworks, building foundations, retaining walls and other works which may occur in each lot, based on site investigation data, geotechnical analysis, and the results of the engineered fill test data;*
  - (b) *A statement under Clause 3€ covering Section 106 of the RMA;*
  - (c) *Certification of all areas of fill placed, in accordance with the requirements of NZS 4431:2022 Engineered Fill Construction for Lightweight Structures; and*

In the event the Schedule 2A certificate includes limitations or remedial works against any lot(s) then, unless the Consent Holder undertakes the remedial works identified, the limitations and remedial works required shall be included in a consent notice pursuant to section 221 for the relevant Lots.

## **CONTAMINATION**

### *Remediation Action Plan*

47. All works shall be undertaken in accordance with the approved RAP prepared by SQN Geosciences and referenced in Schedule 1.

### *Site Validation Report*

48. As soon as reasonably practicable following completion of the relevant works, a SVR from a suitably qualified person shall be provided to the HDC Compliance Monitoring Officer (or nominee) to demonstrate compliance with the requirements of the approved RAP.

## **SPECIFIC ROADING REQUIREMENTS**

### *Engineering Plans for Roads*

49. The Engineering Plans submitted for EA shall be in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1 for:
- (a) *Arataki Road upgrade plans;*
  - (b) *Seven (7) intersection layouts to Arataki Road (or other suitable layout as agreed with the HDC);*
  - (c) *Brookvale Road gateway treatment (in a form to be agreed with HDC); and*
  - (d) *All internal roads, allowing for any modifications where necessary to accommodate agreed design through EA with HDC.*
  - (e) *Lot 1 DP13265 driveway upgrade plans (in accordance with Condition 49A and subject to approval by the owners of Lot 1 DP13265).*

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**Advice Note:** Lot 3006 is not required to be formed or included in the scope of engineering design approvals or certification required for s224(c) purposes. No physical works or infrastructure installation are required as part of this subdivision. Lot 3006 may remain unformed until such time as it is required to be constructed by HDC or a future developer by way of a future consent approval.

Insert new condition 49A Lot 1 DP 13265 driveway

Subject to obtaining the agreement of and approval by the owners of 104 Arataki Road (Lot 1 DP 13265), the Consent Holder must seal to [insert relevant standard] the formation width of the existing driveway of Lot 1 DP 13265 between Arataki Road and eastern boundaries of proposed Lots 151 and 152. If agreement and approval is not provided by the owners of Lot 1 DP 13265, the Consent Holder is not required to implement this condition.

### *HDC ECoP Design Standards*

50. All lots proposed to be vested as roads (except Lot 3006) shall be designed to meet the requirements of the HDC ECoP (except where a variation is approved by HDC) in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1.

**Advice Note:** Lot 3006 is not required to be formed or included in the scope of engineering design approvals or certification required for s224(c) purposes.

### *Damage to Assets*

51. Any damage caused to HDC assets as a result of the Consent Holder's works shall be rectified at the Consent Holder's expense and to the satisfaction of HDC's Development Engineer.

## **INSPECTION AND TESTING**

### *Water and Sewer Services*

52. The Consent Holder shall request the HDC to:
- (a) *inspect all pipework prior to backfill;*
  - (b) *attend testing of the water and sewer services, including pressure and leak testing of all pipes and manholes; pipe disinfection and perusal of Lab test results of the Chlorine residual; and*
  - (c) *undertake a final inspection after all development works are completed.*

Such requests shall be made with at least 48 hours' notice, and all testing is to be undertaken in accordance with the HDC ECoP. If at least 48 hours' notice is not provided, the inspection needs to be rescheduled.

If the HDC do not have an inspector available for the inspection, photos demonstrating compliance with the HDC ECoP should be submitted to the HDC Development Engineer (or nominee) for approval.

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### *Roading Works*

53. The Consent Holder shall request the HDC to:
- (a) *inspect subgrade prior to backfill;*
  - (b) *inspect basecourse prior to surfacing;*
  - (c) *inspect foundations for kerb & channel and footpath construction prior to any concrete placement;*
  - (d) *attend deflection testing; and*
  - (e) *undertake a final inspection after all roading and footpath works have been completed.*

Such requests shall be made with at least 48 hours' notice, and all testing is to be undertaken in accordance with the HDC ECoP. If at least 48 hours' notice is not provided, the inspection needs to be rescheduled.

If the HDC do not have an inspector available for the inspection, photos demonstrating compliance with the HDC ECoP should be submitted to the HDC Development Engineer (or nominee) for approval.

### **LANDSCAPING & FENCING**

#### *Drainage Reserve Landscaping*

54. The Consent Holder must submit detailed landscaping plans for the Local Purpose (Drainage) Reserve Lot 1000 to HDC for approval of the Public Spaces Manager in general accordance with the approved preliminary Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1.

#### *Streetscape and Public Accessway Landscaping*

55. The Consent Holder must submit detailed landscaping plans for all public streetscapes and accessways to HDC for approval of the Public Spaces Manager in general accordance with the approved preliminary Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1.

#### *Play along the way spaces*

56. The Consent Holder must submit to HDC for approval of the Public Spaces Manager detailed landscaping plans for the Play Along the Way route in general accordance with the approved preliminary Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1.

The detailed design plans shall identify the proposed locations of play along the way spaces and the details of any hard assets, park furniture, play fixtures and associated soft landscaping.

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### *Stormwater Outlet Structure Landscaping*

57. The Consent Holder must submit to HDC for approval detailed landscaping plans for the stormwater outlet structure reinstatement landscaping.

### *Raingarden Planting and Maintenance Plan*

58. The Consent Holder shall provide to the HDC 3 Waters Growth and Development Manager (or nominee) a finalised raingarden planting and maintenance plan. The plan shall include but not be limited to:

- (a) *Suitable plant species;*
- (b) *Total number of each plant species;*
- (c) *Planting density and layout plan;*
- (d) *Planting timeline; and*
- (e) *A routine inspection and maintenance regime setting out parties responsible and their responsibilities.*

The Consent Holder shall implement all landscaping for raingardens in accordance with the finalised landscaping plans submitted in accordance with this condition.

### *Buffer Interface Landscaping*

59. The Consent Holder shall establish the buffer interface landscaping identified in the green consent notice area on the approved scheme plan P24-244-00-0001-SC Rev 2 prepared by Woods and referenced in Schedule 1.

The buffer interface landscaping shall be implemented in general accordance with the approved Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1 as follows:

- (a) The planting shall be completed during the first planting season following the completion of the Stage 1 civil works, or as agreed with the HDC Compliance Monitoring Officer (or nominee);
- (b) The planting shall be maintained by the Consent Holder in accordance with the approved Landscape Management Plan prepared by Boffa Miskell referenced in Schedule 1 for a minimum period of two years; and
- (c) Evidence of planting completion and maintenance arrangements shall be provided to the HDC Compliance Monitoring Officer (or nominee) upon request.

### *External Boundary Fencing*

- 59A.

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The Consent Holder shall establish the external development boundary fencing identified on the approved Arataki Development Landscape Concept Report “*Fencing Plan 1 – External Boundary Fencing Provided By The Development, Drawing No. L200, dated 20.11.2025, prepared by Boffa Miskell Limited*” and referenced in Schedule 1. The external boundary fencing shall be implemented as follows:

- (a) The fencing shall be completed prior to the issue of the Section 224(c) Certificate for the relevant stage, or as otherwise agreed with the HDC Compliance Monitoring Officer (or nominee); and
- (b) The fencing shall be constructed by the Consent Holder to the specifications, materials and heights set out in the approved Fencing Plan referenced in Schedule 1.

### *JOAL Landscaping*

60. Landscaping for JOALs 2008 and 2009 shall be implemented in general accordance with the approved Landscape Concept Report and Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1.

### *Implementation of Landscape Works (for areas to vest with HDC)*

61. The Consent Holder shall implement all landscaping for the reserve, public roads, accessways, and stormwater outlet structure in **general** accordance with the finalised landscaping plans submitted and approved by HDC's Public Spaces Manager in accordance with Conditions [54] to [57].

### *Landscaping Maintenance (for areas to vest with HDC)*

62. The Consent Holder shall provide to the HDC a finalised Landscape Management Plan (**LMP**) prepared in general accordance with the approved preliminary Landscape Management Plan prepared by Boffa Miskell and referenced in Schedule 1.

The final Landscape Management Plan shall cover all planting and landscaping established within the public drainage reserves, accessways, stormwater outfall area, and JOALs 2008 and 2009.

