Auckland Surf Park Community

Stage 1 - s.127 Amended Resource Consent Conditions

Condition amendments dated 5 June 2026 are shown in red underline and ~~strikethrough~~

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Commented [EK1]: Deletions:
Solar Farm layout differs significantly from Stage 2 therefore all references and Conditions relating to the Solar Farm are to be deleted from this Stage 1 approval and applied instead to Stage 2

DIS60429158 discharge permit is to be superseded by Stage 2 WW discharge permit

Glossary of Terms

Term	Meaning
Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5m in diameter.
Consent Authority	Means Auckland Unitary Council or any regional or territorial authority that supersedes it.
Commencement date	Has the meaning described in Section 116 of the Resource Management Act 1991
Commencement of Construction Phase Dewatering	Means commencement of Bulk Excavation and/or the commencement of the taking of any groundwater from the tunnel, trench or shaft excavation and/or any dewatering prior to excavation.
Completion of Construction Phase Dewatering	Means, in the case of a tanked building or structure construction, the stage when all the external base slab and walls within an excavation are essentially watertight, the structures internal support mechanisms, including basement floors have been completed any temporary retention removed and no further groundwater is being taken for the construction of the basement. Means, in the case of a drained building or structure, the stage the structures external and internal support mechanisms, including basement floors have been completed, the permanent drainage system(s) are in place and no further groundwater is being taken for the construction of the basement. Means, in the case of tunnels and shafts, when the tunnel and shafts have been constructed and effectively no further groundwater is being taken/diverted for the construction of the tunnel and shafts in accordance with the design. Means, in the case of pipe infrastructure, the stage when all pipework and pipe seals (and where required trench stops (collars) have been installed and all back filling is completed within 50 metres of a building or structure and effectively no further groundwater is being taken for the construction of the network at that location.
Completion of Construction	Means when the Code Compliance Certificate (CCC) is issued by Auckland Council
Cleanfill material	Has the same meaning as the definition of "Cleanfill material" set out in Chapter J of the Auckland Unitary Plan (Operative in Part)
Occupation or occupied	For the purposes of Conditions (76, (87) and (197) means the occupation and use for the purposes permitted by the resource consent but not including occupation by personnel engaged in construction, fitting out or decoration
Core allocation (low-flow) take	Means an abstraction meeting the requirements of Policy E2.3.(10) of the Auckland Unitary Plan.
Supplementary allocation (high flow) take	Means an abstraction meeting the requirements of Policy E2.3.(11) of the Auckland Unitary Plan.

CONDITIONS APPLYING TO ALL CONSENTS

Mana Whenua

(1) Mana Whenua referred to in these consents must be taken as –

- Te Kawerau a Maki
- Ngāti Whanaunga
- Ngāti Manuhiri
- Te Runanga o Ngāti Whatua
- Ngāti Whatua o Kaipara, and
- Any other iwi/hapū who at a later date are recognised as having mana whenua status.

(2) Mana Whenua must be notified at least one month prior to site-works commencement to discuss the following matters and any other matters as mutually agreed with the Consent Holder:

(a) the tikanga to be followed when engaging with Mana Whenua

(b) a timetable of works and project milestones

(c) a schedule of proposed update hui whilst the project is being undertaken (e.g. site works, planting etc.)

(d) a time and date for whakawatea of the site if desired by Mana Whenua,

(e) the erection of pou or tribal tohu.

(f) the planting regime and plant typology

(g) artworks proposed for the project

(h) naming of permanent buildings and the park complex

(i) compensation for mana whenua engagement.

(3) Mana Whenua must be invited to take part in planting activities or any other activity concerning the natural environment of the site.

(4) The Consent Holder must meet on-site with Mana Whenua at least annually or as mutually agreed to provide a/an:

(a) Update on operational matters concerning the operations within all the consents (Surf Park~~, Solar Farm~~ and Data Centre) and any management items that may be considered relevant;

(b) Tour of wetlands and natural water systems; and

(c) Copy of water quality monitoring results if requested by Mana Whenua.

(5) The Consent Holder must endeavour to maintain a cordial relationship with Mana Whenua by following the tikanga as determined by Mana Whenua when meeting with Mana Whenua.

Works within Auckland Transport Designations or Notices of Requirement

Advice Notes:

Works within the Notices of Requirement/Designations

The consent holder is advised that written approval from Auckland Transport pursuant to Section 176 and/or Section 178 of the Resource Management Act 1991 will be required prior to any works commencing within Auckland Transport Designations (or Notice of Requirement) areas.

The relevant information for submitting a s176 (or s178) application (including deposit slip and application for written consent) is contained in this link https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/consent-for-works-in-an-at-designation/ and sent to AucklandTransportPlanningTeam@at.govt.nz

Please note that no works associated with this consent application located within the designation (Or Notice of Requirement) can be commenced without Auckland Transport's written approval pursuant to s176 (or s178). As the matters considered as part of Auckland Transport's s176 (or s178) written consent process is different from that of a resource consent, this review/response does not constitute said approval.

Corridor Access Requests

It will be the responsibility of the consent holder to determine the presence of any underground services that may be affected by the applicant's work in the road reserve.

Should any services exist, the applicant must contact the owners of those and agree on the service owner's future access for maintenance and upgrades. Services information may be obtained from https://www.beforeudig.co.nz/.

All work in the road reserve must be carried out in accordance with the general requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors https://nzuag.org.nz/wp-content/uploads/2018/11/National-Code-amended-version-29-Nov-2018.pdf and Auckland Transport Design Manual https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/

Works that require a Resolution

Permanent traffic and parking controls are subject to a Resolution approval from Auckland Transport. Changes to traffic/parking controls on the road reserve will require Auckland Transport Traffic Control Committee (TCC) resolutions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee (TCC) for review and approval. No changes to the traffic and parking controls will be allowed before the resolution is approved by the Auckland Transport Traffic Control Committee (TCC). All costs must be borne by the consent holder.

Application details can be found from the following Auckland Transport website link: https://at.govt.nz/about-us/working-with-at/traffic-and-parking-controls

A copy of the Resolution from the Traffic Control Committee must be submitted to the Council prior to the commencement of the activity provided for by this consent approval.

Lapsing of Consents

(6) In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast Track Consenting) Act 2020, these consents will lapse two years after the commencement date unless the consents are given effect to.

CONDITIONS PERTAINING TO THE SURF PARK, ~~SOLAR FARM,~~ AND THE DATA CENTRE

S9 Land Use Consent

General

Activity in accordance with plans

(7) The Consent Holder must undertake the works in general accordance with the application formally received by the Environmental Protection Authority on the 30 October 2023, and the following documents:

(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;

(aa) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community - Stage 2" and dated 5 June 2026;

(b) The reports listed at Attachment 1; and

(c) The drawings and plans listed at Attachment 2.

(8) If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent must prevail.

(9) A record of all Mana Whenua engagement must be held by the Consent Holder for Mana Whenua perusal and records if requested by them.

Pre-commencement Conditions

Certification of Plans or Further Detail

(10) (The Consent Holder must not commence any physical works until it has obtained certification from the Consent Authority to the following:

(a) A Construction Management Plan (CMP) - see Condition (11);

(b) A Construction Traffic Management Plan (CTMP) - see Condition (12);

(c) A Construction Noise and Vibration Management Plan (CNVMP) - see Condition (13);

(d) Deleted ~~A Final Landscaping Plan - see Condition (18);~~

(e) A Waste Management Plan (WMP) - see Condition (20);

Commented [EK2]: A condition for landscape plans for the Surf Park is provided at Condition 74 therefore Condition 18 is a duplicate
A condition for final landscaping plans for the Data Centre is not required as these have been provided and approved as part of the Stage 1 application and Condition 201 requires implantations of this

(f) Earthworks Staging Plan – see Condition (24);

(g) Finalised Erosion and Sediment Control Plans – see Condition (25);

(h) A Chemical Treatment Management Plan (ChTMP) – see Condition (28);

(i) Ecological Management Plan (EMP) – see Condition (33)

(j) Stormwater Management Plan (SMP – see Condition (34)

Construction Management Plan

(11) The Consent Holder must prepare and submit a Construction Management Plan (CMP), to the Consent Authority for certification at least ten (10) working days before commencement of works on the site. The purpose of the CMP is to detail the management procedures and construction methods to be undertaken to avoid, remedy or mitigate potential adverse effects on the environment arising from earthworks and construction works (where they are not already managed by the CNVMP or CTMP).

The CMP must include the following as applicable to the project or project stage:

(a) Details of the project manager, including their contact details;

(b) The location of notice boards that clearly identify the name, telephone number and address for service of the site manager or project manager;

(c) Construction methodology;

(d) An outline construction programme of the works;

(e) Measures to be adopted to maintain the land in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;

(f) Location of workers' offices, conveniences and parking;

(g) Procedures for avoiding the deposit of soil debris on public roads, and procedures for the removal of soil debris and demolition and construction materials from public roads and places;

(h) Location and layout of construction yards, including associated buildings, fencing and site access;

(i) Means of maintaining safety of the general public; and

(j) Erosion and sediment control.

Construction Traffic Management Plan

(12) The Consent Holder must prepare a Construction Traffic Management Plan (CTMP) in accordance with the Auckland Council's requirements for CTMPs and New Zealand Transport Agency's Code of Practice for Temporary Traffic Management and submit it to the Consent Authority for certification at least ten (10) working days before commencement of works on the site.

The objective of the CTMP is to ensure that during construction the surrounding road network (including the footpaths) operates safely and efficiently for all road users including existing residents and pedestrians.

The CTMP must include specific details relating to avoiding, remedying or mitigating adverse effects on the environment from demolition, construction and management of all works associated with this development, and setting out procedures to be followed which ensure compliance with the conditions of consent, as follows:

(a) Contact details of the appointed contractor or project manager (phone number, email, postal address);

(b) A general outline of the construction programme;

(c) Plans showing areas where stockpiles, equipment (including contractor parking) will occur so that there is no obstruction of public spaces (e.g., roads and shared path);

(d) Plans showing the location of any site offices, staff facilities and staff car parking required during the construction period;

(e) An overview of measures that will be adopted to prevent unauthorised public access during the construction period;

(f) The number of vehicle movements to and from the site per day, and the duration of vehicle movements;

(g) The routes that trucks / heavy vehicles will take;

(h) Location of traffic signs on surrounding streets and proposed signage for traffic management purposes during construction;

(i) Temporary protection measures that will be installed to ensure that there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public assets as a result of the earthworks and construction activities; and

(j) The process for changing, and certifying any changes to, the CTMP.

The above details must be shown on a site plan and supporting documentation as appropriate.

Advice Note:

To arrange the pre-construction meeting please contact Auckland Council to arrange this meeting on email at monitoring@aucklandcouncil.govt.nz.

Construction Noise and Vibration Management Plan

(13) The Consent Holder must prepare and submit a Construction Noise and Vibration Management Plan (CNVMP) to the Consent Authority for certification prior to the commencement of works. The objective of the CNVMP is to set out the Best Practicable Option for the management of noise and vibration effects.

(14) The CNVMP must be submitted to the Consent Authority for certification a minimum of ten (10) working days prior to commencement of the works. Construction works must not commence until certification has been received in writing from the council.

Any subsequent amendment of the certified CNVMP which comprises changes to the proposed construction methodology must also be prepared by a suitably qualified and experienced acoustic specialist. Amendments must be tracked and the revised CNVMP submitted to the council for certification.

(15) The construction works must be carried out in accordance with the certified CNVMP and a copy of the CNVMP must be kept on site during construction hours and must be made available to authorised the Consent Authority staff during monitoring inspections.

(16) The CNVMP must include details of the hoarding to be established during the construction period. The locations of hoardings must be in general accordance with the information set out in the Acoustic Report prepared by NYD, titled Acoustic Assessment of Environmental Effects, dated 10 August 2023.

Pre-commencement Meeting

(17) Prior to the commencement of the earthwork's activity, the Consent Holder must hold a pre-start meeting that:

(a) Is located on the subject site;

(b) Is scheduled not less than five (5) days before the anticipated commencement of any enabling works, construction and/or earthworks;

(c) Includes the relevant Auckland Council representative(s); and

(d) Includes representation from the contractors who will undertake the works and any suitably qualified professionals if required by other conditions.

The purpose of the meeting must be to discuss the erosion and sediment control measures, earthworks methodologies, stormwater management, relevant management plans, timeframes for the work and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

The following information must be made available at the pre-start meeting:

(a) Timeframes for key stages of the works authorised under this consent;

(b) Resource consent conditions;

(c) Certified Construction Management Plan (CMP);

(d) Certified Construction Traffic Management Plan (CTMP);

(e) Certified Construction Noise and Vibration Management Plan (CNVMP);

(f) Certified Contaminated Site Management Plan (CSMP);

(g) Certified Earthworks Staging Plan;

(h) Certified Erosion and Sediment Control Plans (ESCP);

(i) Certified Chemical Treatment Management Plan (ChTMP);

(j) Certified Ecological Management Plan (EMP);

(k) Certified Stormwater Management Plan;

(l) A site plan showing the location of the wastewater system; and,

(m) Any archaeological authority granted for the works or the accidental discovery protocol.

Advice Note:

To arrange the pre-construction meeting please contact Auckland Council to arrange this meeting on email at monitoring@aucklandcouncil.govt.nz.

