

26 June 2026
Daya Thomson

Dear Daya

Subject: Response to Request for Information from Auckland Council in relation to the Delmore Fast-track application

Thank you for your letter dated 12 June 2026 requesting further information from Auckland Council, on behalf of the Delmore Expert Panel.

Our full response to the Panel's requests are included as follows:

- Attachment One: Auckland Council Specialist Comments Tracker
- Attachment Two: Brookfields Legal Memo – in response to the Panel's Paras. 1 – 4 requests
- Attachment Three: Draft Conditions Set

Auckland Council and the Applicant team have worked closely to progress the draft condition set, with the wording for the majority of conditions agreed (as shown in **green** text within Attachment Three), though there are several matters which remain unresolved (and are shown in **yellow** as being subject to disagreement, and **blue** which will be reviewed together at the following technical workshop meetings, as illustrated in Attachments One and Three), as follows:

- **Transport:** Council have added Auckland Transport's comments within the current conditions set, though discussions on the final wording are ongoing, including in response to the tracking plans. A meeting will be held on Wednesday 1 July with the applicant's planner and transport planner, and Auckland Transport, Council's planner to review some of these matters.
- **Dams:** Updated conditions wording is currently being reviewed by the Applicant team and will be discussed at a meeting with Auckland Transport and the Council's planner on Monday 29/06
- **Geomorphology:** Updated conditions wording is currently being reviewed by the Applicant team and will be discussed at a meeting with Healthy Waters and the Council's planner w/c 29/06 – date and time TBC.
- **Parks:** Some of the Parks specialist comments will be discussed at a meeting with their specialist, the Council's planner and the Applicant team w/c 29/06 – date and time TBC

To confirm, Auckland Council is of the view that additional time needs assigned to progress the conditions wording with the applicant team and respectfully request that this is noted by the Panel.

If you have any questions or require further clarification please do not hesitate to contact me.

Yours sincerely,

Carly Hinde
Principal Project Lead
Auckland Council

Attachment One: Auckland Council Specialist Comments Tracker

Section / Condition No.	Auckland Council (new text <u>underlined</u> , strikethrough for deletion)	Justification	
Explanatory Note – Servicing Framework (page 2)	As at the date of these consents, no agreement has been reached with <u>the water/wastewater network utility provider regarding the acceptance for vesting of any infrastructure associated with the subdivision and development, or the approval of any connection to the public water and/or wastewater network under the Water Supply and Wastewater Network Bylaw 2015 (or any replacement bylaw). For the avoidance of doubt, nothing in these consents requires the provider to accept vesting of any such infrastructure, or to approve any such connection, now or in the future.</u>	Watercare: Additional text requested to reiterate their position re. wastewater and water infrastructure provision	
2.0 Land Use Section 2.3.5 Geotechnical	New Condition after #31: <u>The detailed design of all stream-margin retaining and geotechnical structures must be certified by a chartered geotechnical professional prior to construction of each structure. The certification must confirm that the design accommodates the anticipated bed lowering and channel widening over the design life of the structure, having regard to the adjustment trajectory of the stream network, and that the adjustment allowance adopted is conservative for that reach</u>	Healthy Waters: Draft geomorphology wording (left) circulated to Barkers 25/06. Meeting to be arranged with Healthy Waters & applicant team to discuss w/c 29/06.	
2.0 Land Use Section 2.6	Condition 76 - Any retaining wall(s) and ancillary and supporting structures must be entirely located within the residential lots and/or JOALs and must be clear of the boundaries of the recreational reserves. Retaining walls must be no higher than: (a) <u>1m adjacent to any land in lieu of reserve for the purpose of drainage;</u> 	Parks: New retaining wall details provided by Barkers 25/06 identifying walls proposed along the recreational reserves. Additional information / plans requested off Barkers. Meeting to be arranged with Parks & applicant team to discuss w/c 29/06.	
3.1.4 Transport	New Auckland Transport (AT) Condition: <u>Before section 224(c) certification is issued for the first stage of the subdivision to be developed, the consent holder must provide evidence to Council that a shared path has been constructed and is operational between the Ara Hills Drive intersection and the signalised pedestrian crossing at Arran Drive. The shared path must have a usable width of 3.5 metres and include anti-throw screens along its full length.</u>	AT: The active mode connection was requested as part of AT's specialist technical memo.	
	Amended AT Condition: Prior to the issue of a section 224(c) certificate for the first stage of the subdivision that is developed, the Consent Holder must construct access from the to the site from the termination point of termination point of Grand Drive <i>in the form of a two-lane arterial with a flush median and active modes on each side</i> in the location shown on the drawing prepared by Terra Studio, titled "Traffic Upgrades Plan", drawing reference "A-RFI-1-20", Rev B. <i>Advice Note: The design of the road will be developed and addressed as part of those separate approval processes.</i>	AT: The route must be arterial with active modes each side.	