**Advice note:** *Ongoing maintenance of the landscape buffer interface is addressed separately under Condition [59] of SUB-XXX.*

*Maintenance of the raingardens is addressed separately under Condition [58] of SUB-XXX.*

## COMPLIANCE

### *Compliance*

63. In respect of s224(c) of the RMA, compliance with any conditions (including as to subdivision works) may, subject to written agreement of the HDC, alternatively be ensured by any combination of:

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- (a) completion certificate;
- (b) consent notice;
- (c) bond; and/or

Developer's Agreement, easement, covenant, encumbrance or other similar mechanism.

### CONSENT NOTICES

#### SITE-WIDE CONSENT NOTICES (APPLIES TO ALL RESIDENTIAL LOTS)

##### *Site-Wide Geotechnical Condition*

65. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*"Site-wide Geotechnical Condition: Any buildings erected on any residential lot are subject to the requirements of the Geotechnical Investigation Report prepared by CMW Geosciences, reference NAP2024-0007AC, Rev 0, dated 30 June 2025", Geotechnical Completion Report, and any subsequent reports. Copies of the Report(s) will be held at HDC."*

##### *Site-Wide Stormwater Management*

- 65A. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*"Site-wide Stormwater Management: All stormwater from all buildings and impervious areas on each lot shall be managed in accordance with the requirements of the "Stormwater Management Plan Arataki Project, Job Ref P24-244, V2, prepared by Woods, dated 20/11/2025".*

*An impervious surface area of 60% of the net site area is allowed on each Lot.*

*Where buildings and impervious surfaces exceed 60% of net site area, stormwater mitigation measures must be implemented in accordance with the requirements of the SMP."*

##### *Site-Wide Fencing Requirements*

65B.

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*"Site-Wide Fencing: Fencing erected by individual lot owners shall be designed and constructed in accordance with the approved Landscape Concept Report fencing strategy "Fencing Plan 2 – Site Wide Fencing Requirements Provided By The Lot Owner, Drawing No. L201, prepared by Boffa Miskell and dated 20.11.2025".*

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**Advice Note:** A separate consent notice under Condition [69] secures the retention and maintenance of the external boundary fencing installed by the consent holder as part of the underlying subdivision in accordance with Condition [59].

### **BUFFER INTERFACE CONSENT NOTICES (APPLIES TO BUFFER INTERFACE LOTS 140 TO 171)**

#### *Buffer Interface No-Build Area (Buffer Interface Lots)*

65C.

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 140 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*"No Build Area: No building shall be erected within the 10m no-build area identified in green as "Area subject to proposed consent notices" on Lots 140 to 171 on the approved "Scheme Plans, drawing nos. P24-244-00-0001-SC, P24-244-00-0002-SC, and P24-244-00-0003-SC, all Rev 3, prepared by Wood and Partners Limited and all dated 20/11/2025". This is for the purpose of providing an appropriate rural-urban interface, clear of buildings, to minimise effects from neighbouring rural / agricultural activities."*

#### *Buffer Interface Landscaping*

65D.

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 140 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*"Landscaping Requirements: All vegetation within the 10m no build area identified in green as "Area subject to proposed consent notices" on Lots 140 to 171 on the approved "Scheme Plans, drawing nos. P24-244-00-0001-SC, P24-244-00-0002-SC, and P24-244-00-0003-SC, all Rev 3, prepared by Wood and Partners Consultants Limited and all dated 20/11/2025" must be retained and protected in accordance with the "Arataki Development Landscape Concept Report, Rev 2, prepared by Boffa Miskell Limited and dated 20.11.2025" to provide for a continued vegetated buffer at the rural-urban interface to minimise effects from neighbouring rural / agricultural activities.*

*Lots 140 – 161 must have interspersed landscaping;*

- (a) Lot 162 has shelter belt landscaping on the southern boundary and interspersed landscaping on the eastern boundary; and*
- (b) Lots 163 – 171 must have shelter belt landscaping.*

*Lot owners must:*

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- (c) *Maintain planting established in accordance with the approved and implemented landscape plans;*
- (d) *Not cut down, damage, or destroy the planting within the consent notice area (excluding general weeding); and*
- (e) *Control all pest plants and pest animals within the consent notice area.”*

### *Buffer Interface Fencing*

65E. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 140 to 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*“Fencing Requirements: All rear yard fencing within the area identified as green as “Area subject to proposed consent notices” on Lots 140 to 171 on the approved “Scheme Plans, drawing nos. P24-244-00-0001-SC, P24-244-00-0002-SC, and P24-244-00-0003-SC, all Rev 3, prepared by Wood and Partners Consultants Limited and all dated 20/11/2025” and identified on the Arataki Development Landscape Concept Report Fencing Strategy “Fencing Plan 1 – External Boundary Fencing Provided By The Development, drawing no. L200, prepared by Boffa Miskell Limited and dated 20.11.2025” must be implemented and maintained to provide for continuous rear boundary treatment in accordance with the approved landscaping plans for the site and to protect the rural-urban interface.*

- (a) *Lots 140 – 161 must have 1.8m high permeable farm fences;*
- (b) *Lot 162 must have a 2.0m high closed boarded fence on the southern rear boundary and 1.8m high permeable farm fence on the eastern rear boundary.*
- (c) *Lots 163 – 171 must have 2.0m high closed boarded fences; and*

*Lot owners must:*

- (d) *Maintain fencing in accordance with the approved and implemented landscaping plans; and*
- (e) *If any fencing is damaged, it shall be replaced as soon as practicable on a like-for-like basis.”*

### **RESERVE BOUNDARY (APPLIES TO LOTS ADJOINING COUNCIL RESERVE LAND LOTS 1 TO 10 AND 121 TO 139)**

#### *Reserve Boundary Fencing Consent Notice (Lots Adjoining Council Reserve Land)*

66. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1 to 10 and 121 to 139. The consent notice must record that the following condition is to be complied with on a continuing basis:

*“Reserve Boundary Fencing: Fencing along boundaries shared with HDC reserve land (Lot 1000 and Lots 3 and 4 DP 481968) shall:*

- (a) *Not exceed a maximum height of 1.8m; and*

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- (b) *Be constructed to achieve a minimum of 50% visual permeability over the entire length of the relevant boundary.*
- (c) *A mowing strip must be constructed with any fence.*
- (d) *The Hastings District Council is not responsible for any costs associated with erecting, replacing, or maintaining fences adjoining reserves.*
- (e) *Gates between residential sites and reserves may be installed at the owner's discretion, in keeping with the fence style.*

*This condition applies to the following reserve-adjointing boundaries:*

- (f) *Lots 1 to 3 – rear boundary;*
- (g) *Lots 4 to 10 – rear boundary;*
- (h) *Lot 121 – rear and side HDC reserve boundaries; and*
- (i) *Lots 122 to 139 – rear boundary.*

*This fencing treatment is required to maintain visual integration, enable passive surveillance between residential lots and adjacent public open space, and provide for security.”*

### **REAR SITES ON JOINTLY OWNED ACCESS LOTS CONSENT NOTICE (LOTS 19, 20, 71, 72, 121, AND 152)**

*On-site Vehicle Manoeuvring (Rear Lots)*

68. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 19, 20, 71, 72, 121, and 152. The consent notice must record that the following condition is to be complied with on a continuing basis:

*“On-site vehicle manoeuvring: At the time of development, Lots 19, 20, 71, 72, 121, and 152 shall be designed and constructed to provide on-site vehicle manoeuvring that enables forward entry and forward exit movements onto the adjoining jointly owned access lot. This is to avoid extended reversing movements onto public roads and ensure safe and efficient access for rear lots.”*

### **ARATAKI ROAD CORNER LOTS CONSENT NOTICE (APPLIES TO LOTS 4, 11, 14, 27, 30, 54, 60, 90 AND 98)**

*Distance of Vehicle Access from Access Road Intersections (Arataki Road Corner Lots)*

68A.

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 4, 11, 14, 27, 30, 54, 60, 90 and 98. The consent notice must record that the following condition is to be complied with on a continuing basis:

*“Corner Lots - Vehicle Access: Vehicle access may be located closer than 15 metres to an Access Road intersection, with a minimum access–intersection separation of no less than 8 metres. Vehicle*

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*accesses on these lots shall maintain a minimum separation of 1.5 metres from any vehicle access on an adjoining property.”*

### **LOT TYPE 1 CONSENT NOTICE (APPLIES TO LOTS 1-21, 27-33, 38-44, 48-73, 77, 82-102, 107-108 AND 120- 171)**

*Application of Hastings District Plan Havelock North General Residential Zone Provisions (Lot Type 1)*

68B.