~~Final Landscape Plans~~

(18) Deleted ~~Prior to the landscaping works commencing, the Consent Holder must submit a finalised set of landscape design drawings and supporting written documentation which have been prepared by a suitably qualified and experienced practitioner landscape architect, to the Council.~~

~~The submitted information must be consistent with the consented landscape plans prepared by Warren and Mahoney Architects referenced in Condition (7) and, at a minimum, must include landscape design drawings, specifications, and maintenance requirements including:~~

~~(a) An annotated planting plan(s) which communicates the proposed location and extent of all areas of planting, including any revegetation, reinstatement planting, mitigation planting and natural revegetation (if relevant), and, a 16metre wide corridor in relation to the private north – south road to allow for the potential construction of a future road and walking and cycling pathways;~~

~~(b) A plant schedule based on the submitted planting plan(s) which details specific plant species, the number of plants, height and/or grade (litre)/Pb size at time of planting, and estimated height/canopy spread at maturity;~~

~~(c) Details of draft specification documentation for any specific drainage, soil preparation, tree pits, staking, irrigation, and mulching requirements;~~

~~(d) An annotated pavement plan and related specifications, detailing proposed site levels and the materiality and colour of all proposed hard surfacing;~~

~~(e) A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design, including in relation to the following requirements:~~

~~(i) Weed control;~~

~~(ii) Plant replacement;~~

~~(iii) Inspection timeframes; and~~

~~(iv) Contractor responsibilities.~~

Commented [EK3]: A condition for landscape plans for the Surf Park is provided at Condition 74 therefore this is a duplicate
A condition for final landscaping plans for the Data Centre is not required as these have been provided and approved as part of the Stage 1 application and Condition 201 requires implantations of this

~~(f) Details of the location, type and materiality of any acoustic attention, if required by condition (15);~~

~~(g) An annotated stream plan detailing a soft-bottomed stream bed consistent with the existing stream environment; and~~

~~(h) An annotated staging plan which communicates the extent of each stage.~~

(19) Deleted ~~The Consent Holder must implement the landscape design prior to the operation and occupation of the various stages in accordance with the staging plan as required by Condition (18). The landscaping must be retained and maintained thereafter in accordance with the maintenance programme/plan/report which has been approved under Condition (18) above.~~

Waste Management Plan

(20) A Waste Management Plan must be submitted to the Consent Authority for certification that the servicing requirements for the Surf Park are adequately provided for without causing odour/visual nuisance to the public. The certified Waste Management Plan must be adhered to at all times.

Engineering Approvals

(21) All new public assets including roads, vehicle crossings, footpaths and street furniture must be designed accordance with the reports and plans at Condition (7) and meet to Auckland Transport's relevant Engineering Standards.

Advice Note:

- *The Consent Holder will need to obtain Engineering Approval from the relevant approving authority for all the stormwater, wastewater and water infrastructure required to service the development as detailed in the civil engineering plans listed in Condition (7).*
- *Designs submitted to Auckland Transport that differ from the minimum requirements contained in ATCOP apply only to the particular project that requires the departure. If Auckland Transport grants approval for a departure from the standard, this does not confer approval for this departure in future on the same or other projects.*

Erosion and Sediment Control

(22) Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site must be constructed and carried out in accordance with the Erosion and Sediment Control Plans certified by conditions (25) and (27).

(23) Within ten (10) working days following implementation and completion of the specific erosion and sediment controls required by the certified Erosion and Sediment Control Plans and prior to the commencement of the earthwork's activity, the Consent Holder must provide to the Consent Authority written certification prepared by a suitably qualified and experienced practitioner confirming that the erosion and sediment control measures have been constructed and completed

in accordance with the certified Erosion and Sediment Control Plans, GD05, and any higher standard referred to through the conditions below. Written certification must be in the form of a report or any other form acceptable to the Consent Authority.

Certified controls must include the Sediment Retention Ponds, Decanting Earth Bunds, any other impoundment device, Clean Water Diversions, Dirty Water Diversions, Super Silt Fences, Silt Fences, and stabilised entranceways. Information supplied if applicable, must include:

a) Details on the contributing catchment area

b) Size of structure

c) Retention volume of structure (dead storage and live storage measured to the top of the primary spillway)

d) Dimensions and shape of structure

e) Position of inlets/outlets

f) Details regarding the stabilisation of the structure

(24) At least twenty (20) working days prior to the commencement of earthworks, an Earthworks Staging Plan must be prepared and submitted to the Consent Authority for certification. The Earthworks Staging Plan must detail the staging boundaries of the earthworks and the total area of works to be exposed within each stage.

(25) At least twenty (20) working days prior to the commencement of earthworks for each stage as identified by the Earthworks Staging Plan required by condition (24), a finalised Erosion and Sediment Control Plan and earthworks methodology must be prepared by a suitably qualified and experienced practitioner and submitted to the Consent Authority for certification. Earthworks activities must not commence until written confirmation from the Consent Authority has been provided to confirm that the Erosion and Sediment Control Plan and methodologies are certified.

(26) The Erosion and Sediment Control Plan and earthworks methodology must contain sufficient detail to address the following matters:

(a) Details of construction methods across the earthwork's areas, including excavation of the lagoon, conditioning of any wet excavated material to be used as fill or transported offsite, and extraction of rock and rock crushing activities ~~within the solar farm area~~.

(b) An investigation to determine the estimated maximum height of the groundwater table likely to be encountered for the duration of earthworks at the location of each sediment retention pond.

(c) Specific erosion and sediment control works for all earthworks activities in accordance with Auckland Council's Guideline Document 2016/005 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05), including confirmation of:

i. Sediment retention pond (SRP) and decanting earth bund design to meet GD05, or a relevant higher standard as referred to through the conditions below, including to demonstrate that the contributing catchments directed to sediment controls during each earthworks stage are designed to meet best practice.

ii. Demonstrate the full dead and live storage volume required for each SRP will be achieved for the duration of operation and will not be reduced as a result of groundwater intrusion as identified by criteria (a) above.

iii. Demonstrate that all SRP and decanting earth bund outlets and spillways are directed to a clean water diversion or grassed area (and not into a downslope earthworks area).

iv. Show the Location of drying areas (if conditioning wet excavated material for fill).

v. Identify the location of stabilised haul roads and manoeuvring areas.

(d) Dewatering Procedures to ensure discharges from excavations (including the Surf Lagoon construction), trenches, or any discharges that will enter the stormwater reticulation or directly to the receiving environment will achieve a minimum of 100mm depth of clarity prior to discharge.

(e) Demonstrate how sufficient flow from earthwork areas to any live downstream stream channels or wetlands will be maintained at all times to maintain in-stream biota.

(f) Identify on the erosion and sediment control plan the extent of stream channel and wetland to remain undisturbed during works, and the protected root zone of any trees to be maintained.

(g) supporting calculations and design drawings.

(h) monitoring and maintenance requirements.

(i) catchment boundaries and contour information.

(j) details relating to the management of exposed areas (e.g. grassing, mulching).

(27) If minor amendments to the ESCP are required, any such amendments should be limited to the scope of this consent. Any amendments which may affect the performance of the ESCP or the total area of earthworks may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to Council, prior to implementation to confirm that they are within the scope of this consent.

Chemical Treatment Management

(28) Prior to the commencement of earthworks on the subject site, a Chemical Treatment Management Plan (ChTMP) must be prepared by a suitably qualified and experienced practitioner in accordance with GD05 and submitted to the Consent Authority for certification. No earthwork activities may commence until certification is provided by the Consent Authority that the ChTMP meets the

requirements of GD05, and the measures referred to in that plan have been implemented. The ChTMP must include as a minimum:

(a) Specific design details of chemical treatment system based on a rainfall activated dosing methodology for the site's sediment retention ponds, decanting earth bunds and any other impoundment device;

(b) Monitoring, maintenance (including post-storm) and contingency programme (including a record sheet);

(c) Details of optimum dosage (including assumptions);

(d) Results of initial chemical treatment trial;

(e) A spill contingency plan; and

(f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

(29) If minor amendments to the ChTMP are required, any such amendments must be limited to the scope of this consent. Any amendments which affect the performance of the ChTMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Consent Authority prior to implementation to confirm that they are within the scope of this consent.

Materials and Finishes

(30) The Consent Holder must prepare architectural detail drawings of the façade components and a Materials Schedule and Specifications for the proposed external cladding and glazing including low reflectivity surface finishes and matte / low-gloss colour schemes.

(31) The detailed drawings must be submitted to the Consent Authority for certification that the proposed architectural treatment, colour, and visual depth indicated in the consent drawings is consistent with and does not compromise the design intent of the documentation listed in Condition (7).

Final Lighting Plan

(32) The Consent Holder must submit a finalised Lighting Plan for the Surf Lagoon and Amenity Precinct in accordance with the Lighting Concept Plan listed in Condition (7) to Council. The plan must address all accessible common areas where the movement of people is expected include proposed locations, lux levels and types of lighting (i.e., manufacturer's specifications once a lighting style has been determined) and any light support structures required to control timing, level of lighting, or to minimise light spill, glare, and loss of night-time viewing. The finalised Lighting Plan must demonstrate the following:

(a) The northern most 28m surf lagoon floodlight has been reduced in maximum height to 24m;

(b) Any cranes used to install the six surf lagoon floodlights must not exceed a maximum height of 24m at any time; ~~and~~

(c) The six surf lagoon floodlights comply with the relevant permitted activity standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part); and

(d) That the lighting design manages light spill and glare and avoids visually intrusive lighting effects at property boundaries.

Ecological Management

(33) An Ecological Management Plan (EMP) must be prepared prior to the Start of Construction, prepared by a suitably qualified and competent ecologist (e.g. Level D competency for long-tailed bats and/or hold all relevant Wildlife Act permit authorities), to manage effects on bats, birds, lizards, and supervise the removal of terrestrial vegetation/habitat

The management plan must be submitted for certification by the Council, no less than twenty (20 working days prior to any works commencing within the site.

The ecological management plan must include, but is not limited to, the following:

(a) Bird Management (all bird species), in accordance with best practice methodologies, a description of methods to avoid impacts on birds, including supervised habitat clearance protocols, and working outside of the bird breeding season (species dependant).

(b) Long-tailed Bat Management (rescue and relocation of), in accordance with best practice methodologies, a description of methods to avoid impacts on bats, including roost feature identification, salvage protocols, relocation protocols, supervised habitat clearance/transfer protocols. The management plan must address the construction and operational design of the development (e.g. adverse effects resulting from noise and lighting).

(c) Lizard Management (rescue and relocation of), in accordance with best practice methodologies, including but not limited to, a description of methodology for capture and relocation of lizards rescued including but not limited to: the timing of implementation, seasonality restrictions, salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), habitat improvements, landowner approvals (as applicable), supervised habitat clearance/transfer protocols, and opportunistic relocation protocols.

(d) Revegetation planting, including eco-sourced planting and a maintenance schedule (for no less than 5yrs), for all areas of wetland, stream, and their riparian / buffer margins affected by the proposal and those that will be retained. The plan must be in accordance with best practice methodologies of Te Haumanu Taiao, or other subsequent Council restoration guide.

All works must be carried out in accordance with the certified Ecological Management Plan.

Stormwater Management Plan

(34) The Consent Holder must prepare and submit a Stormwater Management Plan (SMP) to the Consent Authority for certification at least twenty (20) working days before the commencement of works on the site. The purpose of the SMP is to detail how all on site development is to be designed and constructed so as to ensure peak stormwater flood levels during and after development are limited to at least similar site pre-development levels and there will be no increase in flood levels within neighbouring properties as a result of site development. The SMP must include as a minimum:

(a) Details of measures, including the consturcion and design and layout of the activity, will be undertaken to manage natural hazards and stormwater events at the site to meet the purpse of the SMP

(b) Measures to address matters raised in the Flood Report Assessment (Revision G) prepared by McKenzie & Co and dated 22 May 2024, and

(c) Any monitoring to be undertaken and reporting to the Council.

All works must be carried out in accordance with the certified Stormwater Management Plan.

Notification of Works Commencing

(35) Prior to the commencement of physical works, in any stage or part of the development, the Consent Holder must erect site signage that includes working hours, an email address and a contact phone number for any concerns regarding noise and vibration, construction traffic, or any other matter associated with the works for that stage or part of the development.

During Construction Conditions

(36) The Consent Holder must maintain and implement the certified CMP, CTMP, CNVMP, ESCP, ChTMP and CSMP, as listed in Condition (7), throughout the entire earthworks and construction period. Any proposed changes to a certified CMP, CTMP, CNVMP, ESCP, ChTMP or CSMP must be prepared using the process set out in the certified plan and submitted to the Consent Authority for certification. Certification must be obtained before the amended management plan is implemented.

Construction Noise

(37) Construction work and heavy vehicle movements on the site must only take place between the hours of 7:30 am and 6:00 pm, Monday to Saturday. Construction work and heavy vehicle movements on the site must not be undertaken on Sundays or public holidays. This condition does not preclude quiet works from taking place outside of standard construction hours, providing they comply with the Auckland Unitary Plan permitted construction noise limits at these times (e.g., internal fit out and painting).

Erosion and Sediment Control

(38) Earthworks must be managed in accordance with the Earthworks Staging Plan certified by condition (24) and must be managed to ensure that no greater than 10ha of earth is exposed at any one time.

(39) The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the certified ESCP must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Consent Authority on request.

(40) All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment, or sediment-laden water to either land, stormwater drainage systems, watercourses or receiving waters. If a discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified to the satisfaction of the Consent Authority.

(41) Earthworks must be progressively stabilised against erosion at all stages of the earthworks activities and must be sequenced to minimise the discharge of sediment to surface water.

(42) Immediately upon completion or abandonment of earthworks on the subject site, all areas of bare earth must be permanently stabilised against erosion to the satisfaction of the Consent Authority.

(43) Erosion and sediment control measures must be constructed and maintained in accordance with certified Erosion and Sediment Control Plan, in accordance with GD05 and any amendments to this document, except where a higher standard is detailed in the documents referred to in conditions above, in which case the higher standard must apply.

(44) All perimeter controls must be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself must be diverted away from earthworks areas via a stabilised system to prevent surface erosion.

(45) The sediment retention ponds, decanting earth bunds and any other authorised impoundment devices utilised as part of the earthworks must be chemically treated in accordance with the approved Chemical Treatment Management Plan (ChTMP).

(46) All discharges to live stormwater reticulation or the freshwater receiving environment must achieve a minimum of 100mm depth of clarity prior to discharge in accordance with Auckland Council's Guideline Document 2016/005 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

(47) Notice must be provided to the Consent Authority at least (2) working days prior to the removal of any erosion and sediment control works specifically required as a condition of resource consent or by the certified Erosion and Sediment Control Plan.