#9	Amended AT Condition: Prior to the issue of a s224(c) certificate for the last sub-stage of the subdivision <u>any part of Stage 2</u>, the consent holder must construct the portion of the <u>arterial road, known as designation 14108 in the Auckland Unitary Plan</u>, identified on the drawing prepared by Terra Studio, titled "Traffic Upgrades Plan", Rev B, from the southern boundary of Stage 1 of the Delmore development through to the intersection of Upper Ōrewa Road and Russell Road. The road must be constructed as a two-lane arterial road with active mode facilities on each side. <u>The intersection of the arterial road (designation 14108) with Russell Road and Upper Ōrewa Road must be designed and constructed as a roundabout.</u>	AT remain concerned that this section of AT designation 14108 may not be delivered if left until final sub-stage of subdivision. By leaving the construction of this section of the arterial road until the final sub-stage of subdivision, there is a risk that it may not be built. AT suggested that this section of the road is built prior to the issue of a s224(c) certificate for any part of stage 2.	
	New AT condition: + The consent holder must, at their own expense, construct a temporary off-road footpath (minimum 1.8m in width and an all-weather surface) along Upper Ōrewa Road between the intersection with Russell Road and the Ministry of Education site in Upper Ōrewa Road. This condition will cease to have effect if the Ministry of Education site is not designated for use as a school site within two years of consent being granted.	AT state this is necessary to ensure connectivity to the school for children/staff in the event that it is built.	
16 <u>EPA</u>	Amended AT Condition: (g) A temporary turning head at the termination point of the AT designation 14108 arterial road within Stage 1 of the site in accordance with Auckland Transport's Code of practice; <u>+ Prior to the construction of AT designation 14108 arterial road through to the intersection of Upper Ōrewa Road and Russell Road, required as part of condition 8, the consent holder must construct a temporary turning head with a pedestrian path through to Upper Ōrewa Road at the termination point of the AT designation 14108 arterial road within Stage 1 of the site in accordance with the Auckland Council Code of Practice for Land Development and Subdivision Chapter 3 Transport.</u>	AT have concerns in regards to the provided tracking plans and that the risk lies with applicant if there is insufficient width at within the road as part of Engineering Approval application. Applicant maintains these issues can be addressed as part of Engineering Approval application but AT disagrees, as there are still tracking issues which may necessitate additional road width.	
3.0 <u>Subdivision</u> Section 3.1.7 Geotechnical	New Conditions (x4) after #24: Include: <u>A Geotechnical Completion Report (GCR) from a suitably qualified and experienced chartered geo-professional must be prepared and submitted to Council to confirm that all residential and commercial lots are stable and suitable for development over the design life, accounting for the anticipated geomorphic adjustment of the stream network including the bed-lowering and channel-widening</u>	Healthy Waters: Updated wording circulated to Barkers 25/06 – awaiting response. Meeting to be arranged with Healthy Waters &	