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1-21, 27-33, 38-44, 48-73, 77, 82-102, 107-108 and 120- 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

*“Havelock North General Residential Zone: All activities and development on Lots 1-21, 27-33, 38-44, 48-73, 77, 82-102, 107-108 and 120- 171 shall be in accordance with the Rules and Permitted Activities and the General and Specific Performance Standards of the Havelock North General Residential Zone and District Wide Provisions of the Hastings District Plan (or any subsequent replacement or amendment of that Zone) unless:*

- (a) *Resource consent is otherwise obtained; or*
- (b) *The equivalent Rule(s), Permitted Activity(s) and/or General and Specific Performance Standard(s) is modified by specific consent notice(s) imposed on the Record of Title, in which case the consent notice provisions will apply.”*

**Advice note:** *For the avoidance of doubt, for Lot Type 1 the following consent notices modify the application of the equivalent Havelock North General Residential Zone provisions and associated District Wide Provisions as they apply to these lots:*

- (a) *Stormwater management (Condition 65A)*
- (b) *Site-Wide Fencing Requirements (Condition 65B)*
- (c) *Buffer No Build Area (Condition 65C)*
- (d) *Buffer Interface Landscaping (Condition 65D)*
- (e) *Buffer Interface Fencing (Condition 65E)*
- (f) *Reserve Boundary Fencing (Condition 66)*
- (g) *Onsite vehicle manoeuvring (Condition 68)*
- (h) *Distance of vehicle access from access road intersections (Condition 68A)*
- (i) *Landscaping (Condition 68C)*
- (j)

*Landscaping (Lot Type 1)*

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68C. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1-18, 21, 27-33, 38-44, 48-70, 73, 77, 82-102, 107-108 and 120, 122-150, 153-161, and 163- 171. The consent notice must record that the following condition is to be complied with on a continuing basis:

“Landscaping:

- (a) *The minimum landscape area must be 30% of the net site area.*
- (b) *The 3m front boundary building setback must include a minimum of 50% landscape area.*
- (c) *Landscape area can comprise grass.”*

(a)

(b)

### **LOT TYPE 2 CONSENT NOTICES (APPLIES TO LOTS 22-26, 34-37, 45-47, 74-76, 78-81, 103-106, AND 109-119)**

*Application of Hastings District Plan Havelock North Medium Density Residential Zone Provisions (Lot Type 2)*

68E. The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 22-26, 34-37, 45-47, 74-76, 78-81, 103-106, and 109-119. The consent notice must record that the following condition is to be complied with on a continuing basis:

“Medium Density Residential Zone: *All activities and development shall be in accordance with the Rules and Permitted Activities and the General and Specific Performance Standards of the Medium Density Residential Zone and District Wide Provisions of the Hastings District Plan (or any subsequent replacement or amendment of that Zone) unless:*

- (a) *Resource consent is otherwise obtained; or*
- (b) *The equivalent Rule(s), Permitted Activity(s) and/or General and Specific Performance Standard(s) is modified by specific consent notice(s) imposed on the Record of Title, in which case the consent notice provisions will apply.”*

**Advice note:** *For the avoidance of doubt, for Lot Type 2 the following consent notices modify the application of the equivalent Havelock North Medium Density Residential Zone provisions and associated District Wide Provisions as they apply to these lots:*

- (a) *Site-Wide Stormwater Management (Condition 65A)*
- (b) *Site-Wide Fencing Requirements (Condition 65B)*
- (c) *Onsite vehicle manoeuvring (Condition 68)*

**APPROVED ACTIVITIESCONDITION**

69. Once the s224(c) has been issued in respect of any stage (or combination of stages), the Consent Holder shall not undertake any activities permitted under the Plains Production Zone within the relevant stage in reliance on that zoning if the Plains Production zone is in force at the time.

**Advice note:** *This condition is not intended to:*

- (a) *Prevent the Consent Holder undertaking activities permitted within the Plains Production Zone on any balance land that is not being advanced as a development stage; and/ or*
- (b) *Prevent the Consent Holder carrying out activities on any relevant land that are permitted by any replacement zone to the Plains Production Zone.*

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## C. LAND USE CONSENT CONDITIONS: LUC-XXX & LUC-EW

The consent is subject to the following conditions:

Summary of land use activities authorised by this consent

Activities relating to Section 9 of the RMA for the following land uses:

- (a) *Residential buildings and activities to be constructed in accordance with the relevant Consent Notices for Lot Type 1 and Lot Type 2.*
- (b) *Earthworks and infrastructure to support development on the site.*
- (c) *Disturbance and remediation of contaminated soil.*

## SITWORKS PRE CONSTRUCTION REQUIREMENTS

### *Management Plans*

***Explanatory Note:*** For clarity and ease of implementation, the Consent Holder may prepare a single consolidated CEMP that compiles with the information and requirements of the various management plans required by Conditions 70 to 78 of this consent.

*While each management plan must be clearly identified and addressed in the CEMP, they do not need to be provided as separate stand-alone documents unless otherwise required by the HDC.*

*The consolidated CEMP must demonstrate how all relevant requirements and performance standards under each management plan are met across the suite of construction and siteworks activities.*

### *Construction Environmental Management Plan*

70. Prior to the commencement of any earthworks or construction activity on the site for each stage (or combination of stages), the Consent Holder must submit to HDC a final CEMP prepared in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1 for the relevant stage(s).

The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with each stage(s). The CEMP shall include, but not be limited to, the following:

- (a) Construction staging methodology.
- (b) Management of debris and detritus control throughout construction period.
- (c) Once the earthworks are completed, the requirements to sow topsoil with grass seed to stabilise the soil, except to the extent that the relevant buildings and/ or other land use activities to be undertaken on the relevant land are to be progressed without delay.
- (d) How stockpiling or placement of fill shall avoid obstructing any overland flow from higher ground/upstream.

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- (e) A Bulk Earthworks Plan (**BEP**) in accordance with Condition [71] to identify the bulk earthworks proposed for each stage(s) and the work programme for bulk earthworks.
- (f) An Erosion and Sediment Control Plan (**ESCP**), in accordance with Condition [72], setting out the measures required to manage erosion and sediment generated from works on the site.
- (g) A Dust Management Plan (**DMP**) in accordance with Condition [73] to ensure that no airborne or deposited dust is emitted beyond the site.
- (h) A Chemical Treatment Management Plan (**ChTMP**) in accordance with Condition [74], to identify the use of chemical treatment for sediment retention, including flocculant type, dosing methodology, monitoring procedures, and contingency measures to ensure effective and environmentally safe use of treatment agents.
- (i) A Construction Traffic Management Plan (**CTMP**) in accordance with Condition [75], to identify vehicle access arrangements, construction traffic volumes and routes, measures to maintain road safety and minimise disruption to the surrounding road network and residents.
- (j) A Construction Noise and Vibration Management Plan (**CNVMP**), in accordance with Condition [76], to manage and mitigate construction noise and vibration effects
- (k) A Spill Management Plan (**SPMP**) in accordance with Condition [77] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill.
- (l) A Fauna Management Plan (**FMP**), in accordance with Condition [78], to manage potential effects on indigenous fauna during site clearance and construction works.
- (m) Safety fencing.
- (n) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed.
- (o) The provision of artificial lighting that may be required for construction works and the effects of any such lighting including managing light spill beyond the site boundary.
- (p) Health and Safety Plan.
- (q) Site notice board.

### *Bulk Earthworks Plan*

71. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the BEP in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1.

The BEP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).

### *Erosion and Sediment Control Plan*

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72. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the ESCP in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1, and [in accordance with](#) the “Hawkes Bay Waterway Guidelines – Erosion and Sediment Control”.

The ESCP can be amended to suit the appointed Contractor’s methodology subject to approval from HDC’s Compliance Monitoring Officer (or nominee).

### *Dust Management Plan*

73. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the DMP in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1.

The DMP can be amended to suit the appointed Contractor’s methodology subject to approval from HDC’s Compliance Monitoring Officer (or nominee).

### *Chemical Treatment Management Plan*

74. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the ChTMP in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1.

The ChTMP can be amended to suit the appointed Contractor’s methodology subject to approval from HDC’s Compliance Monitoring Officer (or nominee).

### *Construction Traffic Management Plan*

75. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the CTMP in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1.

The CTMP can be amended to suit the appointed Contractor’s methodology subject to approval from HDC’s Compliance Monitoring Officer (or nominee).

### *Construction Noise and Vibration Management Plan*

76. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the CNVMP in general accordance with the approved preliminary CNVMP prepared by Dcibel Limited and referenced in Schedule 1.

The CNVMP can be amended to suit the appointed Contractor’s methodology subject to approval from HDC’s Compliance Monitoring Officer (or nominee).

### *Spill Management Plan*

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77. Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the SPMP in general accordance with the approved preliminary SPMP prepared by Woods and referenced in Schedule 1.

The SPMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).

### *Fauna Management Plan*

78. Prior to the commencement of site clearance works, a finalized copy of the FMP must be submitted to HDC in general accordance with the approved preliminary FMP prepared by Boffa Miskell and referenced in Schedule 1.

The FMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).

### *Pre Commencement Lizard Management*

79. Prior to the commencement of any vegetation clearance, earthworks, or disturbance within areas identified as potential lizard habitat, the Consent Holder shall implement the lizard management procedures outlined in the finalised FMP required by Condition [78]. These measures shall include, but not be limited to:

- (a) *Pre-disturbance visual inspections of potential habitat (e.g. long grass, debris piles, rocky or shrubby areas); and*
- (b) *Progressive vegetation and debris clearance using staged techniques e.g. mowing to reduce cover, hand removal of debris, and staged vegetation clearance to allow lizards to self-disperse.*

Where any indigenous lizards are encountered, works in the immediate area shall cease and the site ecologist shall provide further direction in accordance with the Wildlife Act 1953.

### **CONSTRUCTION NOISE NOTIFICATION**

80. The Consent Holder must advise the occupants of all adjacent property owners at least five days before earthworks begin on each stage (or combination of stages). This notification must be provided in writing and include the following information:

- (a) *An overview of the construction works including the duration of the project and the working hours on site;*
- (b) *The approximate dates and duration of the activities that will generate the highest levels of construction noise and vibration for them; and*
- (c) *A contact name and phone number for the appointed Noise Liaison Person to advise of any sensitive times for high noise levels and for any questions or complaints regarding noise and vibration throughout the project.*

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**Advice Note:** This approach is provided for information purposes to inform residents of upcoming construction works and to provide contact details for any complaints.

## HERITAGE RECORDING

### *Pre-Demolition Recording of Heritage Structure*

81. Prior to the demolition or removal of the mid-20th century packing shed located at 108 Arataki Road (Section 10S Te Mata SETT), the Consent Holder must engage a suitably qualified person to prepare a photographic and written record of the structure.

The recording must be undertaken to Level III standards as defined by HNZPT Guidelines Series 1: *Investigation and recording of buildings and standing structures*. A copy of the final report must be provided to HNZPT and HDC.

## SITWORKS DURING CONSTRUCTION REQUIREMENTS

### CERTIFICATION OF WORKS

82. Within ten (10) working days following implementation and completion of the specific erosion and sediment control works referenced in Condition [72], and prior to the commencement of earthworks or construction activity on the subject site, a suitably qualified person must provide written certification to the HDC that the erosion and sediment control measures have been constructed and completed in accordance with the ESCP required by Condition [72].

Written certification must be in the form of a report or any other form acceptable to HDC's Compliance Monitoring Officer (or nominee).

### HOURS OF OPERATION

#### *Hours of Operation*

83. All earthworks and construction works authorised by this consent must only take place between 7.30am and 6.00pm, Monday to Saturday. No works are to be undertaken at any time on Sundays or on public holidays.

**Advice note:** *Arrival to site may occur before 7.30am. Any activity on site prior to 7.30am must be limited to quiet arrival and related quiet activities only. All staff should be extra vigilant during this early morning period and adhere to compliance with NZS6803:1999 Acoustics – Construction Noise.*

## NOISE AND VIBRATION

### *Construction Works Noise*

84. All construction activities shall comply with the limits set out in NZS 6803:1999 Acoustics – Construction Noise, as measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.

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### *Vibration from Construction Activities*

85. Vibration from construction activities shall not exceed the limits set out in DIN 4150-3:2016 Structural Vibration – Effects of Vibration on Structures.

### *Temporary Acoustic Screening*

86. The Consent Holder must erect temporary construction acoustic screening at the following neighbouring property boundaries for the duration of the earthworks and construction works of the relevant stage (or combination of stages):

- (a) 96 Arataki Road, Lot 1 DP 546439 (Stage 5 and 6)
- (b) 104 Arataki Road, Lot 1 DP 13265 (Stage 5 and 6)
- (c) 160 Arataki Road, Lot 1 DP 540945 (Stage 1)

The acoustic screening shall be erected in the locations shown in the finalised CNVMP required by Condition [76], or as otherwise agreed by the HDC Compliance Monitoring Officer (or nominee).

**Advice note:** *Acoustic screening can be in the form of either natural screening i.e. earth bund, or built screening i.e. acoustic barriers, or a combination of both.*

### *Complaints Management*

87. The Consent Holder shall maintain a record of all noise complaints received during the construction period. In the event a noise complaint is received:

- (a) *The Consent Holder shall investigate the complaint within 24 hours and take all reasonable steps to identify the source and cause of the noise.*
- (b) *Where the noise is found to exceed the relevant construction noise limits set out in NZS 6803:1999 Acoustics – Construction Noise, the Consent Holder shall:*
  - (i) Immediately take practicable steps to reduce the noise to comply with the standard; and
  - (ii) Implement any additional mitigation measures necessary to avoid further exceedance.
- (c) *A written record of the complaint and the outcome of the investigation, including any corrective actions taken, shall be kept and made available to the HDC upon request.*

If requested by the HDC, the Consent Holder shall engage a suitably qualified person to undertake noise monitoring and provide a report outlining the findings and any recommended mitigation measures. The report shall be provided to the HDC within ten (10) working days of the request.

## **CONSTRUCTION MANAGEMENT**

*Works in accordance with Construction Environmental Management Plan*

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88. All earthworks and construction activities shall be undertaken in accordance with the finalised CEMP required by Condition [70].

*Works in accordance with Bulk Earthworks Plan*

89. All earthworks and construction activities shall be undertaken in accordance with the finalised BEP required by Condition [71].

*Works in accordance with Erosion and Sediment Control Plan*

90. All earthworks and construction activities shall be undertaken in accordance with the finalised ESCP(s) required by Condition [72].

*Works in accordance with Dust Management Plan*

91. All earthworks and construction activities shall be undertaken in accordance with the finalised DMP required by Condition [73].

*Works in accordance with Chemical Treatment Management Plan*

92. All earthworks and construction activities undertaken in accordance with the finalised ChTMP required by Condition [74].

*Works in accordance with Construction Traffic Management Plan*

93. All earthworks and construction activities shall be undertaken in accordance with the finalised CTMP required by Condition [75].

*Works in accordance with the Construction Noise and Vibration Management Plan*

94. All earthworks and construction activities shall be undertaken in accordance with the finalised CNVMP required by Condition [76].

*Works in accordance with Spill Management Plan*

95. All earthworks and construction activities shall be undertaken in accordance with the finalised SPMP required by Condition [77].

*Works in accordance with the Fauna Management Plan*

96. All earthworks and construction activities shall be undertaken in accordance with the finalised FMP required by Condition [78]. In particular, the Consent Holder shall ensure that all specific management measures are undertaken for the following fauna:

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- (a) *Nesting birds – seasonal timing restrictions and pre-clearance checks during the nesting season (1 September to 31 January);*
- (b) *Bat habitats – visual inspection of trees and structures prior to removal where applicable must be undertaken to confirm absence of bats; and*
- (c) *Lizard management – vegetation and debris clearance methods that minimise harm to lizards, including pre-disturbance inspection of potential habitat, hand removal of debris, and staged or gradual vegetation clearance.*

### *Debris on road*

97. The Consent Holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site.

In the event that any material is deposited on any roads, the Consent Holder must take immediate action to clean the roads provided that in no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

### *Completion or Abandonment of Earthworks*

98. Immediately upon completion or abandonment of earthworks on the site, all areas of bare earth associated with the works must be permanently stabilised against erosion to the satisfaction of the HDC Compliance Monitoring Officer (or nominee).

### *Public Assets*

99. There must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public asset directly associated as a result of the activities granted under this consent.

In the event that such damage does occur, the HDC Compliance Monitoring Officer (or nominee) will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the Consent Holder.

### *Stability of the Site / Neighbouring Sites*

- 99A. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified by the Consent Holder.

### *Construction Parking and Loading*

100. All construction machinery or similar must be stored or parked on site at all times and not on surrounding roads, unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee).

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### *Construction Storage*

101. All storage of materials and loading and unloading of equipment associated with the site works must take place within the site boundaries unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee).

### *Construction and Earthworks Activities not to Obstruct Access*

102. There must be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the construction and earthworks activity unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee).

## **GEOTECHNICAL**

103. The Consent Holder must construct all retaining walls, building platforms, drainage reserve Dry Basin, and place and compact material, in accordance with the recommendations of the approved Geotechnical Investigation Report NAP2024-0007AC, Version 0, dated 30 June 2025 prepared by CMW Geosciences, and referenced in Schedule 1. These works must be supervised by a suitably qualified person.

## **CONTAMINATION**

### *Contamination Remediation*

104. All land disturbance activities must be undertaken in accordance with the approved RAP prepared by SQN Geosciences and referenced in Schedule 1. All remediation works must be supervised by a suitably qualified person in contaminated land.