(48) Prior to the removal of any erosion and sediment control device required as a condition of resource consent, written certification must be provided to the Consent Authority by a suitably qualified and experienced practitioner to confirm that all areas of bare earth have been permanently stabilised against erosion in accordance with GD05 and can be directed to a Clean Water Diversion.

(49) Earthworks on the subject site must not be undertaken between 01 May and 30 September in any year without the submission of a 'Request for Winter Works' for approval to Council. All requests must be renewed annually prior to the approval expiring and works must not occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required

to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by the Consent Authority upon written notice to the Consent Holder.

(50) All machinery associated with any earthworks activity must be operated in a way that ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.

(51) Except for as provided for by this consent, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public asset as a result of the earthworks, demolition and construction activity. If such damage does occur, the Consent Authority must be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the Consent Holder.

(52) All materials and equipment must be stored within the subject site's boundaries unless written permission is granted from Auckland Transport for specific storage in the road reserve.

(53) The proposed earthworks and construction works must not alter the overland flow path entry and exit points at the subject site.

(54) An 'as-built' drawing from an engineer showing the final contours of the site must be provided on a CAD plan to the Consent Authority within ten (10) working days following completion.

Geotechnical

(55) All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. If such a collapse or instability does occur, it must immediately be rectified.

(56) The construction of any earth bunds, retaining walls, and the placement and compaction of fill material must be supervised by a suitably qualified and experienced engineering practitioner. In supervising the works, the suitably qualified engineering practitioner must ensure that the works are constructed and completed in accordance with the Geotechnical Interpretative Report prepared by Initia, titled 'Auckland Surf Park Community, Geotechnical Interpretative Report', Rev B (dated June 2023), and the 'Geotechnical Investigation Report' prepared by Aurecon, titled Dairy Flat Campus, Geotechnical Investigation Report, Rev D and dated 20 October 2023 and relevant engineering code of practice.

(57) Within twenty (20) working days from the completion of earthworks, a 'Geotechnical Completion Report' (including a statement of professional opinion for the suitability of the site for the intended development) signed by a Chartered Professional Geotechnical Engineer or Chartered Engineering Geologist must be provided to the Consent Authority for certification. The Geotechnical Completion Report must include (but not to be limited to):

(a) Earthworks operations (e.g. excavations, batters, fill compaction);

(b) Testing;

(c) Inspections;

(d) Soil Expansivity; and

(e) Foundation requirements.

Imported Fill

(58) Any imported fill used must:

(a) Be cleanfill material;

(b) Be solid material of a stable and inert nature; and

(c) Not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.

Advice Note:

In addition to the characteristics for imported fill outlined in the above condition, please refer to the relevant New Zealand Standard (e.g. NZS 4431:1989 'Code of Practice for Earth Fill for Residential Development') to ensure that all fill used is of an acceptable engineering standard.

Dust

(59) During earthworks all necessary action must be taken to minimise dust generation and sufficient water must be available and must be used where needed to dampen exposed soil, and/or other dust suppressing measures must be available to minimise dust formation and discharge beyond the boundary.

Accidental Discovery Protocols

(60) In the event works expose suspected archaeological remains, the Auckland Unitary Plan (Operative in Part) Accidental Discovery Rule (Standards E11.6.1 and E12.6.1) apply if an Archaeological Authority from Heritage New Zealand is not otherwise in place.

Advice Note:

The Heritage New Zealand Pouhere Taonga Act (HNZPTA) 2014 provides for the identification, protection, preservation, and conservation of the historic and cultural heritage of New Zealand. It is an offence under this Act to destroy, damage or modify any archaeological site without an authority from Heritage New Zealand Pouhere Taonga. An archaeological site is defined as a place associated with pre-1900 human activity where there may be evidence relation to history of New Zealand.

Archaeological features cover the whole spectrum of past human activity. They may include sites of Māori origin such as shell middens, hangi or ovens, moa hunting sites, earthworks associated with pā sites or kāinga, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains), etc. They also include 19th century building foundations, wells and cesspits, rubbish dumps of pottery and glass bottles or other artefacts, transport and infrastructure remains such as bridges, dams and old railways, sites of industrial activity such as pottery kilns, mining, sawmills etc. In the coastal area shipwrecks, wharf remains, whaling sites or other marine structures may be archaeological sites. For guidance and advice on archaeological assessments, obtaining an authority to modify under the HNZPTA and managing the discovery of archaeological features contact Heritage New Zealand Pouhere Taonga

on 09 307 9920.

Future Continuation of the Collector Road to Postman Road

Commented [EK4]: Amendment of condition to be consistent with traffic assessment and Stage 2 conditions

(61) ~~The Consent Holder must, prior to the opening of the surf park for public use, provide Auckland Transport with evidence that a legal means has been recorded against the appropriate Record(s) of Title to ensure the construction and vesting of a 24m wide collector road to extend continuously between Dairy Flat Highway and Postman Road by the date of the implementation of the Structure Plan, as per "Road 1" and "Future Alignment" layout detailed on the roading plans prepared by McKenzie & Co referenced in Condition (7). The Postman Road frontage of that road must also be upgraded to urban standards at the time of vesting unless otherwise agreed in writing by Auckland Transport.~~ The Consent Holder must design and construct the connection of the East-West Collector Road between Dairy Flat Highway and Postman Road, including the construction of a roundabout at the intersection, when traffic volumes on the East-West Collector Road, measured immediately to the east of its intersection with Dairy Flat Highway, exceed either of the following thresholds:

(a) 300 vehicles per hour (two-way) during the morning peak hour (between 7:00am and 9:00am); or

(b) 360 vehicles per hour (two-way) during the evening peak hour (between 4:00pm and 6:00pm).

(61A) The traffic volumes must be measured every six months with results provided to the Council. The threshold is deemed to be exceeded when the average weekday peak hour traffic volume meets or exceeds either (a) or (b) thresholds as detailed in Condition (61).

Advice Note:

The traffic volumes must be measured by a qualified traffic engineer by way of a traffic survey, with results reflecting a 5-day weekday average undertaken over a neutral week (outside public or school holiday periods).

(61B) Engineering Approval plans for the design of the roundabout must be submitted within 6 months of a Condition (61) threshold being exceeded (or as otherwise agreed in writing by Council) and must be in accordance with the requirements of Auckland Transport and applicable engineering standards.

(61C) Construction of the approved roundabout design as required by Condition (61B) must be commenced within 6 months of the issue of engineering approval (or as otherwise agreed in writing by Council).

CONDITIONS PERTAINING TO THE SURF PARK ~~AND SOLAR FARM~~ (LOTS 3 AND 4 AS APPROVED UNDER SUB60425790)

S9 Land Use Consent

General Conditions

Monitoring Deposit

(62) The Consent Holder must pay the Consent Authority an initial consent compliance monitoring charge of $3,000 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

Advice Note:

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 consents. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant hourly rate applicable at the time. The Consent Holder will be advised of the further monitoring charge. Only after all conditions of the resource consents have been met, will the council issue a letter confirming compliance on request of the Consent Holder.

Expiry of consent

(63) Resource consent **LUC60429156** (regional earthworks) will expire 5 years from the commencement date unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Acoustic Attenuation

(64) Within three (3) months of the commencement of works, the Consent Holder must provide an acoustic monitoring report to the Council. The report must be prepared by a suitably qualified acoustic professional and include as a minimum:

(a) methodology for monitoring noise emitted from the subject site both individually and cumulatively;

(b) measures to ensure compliance with permitted noise standard set out in AUP(OP) E25.6.3 (1);

(c) actions to be undertaken in the event of a breach, that will ensure compliance with the permitted noise standard will be met

In the event of a breach, all specific actions outlined in the report provided by the suitably qualified acoustic professional in accordance with condition (64)(c) must be implemented within five (5) working days from the provision of that report.

In the event that the specific actions referred to above are not implemented within the period specified in this condition, the activity directly associated with the source of the noise must cease until such time that the specific actions are implemented

Advice Note:

Noise levels are measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise

Stormwater

(65) The Consent Holder must ensure that the required freeboard to finished floor levels from overland flowpaths and floodplains within and adjacent to the site is maintained for the 100yr Average Recurrence Interval (ARI) flood (1% AEP).

(66) The Consent Holder must not use surface treatments with the potential to leach zinc or copper.

Roading

(67) Road 1, including the Dairy Flat Highway intersection and right turn bay, and the shared pedestrian and cycle path must be constructed in general accordance with plans and information referenced in Condition (7). The detailed design must be the Consent Authority approved as part of the Engineering Approval process. Where any discrepancy exists between the consent plans and the Engineering Approval plans, the Engineering Approval plans must prevail. This condition must be implemented prior to the operation of either the Surf Park ~~and Solar Farm,~~ or the Data Centre.

(68) Any earthworks on land subject to the Dairy Flat Highway Notice of Requirement (NoR 8) must ensure the road levels proposed in NOR 8 or the approved Designation are achieved, unless otherwise agreed in writing by Auckland Transport.

Advice note:

Any works within the Dairy Flat Highway Notice of Requirement/ Designation require s176 or s178 prior approval from Auckland Transport. The consent holder must contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

(69) The southbound bus stop on Dairy Flat Highway must be upgraded, and the northbound bus stop and the accompanying crossing facilities must be constructed in consultation with Auckland Transport.

(70) The internal 20.1-20.7m wide east-west road for the Surf Park must be designed and formed to ensure:

(a) That the road can be vested as a public road at a future date,

(b) It is in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 3: Transport (ACoP: T), and

(c) It provides appropriate width and design to accommodate a future industrial local road and/or to accommodate walking and cycling infrastructure.

Transport

(71) All access, parking and manoeuvring areas must be formed, and sealed with an all-weather surface, marked out, sign-posted and drained in accordance with the approved plans referenced in Condition (7).

(72) Parking areas must be marked out in accordance with the approved site plan to ensure appropriate parking supply, access, signage, directions, and vehicle manoeuvring. This includes the allocation of specific parking spaces to each unit/dwelling where relevant.

(73) All new vehicle crossings must be designed and formed in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 3: Transport (ACoP:T), or as set out in the civil engineering plans listed in Condition (7) or provide justification for any necessary change.

Final Landscape Plans

(74) Prior to the landscaping works commencing within the Surf Lagoon and Amenity Precinct or Accommodation Precinct, the Consent Holder must submit a finalised set of landscape design drawings and supporting written documentation for that Precinct, which have been prepared by a suitably qualified and experienced practitioner landscape architect, to the Council.

The submitted information for the Surf Lagoon and Amenity Precinct must be consistent with the consented landscape plans prepared by Warren and Mahoney Architects as referenced in Condition (7). ~~and, at~~

The submitted information for the Accommodation Precinct as must be consistent with the consented landscape plans prepared by Studio Pacific Architects, referenced in Condition (7).

At a minimum, submitted information must include landscape design drawings, specifications, and maintenance requirements including:

(a) An annotated planting plan(s) which communicates the proposed location and extent of all areas of planting, including any revegetation, reinstatement planting, mitigation planting and natural revegetation (if relevant), and, a 16 metre wide corridor in relation to the private north - south road to allow for the potential construction of a future road and walking and cycling pathways;

(aa) Minimum planting widths and depths, and requirements for continuity, to achieve the intended screening and containment outcomes along the Dairy Flat Highway frontage;

(b) A plant schedule based on the submitted planting plan(s) which details specific plant species, the number of plants, height and/or grade (litre)/Pb size at time of planting, and estimated height/canopy spread at maturity;

(c) Details of draft specification documentation for any specific drainage, soil preparation, tree pits, staking, irrigation, and mulching requirements;

(d) An annotated pavement plan and related specifications, detailing proposed site levels and the materiality and colour of all proposed hard surfacing;

(e) A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design, including in relation to the following requirements:

(i) Weed control;

(ii) Plant replacement;

(iii) Inspection timeframes; and

(iv) Contractor responsibilities.

(f) Details of the location, type and materiality of any acoustic attention, if required by condition (64);

(g) An annotated stream plan detailing a soft-bottomed stream bed consistent with the existing stream environment; and

(h) An annotated staging plan which communicates the extent of each stage.

(75) The Consent Holder must implement the landscape design prior to the operation and occupation of the various stages in accordance with the staging plan as required by Condition ~~(18)~~ (74). The landscaping must be retained and maintained thereafter in accordance with the maintenance programme/plan/report which has been approved under Condition ~~(18)~~ (74) above.

Commented [EK5]: Incorrect condition referenced

Prior to Operation and Occupation Conditions

(76) The Consent Holder must satisfy all of Conditions (66) to (75) prior to the occupation or operation of the site.

Private Stormwater

(77) All the necessary pipes and ancillary equipment must be supplied and laid to provide private stormwater connection to the development in general accordance with plans and information referenced in Condition (7).

Private Wastewater

(78) All the necessary pipes and ancillary equipment must be supplied and laid to provide private wastewater connection to the development in general accordance with plans and information referenced in Condition (7).

Private Water Supply

(79) All the necessary pipes and ancillary equipment must be supplied and laid to provide water connections to the development in general accordance with plans and information referenced in Condition (7).

Private Infrastructure

(80) A copy of an updated private drainage "as-built" plan signed by a registered certifying drainlayer must be provided to the Consent Authority.

Advice Note:

The stormwater and wastewater network connections will require engineering approval to be obtained from the Auckland Council prior to applying for Building Consent. All stormwater and wastewater systems must be designed and constructed in accordance with Auckland Council standards. See Auckland Council's website (www.aucklandcouncil.govt.nz) for more information on the engineering approval process, or call (09) 301 0101 and ask to speak to a Development Engineer from your local service centre.

Access and Roading

(81) The intersection of Dairy Flat Highway and upgrades to the Dairy Flat Highway bus stops as detailed in the 'Access and Roading Report' prepared by McKenzie and Co, dated July 2023, must be constructed and operational prior to the operation of the Surf Park.

(82) The Consent Holder must provide to the Consent Authority all Engineering Approval Completion Certificates for Roads 1 and 2 as detailed in the Access and Roading Report prepared by McKenzie and Co.

(82A) The northernmost vehicle crossing onto Dairy Flat Highway must be used for service vehicle entry only. No other vehicle access is permitted via this crossing.