	design parameters documented in the assessment referenced under Attachment 1, when applying for a certificate under section 224(c) for a subdivision stage (or sub-stage). The GCR must include a Building Restriction Zone plan that identifies specific design zones and no-build zones. Development must be undertaken in accordance with the recommendations of the GCR.	applicant team to discuss w/c 29/06.	
3.1.9 Culvert Upgrade	New Conditions after #28: <u>Dam Assessment</u> Including: At the EPA stage the applicant must assess dam break scenarios for the inadvertent dams identified in Table 1 of the Flowstate Consulting Memorandum “Delmore Development (Upper Orewa): Dam Classification & Dam Breach Flood Hazard Assessment” dated 04/06/2026. These dam break assessments must address scenarios where there is failure of the upstream inadvertent dam(s), but no failure of the downstream dam.	<u>AT specialist:</u> Meeting to be held to discuss these conditions on Monday 29/06.	
3.1.12 Resident's Society 3.4 Stage 1B Conditions 3.4.1 Section 223 (Survey Plan Approval)	Table to include reference to Lot 1800 (Stage 1 Park) Condition #88 to be amended as follows: Lots 1605, 1606 and 1609 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as land in lieu of reserve – for drainage purposes. A right of way easement, in favour of Council, must be established over any lots required for the purposes of public access and/or reserve maintenance to allow access to Council staff and contractors if by the time of application for the survey plan for Stage 1B to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of Lots 1605, 1606 and 1609 NEW condition: <u>If no agreement is in place in accordance with Condition 80 by the time of application for the survey plan for Stage 1B to be approved under section 223, then Lots 1605, 1606 and 1609 including all associated stormwater infrastructure shall remain in private ownership. Appropriate legal mechanisms and entities must then be established to ensure ongoing operation and maintenance of the associated stormwater infrastructure in accordance with this Consent.</u> Condition #90 to be amended as follows: If no agreement is in place in accordance with Condition Error! Reference source not found. by the time of application for the survey plan for Stage 1B-2 to be approved under section 223, then Lot 1800 shall be developed into residential lots in accordance with the following plans: Scheme plan titled “Alternative Plan for Lots 359 – 370, 4512 Being Subdivision of Lot 1800 DP XXXXXX Stage 1B-1”, dated 20 May 2026. Architectural plans prepared by Terra Studio titled “A-S1-1-87, A-S1-1-88, A-S1-1-89, A-S1-1-90”.	<u>Parks:</u> The applicant's position assumes that meeting minimum provision metrics creates an obligation for Council to acquire the Stage 1 park. This is not the case. Under a standard rezoning process, Council would have had 18–24 months to integrate new open space requirements into the Development Contributions framework before consents were lodged. The Fast Track process removes this lead-in time, meaning DCs cannot be updated to reflect the scale of assets required. The applicant's assertion that “DCs are available to secure this land” does not reflect the current policy environment or the constraints created by accelerated sequencing. The applicant also does not engage with the fundamental question created by this DC misalignment: what occurs when a development generates clear open	