If any unexpected contamination is encountered, works shall cease in the affected area and appropriate remedial measures shall be confirmed by the suitably qualified person before works recommence.

### *Excavated Material*

105. Any excavated material that is not re-used on site must be disposed of at an appropriate facility licensed to accept the levels of contamination identified. Evidence of the locations where excavated material has been disposed of must be retained by the Consent Holder during the works and made available to the HDC on request.

## **SITE-WORKS POST CONSTRUCTION REQUIREMENTS**

### *Geotechnical Certification*

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106. Certification from a suitably qualified person responsible for supervising the works must be provided to HDC, confirming that the works have been completed in accordance with the approved Geotechnical Investigation Report NAP2024-0007AC, Version 0, dated 30 June 2025 prepared by CMW Geosciences and referenced in Schedule 1 within twenty (20) working days following completion.

Written certification must be in the form of a GCR, or any other form acceptable to the HDC.

### *Geotechnical Completion Report*

107. The GCR and Schedule 2A certificate shall include:
- (a) *Specific requirements for future earthworks, building foundations, retaining walls and other works which may occur in each lot, based on site investigation data, geotechnical analysis, and the results of the engineered fill test data;*
  - (b) *A statement under Clause 3(e) covering Section 106 of the RMA;*
  - (c) *Certification of all areas of fill placed, in accordance with the requirements of NZS 4431:2022 Engineered Fill Construction for Lightweight Structures; and*
  - (d) *In the event the Schedule 2A certificate includes limitations or remedial works against any lot(s) then, unless the Consent Holder undertakes the remedial works identified, the limitations and remedial works required shall be included in a consent notice pursuant to section 221 for the relevant Lots.*

### *Contamination – Site Validation Report*

108. The Consent Holder shall provide a SVR to the HDC Compliance Monitoring Officer (or nominee) following the completion of the site remediation and bulk earthworks. The SVR must be prepared by a suitably qualified person and confirm that the site has been made suitable for residential use in accordance with the approved RAP prepared by SQN Geosciences and referenced in Schedule 1.

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### D. WATER TAKE CONDITIONS: WAT-XXX

Summary of activities authorised by this consent:

Activities relating to Section 14 of the RMA for the temporary take and use of surface water for construction purposes (primarily dust management) from impounded stormwater captured on site during the construction phase.

#### *Authorised Use*

111. The Consent Holder is authorised to take and use impounded stormwater from on-site detention systems for the purpose of dust suppression during construction works.

#### *Daily Quantity*

112. Water may be taken and used for dust suppression purposes without restriction on volume, provided it is sourced from the available impounded water.

#### *Certification*

113. Prior to commencement of earthworks, the Consent Holder must supply written confirmation to the HBRC (Manager Compliance) from a suitably qualified person that the impoundment and take infrastructure (e.g. tanks, pumps, pipes) are installed and functional.

#### *Source and Location*

114. Water may only be taken from the impounded water within the Dry Basin and the sediment retention ponds shown on the approved Civil Drawings prepared by Woods and referenced in Schedule 1.

#### *Permitted Use*

115. Water shall only be used for dust control (spraying) within the site boundaries as shown in the approved Civil Drawings prepared by Woods and referenced in Schedule 1 for the duration of the bulk earthworks authorized by LUC-XXX and LUC-EW.

#### *Application Method*

116. Water shall be applied using an even spray, mist, or similar method sufficient to maintain soil moisture and avoid excess runoff from the site to suppress dust generation along exposed areas, access routes, stockpiles, and site perimeters.

#### *Monitoring and Records*

117. The Consent Holder must maintain daily logs during earthworks showing:
  - (a) *Volumes of water taken per day;*

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- (b) *Areas where water has been applied;*
- (c) *Instances where activities were paused due to wind; and*
- (d) *Any off-site dust incidents/complaints and corrective measures taken.*

These records shall be provided to HBRC (Manager Compliance) upon request.

**Advice note:** *If volumes of water are taken at greater than 5L/s per day, a water meter is required to be installed in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.*

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## E. STREAM WORKS CONSENT CONDITIONS: LUS-XXX

Summary of stream works activities authorised

Activities relating to Section 9 of the RMA for the establishment and ongoing use of structures within 6 m of a watercourse:

- (a) *Establishment of a stormwater discharge outlet structure within 6m of an unnamed stream located within a flood control scheme area.*
- (b) *Earthworks and construction activities to establish the outlet structure.*
- (c) *Vegetation removal and landscaping (planting) around the outlet structure on the margins of the stream.*

## PRE CONSTRUCTION REQUIREMENTS

*Detailed Design*

**Explanatory Note:** *Where detailed design plans have already been prepared and submitted to HDC under Condition [37] of SUB-XXX, the same information may be provided to satisfy Condition [118] and any related detailed design plan conditions in LUS-XXX, provided it meets the certification requirements of HBRC related to the stream works activities authorised by LUS-XXX.*

*Duplicate documentation is not required where alignment across SUB-XXX and LUS-XXX is demonstrated and accepted by HBRC.*

*Detailed Design Plans*

118. At least 20 working days prior to commencement of the stream works authorised by LUS-XXX, the Consent Holder shall submit detailed design plans and documentation to HBRC (Manager Compliance) for certification that:

- (a) *Confirm the final location, size, dimensions and levels of any structures alongside the stream.*
- (b) *Confirm the final location and earthworks associated with any such structures.*
- (c) *Detail the proposed landscaping on the margins of the stream. To ensure flood carrying capacity can be maintained, all plantings within 6m of the banks of the stream shall be low lying species (generally not taller than 1m in height when mature).*
- (d) *Identify any specific measures to be undertaken to ensure that the banks and the bed of the stream are protected from erosion and scour both during construction, and post-construction (including, but not limited to, revegetation of worked areas following construction and any protective measures where discharges may be occurring).*

Certification of the above shall be obtained from HBRC (Manager Compliance) prior to the authorized LUS-XXX stream works being undertaken.

The plans shall be considered certified unless, within 15 working days of having been supplied with the plans, HBRC advises that certification is withheld and provides written reasons why certification

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is withheld.

### Management Plans

#### **Explanatory Note:**

- (a) *The consolidated CEMP prepared under the Condition [70] of LUC-XXX may be used to satisfy any CEMP requirements under this LUS-XXX consent, provided it meets the certification requirements of HBRC relevant to the stream works activities authorised by LUS-XXX. Duplicate documentation is not required where alignment across SUB-XXX and LUS-XXX is demonstrated and accepted by HBRC. To assist with implementation, this approach is only acceptable where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*
- (b) *For clarity and ease of implementation, the Consent Holder may prepare a single consolidated CEMP that compiles the information and requirements of the various management plans required by Conditions [119] to [121] of this consent. While each management plan must be clearly identified and addressed in the CEMP, they do not need to be provided as separate stand-alone documents unless otherwise required by HDC or HBRC. The consolidated CEMP must demonstrate how all relevant requirements and performance standards under each management plan are met across the suite of construction and siteworks activities.*

### Construction Environmental Management Plan

119. At least 20 working days prior to the commencement of any earthworks or construction activity on the site for the stream works, the Consent Holder must submit to HBRC (Manager Compliance) for certification a final CEMP prepared in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1 for the relevant stage(s).

The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with the stream works. The CEMP shall include, but not be limited to, the following:

- (a) *How construction of the consented activities will be carried out, particularly around any works on the margins of the stream in accordance with the plans most recently certified in accordance with Condition [118].*
- (b) *The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas.*
- (c) *A site plan and maintenance inspection regime for temporary and permanent sediment controls.*
- (d) *The contact details of the person responsible for inspecting and maintaining sediment controls.*

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- (e) *A Spill Management Plan (SPMP) in accordance with Condition [121] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill.*
- (f) *Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed.*

Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages).

The plans shall be considered certified unless, within 15 working days of having been supplied with the plans, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.

### *Erosion and Sediment Control Plan*

120. [At least 20 days](#) prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC for certification a finalized copy of the ESCP in general accordance with the certified [Infrastructure Report prepared by Woods and referenced in Schedule 1](#), and [in accordance with](#) the “Hawkes Bay Waterway Guidelines – Erosion and Sediment Control” [\(April 2009\)](#). [Alternatively the ESCP may be submitted for certification in stages, based on the staged construction of the project.](#)

The ESCP can be amended to suit the appointed Contractor’s methodology subject to approval from HBRC’s Manager Compliance (or nominee).

### *Spill Management Plan*

121. Prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC (Manager Compliance) for certification a finalized copy of the SPMP in general accordance with the approved preliminary SPMP prepared by Woods and referenced in Schedule 1.

The SPMP can be amended to suit the appointed Contractor’s methodology subject to approval from HBRC’s Manager Compliance (or nominee).