Commented [EK6]: Condition as recommended by Flow

(82B) The Consent Holder must install and maintain appropriate signage to give effect to Condition (82A) for the duration of the consent to the satisfaction of Council.

Commented [EK7]: Condition as recommended by Flow

Lighting

(83) The certified Lighting Plan required by Condition (32) must be implemented as part of the construction of the development and maintained thereafter.

(84) All exterior lighting must be directed away from neighbouring residential dwellings and be fitted with covers to reduce light spill. Lighting must be orientated and shielded to direct light downwards only (i.e., below a horizontal plane).

Advice Note:

Exterior lighting must comply with the relevant permitted activity standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part) and any variations thereto noting that the site is zoned Future Urban which falls into Lighting Category 2 as identified in Table E24.6.1.1.

~~Solar Panel Aviation Glare Management Strategy~~

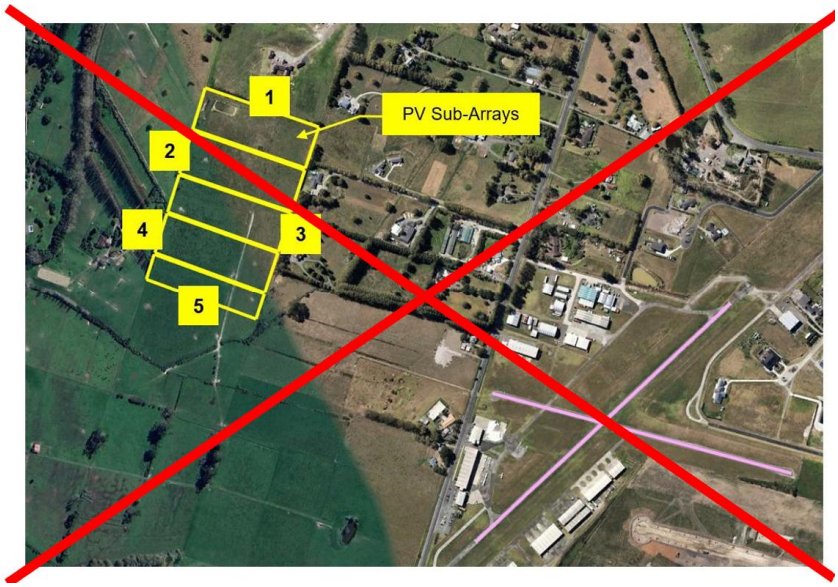
Commented [EK8]: Solar Farm layout differs significantly from Stage 2 therefore all references and Conditions relating to the Solar Farm are to be deleted from this Stage 1 approval and applied instead to Stage 2

(85) Deleted ~~The PV sub-arrays must employ the following Back-Tracking Rest Angles and Normal Tracking Range:~~

~~PV Sub-Array~~	~~Back-Tracking Rest Angle and Normal Tracking by Month~~

(as per Figure 1 below)	Jan	Feb	Mar-Sep	Oct	Nov	Dec
Restrictions on AM Morning Sunrise Commencement Rest Angle						
1	0°		6°	0°		
2	0°		6°	0°		
3	0°		6°	0°		
4	0°	18°			0°	
5	0°	22°			0°	
Restrictions on PM Afternoon Sunset Ending Rest Angle						
1-5	0° (No restrictions)					
Restrictions on Range of Normal Tracking						
1-4	No restriction: Normal Tracking allowed to ±60°					
5	For January and November: Normal Tracking restricted to ±55° For all other months: Normal Tracking allowed to ±60°					

Figure 1: PV 5 Sub-Array Arrangement



Surf Lagoon Maintenance Plan

(86) The Consent Holder must have a Surf Lagoon Maintenance Plan (SLMP) prepared by an appropriately qualified and experienced practitioner. The SLMP must be submitted to the Consent Authority for certification no less than twenty (20) working days prior to the surf lagoon becoming operational.

The surf lagoon must not become operational until written confirmation from the Consent Authority has been provided. The SLMP must include specific details relating to avoiding, remedying, or mitigating adverse effects on the environment from drainage of the surf lagoon to the tributary stream. The SLMP must include, as a minimum:

(a) A general outline of the maintenance process;

(b) An outline of how the aquatic habitat is to be maintained to protect aquatic organisms, including a protection rate for indigenous aquatic species of at least 95%;

(c) An overview of measures that will be adopted to ensure the following water quality criteria is met prior to discharge:

  (i) Chlorine levels no greater than 3 mg/L;

  (ii) Temperature no greater than 22 degrees; and

  (iii) Dissolved Oxygen levels no greater than 3.5 mg/L.

(d) Monitoring during discharges from the surf lagoon (including frequency and checklists) to ensure the criteria of (b) is met, and reporting.

(e) The process for changing, and certifying any changes to, the Surf Lagoon Maintenance Plan.

(f) protocols and remedial actions to be undertaken in the event of an unscheduled discharge.

Any drainage of the surf lagoon must be undertaken in accordance with the certified Surf Lagoon Maintenance Plan.

Visitor Accommodation Management Plan

(87) No less than three (3) months prior to occupation of the visitor accommodation, including the ~~Lodge and Eco Cabins~~ Stream Park Village and Hotel, the Consent Holder must prepare and submit a Visitor Accommodation Management Plan (VAMP) to the Consent Authority for certification. The purpose of the VAMP is to manage the adverse effects of the short stay accommodation facilities on the site including reverse sensitivity from neighbouring land uses.

The VAMP must address (but is not limited to) the following matters:

(a) Limitation on the numbers of guests and duration of stay;

(b) Occupancy rates for each unit;

(c) A visitor monitoring system to record quest arrival and departures;

(d) Identifies the services and/or amenities that have been identified for the exclusive use of people staying at the accommodation and their quests;

(e) Waste management;

(f) A plan showing visitor access control points; and

(g) A requirement that staying guests are informed of neighbouring land uses and that the terms of their stay are that they are not to make a complaint to Auckland Council about noise and/or other potentially nuisance emitting activities from adjacent sites.

Post Construction

Geotechnical

(88) Earthworks must follow the recommendations of the Geotechnical Interpretative Report prepared by Initia, titled 'Auckland Surf Park Community, Geotechnical Interpretative Report, Rev B and dated June 2023. The Consent Holder must provide verification in writing from a suitably qualified engineer to the Consent Authority, that the recommendations of the Geotechnical Interpretative Report prepared by Initia, titled 'Auckland Surf Park Community, Geotechnical Interpretative Report, Rev B and dated June 2023 have been implemented on site. This must be provided no later than two weeks after earthworks have been completed.

Shuttle Service

(89) The Consent Holder must operate a shuttle service between the Hibiscus Coast bus station and Silverdale that can be utilised by staff and visitors to and from the site. The shuttle must operate in perpetuity or until as agreed to by the Consent Authority.

Removal of Buildings and Structures within the Rapid Transit Corridor Notice of Requirement/ Designation

(90) Upon written request of New Zealand Transport Agency Waka Kotahi (NZTA), the Consent Holder must relocate or remove ~~the eco-cabins, solar panels and associated~~ any buildings or structures, that are located within NoR1: Rapid Transit Corridor between Albany and Milldale (including a walking and cycling path) or designation once confirmed within 120 working days of receiving that request or within an otherwise agreed timeframe. This work must be undertaken at the Consent Holder's expense.

Advice Note:

Any works within the land subject to NOR1: Rapid Transit Corridor between Albany and Milldale, or designation once confirmed, requires prior written consent from NZTA under s178 or s176 of the RMA. The consent holder must contact NZTA as soon as possible to ensure such written consent is able to be provided prior to the commencement of construction.

S14 Water Permit for Surface Water Take and Use (WAT60429183)

General

Activity in accordance with plans

(91) The take and use of surface water from an unnamed tributary to the Rangitopuni Stream, as well as the dewatering of the surf park lagoon, must be carried out in general accordance with the application formally received by the Environmental Protection Authority on the 30 October 2023, and the following documents:

(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;

(b) The reports listed at Attachment 1; and

(c) The drawings and plans listed at Attachment 2.

If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent must prevail.

Expiry of Consent

(92) Water permit **WAT60429183 will** expire 15 years from the commencement date unless it has lapsed, been surrendered or been cancelled at an earlier date, pursuant to section 123 the RMA.

Authorised Quantities

(93) The abstractions must comply with the following:

(a) The total volume of water abstracted in accordance with consent [**WAT60429183**], for the core allocation (low-flow) take, in each 12-month period, commencing 1 July of any year and ending 30 June of the following year, must not exceed 55,225 cubic metres.

(b) The total volume of water abstracted in accordance with consent [**WAT60429183**], for the supplementary allocation (high flow) take, in each 12-month period, commencing 1 July of any year and ending 30 June of the following year, must not exceed 104,000 cubic metres.

Advice Note:

Taking water from a stream outside of the early morning hours of low dissolved oxygen (DO), and the mid-afternoon hours of maximum stream water temperature is ideal for safeguarding the life- supporting capacity of the freshwater ecosystem. The take would have least adverse effects if taking was between 9am and 2pm and after 4pm in summer.

Restrictions on Take

(94) The rate of abstraction must not exceed:

(a) 1.75 litres per second (L/s) for the core allocation (low-flow) take; and

(b) 75 L/s or 40 percent of the total stream flow at the time of abstraction for the supplementary allocation (high flow) take.

(95) For the purposes of assessing compliance against Condition ~~(b)~~(94)(b), 40 percent of the flow is based on the proportion of the flow measured on Rangitopuni Stream at the Walker's flow measuring site.

Commented [EK9]: Typo in original decision

Advice Note:

The Consent Holder should monitor recorded flow each morning daily before exercising the supplementary allocation (high flow) take. The web address for council's on-line Environmental Data Portal, which includes live Environmental Monitoring telemetric flow data, is: https://environmentauckland.org.nz/

(96) Any abstraction authorised by this consent must cease when flow as measured at the point of take is less than 85 percent of the seven day Mean Annual Low Flow (7dMALF) of the unnamed tributary to the Rangitopuni Stream, being 0.73 L/s at the grant of this consent and any revised flow as confirmed by Condition (99).

(97) The supplementary allocation (high flow) take must only occur when flows at the point of take are at or greater than the median flow of the unnamed tributary to the Rangitopuni Stream, being 13 L/s at the grant of this consent and any revised flow as confirmed by Condition (99).

Monitoring

Stream Flow Monitoring

(98) The Consent Holder must undertake further flow monitoring of the unnamed tributary to the Rangitopuni Stream within 12 months of the exercise of this consent. The monitoring must be undertaken by a suitably qualified and experienced practitioner and include the following:

(a) No less than six (6) stream flow gauging representative measurements that are taken across a range of flow rates;

(b) Monitor continuous flow in the unnamed tributary to the Rangitopuni Stream (via the monitoring device required by Condition (101); and

(c) Develop a site rating curve to enable the conversion of measured water level to a corresponding rated stream flow rate.

(99) The Consent Holder must have a report prepared by a suitably qualified and experienced practitioner and submit to the Consent Authority for verification. The report must detail the findings of the monitoring required by Condition (98) and confirm the following:

(a) Any changes to the flow restriction required by Condition (96) based on the assessed 7dMALF or the ability to provide for fish passage;

(b) Any changes to the flow restriction required by Condition (96) based on the assessed median flow.

(100) The measured stream flow data, core allocation (low-flow) take, and supplementary allocation (high flow) take rate, must be analysed and the following reported to the Consent Authority on an annual basis:

(a) Compliance to the core allocation (low-flow) take rate, clearly comparing the monitored stream flow to the measured water take rate.

(b) Compliance to the supplementary allocation (high flow) take rate, clearly comparing the monitored stream flow to the measured water take rate.

(c) Analysis of the hydrological flow regime, clearly identifying the minimum, median, mean, and maximum stream flows.

Installation of Water Meter and flow monitoring device

(101) Prior to exercise of this consent, the Consent Holder must install and maintain a water meter with a visual tumbler display, and an electronic pulse output connected to a data logger and telemetry device, to the satisfaction of Council. The water meter and recording devices/systems must:

(a) be fit for the purpose and water it is measuring;

(b) measure the volume of water taken as required by Conditions (93) and (94), with an accuracy of +/- 5% of the actual volume taken;

(c) transmit the volume of water taken in real time. The telemetry devices must transmit logged data at intervals of no more than 60 minutes to the Consent Authority Compliance Water portal of the Hydrotel database (or to any replacement database required in writing by Council) in a format that is compatible with the Consent Authority systems;

(d) be tamper-proof and sealed;

(e) be installed (water meter) on each of the outlet pumps;

(f) have systems and equipment in place to ensure continued operation in the event of a power outage;

(g) have backup data storage;

(h) be safely accessible;

(i) be installed and maintained in accordance with the manufacturer's specifications.

Prior to exercise of this consent, the Consent Holder must contact environmentaldata@aucklandcouncil.govt.nz or to any replacement email address identified in writing by the Council, to arrange set-up of the telemetry device to ensure logged data is transmitting to the Consent Authority correctly.

Advice Note

As per the Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020, a water permit holder (resource Consent Holder) is required to record measurements of their water abstraction at 15-minute intervals and electronically provide to council daily records of the measurements by the end of the next day (unless otherwise agreed by council) starting on the following date for a water permit that allows water to be taken at the rate specified:

- *3 September 2022 for a water permit for ≥20 litres/second*
- *3 September 2024 for a water permit for ≥10 but <20 litres/second*
- *3 September 2026 for a water permit for ≥5 but <10 litres/second.*

(102) Prior to exercise of this consent, the Consent Holder must install and maintain a flow monitoring device in the unnamed tributary to the Rangitopuni Stream at the point of take, to the satisfaction of Council. The devices/systems must:

(a) be fit for the purpose and water it is measuring;

(b) measure the stream flow for the purpose of meeting Conditions (96) and (97), with an accuracy of +/- 5%;

(c) transmit the volume of water taken in real time. The telemetry devices must transmit logged data at intervals of no more than 60 minutes to the Consent Authority Compliance Water portal of the Hydrotel database (or to any replacement database required in writing by Council) in a format that is compatible with the Consent Authority systems;

(d) be tamper-proof and sealed;

(e) be installed (water meter) on each of the outlet pumps;

(f) have systems and equipment in place to ensure continued operation in the event of a power outage;

(g) have backup data storage;

(h) be safely accessible;

(i) be installed and maintained in accordance with the manufacturer's specifications.

Prior to exercise of this consent, the Consent Holder must contact environmentaldata@aucklandcouncil.govt.nz or to any replacement email address identified in writing by the Council, to arrange set-up of the telemetry device to ensure logged data is transmitting to the Consent Authority correctly.

Verification of Water Meter/Device Accuracy

(103) The water meter and the flow monitoring device must be verified in situ as accurate by a suitably qualified professional at the following times:

(a) Prior to the exercise of this consent;

(b) Within 20 working days of the water meter being serviced or replaced;

(c) By 30 June of the fifth year from the commencement of consent, and thereafter at five yearly intervals.

The water meter and flow monitoring device, their verification and evidence of their accuracy must be in accordance with the Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020 (or any equivalent regulations that may replace them) and a copy of the verification must be provided to the Consent Authority within 10 working days of the meter/devices being verified as accurate.

Water Meter Readings

(104) Water meter measurements of water abstraction from the outlet of the pump and stream flow monitoring must be recorded daily at 15-minute intervals, commencing before pumping starts for the day and finishing at the end of pumping for the day. Daily records of the measurements must be provided electronically to the Consent Authority by the end of the next day (unless otherwise agreed by the Council).

(105) A water meter reading must be taken at daily intervals at the same time being one of these times listed below:

(a) before pumping starts for that day; or

(b) at the end of pumping for that day.

The date and the water meter reading must be recorded and supplied to the council in accordance with the reporting condition below.

Water Intake Structure

(106) The water intake structure, screen and any associated equipment must be installed, operated, and maintained to avoid the catching or capture of fish. The intake structure, screen and associated equipment must:

(a) Ensure that the maximum water velocity into the entry point of the intake structure is no greater than 0.3 metres per second;

(b) Ensure that the intake screen mesh spacings are no greater in any one dimension than 1.5 millimetres; and

(c) Ensure that the intake screen is located no less than 0.5 metres from the water's edge.

Reporting

Water Use Efficiency Report

(107) A water use efficiency report must be provided to and certified by the Consent Authority in June of each year. The report must assess the water use over the reporting period against best practice in respect of the efficient use of water for the purpose consented. This report must include, but not be limited to:

(a) annual summary of water usage (month by month and related to use);

(b) reasons why annual and maximum daily water use may have varied from previous year aside from climatic variability; and

(c) water conservation steps taken (e.g. leak detection).

Environmental Monitoring Report

(108) An Environmental Monitoring Report must be submitted to the satisfaction of the Consent Authority by within twelve (12) months of the first excise of this consent, and subsequently at intervals of five years thereafter. This report must provide a summary and analysis of the past water use, water level, and water quality monitoring for the previous five years required by the conditions above. The report must assess the effects of the water take on the stream.

Water Reporting

(109) The following information must be entered, at the frequency and date specified, to the Council's Water Use Data Management System or to any replacement database identified in writing by the Council.

Information	Due Dates for Reporting
Stream flow measurements: Daily flow at the Rangitopuni Stream @ Walkers flow site on the Consent Authority web site.	Every 15th day of March, June, September and December.
Calculated natural flow at the Surf Park Tributary abstraction point based on concurrent flow in Rangitopuni Stream @ Walkers flow site.	Every 15th day of March, June, September and December.

Advice Note:

The web address for council's on-line Water Use Data Management System is: http://ak/c.hydrate/.co.nzlhydrotel/cgi-bin/WudmsWebServer.cgi

Review of Consent

(110) Within 6 months of receiving the Environmental Monitoring Report required by condition (108), the Consent Authority may, following service of notice on the Consent Holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 for the following purposes:

(a) To review the effectiveness of the conditions of this consent in avoiding or mitigating any adverse effects on the environment from the exercise of this consent, and if necessary, to avoid, remedy or mitigate such effects by way of further or amended conditions;

(b) To review the adequacy of and the necessity for monitoring undertaken by the Consent Holder;

(c) as a basis for a comprehensive and integrated assessment of water quality and water quantity issues in the Rangitopuni Stream catchment;

(d) To review flow restriction conditions specified as a result of further flow monitoring; or

(e) To take account of information, including the results of previous monitoring and changed environmental knowledge, on –

(i) water availability, including alternative water sources;

(ii) actual and potential water use;

(iii) stream water flow and level regimes;

(iv) efficiency of water use;

(v) water quality; and

(vi) the relationship of Māori with water.

S14 Water Permit for Groundwater Dewatering (WAT60429184)

General

Activity in accordance with plans

(111) The dewatering of the surf park lagoon must be carried out in general accordance with the application formally received by the Environmental Protection Authority on the 30 October 2023, and the following documents:

(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;

(b) The reports listed at Attachment 1; and

(c) The drawings and plans listed at Attachment 2.

If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent must prevail.

Expiry of Consent

(112) Water permit **WAT60429184** will expire 35 years from the commencement date unless it has lapsed, been surrendered, or been cancelled at an earlier date, pursuant to section 123 the RMA.

Notice of commencement of dewatering

(113) The Consent Authority must be advised in writing at least ten (10) working days prior to the date of the Commencement of Construction Phase Dewatering.

Advice Note:

Commencement of Construction Phase Dewatering means commencement of Bulk Excavation and/or the commencement of the taking or diversion of groundwater, other than for initial state monitoring purposes

Notice of completion of dewatering

(114) The Consent Authority must be advised in writing that Construction Phase Dewatering has been completed within ten (10) working days of the date of Completion of Dewatering.

Advice Note:

Completion of Construction Phase Dewatering means, in the case of a drained building or structure, the stage the structures external and internal support mechanisms, including basement floors have been completed, the permanent drainage system(s) are in place and no further groundwater is being taken for the construction of the basement.

Review under section 128

(115) Under section 128 of the RMA, the conditions of this consent **WAT60429183** may be reviewed by the Consent Authority at the Consent Holder's cost.

(116) Within six (6) months after Completion of Dewatering and subsequently at intervals of not less than five (5) years thereafter in order:

(117) To deal with any adverse effects on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage

(118) To vary the monitoring and reporting requirements, and performance standards, to take account of information, including the results of previous monitoring and changed environmental knowledge on:

1. Ground conditions
2. Aquifer parameters
3. Groundwater levels; and
4. Ground surface movement.

Excavation and land disturbance

(119) Bulk Excavation must not extend below the levels shown on the Earthworks Plans listed at Attachment 2.

(120) All land disturbance works must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters.

Groundwater

(121) Any perched groundwater, or surface water encountered within the excavation area requiring removal must be considered potentially contaminated, and therefore, for the protection of the human health and the environment, the impacted water must either be:

(a) disposed of by a licenced liquid waste contractor; or

(b) pumped to sewer, providing the relevant permits are obtained; or

(c) discharged to the site's stormwater system or surface waters provided testing demonstrates compliance with the Australian and New Zealand Environment Conservation the Consent Authority (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for protection of 80 percent of freshwater species, with the exception of benzene where the 95 percent protection level must apply, and the water is free from petroleum hydrocarbons.

Damage avoidance

(122) All excavation, dewatering systems, retaining structures, basements and works associated with the diversion or taking of groundwater, must be designed, constructed, and maintained to avoid any damage to buildings, structures and services on the site and adjacent properties, unless otherwise agreed in writing with the asset owner.

Permanent drainage

(123) Any permanent drainage systems installed behind retaining walls must not cause groundwater levels adjacent to the site to reduce below pre-dewatering seasonal low levels, after the completion of dewatering.

Advice Note:

The Consent Holder is advised that the discharge of pumped groundwater to a stormwater system or waterbody will need to comply with any other regulation, bylaw or discharge rule that may apply.

Groundwater Maintenance Programme

(124) At the Completion of Construction Phase Dewatering, the Consent Authority must be provided with a maintenance program for any permanent groundwater drainage system used to manage groundwater levels.

Advice Note

The Consent Holder is advised that the discharge of pumped groundwater to a stormwater system or waterbody will need to comply with any other regulations, bylaws or discharge rules that may apply.

~~S15 Discharge Permit to discharge wastewater to land (DIS60429158)~~

Commented [EK10]: This discharge permit is to be superseded by Stage 2 WW discharge permit

~~General~~

~~Activity in accordance with plans~~

(125) Deleted ~~The discharge must be carried out in general accordance with the application formally received by the Environmental Protection Authority on the 30 October 2023, and the following documents:~~

~~(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;~~

~~(b) The reports listed at Attachment 1; and~~

~~(c) The drawings and plans listed at Attachment 2.~~

~~If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent must prevail.~~

~~Expiry of Consent~~

(126) Deleted ~~Discharge permit **DIS60429158** will expire 15 years from the commencement date unless it has lapsed, been surrendered or been cancelled at an earlier date, pursuant to section 123 of the RMA.~~

~~Wastewater volume~~

(127) Deleted ~~The volume of domestic type wastewater discharged to land must not exceed 80 cubic metres per day.~~

~~Design~~

~~Wastewater system design~~

(128) Deleted ~~The key components of the wastewater treatment and land disposal system must be consistent with those described in the application and must comprise at least the following minimum, or additional, components, dimensions, and standards:~~

~~*Wastewater treatment system:*~~

~~(a) (2x) 20m³ balance tanks & (4x) 20m³ primary tanks;~~

~~(b) (4x) 20m³ reactor tanks;~~

~~(c) (4x) 20m³ clarifier tanks;~~

(d) (2x) 20m³ irrigation tanks;

(e) (1x) Ultraviolet (UV) disinfection unit suitable for disinfection of wastewater (that achieves a faecal coliform count in the treated wastewater before discharge to land of < 200 CFU/100mL at all times)

(f) A sampling tap installed after the UV disinfection unit for the collection of treated wastewater samples;

(g) (1x) disc filter;

(h) Automated datalogger (or wastewater meter) with remote telemetry system for daily monitoring of the wastewater volume discharging to land. The location of data logger and wastewater meter to be confirmed in detailed design stage;

(i) An audio/visual alarm system located in a prominent location on the site that detects pump failure or high wastewater levels;

(j) Emergency storage volume equivalent to at least 24 hours peak flow volume above the high water alarm sensor within the wastewater treatment system.

Wastewater Land Disposal System:

(k) At least 36,740 m² pressure compensating drip irrigation (PCDI) system. The PCDI lines must be installed subsurface within the topsoil at a depth of approximately 250mm. PCDI line length, spacing and emitter spacing will be confirmed at detailed design.

(l) At least 18,370 m² reserve effluent disposal area (50%) with a further provisional 8,090 m² spare reserve area (22%).

(m) A design wastewater loading rate to land of no more than 2 mm/day.

(n) Air relief valves must be installed at the high point of the field and any localized high points within laterals.

(o) The primary and reserve wastewater land disposal areas must be located in accordance with the approved plans, GD06 guidelines and must be a minimum distance of:

(i) 20 m from roadside drains

(ii) 20 m from surface water (e.g. overload flow paths, streams, wetlands, stormwater channel, subsurface drainage etc);

(iii) 600 mm from the seasonal elevated groundwater table;

(iv) Outside of 5% AEP flood plains, flood prone and/or flood sensitive areas;

(v) 5 m from subsurface pipes (i.e. stormwater pipes);

(vi) 1.5 m from property boundaries;

(vii) 3 m from retaining walls/embankments; and

(viii) 20 m from water supply bores

~~Minor Modifications~~

(129) Deleted ~~In the event that any modifications to the wastewater treatment and land disposal system are required, these will not result in an application under section 127 of the RMA or a new application, then the following information must be provided:~~

~~(a) Plans and drawings outlining the details of the modifications; and~~

~~(b) Supporting information that details how the proposal does not affect the capacity or performance of the wastewater treatment and land disposal system.~~

~~All information must be submitted to, and certified by the Consent Authority, prior to implementation.~~

~~*Advice Note:*~~

~~*All proposed changes must be discussed with the Consent Authority and certified in accordance with this condition, prior to implementation. The modification may only be undertaken if it does not alter the capacity or performance of the wastewater system negatively, change the size and/or the locations of the wastewater land disposal areas or result in a change to the conditions of the consent. Any changes to the proposal which will affect the capacity or performance of the wastewater treatment or land disposal system will require an application to the Consent Authority pursuant to section 127 of the RMA.*~~

~~Certification of wastewater treatment and land disposal system (as-built plans)~~

(130) Deleted ~~As-built certification and plans of the wastewater treatment and land disposal system, which are certified (signed) by a suitably qualified and experienced wastewater practitioner as a true record of the wastewater system, must be provided to the Consent Authority for approval.~~

~~Contents of as-built plans~~

(131) Deleted ~~The As-built plans must be provided to the Consent Authority that display the entirety of the wastewater system, which must include:~~

~~(a) Property boundaries;~~

~~(b) Location of surface water features, including watercourses, overland flow paths, wetlands, open drains, retaining wall drainage, stormwater drainage channels, ponds, flood plains, flood prone/sensitive areas, wetlands and intermittent/ephemeral flow paths;~~

~~(c) Location and dimensions of primary disposal area and reserve disposal area;~~

~~(d) Descriptions and dimensions of all wastewater treatment system components, including pipe works and confirmation of the storage volumes;~~

~~(e) Minimum separation distances in accordance with condition 40 and~~

~~(f) Details of any other structures or works covered by this consent (e.g. fencing, stormwater cut off drains, stormwater bunds etc).~~

~~Post-construction inspection~~

(132) Deleted ~~The Consent Holder must notify the Consent Authority within three (3) months of the completion of works relating to the wastewater treatment and land disposal system so that a post-construction inspection can be undertaken by the Consent Authority.~~

~~The post construction meeting must be:~~

~~(a) located on the subject area;~~

~~(b) include representation from the Consent Authority; and~~

~~(c) include representation from the Consent Holder's wastewater specialist or maintenance operator or contractors who have undertaken the works and any other relevant parties.~~