## **DURING CONSTRUCTION REQUIREMENTS**

### *Works in accordance with Certified Documents*

122. All works must be carried out in accordance with the documents certified by Condition [118 and 119].

### *Works in accordance with Construction Environmental Management Plan*

123. All earthworks and construction activities shall be undertaken in accordance with the certified CEMP required by Condition [119].

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A copy of this CEMP must be present on site at all times while the work is being undertaken.

### *Works in accordance with Erosion and Sediment Control Plan*

124. All earthworks and construction activities shall be undertaken in accordance with the certified ESCP required by Condition [120].

A copy of this ESCP must be present on site at all times while the work is being undertaken.

### *Works in accordance with Spill Management Plan*

125. All earthworks and construction activities shall be undertaken in accordance with the finalised SPMP required by Condition [121].

A copy of this SPMP must be present on site at all times while the work is being undertaken.

### *Avoid Stream Bed Works*

126. No works, including temporary construction activities, shall be conducted in the bed of the stream.

### *Sediment and Contaminant Control*

127. The Consent Holder shall take all practical measures to limit the amount of sediment and prevent contaminants from entering any stream during the construction works. Such measures include, but are not limited to:

- (a) *Any surplus soil, cleared vegetation or debris, shall be deposited at least 20 m from any waterbody or deposited or contained in a manner to reasonably prevent the transportation or deposition of disturbed matter into any waterbody.*
- (b) *The wash water from containers and tools shall not be discharged into any waterbody and the washing of equipment shall not occur in any waterbody.*
- (c) *As far as practicable, all machinery work shall be undertaken from the banks of any waterbody rather than in a waterbody.*
- (d) *Refuelling and carrying out machinery maintenance away from waterbody.*
- (e) *Implementing erosion and sediment control [measures in accordance with the ESCP certified under](#) Condition [120].*

### *Works Timing*

128. The Consent Holder shall conduct the works only during periods when there are low flows in the stream.

### *Concrete*

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129. Any wet concrete cast on site as part of the stream works shall be fully contained during casting and cast in a dry work area. No wet concrete shall enter the wetted channel of the bed of any stream.

### *Landscaping Implementation*

130. The Consent Holder shall implement landscaping around the outlet structure in accordance with the landscaping plans certified by Condition [118].

## **POST CONSTRUCTION REQUIREMENTS**

### *Notification of Completion*

131. The Consent Holder shall advise the HBRC (Manager Compliance) of having finished the works immediately following their completion.

### *Certified As-Builts*

132. Within 20 working days following the completion of any of the stream works, the Consent Holder shall provide certified as-built plans and written certification by a suitably qualified person to the HBRC Manager Compliance (or nominee) that the works have been undertaken and completed in accordance with the plans certified under Condition [118]. Certification must include confirmation of:
- (a) *The final location, size, dimensions and levels of the stormwater outfall structure and associated erosion and scour protection alongside the stream; and*
  - (b) *Stabilisation of the area of works to prevent sediment loss.*

### *Stream Reinstatement*

133. The Consent Holder shall ensure that at the completion of the works, any newly established surfaces and any grassed slopes or vegetated areas that were cleared or damaged as a result of the activity, are stabilised and revegetated to prevent sediment from entering the stream.

### *Landscaping Maintenance*

134. All stream margin landscaping required by this consent shall be maintained in accordance with the certified detailed design plans approved under Condition 118. Landscaping shall be maintained in a healthy and weed-free condition for a minimum period of two years following completion of planting.

### *Outlet Structure Performance*

135. The stormwater outlet structure shall be maintained in good working order and regularly inspected to ensure continued functionality. Any significant modification or replacement of the outlet structure must be approved by the HBRC (Manager Compliance) in writing prior to any significant modification or replacement occurring.

### *Erosion & Scour Protection*

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136. The Consent Holder shall ensure the stormwater outlet structure and associated works within the margins of the stream are designed, constructed and maintained to incorporate erosion and scour protection measures to prevent destabilisation of the stream channel and banks. These measures shall be maintained in good working order for the duration of the consent.

***Advice note:*** *HBRC will not be responsible for the operation, maintenance, repair, or replacement of the stormwater structures authorised by this consent. Ongoing responsibility for these matters remains with the Consent Holder.*

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## F. STORMWATER DISCHARGE CONDITIONS: DIS-XXX

### *Summary of activities authorized by this discharge consent*

Activities relating to Section 15 of the RMA for the diversion and discharge of stormwater into water or onto land from the Arataki site, including from roads and residential lots as follows:

- (a) *A new Dry Basin, outlet structure and associated infrastructure diverting and discharging stormwater to an unnamed tributary of the Mangateretere Stream (Catchment B).*

**Advice note:** *Stormwater discharge from Catchment A will be managed via the HDC existing reticulated stormwater network. This network is covered by HDC's global Network Discharge Consent (NDC).*

## PRE-CONSTRUCTION REQUIREMENTS

### DETAILED DESIGN

**Explanatory Note:** *Where detailed design plans have already been prepared and submitted to HDC under Condition [37] of SUB-XXX, the same information may be provided to satisfy Condition [137] and any related detailed design plan conditions in DIS-XXX, provided it meets the certification requirements of HBRC (Manager Compliance) related to the stormwater discharge activities authorised by DIS-XXX.*

*Duplicate documentation is not required where alignment across SUB-XXX and DIS-XXX is demonstrated and accepted by HBRC (Manager Compliance).*

### *Detailed Design Plans*

137. At least 20 working days prior to commencement of any of the construction works authorised by DIS-XXX, the Consent Holder shall submit detailed stormwater infrastructure design plans and documentation prepared by a suitably qualified person to the HBRC (Manager Compliance) for certification for each stage (or combination of stages). The plans shall:
- (a) Identify the location, storage volumes, levels and dimensions of the Dry Basin, any outlet structures, and associated infrastructure.
  - (b) Confirmation of the design of the emergency spillway structures and a design statement.
  - (c) Design flow rates and discharge volumes for critical rainfall events, including 10 and 100 year events.
  - (d) The design details, levels and location of all stormwater services (including Dry Basin, treatment systems, inverts, pipes, sumps, and outfall structures and any secondary overland flow paths).
  - (e) CEMP and ESCP measures in accordance with Conditions [139] and [140] to be implemented.
  - (f) Confirmation that the design plans are consistent with the requirements of this consent.

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- (g) [Details of the method of impermeable lining to be implemented for the Dry Basin, in accordance with the with the recommendations of the approved Geotechnical Investigation Report \(GIR\) prepared by CMW Geosciences and referenced in Schedule 1.](#)

Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages).

The plans shall be considered certified unless, within 15 working days of having been supplied with the plans, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.

**Advice Note:** *The purpose of the final design plans is to demonstrate the detailed design of the stormwater system, its location and specifications, and confirm that design requirements of this consent and application documents will be met.*

### Stormwater Management System Design

138. The stormwater management system shall be designed, constructed and maintained in general accordance with the approved Civil Drawings prepared by Woods and referenced in Schedule 1 and any subsequent certified detailed design plans in Condition [137] to ensure that:
- (a) *The post-development discharge rates at the points of discharge at the boundary of the subdivision shall not exceed pre-development levels in all events up to the 100 year rainfall event; and*
  - (b) *The diversion and discharge shall not increase pre-development flood levels on any neighbouring properties downstream of the discharge location point.*

### MANAGEMENT PLANS

#### **Explanatory Note:**

- (a) *The consolidated CEMP prepared under the Condition [70] of LUC-XXX may be used to satisfy any CEMP requirements under this DIS-XXX consent, provided it meets the certification requirements of HBRC relevant to the stormwater discharges authorised by this consent. Duplicate documentation is not required where alignment across SUB-XXX and DIS-XXX is demonstrated and accepted by HBRC. To assist with implementation, this approach is only acceptable where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*
- (b) *For clarity and ease of implementation, the Consent Holder may prepare a single consolidated CEMP that compiles the information and requirements of the various management plans required by Conditions [139] to [141] of this consent. While each management plan must be clearly identified and addressed in the CEMP, they do not need to be provided as separate stand-alone documents unless otherwise required by the HBRC. The consolidated CEMP must demonstrate how all relevant requirements and performance standards under each management plan are met across the suite of construction and siteworks activities.*

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### *Construction Environmental Management Plan*

139. Prior to the commencement of any earthworks or construction activity on the site for the stream works, the Consent Holder must submit to HBRC for certification a final CEMP prepared in general accordance with the approved preliminary CEMP prepared by Woods and referenced in Schedule 1 for the relevant stage(s).