~~Compliance monitoring~~

~~Land disposal area performance~~

(133) Deleted ~~The discharge of wastewater to land must not result in:~~

~~(a) ponding of wastewater within or adjacent to the land disposal area;~~

~~(b) channelling of wastewater that results in overland runoff of wastewater beyond the land disposal area; and~~

~~(c) surface seepage (breakout) of wastewater beyond the land disposal area.~~

~~Maintenance standard~~

(134) Deleted ~~The wastewater treatment and land disposal system must be maintained in good working order at all times.~~

~~Operation and Maintenance Plan~~

(135) Deleted ~~The Consent Holder must prepare an Operation and Maintenance Plan (OMP) for the ongoing operation and maintenance of the wastewater treatment and land disposal system. The OMP must be submitted to the Consent Authority for certification. The Plan must include:~~

~~(a) Details of a 6 monthly inspection programme (or more frequent if required by the system's manufacturer) to be undertaken by a suitably qualified on-site wastewater system provider to inspect and maintain the key components of the wastewater treatment and land disposal systems.~~

~~(b) Details of the site management plan procedures and contingency measures.~~

~~(c) How and when the contingency measures should be implemented and by whom.~~

(d) A schedule, instructions, checklist and forms for all operation and maintenance tasks required for the satisfactory operation of the wastewater treatment and land disposal systems, including:

(e) solids removal;

(f) filter cleaning;

(g) pump maintenance;

(h) flushing of PCDI lines (without discharging flushings into surface water);

(i) inspection of the land disposal area and vegetation management within it;

(j) annual replacement of UV lamps;

(k) instructions on the use of the remote monitoring unit and who is notified of alarm activations and required response actions;

(l) calibration of wastewater flow meter;

(m) taking, handling and transportation of water and wastewater samples;

(n) audits;

(o) the checklist must clearly specify who is responsible for completing the required maintenance (for example the Consent Holder may be responsible for monthly cleaning of the outlet filter and the maintenance contractor for the inspection and maintenance of other treatment system components);

(p) Names of appropriate people to contact in the event of system malfunctions, including contact telephone numbers.

(136) Deleted The wastewater treatment and disposal system must be managed in accordance with the Operation and Maintenance Plan.

Maintenance Contract

(137) Deleted A written maintenance contract for the six (6) month (or more frequent if required by the system's manufacturer) on-going inspection and maintenance of the wastewater treatment and disposal system must be entered into with a suitably qualified on-site wastewater service provider, prior to operation of the system. A written maintenance contract must be in place and maintained for the duration of the consent.

The contracted servicing record must be provided to the Consent Holder after each inspection and must include:

(a) condition assessment, and maintenance, of the PCDI lines;

(b) record of line flushing at least once annually;

(c) evidence of any seepage of channelised runoff within or from the disposal area;

(d) annual replacement of UV lamps;

(e) maintenance actions performed; and

(f) confirmation that all system maintenance recommendations have been met.

A copy of the maintenance contract and any replacement contracts must be provided to the Consent Authority within three (3) months of a contract being entered into.

Advice Note:

If the original wastewater provider that the Consent Holder has entered into a maintenance contract with becomes unable to fulfil the obligations of the contract, for any reason, then the Consent Holder will need to enter into a maintenance contract with another suitably qualified wastewater professional as soon as possible after becoming aware that the original provider will no longer be able to fulfil their contractual obligations.

Flow monitoring

(138) Deleted A wastewater discharge flow meter must be maintained in place that continuously measures the daily volume of treated wastewater discharged to the land disposal system for the duration of the consent. The meter must be installed in accordance with the manufacturer's specifications. The meter must be connected to a telemetric unit and must be set up to transmit meter readings and immediate advice of exceedances of the daily flow volume limit or alarm activations to the Consent Holder and/or the system maintenance contractor.

The transmitted data must be recorded on a form that contains the following information: the consent number, site address, Consent Holder's name, the date the flow reading was recorded, the meter reading, and the calculated daily discharge flow volume.

Audit

(139) Deleted An audit of the condition, operation, and performance of the wastewater treatment and land disposal system must be undertaken by a suitably qualified and experienced practitioner two years from commencement of the consent and every five years thereafter. The audit must include:

(a) An assessment of the condition of the wastewater treatment and land disposal system;

(b) An assessment of the flow monitoring data and effluent sample analysis;

(c) An assessment of the adequacy of the system to treat and dispose the consented wastewater volume;

(d) An up-to-date list of the components of the wastewater treatment and land disposal system; and

(e) Recommendations including timeframes for any changes, upgrades or remedial works to the treatment and land disposal system or process.

A copy of the assessment report must be provided to the Consent Authority by no later than [date] of the year in which the assessment is undertaken.

Compliance with audit

(140) Deleted All recommendations specified in the audit report must be implemented within the recommended timeframe, except where the Consent Authority approves a request for an exemption made in writing by the Consent Holder as to why implementing a recommendation(s) would be inappropriate or impracticable.

Discharge quality monitoring

(141) Deleted A sample of the treated wastewater must be collected from outlet of the treatment plan (before discharge to land) and analysed quarterly for the following parameters:

Parameter	Units
5-day Biochemical Oxygen Demand (BOD_5)	g O_2/m^3
Total suspended solids (TSS)	g/m^3
Faecal coliforms (FC)	MPN (or CFU)/100ml
Escherichia coli (E. coli)	MPN (or CFU)/100ml
Total nitrite + nitrate nitrogen (NO_2+NO_3)	g/m^3
Total ammoniacal nitrogen (NH_4+ NH_3)	g/m^3
Total nitrogen (TN)	g/m^3
Total phosphorus (TP)	g/m^3
Other (if applicable)	

(142) Deleted All samples must be collected and analysed in accordance with the latest edition of "*Standard Methods for the Examination of Water and Wastewater*", a joint publication of the American Public Health Association, Water Environment Federation, and the American Water Works Association; or an alternative method that has been approved in writing by the Council. The wastewater samples must be analysed by an IANZ (International Accreditation New Zealand) laboratory.

Advice Note:

All laboratory test reports must reference the site address, date the sample was collected and the name of the person who collected the sample. Failure to record this information may be deemed non-compliance with the conditions of this consent

Discharge quality standards:

(143) Deleted The quality of treated wastewater immediately before it is discharged to the land disposal system must not exceed the standards specified below.

Parameter	Units	Discharge standard
5-day Biochemical Oxygen Demand (BOD_5)	$g\ O_2/m^3$	20
Total suspended solids (TSS)	g/m^3	30
Faecal coliforms (FC)	MPN (or CFU)/100ml	200
Escherichia coli (E. coli)	MPN (or CFU)/100ml	200
Total ammoniacal nitrogen ($NH_4 + NH_3$)	g/m^3	5
Total nitrogen (TN)	g/m^3	20 - 30

Land disposal area vegetation coverage

(144) Deleted The land disposal area must be planted as soon as reasonably practicable and no later than six months from the completion of pressure compensating drip irrigation (PCDI) line installation. A dense vegetative cover of suitable plant species, (as recommended by TP58 Appendix G, or by a suitably qualified and experienced practitioner, with botanical expertise) that achieves at least 75% ground coverage within one year of installation of the PDCI lines, must be established and maintained for the duration of the consent to the satisfaction of Council.

Maintenance of land disposal area vegetation

(145) Deleted The vegetation within the land disposal area must be maintained to be free of weeds and smothering by vegetative species (e.g., privet, kikuyu) at all times. Any dead vegetation must be promptly removed and replaced with new plant species that comply with condition 0. The vegetation must be maintained so that all componentry can be readily inspected and serviced at all times.

Stormwater management

(146) Deleted Stormwater must not be allowed to flow onto, or have potential access to, the wastewater treatment plant, pump sump or the land disposal area.

Fencing

(147) Deleted A suitable fence must be installed and maintained that prevents stock access and discourages unauthorised public access to the land disposal area. Stock access may be allowed for up to one (1) month in any one calendar year where it is for the purpose of vegetation maintenance.

~~Signage~~

(148) Deleted ~~The Consent Holder must erect and maintain appropriate signage to discourage unauthorised public access to the treatment and land disposal area throughout the duration of the consent.~~

~~Protection of the reserve wastewater disposal area~~

(149) Deleted ~~The reserve wastewater land disposal area must be protected and maintained so that it remains available for future wastewater disposal should it be required. Retaining walls, buildings, hard landscaping or other permanent structures (including but not limited to vehicular access ways) that may compromise the future use of the reserve land disposal area for wastewater disposal must not be established in the reserve land disposal area and any earthworks carried out within the reserve land disposal area must be limited to minor disturbances of the topsoil and gardening.~~

~~The reserve area must comply with the setbacks in terms of condition (128)(o) at all times.~~

~~*Advice Note:*~~

~~*Activities which may compromise the future use of the reserve for effluent disposal are activities which would compromise the soil's ability to drain at the identified rate. This includes compaction or constructions of drains or other linear activities.*~~

~~Use of reserve wastewater disposal area(s)~~

(150) Deleted ~~Confirmation from council must be obtained prior to the use of all or part of the reserve land disposal area. In order to assist the Consent Authority to determine whether or not to certify use of all or part of the reserve wastewater disposal area the following information must be provided:~~

~~(a) The reason why the reserve land disposal area is needed;~~

~~(b) An assessment of the condition of the primary land disposal area and any maintenance or other mitigation measures required to allow its continued use;~~

~~(c) An assessment of discharge flow volumes and an assessment of options to manage or reduce flows;~~

~~(d) An updated site plan showing the proposed layout of the irrigation lines within the reserve land disposal area, and~~

~~(e) Identification and of a new alternative reserve area and demonstration of how it complies with the conditions of this consent (i.e. condition(128)(o)).~~

~~Exceedance of consenting limits~~

(151) Deleted ~~In the event of any exceedance of the maximum consented discharge limit as authorised by condition (127) of this consent, the Consent Holder must notify the council within two (2) working days of the exceedance.~~

(152) Deleted ~~If there is an exceedance of the maximum consented discharge limit as authorised by condition (127) of this consent, the Consent Holder must prepare a Discharge Exceedance Investigation Report. The report must include, but not limited to, the following:~~

~~(a) Details of the discharge volume exceedance and daily flow monitoring records;~~

~~(b) The reason for the exceedance, including a description of the actions undertaken to investigate the reason/s for the exceedance;~~

~~(c) A description of the action/s taken to remedy the cause of the flow exceedance, and any actions still proposed with a timeframe for their completion; and~~

~~(d) Details of any previous discharge volume exceedance and the reason for the exceedance.~~

~~A copy of the Discharge Exceedance Investigation Report must be provided to the council within 14 working days from the date of the exceedance.~~

~~*Advice note:*~~

~~*The Consent Holder is advised that any breach of the conditions of this consent may result in compliance/enforcement action by the Council.*~~

(153) Deleted ~~The following actions must be undertaken in the event of any exceedance of the discharge quality standards:~~

~~(a) Advise the Consent Authority of the exceedance within two (2) working days of the receipt of test results;~~

~~(b) Advise the Consent Authority of the actions taken/being taken to address and remedy the cause of the exceedance within five (5) working days of the receipt of test results; and~~

~~(c) Undertake additional sampling and analysis at the request of the Consent Authority to verify the wastewater treatment system is being operated in accordance with consented standards.~~

(154) Deleted ~~The following information, for the 12 month preceding period, commencing 31 July and ending 30 June in the following year, must be submitted to the council by 1 August of each year:~~

~~(a) Maintenance service records required by condition (137);~~

~~(b) Flow monitoring records required by condition (138);~~

~~(c) Laboratory test results for the discharge quality monitoring required by condition (142);~~

~~(d) Recent photos of the vegetation across the primary disposal area and across the lower boundary of the disposal area; and~~

~~(e) Audit report (in the year undertaken) required by condition (140).~~

(155) Deleted ~~All recommendations specified in the audit report must be implemented within the recommended timeframes, except where the Consent Authority approves a request for an exemption~~

~~made in writing by the Consent Holder as to why implementing a recommendation(s) would be inappropriate or impracticable.~~

S13 Streamworks Consent (LUS60429185)

General

Activity in accordance with plans

(156) The streamworks must proceed in accordance with the information and plans submitted with the application formally received by the Environment Protection Agency on the 30 October 2023, including all supporting additional information submitted:

(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;

(b) The reports listed at Attachment 1; and

(c) The drawings and plans listed at Attachment 2.

If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent prevail.

Pre-commencement conditions

Certification of Plans or Further Detail

(157) The Consent Holder must not commence any streamworks activity until it has obtained certification from the Consent Authority to the following:

(a) Streamworks Management Plan (SMP) - see Condition (159);

(b) Final Stream Restoration Plan (SRP) - see Condition (160);

(c) Native Freshwater Habitat Assessment (NFHA) - see Condition (161); and

(d) Native Freshwater Fish Relocation Plan (NFFRP) - see Condition (162).

Streamworks Staging Plan

(158) Prior to streamworks commencing, a Streamworks Staging Plan demonstrating staging boundaries with proposed progression of stabilisation / re-vegetation must be prepared and submitted to the Council.

Streamworks Management Plan

(159) No less than twenty (20) working days prior to the commencement of any stream works commencing for each stage, the Consent Holder must prepare and submit a Streamworks Management Plan (SMP) to the Consent Authority for certification. This SMP must be prepared by a suitably qualified and experienced practitioner and include as minimum:

(a) Detail for the specific methodologies for reclamation, diversion, channel clearance, removal and construction of structures for each stage of the works to meet best practice;

(b) Pest management details for removal of aquatic pest species;

(c) Timing and duration of works;

(d) Diversion methodology, including methods to ensure all normal flows at the time of the year are diverted around the works area;

(e) Location and specification of erosion and sediment controls, including dewatering methodology, to ensure that all discharges achieve a minimum of 100mm depth of clarity prior to discharge in accordance GD05; and

(f) Monitoring and maintenances requirements.

Final Stream Restoration Plan

(160) Prior to the commencement of any stream works, or associated vegetation removal, a final Stream Restoration Plan is to be prepared and submitted to the Consent Authority for certification. The Final Stream Restoration Plan must be prepared by a suitably qualified and experienced practitioner and be in accordance with the Ecology Assessment, Landscape Plans and Design Statement referenced in Condition (157). The Final Stream Restoration Plan include the following detail as a minimum:

(a) The identification, description, length, and Stream Ecological Valuation (SEV) of all watercourses to be impacted or restored;

(b) An updated detailed assessment, including industry best practice ecological accounting for any aquatic offsetting and/or aquatic compensation, to demonstrate how any loss in stream extent or value will be addressed to show no net loss will occur, and preferably net gain, as a result of any activities associated with freshwater features;

(c) Provide details of the proposed post-development contours, management of soils and contributing catchments to demonstrate that stream hydrology has been maintained to pre-development condition;

(d) Timing, staging and programme of works;

(e) Stream restoration design details identifying all elements of the activities authorised by this consent and their associated locations. The plans must show the long-section and cross-sectional views of the length of stream to be ecologically enhanced and indicative locations or

frequency of meanders, boulder clusters, root wads, woody debris and bank regrading as well as clearly depicting the widths of all riparian margins and representative stream cross-section and long-section plans;

(f) Details of the management of any residual effects that are unable to be addressed by the on-site stream restoration design;

(g) Details of the timing of when enhancement works will be undertaken, such that all enhancements are undertaken within two years of the associated impact occurring;

(h) Methods to ensure fish passage is improved to the level reported within the application documents;

(i) Plans identifying all areas where riparian planting will be carried out;

(j) A list of plant species, numbers, and sizes to be planted, their common and botanical names, method of planting, planting locations, eco-sourcing details and densities;

(k) Details of all planting specifically required to address stream loss;

(l) Details of all planting not specifically required for stream restoration;

(m) Goals and targets the restoration actions must reach and the appropriate timeframes for those goals and targets;

(n) All planting must be consistent in accordance with the 'Auckland Regional Council Riparian Zone Management Strategy for the Auckland Region', Technical Publication 148, June 2001 (TP148) and AUP Appendix 16 – Guideline for Native Revegetation Planting or the species listed within Design Statement submitted with the application ; and

(o) A monitoring and maintenance plan to ensure that the outcomes proposed will be achieved.

Native Freshwater Habitat Assessment

(161) At least ten (10) working days prior to commencing any instream works, the Consent Holder must submit a 'Native Freshwater Habitat Assessment' that has been prepared by a suitably qualified and experienced freshwater ecologist. The purpose of the Native Freshwater Habitat Assessment is to determine the requirement for a Native Freshwater Fish Relocation Plan (Condition (162).

(162) If the Native Freshwater Habitat Assessment required by Condition (161) concludes that there is habitat present capable of supporting native fish, the Consent Holder must submit a 'Native Freshwater Fish Relocation Plan' to the Consent Authority for certification. The purpose of the Native Fish Capture and Relocation Plan is to ensure fish will be appropriately removed prior to commencement of works from the on-site freshwater features subject to works, to avoid fish mortality. The Native Freshwater Fish Relocation Plan must be prepared by a suitably qualified and experienced freshwater ecologist, and must include the following detail:

(a) The timing, duration and methodologies used for fish capture and transportation;

(b) Specific measures for ensuring fish elsewhere in the catchment do not enter the works area;

(c) A description and assessment of the quantum and availability of suitable aquatic quality habitat at the relocation site;

(d) Storage and transport measures including prevention of predation and death during capture;

(e) Euthanasia methods for diseased or pest species; and

(f) The names, experience, and qualifications (including any necessary permits) of those involved in undertaking the fish relocations.

Fish Relocation

(163) Prior to the dewatering of the stream a suitably qualified and experienced freshwater ecologist must be appointed to implement the Native Freshwater Fish Relocation Plan. The Native Freshwater Fish Relocation Plan must be implemented prior to any streamworks commencing, and the appointed ecologist must be on site during dewatering activities to rescue and relocate any native fish present.

(164) If a Fish Relocation is required, the Consent Holder must provide a Fish Salvage Report detailing the relocation site, the species and number of freshwater fauna relocated prior to and during dewatering, to the Consent Authority within 5 days of completion of the native fish capture and relocation. These results must be uploaded into NIWA's New Zealand Native Freshwater Fish database.

Pre-start Meeting

(165) Prior to the commencement of streamworks activity, the Consent Holder must hold a pre-start meeting that:

(a) is located on the subject site;

(b) is scheduled not less than five days before the anticipated commencement of streamworks;

(c) includes relevant the Consent Authority representative(s); and

(d) includes representatives from the contractors who will undertake the works.

The meeting must discuss the streamworks methodologies and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

The following information must be made available at the pre-start meeting:

(a) Timeframes for key stages of the works authorised under this consent.

(b) Resource consent conditions.

(c) Streamworks Management Plan required under Condition (159);

(d) Final Stream Restoration Plan required under Condition(160); and

(e) Native Freshwater Fish Relocation Plan if required under Condition (162).

(166) A pre-start meeting must be held prior to the commencement of any streamworks activity in each year between October 1 and April 30 that this consent is exercised.

Work in progress conditions

(167) All streamworks must be undertaken in accordance with the approved Streamworks Management Plan for each stage.

(168) The surface water intake structure must be located within the floodplain associated with the stream, not within the stream bed.

Seasonal Restrictions and Monitoring

(169) Streamworks on the site must not be undertaken between 30 April and 1 October in any year, without the prior written approval of the Consent Authority at least two weeks prior to 30 April. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in the Council's Guideline Document 2016/005 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) and any amendments to this document.

(170) The operational effectiveness and efficiency of any erosion and sediment control measures must be maintained throughout the duration of streamworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Consent Authority upon request.

(171) Streamworks must be carried out only during period when all normal flows at the time of the year are diverted around the works area.

(172) Any sediment or material excavated from the bed of the stream must be stockpiled outside the 100-year flood plain area and managed with appropriate erosion and sediment control measures in accordance with GD05.

(173) All areas of exposed earth, including the stream bed, must be stabilised in accordance with GD05 at any time works are required to stop due to rainfall.

Operation of machinery

(174) All machinery must be operated in a way, which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any water body such that any spillage can be contained so it does not enter the watercourse associated with this consent. The use of grouts and concrete products must also be limited adjacent to the watercourse with all mixing of products carried out outside the 100-year floodplain area such that any spillage can be contained so it does not enter the watercourses associated with this consent. In the event that any discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified.

(175) All pumps used to dewater or divert stream flow must have a fish screen with an aperture screen size of no greater than 3mm installed to prevent fish from entering the pump.

(176) The Consent Holder must ensure that all exposed work areas associated with the stream works, including the bed and banks of the stream and any adjacent overland surface flow paths (for normal flows at the time of year the works are undertaken) are stabilised at the end of each construction day.

Fish passage

(177) All structures (including new culvert structures) located within, on, or over the bed of a stream must provide for fish passage in accordance with NIWA 2022 'New Zealand Fish Passage Guidelines' for Structures up to four (4) metres, or any amendment to this document in the design, and the permitted activity conditions for that structure in the National Environmental Standards for Freshwater 2020 Regulations relating to fish passage (Part 3 – Subpart 3).

Inspection after rainstorm event

(178) The sediment and erosion controls at the site of the works must be inspected on a regular basis and within 24 hours of each rainstorm event, that is likely to impair the function or performance of the erosion and sediment controls. A record must be maintained of the date, time and any maintenance undertaken in association with this condition which must be forwarded to the Consent Authority on request.

Construction of new stream channels

(179) The new stream channel must be constructed under the supervision of a suitably qualified and experienced freshwater ecologist to ensure the proposed stream design including the anticipated instream habitat features are achieved.

(180) Stream construction and riparian enhancement planting must be undertaken onsite and in accordance with the approved Stream Restoration Plan referred to in Condition (160) and must include:

(a) Construction of new stream reach must be undertaken in such a way as to achieve the following objectives:

(i) Visual and functional consistency with any natural sections of stream which remain (including enhanced reaches);

(ii) Landform and watercourse which appears natural;

(iii) A meandering channel with riffle, run and pool habitats;

(iv) Erosion resistant banks;

(v) Variation in bank slopes, ranging from supported but undercut banks to "beach" areas. Undercut and vertical banks to be created using stable natural materials such as stumps or logs;

(vi) Variable widths and depths within the channel both longitudinally (down the stream) and laterally (across the stream) as well as creating an overall narrower channel to reduce dewatering during times of low flow;

(vii) A floodplain established by creating gently sloping banks extending out from the main channel designed to provide for flood flows; and

(viii) Areas of riparian habitat which are suitable for restoration planting in accordance with the Stream Restoration Plan, including an average width of 10m from each side of the channel for intermittent streams and 20m from each side of the channel for permanent streams where possible.

(b) Enhanced reaches:

(i) Any reaches to be enhanced will enhanced so as to appear indistinguishable from the new stream reaches. The objectives set out above must apply.

(181) Flood flow modelling must be undertaken within three (3) months of the completion of the works and the results submitted to the Consent Authority to demonstrate that there is no increased risk of flooding beyond the site boundaries.

Advice Note:

It is not always possible to create riffle habitat across reaches with low gradient change, such as those which occur across some parts of the site. A riffle is where the water flowing in the channel is fast, with a wavy, disturbed water surface. Pools begin where the fast-flowing water has carved sediment at the bottom and sides, making it deeper and wider. Pools slow down the rate of flow. In runs, water is relatively deep (like pools), but fast flowing (like riffles) with a uniform flow rate and a smooth water surface. The normal sequence in streams is riffles (straight), pools (curved) and runs (after the curve).

Post-Construction Conditions

Completion Report

(182) Within 30 days of all the riparian planting being implemented and completed, written confirmation must be provided to the Council, confirming whether the works have been completed in accordance with the approved Stream Restoration Plan referred to in Condition (160).

Maintenance of riparian planting

(183) Maintenance in accordance with the Stream Restoration Plan certified in Condition ((160)) must occur until 80% canopy closure has occurred and a minimum survival rate of the plants (being 90% of the original density through the entire planting area(s)) has been achieved. The maintenance period must be a minimum of ten (10) years and must commence once the completion report has been approved by the Consent Authority in accordance with Condition (182). Plant maintenance includes the ongoing replacement of plants that do not survive.

Riparian revegetation areas to be protected

(184) Within three months of the completion of the streamworks, the Consent Holder must provide supporting evidence to the Consent Authority to confirm that the protection in perpetuity measure has been enacted and sufficient to:

(a) Secure the protection in perpetuity of the areas of riparian planting as specified in the conditions of this consent.

(b) Require the Consent Holder to:

(i) be responsible for all legal fees, disbursements and other expenses incurred by the Consent Authority in connection with the legal mechanism, and procure its solicitor to give an undertaking to the Consent Authority for payment of the same; and

(ii) indemnify the Consent Authority for costs, fees, disbursements, and other expenses incurred by the Consent Authority as a direct or indirect result of the Consent Authority being a party to this covenant.

A copy of the updated Computer Register and/or Record of Title showing that the legal mechanism has been registered must be provided to the Consent Authority to secure compliance with this condition.

The legal mechanism under this consent will not be required if the land containing enhancement works is vested in the Council. If entered into, the legal mechanism may be extinguished if the land containing enhancement works is to be vested in the Council.

Post construction monitoring of new and enhanced streams

(185) Within three (3) months of the fifth anniversary following the completion of the permanent diversion of stream flow to the new stream channels and completion of the riparian planting, a Stream Ecological Valuation (SEV) must be undertaken by a suitably qualified and experienced freshwater ecologist to confirm whether the new streams are on a trajectory to achieve the required stream ecological value in the longer term. The SEV results and associated calculations must be incorporated into a Stream Ecological Report (SER) and provided to the Consent Authority within two (2) months following the SEV being undertaken. The SER must include (but not be limited to) confirmation as to whether the streams are on a trajectory to meet their predicted ecological value in the longer term.

The predicted SEV value to be achieved is 0.627.

(186) Where monitoring concludes that the SEV values for the constructed streams are not on a trajectory to achieve, or maintain the SEV values applied in the mitigation and offset assessment in the long-term, a Further Enhancement Offset Works Plan must be prepared by a suitably qualified and experienced freshwater ecologist, and submitted to the Consent Authority within two (2) months following the SEV, as required by Condition ((185)), being undertaken. The plan must propose repair or improvement of offset works along the constructed stream reach and further monitoring at two yearly intervals, until such time that the requirements of the Further Mitigation Works Plan are achieved.

The Consent Holder must implement any additional works required by the Further Enhancement Offset Works Plan within six (6) months following the approval by the Consent Authority or during the next planting season (whichever is appropriate to the measures adopted).

(187) Under section 128 of the RMA the conditions of this consent may be reviewed by the Consent Authority at the Consent Holder's cost.

(188) On an annual basis following the date of Final Stream Restoration Plan, and within a fifteen (15 year) period of this date, in order address the following:

(189) To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage or falls outside of the scope of the assessment of effects, in particular where monitoring concludes that the SEV values for the constructed streams are not on a trajectory to achieve the SEV values applied in the mitigation and offset assessment in the long-term).

(190) To review the stream hydrology and baseflow of the on-site streams to ensure adverse effects on instream biota and the functioning of aquatic ecosystems are avoided.

CONDITIONS PERTAINING TO THE DATA CENTRE (LOT 1 AS APPROVED UNDER SUB60425790)

S9 Land Use Consent

General Conditions

Monitoring Deposit

(191) The Consent Holder must pay the Consent Authority an initial consent compliance monitoring charge of $3,000 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

Advice Note:

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 consents. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant hourly rate applicable at the time. The Consent Holder will be advised of the further monitoring charge. Only after all conditions of the resource consents have been met, will the council issue a letter confirming compliance on request of the Consent Holder.

Stormwater

(192) The minimum RL of the finished floor level for the data centre building shall be RL 53.6m.

(193) The Consent Holder must not use surface treatments with the potential to leach zinc or copper.