The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with the stream works. The CEMP shall include, but not be limited to, the following:

- (a) How construction of the consented activities will be carried out, particularly around any works on the margins of the stream and the key stormwater management and sediment/erosion control features in accordance with the plans most recently certified in accordance with condition 140.
- (b) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas.
- (c) A site plan and maintenance inspection regime for temporary and permanent sediment controls.
- (d) The contact details of the person responsible for inspecting and maintaining sediment controls.
- (e) A Spill Management Plan (**SPMP**) in accordance with Condition [141] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill.
- (f) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed.
- (g) The contact details of the person responsible for inspecting and maintaining sediment controls.

Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages).

The plans shall be considered certified unless, within 15 working days of having been supplied with the plans, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.

### *Erosion and Sediment Control Plan*

140. [At least 20 days](#) prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC (Manager Compliance) [for certification](#) a

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finalized copy of the ESCP in general accordance with the approved preliminary [ESCP provided in the Infrastructure Report](#) prepared by Woods and referenced in Schedule 1, and [taking into account in accordance with](#) the “Hawkes Bay Waterway Guidelines – Erosion and Sediment Control” (April 2009). [Alternatively, the ESCP may be submitted for certification in stages, based on the staged construction of the project.](#)

The ESCP can be amended to suit the appointed Contractor’s methodology subject to written approval from HBRC’s Manager Compliance (or nominee). Approval must be obtained prior to works commencing under the amended methodology.

### *Spill Management Plan*

141. Prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC (Manager Compliance) for certification a finalized copy of the SPMP in general accordance with the approved preliminary SPMP prepared by Woods and referenced in Schedule 1.

The SPMP can be amended to suit the appointed Contractor’s methodology subject to approval from HBRC’s Manager Compliance (or nominee).

## **MAINTENANCE AND MONITORING STRATEGIES**

### *Water Quality Monitoring Strategy*

142. At least 20 working days prior to the commencement of works occurring on site for any particular stage (or combination of stages), the Consent Holder shall submit to the HBRC Manager Compliance (or nominee) a Water Quality Monitoring Strategy (WQMS) for certification. The WQMS shall:

- (a) Be prepared by a suitably qualified person with experience with stormwater discharges to water.
- (b) Outline the monitoring that the Consent Holder will undertake to characterise and track the effects of stormwater and water runoff discharges on water quality in the receiving environment after reasonable mixing at or shortly downstream of the stormwater discharge point(s) indicatively shown in the SWMP prepared by Woods and referenced in Schedule 1, or as agreed with the HBRC Manager Compliance.
- (c) Identify analytes for monitoring based on the activities being undertaken on site and potential for contamination. This shall include assessment as to whether monitoring should be undertaken for the following analytes, but may include other analytes, providing justification for the inclusion of specific analytes:
  - (i) Total suspended solids
  - (ii) Total petroleum hydrocarbons
  - (iii) Heavy metals
  - (iv) Total nitrogen and other nitrogen species

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- (v) Total phosphorus and other phosphorus species
  - (vi) Total hardness
  - (vii) E coli
- (d) Provide environmental limits for the analytes of concern identified by Condition [142(c)] above when monitored at the approved stormwater discharge point(s), where considered appropriate in the opinion of a suitably qualified person.
- (e) Ensure that the timing and frequency of monitoring is sufficient to identify if the discharges authorised by this consent are causing to occur, or contributing to any of the following, after reasonable mixing:
- (i) production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
  - (ii) any emission of objectionable odour;
  - (iii) any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks); and
  - (iv) Any freshwater becoming unsuitable for consumption by farm animals.
- (f) Outline the frequency and scope of reporting that will be provided to HBRC.
- (g) Outline the accreditation requirements of laboratories undertaking analysis and competency of person undertaking testing.
- (h) Include a requirement for the WQMS to be reviewed by a suitably qualified person at least every two years from the commencement of the discharge authorised by this consent. The review shall assess whether the monitoring remains fit for purpose, reflects current best practice, and continues to be effective in identifying potential adverse effects.

### *Stormwater Management and Maintenance Plan*

143. A Stormwater Management and Maintenance Plan (SMMP) shall be provided to the HBRC Manager Compliance (or nominee) for certification at the same time as the Final Design Plans required by Condition [137] of this consent.

The SMMP shall set out how the complete stormwater management system will be managed and maintained, and how compliance with the conditions of this consent will be achieved. The SMMP shall include the following information:

- (a) A plan showing the location of the key components of the stormwater system.
- (b) Finalised OMMs for the Dry Basin, Raingardens and Proprietary Gross Pollutant Trap Device.
- (c) Details (including frequency) of the inspection and maintenance activities, including inspections after the following critical rainfall events:
  - (i) 2 year and 10 year (or greater) for the Dry Basin; and
  - (ii) 10mm/hour for the Proprietary Gross Pollutant Trap Devices.

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- (d) Details of how maintenance will be undertaken, and who will be responsible for this maintenance.
- (e) A checklist of maintenance requirements for each component of the stormwater system.
- (f) Details of how maintenance checks will be recorded.
- (g) Contact details for the person(s) who are responsible for the management, maintenance and emergency response procedures of the stormwater system.
- (h) Details of the process that will be followed to manage the accumulation of sediment in the attenuation areas so that design storage volumes are maintained.

The SMMP shall be reviewed within 3 months of the discharge commencing and every 24 months thereafter, and also upon the transfer of this consent to any other party. If any updates to the SMMP are required, an updated copy of the plan shall be provided to the HBRC Manager Compliance within 1 month of any changes being made.

**Advice note:** *The requirement for OMM Plans for the Dry Basin and Proprietary Gross Pollutant Trap Device in (b) above aligns with the requirements of HDC subdivision consent Condition 41 (SUB-XXX). Any future changes to that condition would not alter the obligations under this consent (DIS-XXX) unless subsequently varied in accordance with the RMA.*

### WORKS NOTIFICATION

#### *Notice of Works*

144. The Consent Holder shall give the HBRC Manager Compliance (or nominee) at least 10 working days' notice of the intention to commence each stage (or combination of stages) of construction of the stormwater system.

### DURING CONSTRUCTION REQUIREMENTS

#### *Works in Accordance*

145. All stormwater discharge works must be carried out in accordance with the certified documents outlined in Conditions [137] and [138].

#### *Works in accordance with the Construction Environment Management Plan*

146. All stormwater discharge works must be carried out accordance with the [certified](#) CEMP required by Condition [139] above.

#### *Works in accordance with Erosion and Sediment Control Plan*

147. All stormwater discharge works must be carried out in in accordance with the [certified](#) ESCP required by Condition [140] above.

#### *Works in accordance with the Spill Management Plan*

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148. All stormwater discharge works must be carried out in accordance with the [certified](#) SPMP required by Condition [141].

### *Inspections and Maintenance*

149. The Consent Holder shall undertake inspections and maintenance during the works period in accordance with the CEMP required by Condition [139]. Records of any maintenance undertaken shall be kept and provided to the HBRC Manager Compliance (or nominee) upon request.

## **POST CONSTRUCTION REQUIREMENTS**

### *Notice of Completion*

150. The Consent Holder shall advise the HBRC Manager Compliance (or nominee) of having finished the works for each stage (or combination of stages) as soon as practicable, but within 10 working days' following their completion.

### *Certified As-Builts*

151. Within 20 working days following the completion of installation of the stormwater management system for each stage (or combination of stages), a suitably qualified person shall provide written certification to the HBRC Manager Compliance (or nominee) that the stormwater management system has been constructed and completed in accordance with the plans certified in accordance with Condition [137].

Certification must include confirmation of location, dimensions and capacity of all stormwater management system culverts, stormwater attenuation areas and raingardens. Information must include:

- (a) *Contributing catchment area and flow path lengths;*
- (b) *Size of structures (levels, dimensions, including volume of structure);*
- (c) *Position of inlets/outlets; and*
- (d) *Confirmation of stabilisation of the area of works to prevent sediment loss.*

### *Discharge Location and Effects*

152. Discharges must occur only at the locations certified in the WQMS required by Condition [142] and shall not cause:
- (a) *Erosion or scour in the receiving environment.*
  - (b) *Flooding or adverse effects on any properties.*
  - (c) *The production of conspicuous oil or grease films, scums or foams, or floatable materials.*

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### EROSION AND SCOUR

153. The Consent Holder shall ensure that the stormwater discharge shall not cause erosion or scour of the beds or banks of any downstream receiving drain or watercourse.
154. Within 10 working days of becoming aware of any scour or other erosion at or downstream of the discharge point that is reasonably attributable to the discharge activity authorised by this consent, the Consent Holder shall prepare and implement appropriate remediation works to repair the scour or erosion.

Prior to commencing any remediation works, the Consent Holder shall provide a works methodology to the HBRC Compliance Manager (or nominee) for certification. All works shall be undertaken in accordance with the certified methodology.