Transport

(194) All access, parking and manoeuvring areas must be formed, sealed with an all-weather surface, marked out, sign posted and drained in accordance with the approved plans referenced in Condition (7).

Advice Note:

Parking areas must be marked out in accordance with the approved site plan to ensure appropriate parking supply, access, signage, directions and vehicle manoeuvring. This includes the allocation of specific parking spaces to each unit/dwelling where relevant.

(195) All new vehicle crossings must be designed and formed in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 3: Transport (ACoP:T), or as set out in the civil engineering plans listed in Condition (7) or provide justification for any necessary change.

Prior to Operation Conditions

(196) The Consent Holder must satisfy all of Conditions (197) to (207) prior to the occupation or operation of the site.

Private Stormwater

(197) All the necessary pipes and ancillary equipment must be supplied and laid to provide private stormwater connection to the development in general accordance with plans and information referenced in Condition (7).

Private Wastewater

(198) All the necessary pipes and ancillary equipment must be supplied and laid to provide private wastewater connection to the development in general accordance with plans and information referenced in Condition (7).

Private Water Supply

(199) All the necessary pipes and ancillary equipment must be supplied and laid to provide water connections to the development in general accordance with plans and information referenced in Condition (7).

Private Infrastructure

(200) A copy of an updated private drainage "as-built" plan signed by a registered certifying drainlayer must be provided to the Consent Authority.

Advice Note:

The stormwater and wastewater network connections will require engineering approval to be obtained from the Consent Authority prior to applying for Building Consent. All stormwater and wastewater systems must be designed and constructed in accordance with the Consent Authority standards. See Auckland Council's website (www.aucklandcouncil.govt.nz) for more information on the engineering approval process, or call (09) 301 0101 and ask to speak to a Development Engineer from your local service centre.

Landscaping

(201) The Consent Holder must implement the landscape design within those parts of the site that are developed prior to the operation and occupation of that part of the data centre in accordance with the Landscape Plans prepared by Design Group Stapleton Elliott, dated 18/06/2023, that has been approved under Condition (7). The landscaping must be retained and maintained thereafter in perpetuity.

(202) Except where restricted by the Airport Approach Surface Overlay height restrictions under Standard D23.6.1 of the Auckland Unitary Plan, the ~~The Karo hedge and poplar shelterbelt~~ planting along the Postman Road frontage must be established and have at least 1.5m of vertical growth at the time of construction of the data centre being completed.

Lighting

(203) **The certified Lighting Plan, as** required **by Condition (32) must be implemented as part of the construction of the development and maintained thereafter.**

Post Construction

Geotechnical

(204) Earthworks must follow the recommendations of the Geotechnical Reports prepared by the Geotechnical Interpretative Report prepared by Aurecon, titled Dairy Flat Campus, Geotechnical Investigation Report, Rev D and dated 13 October 2023 The Consent Holder must provide verification in writing from an engineer to the Consent Authority, that the recommendations of the Geotechnical Interpretative Report prepared by Aurecon, titled Dairy Flat Campus, Geotechnical Investigation Report, Rev D and dated 13 October 2023 have been implemented on site. This must be provided no later than two weeks after earthworks have been completed. All details in the written statement must be to the satisfaction of the Consent Authority.

Noise and Vibration

(205) In order to minimise potential nuisance noise effects within the adjacent residential zone all generator maintenance and testing must be carried out during normal business hours.

(206) Regular testing of the generators must only occur between 7am – 10pm Monday to Saturday and 9am to 6pm Sunday.

(207) If the generators are required to operate, the noise level at the boundary must not exceed 55 dB $L_{Aeq(15min)}$ at all times.

S15 Discharge Permit for an Industrial or Trade Activity (DIS60429190)

General

Activity in accordance with plans

(208) The discharge must be carried out in accordance with the application formally received by the Environmental Protection Authority on the 30 October 2023, and the following documents:

(a) Application form and Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled "Auckland Surf Park Community – 1350 Dairy Flat Highway, Dairy Flat, Auckland" and dated October 2023;

(b) The reports listed at Attachment 1; and

(c) The drawings and plans listed at Attachment 2.

If any of the provisions of the documents at Attachments 1 or 2 conflict with the requirements of these conditions of consent, these conditions of consent must prevail.

Expiry of Consent

(209) Discharge permit **DIS60429190** will expire 15 years from the commencement date unless it has lapsed, been surrendered or been cancelled at an earlier date, pursuant to section 123 of the RMA.

Prior to Construction

Environmental Site Management Plan

(210) At least ten (10) working days prior to the data centre being operational, the Consent Holder must submit the final Environmental Management Plan (EMP) to council for certification. The plans must include but not limited to the details of roles and responsibilities, spill response plan, contact details for neighbouring properties, maintenance schedules, drainage, and storage area as-builts and alarm response systems.

Contaminated Soil (Earthworks)

(211) During earthworks on the site, the Consent Holder must implement all measures identified in the 'Site Management Plans' prepared by Williamson Water and Land Advisory, dated 18 May 2023, and the 'Contamination Site Management Plan' prepared by Aurecon, dated 1 June 2023. Any substantial revisions to the Site Management Plan must be provided to the Consent Authority for certification prior to the implementation of the relevant revised management protocols.

(212) The Consent Holder must engage a suitably qualified and experienced soil contamination practitioner to oversee the implementation of the Contamination Site Management Plan required by Condition (211), including any monitoring of earthworks.

(213) Where excavated material is not suitable for reuse on the site due to soil contamination, the Consent Holder must ensure the material is disposed of at an appropriate landfill and provide landfill receipts to the Consent Authority on completion of the earthworks.

(214) In the event of the discovery of contamination during earthworks that has not been previously identified, the Consent Holder must immediately cease the works in the vicinity of the contamination, notify the Council, and engage a suitably qualified and experienced soil contamination practitioner to assess the situation (including possible sampling and testing) and amend and submit an updated Contamination Site Management Plan for certification. The consent holder must adhere with the amended Contamination Site Management Plan.

(215) Within three months of the completion of remediation and soil disturbance on the site, a Site Validation Report (SVR) must be submitted to the Council for certification. The SVR must be prepared by a SQEP in accordance with the Contaminated Land Management Guidelines, No. 1: Reporting on Contaminated Sites in New Zealand (Ministry for the Environment, 2021) and contain sufficient detail to address the following matters:

(a) A summary of the pre remediation delineation field screening surveys and results from around the margins of the identified contamination within the site.

(b) A summary of the remediation and soil disturbance undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated

(c) Details and results of validation sampling undertaken and interpretation of the results in the context of the NES:CS and the AUP(OP)

(d) Records/evidence of the appropriate disposal for any material removed from the site

(e) Details of any validation sampling undertaken on materials re-used or imported to site

(f) Records of any unexpected contamination encountered during the works and response actions, if applicable

(g) Details on the geotextile barrier/capping/planting/management of contaminated soil remaining on site within the Contaminated Soil Management Areas (if required).

(h) Conditions of the final site ground surface

(i) Ongoing mitigation or monitoring measures to protect human health and/or the environment

(j) Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks

(k) A statement certifying that all works have been carried out in accordance with the requirements of approved plans and consent conditions, otherwise providing details of relevant breaches, if applicable.

During construction

(216) The approved EMP, as required by Condition ((210)), must be made available onsite at all times.

(217) The site must develop and implement a Spill Response Plan, which includes the provision that all spills over 20 litres, or any spill of Environmentally Hazardous Substances that has entered the drainage system, a water-body or has otherwise been discharged from site, shall be reported immediately to the Auckland Council's 24-Hour Pollution Hotline (09-377-3107);

(218) Suitable and sufficient spill kits must be maintained onsite at all times.

(219) The EMP must be reviewed and updated annually from the date of granting of this consent, to ensure all components of the EMP are still relevant and provided to Council.

(220) An Annual Report evaluating the site's environmental performance for the year to date shall be forwarded annually to the Consent Authority from the date of granting of this consent.

Secondary Containment of Fuel Storage

(221) Fuel storage on site must be provided with secondary containment in accordance with the Health and Safety at Work (Hazardous Substances) Regulations 2017: e.g. tanks are to be double skinned, or bunded with a containment volume of 110% pooling potential of a single tank.

Secondary Containment of Fuel Deliveries

(222) Detailed design, including plans and supporting calculations of the treatment system as referenced within condition (210) of this consent shall be submitted to the Consent Authority for approval prior to construction. The detailed design shall include but not be limited to:

a. System configuration and arrangement;

b. Supporting calculations showing catchment sizes, system capacities and Water quality volumes; and

c. Plans and cross sections of all treatment devices, including confirmation of the Water Quality Volume, storage volumes and levels of any outflow control structures.

(223) The site may utilise backup systems or backup operations for fuel deliveries. Fuel deliveries must be completed by Tank Wagons not parked in the permanent tanker bays if there are temporary outages of the site facilities, or for training or testing purposes of backup operations or backup systems. Such operations must be minimised.

Attachment 1: Table of Reports

Report title and reference	Author	Rev	Dated
~~Archaeology Assessment, Ref 22-1345~~	~~CFG Heritage Limited~~	~~-~~	~~20/07/2023~~
Archaeological Assessment, REF: 22-1345	CFG Heritage	-	16/10/2025
~~Integrated Transport Assessment, Ref R2A230509~~	~~Flow Transportation Specialist Limited~~	~~3~~	~~09/08/2023~~
Geotechnical Factual Report, Ref P-001537	Initia Limited	C	June 2023
Geotechnical Interpretive Report, Ref P-001537	Initia Limited	B	June 2023
Flood Assessment, P25-662 Surf Park	Woods	-	04/06/2026
Flood Memorandum, 3325	McKenzie & Co	-	09/06/2026
Infrastructure Report	Mckenzie & Co	F	09/06/2026
Integrated Transport Assessment, R1I260420	Flow Transportation Specialists	I	03/06/2026
Stormwater Management Plan	McKenzie & Co	H	09/06/2026
Water and Wastewater Servicing Report	McKenzie & Co	E	09/06/2026
~~Solar Farm Specifications~~	~~Light Years Solar~~	~~-~~	~~-~~
~~Flood Report Assessment~~	~~Mckenzie & Co~~	~~G~~	~~22/05/2024~~
~~Surf Park Fast Track Referral Application – Flood Model Build Memorandum~~	~~Woods~~	~~-~~	~~15/06/24~~
~~Flood Model Build~~	~~Woods~~	~~-~~	~~15/06/2024~~
~~Water Supply, Wastewater and Utilities Report~~	~~Mckenzie & Co~~	~~C~~	~~23/07/2023~~
~~Wastewater Servicing Report~~	~~Mckenzie & Co~~	~~C~~	~~23/07/2023~~
~~Stormwater Report~~	~~Mckenzie & Co~~	~~B~~	~~27/07/2023~~
~~Stormwater Management Plan~~	~~Mckenzie & Co~~	~~C~~	~~23/07/2023~~
~~Earthworks Report~~	~~Mckenzie & Co~~	~~D~~	~~23/07/2023~~
~~Transportation Report~~	~~Mckenzie & Co~~	~~C~~	~~23/07/2023~~
Surf Lagoon Filling Memo	Mckenzie & Co	-	18/07/2023
Acoustic Assessment, Ref p230622a0010	Norman Disney and Young Limited	1.3	10/08/2023
Concept Lighting Plans/Report	Norwich Group	A	14/06/2023
Water Take and Hydrology Assessment, Ref WWLA0811	William Water & Land Advisory	-	19/07/2023
Preliminary and Detailed Site Investigation	William Water & Land Advisory	2	13/07/2023

Infrastructure Report	Aurecon	A	21/07/2023
Contamination Site Management Plan	Aurecon	A	01/07/2023
Preliminary Site Investigation Report, Ref 523578	Aurecon	1	01/06/2023
Acoustic Assessment	Marshall Day Acoustics	1	08/06/2023
Fuel Storage E31 Assessment, Ref 523578	Aurecon	-	29/06/2023
Geotechnical Assessment	Aurecon	C	24/07/2023
AUP E7 Assessment	Aurecon	C	24/07/2023
Ecological Impact Assessment	Viridis	2	10/08/2023
Ecological Impact Assessment – Peer Review	Boffa Miskell	-	20/10/2023
Vegetation Plot Assessment	Viridis		08/05/2024
~~Design Statement~~	~~Warren and Mahoney~~	~~B~~	~~20/07/2023~~
Auckland Surf Park - Fast Track Approval Stage 2 - Design Statement	Warren and Mahoney	C	07/10/2025
Urban Design Statement	Barker & Associates	B	20/07/2023
Landscape and Visual Effects Assessment	KPLC / Warren and Mahoney	-	21/07/2023 & 24/07/2023
Preliminary Design and feasibility Assessment	Wavegarden/Hydrock		09/06/2023
Preliminary Site Contamination	WWLA	2	20/07/2023
Surface Water Take Report	WWLA	2	19/07/2023
~~Aviation Safeguarding – Glare & Obstacle Limitation Surfaces Intrusion Assessment~~	~~SLR~~	~~1.0~~	~~22/02/2024~~
Light Spill Assessment	SLR	02	19/02/2024

Attachment 2: Table of Drawings and Plans

Drawing title and reference	Author	Rev	Dated
~~Resource Consent Design Statement – Site Plan~~	~~Warren and Mahoney~~	~~D~~	~~17/04/2024~~
~~Resource Consent Design Statement – Surf Park Plan~~	~~Warren and Mahoney~~	~~D~~	~~17/04/2024~~
~~Cover Sheet, S-A00.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Proposed Site Plan, S-A03.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Building Setout Plan, S-A03.002~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Floor Plan – Admin, Ticketing & Retail – Level 00, A-A10.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Floor Plan – Admin, Ticketing & Retail – Level 01, A-A10.002~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Roof Plan – Admin, Ticketing & Retail, A-A11.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Elevations - Admin, Ticketing & Retail, A-A20.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Elevations - Admin, Ticketing & Retail, A-A20.002~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
~~Sections - Admin, Ticketing & Retail, A-A30.001~~	~~Warren and Mahoney~~	~~A~~	~~11/07/2023~~
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