The Consent Holder shall notify the HBRC Compliance Manager (or nominee) within 5 working days of completing any remediation works and confirm the measures undertaken.

### MAINTENANCE & MONITORING REQUIREMENTS

#### *Implementation of the Stormwater Monitoring System*

155. The Consent Holder shall ensure all monitoring required for the stormwater management system shall be undertaken in accordance with the WQMS approved by Condition [142] to confirm the performance of the stormwater management system and to detect any adverse effects on the receiving environment.

Any changes to the approved WQMS must be certified in writing by the HBRC Compliance Monitoring Officer (or nominee).

#### *Implementation of the Stormwater Maintenance and Management Plan*

156. The Consent Holder shall implement and maintain the stormwater management system in accordance with the Stormwater Management and Maintenance Plan (**SMMP**) provided in accordance with Condition [143]. The SMMP shall guide the ongoing operation, maintenance, and monitoring of all stormwater components to ensure the performance of the system and compliance with this consent.

Any changes to the approved SMMP must be certified in writing by the HBRC Manager Compliance (or nominee).

#### *Inspections and Maintenance*

157. The Consent Holder shall undertake inspections and maintenance in accordance with the SMMP required by Condition [143].

Records of any maintenance undertaken shall be kept and provided to the HBRC Manager Compliance (or nominee) upon request.

#### *Stormwater System Integrity*

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158. The Consent Holder shall be responsible for ensuring the continued integrity of the stormwater management system and associated structures and shall ensure that these components are maintained to a structurally safe and serviceable standard at all times and continue to operate to the design performance levels.

### *Maintenance Inspections*

159. The Consent Holder shall carry out maintenance inspections of all stormwater management system components at least annually or more frequently in accordance with the SMMP (or subsequent updates) required by Condition [143] and ensure that the stormwater management system continues to be maintained.

### *Maintenance Recording*

160. The Consent Holder shall record the details of all maintenance inspections and works undertaken under Conditions [159] and [161]. Those records shall be made available for inspection by the relevant HDC or HBRC Manager Compliance (or nominee) upon request.

### *Reporting and Remediating Damage*

161. The Consent Holder shall advise the HBRC Manager Compliance (or nominee) as soon as practicable, but within 10 working days, of any damage to critical stormwater management components associated with the stormwater management system.

Within 10 working days of notifying the HBRC Manager Compliance (or nominee) of the damage, the Consent Holder shall provide the HBRC Manager Compliance with details of how, and within what timeframe, the damage will be repaired.

The stormwater management system shall be brought back into functional operation as soon as practicable after any damage occurs.

### *Person Responsible*

162. The Consent Holder shall nominate an appropriately trained person who is responsible for the operation and maintenance of the stormwater management system and the return of information as required by this consent.

The Consent Holder shall provide the HBRC Manager Compliance (or nominee) with this person's contact details within one month from the date of the discharge first occurring and within ten working days of any change in personnel occurring.

### *Sampling Frequency*

163. After commencement of the discharge, the Consent Holder shall ensure that sampling of stormwater discharged from the sampling sites occurs at least once every 12 months or more frequently in accordance with the WQMS (or subsequent updates) required by Condition [142].

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### *Location of Sampling Sites*

164. Prior to the commissioning of the Dry Basin, the Consent Holder shall confirm in writing to HBRC (Manager Compliance) the location of the certified WQMS sampling sites required by Condition [142]. Sampling shall be undertaken at the designated monitoring sites for the duration of the consent.

### *Sampling Results*

165. The Consent Holder shall ensure that the samples taken in accordance with Condition [155] are examined for the analytes set out in the certified WQMS required by Condition [142].

The results of the analysis undertaken shall be forwarded to the HBRC Manager Compliance (or nominee) within 7 days of being received by the Consent Holder.

### *Accreditation*

166. The laboratory carrying out analyses required under this consent shall be accredited for those analyses by International Accreditation New Zealand or an equivalent authority.

### *Suitably Qualified Person*

167. Sampling required by this consent shall be carried out by a suitably qualified person experienced in that field.

### *Roof Materials*

168. The Consent Holder shall ensure that buildings within the area discharging stormwater under this consent shall have:
- (a) *Roofs that are constructed using inert roofing materials such as Colorcote or Coloursteel; or*
  - (b) *A different roofing material or roof treatment (e.g. painting with non-metal based paints) that will achieve an equivalent performance standard in terms of release of metal contaminants.*

### *Receiving Environment*

169. The Consent Holder shall ensure stormwater discharge (including during construction phases) shall not give rise to all or any of the following effects in any receiving waterbodies, after reasonable mixing:
- (a) *The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.*
  - (b) *Any conspicuous change in the colour or visual clarity.*
  - (c) *Any emission of objectionable odour.*
  - (d) *The rendering of fresh water unsuitable for consumption by farm animals.*

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- (e) *Any significant adverse effects on aquatic life.*

### *Monitoring Results*

170. Should monitoring identify that any discharges authorised by this consent are causing to occur, or contributing to any of the matters stated in Condition [169] or an exceedance of the limit(s) set out in Condition [142(c) & (d)], then, as soon as practicable:
- (a) *The Consent Holder shall take all steps necessary to avoid such outcomes occurring again; and*
  - (b) *Shall report what steps have been taken to the HBRC Manager Compliance (or nominee).*

### *Access for Maintenance and Monitoring*

171. The Consent Holder shall ensure that access arrangements (including any easements if necessary) are established as necessary to enable the person(s) or body responsible for long-term operation and maintenance of the stormwater management systems to carry out their responsibilities under this consent.

### *Stormwater Monitoring Strategy Review*

172. The WQMS shall be reviewed by a suitably qualified person at least every two years from the commencement of the discharge authorised by this consent. The review shall assess whether the monitoring remains fit for purpose, reflects current best practice, and continues to be effective in identifying potential adverse effects.
- (a) *An updated WQMS (if required) shall be submitted to the HBRC Compliance Monitoring Manager (or nominee) within one month of the review being completed.*
  - (b) *If, after two consecutive reviews (four years), the HBRC Compliance Monitoring Manager (or nominee) is satisfied that the monitoring regime is appropriate, the frequency of further reviews may be extended with written agreement from HBRC (Manager Compliance).*

### **REVIEW UNDER RMA SECTION 128**

173. The conditions of this consent (DIS-XXX) may be reviewed by HBRC during the month of May of any year pursuant to sections 128 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:
- (a) *To deal with any adverse effect on the environment that may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue.*
  - (b) *To require the adoption of the best practicable option to remove or reduce any effects on the environment.*

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- (c) *To modify any maintenance or monitoring programme, or to require additional maintenance or monitoring if there is evidence that current maintenance or monitoring requirements are inappropriate or inadequate.*
- (d) *To ensure that the consented activity is managed in a manner that is consistent with the provisions of an operative plan.*

### AUTHORISATIONS

#### *Consent Surrender*

174. DIS-XXX (this consent) shall be surrendered in the following circumstances:

- (a) *Once a decision has been made, the time for appealing the decision has passed without appeal or any appeal made has been withdrawn, dismissed or resolved on the replacement of HDC's Global Stormwater Consent (DP090355Wb / AUTH-118324-03); and*
- (b) *The HDC Global Stormwater Consent referred to above includes the entirety of the stormwater discharges and discharge consented by DIS-XXX (this consent).*

#### *Transfer of Consent*

175. In the event that the consent is not surrendered in accordance with Condition [174], DIS-XXX (this consent) shall remain in the name of the Consent Holder (CDL Land New Zealand Limited) until the performance of the vested stormwater management system has been confirmed through a monitoring and proving period.

This proving period shall:

- (a) *Commence upon the issuance of section 224(c) certification for the final stage of the subdivision, unless otherwise agreed in writing with HDC and HBRC;*
- (b) *Run for a minimum duration of 12 months, covering all four seasons;*
- (c) *Be undertaken either by the Consent Holder, or by HDC on behalf of the Consent Holder, and at the Consent Holder's cost; and*
- (d) *Include performance monitoring and maintenance of the stormwater system in accordance with the certified SMMP and certified WQMS monitoring requirements of this consent.*

At the conclusion of the proving period, the consent may be transferred to HDC, subject to:

- (e) *Demonstrated compliance with all relevant conditions of this consent;*
- (f) *Submission of a performance summary report to HBRC; and*
- (g) *Written agreement by HDC to accept the transfer.*

Any costs associated with the proving period and transfer process shall be borne by the Consent Holder.

#### *Transfer of Consent*

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176. This consent (DIS-XXX) shall only be transferred to an entity that has a legally established right of access to the stormwater management system as necessary to undertake regular and ongoing maintenance and monitoring of the system and to otherwise meet the conditions of this consent.

Proposed Conditions