	4- <u>will remain as a balance Lot for the purposes of a neighbourhood park to meet the need for open space to the community it is located within and have registered a consent notice for that purpose.</u> <u>Advice Note:</u> <u>If a sale and purchase agreement is not entered into, the intended outcome for park and open green space, will still be achieved by the consent holder through the provision of a privately owned and managed open space made available-for public use via a common entity.</u> NEW condition: <u>Balance lots for Neighbourhood Park purposes (Stage 1 Park Lot 1800)</u> <u>NEW X82/83.</u> <u>Prior to the issue of a s224(c) certificate, the Consent Holder must establish an Incorporated Society (or equivalent legal body) to own, manage and maintain any communal lots, and all associated communal infrastructure, (if any) not accepted by Auckland Council for vesting under condition 81 above.</u> <u>The following requirements must be met in order to satisfy the condition:</u> a) <u>The common assets are required to remain in the ownership of the Incorporated Society (or equivalent legal body), except with the prior approval of Auckland Council.</u> b) <u>The structure, functions and rules of the Incorporated Society must include provision for the following:</u> i. <u>All lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;</u> ii. <u>All lot owners fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u> iii. <u>The Incorporated Society will be responsible for the maintenance of landscaping, infrastructure, asset management plans, and similar matters as they pertain to the common assets.</u> iv. <u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council, and</u> v. <u>An acceptable method of management of the Incorporated Society's (or equivalent legal body) future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules must identify a process for setting, collecting and</u>	space need, but Council does not yet hold acquisition funding. In this context, the assessment must return to an effects-based lens. The provision analysis identifies the need for two neighbourhood parks to support the scale of development. One is proposed to be protected in perpetuity; the other is not. The applicant has not addressed how the eastern portion of the development will avoid being left without functional, publicly accessible open space, contrary to the accessibility and walking-distance expectations of the Open Space Provision Policy. Both Stage 1 and Stage 2 parks exhibit limitations in meeting key provision qualities. If the applicant accepts that Stage 2 must be protected in perpetuity to meet community needs, then the same logic applies to Stage 1. The applicant has not justified why one park warrants long-term protection while the other does not, despite both contributing to the same network requirement and both being necessary to avoid isolating parts of the development from functional open space. The applicant's framing further overlooks the broader policy direction of the NPS-UD. Ensuring a
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	<u>enforcing the payment of levies.</u> vi. <u>All costs associated with the establishment and maintenance of the Incorporated Society (or equivalent legal body) must be borne by the Consent Holder.</u> vii. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society (or equivalent legal body) must be provided to Auckland Council for certification that the infrastructure and assets will be properly maintained over time.</u> viii. <u>The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u>	functioning urban environment requires that future communities have access to adequate, functional open space. Leaving Stage 1 in private ownership introduces a real risk that hundreds of dwellings will be delivered without sufficient amenity or space for children to play. The applicant has not addressed this risk, nor the long-term implications for the quality and equity of the open space network. Finally, while Council is actively working through the financing challenges created by Fast Track developments that fall outside the sequencing of the Future Development Strategy, acquisition cannot be assumed where funding is not yet available. The applicant's assessment does not acknowledge this constraint, nor the shared responsibility to ensure that communities are not left with inadequate open space outcomes.	
<u>3.2.2</u> <u>Landscape</u> <u>Bonds</u>	<u>Geomorphic Monitoring and Contingency</u> Prior to the issue of a section 224(c) certificate for any stage or sub-stage, the Consent Holder must provide the Council a bond or other financial assurance for the geomorphic monitoring, bed and channel management, and contingency remediation works required by the Geomorphic Monitoring and Adaptive Management Plan, the Bed and Channel Management Plan, and any Stream Stabilisation Plan. The bond will be held for a minimum of 10 years following completion of the stage and thereafter until geomorphic stabilisation is demonstrated to the satisfaction of Council. The amount of the bond will be 1.5 x the estimated cost of the monitoring programme, the bed and channel management measures, and the reasonably foreseeable contingency remediation works identified in the certified Geomorphic Monitoring and Adaptive Management Plan, Bed and Channel Management Plan, and	<u>Healthy Waters:</u> Updated wording circulated to Barkers 25/06 – awaiting response. Meeting to be arranged with Healthy Waters & applicant team to discuss w/c 29/06.	

	any Stream Stabilisation Plan, and must be reviewed and adjusted at the commencement of each stage.		
<u>3.4 Stage 1B Conditions</u> <u>3.4.1 Section 223 (Survey Plan Approval)</u>	Amended Parks Condition: # 88 Lots 1605, 1606 and 1609 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as land in lieu of reserve – for drainage purposes. A right of way easement, in favour of Council, must be established over any lots required for the purposes of public access and/or reserve maintenance to allow access to Council staff and contractors if by the time of application for the survey plan for Stage 1B to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of Lots 1605, 1606 and 1609 80A. If no agreement is in place in accordance with Condition 80 by the time of application for the survey plan for Stage 1B to be approved under section 223, then Lots 1605, 1606 and 1609 including all associated stormwater infrastructure shall remain in private ownership. Appropriate legal mechanisms and entities must then be established to ensure ongoing operation and maintenance of the associated stormwater infrastructure in accordance with this Consent.	Parks: See comment above	
<u>6.0 Stormwater Discharge Permit</u> <u>6.1 General</u>	New Conditions (x6) at 6.1 ...Including: All stormwater outlet structures that discharge to a stream must be designed, and certified by a suitably qualified and experienced fluvial geomorphologist and engineer, to remain functional and structurally sound under the anticipated geomorphic adjustment trajectory...	Healthy Waters: Updated wording circulated to Barkers 25/06 – awaiting response. Meeting to be arranged with Healthy Waters & applicant team to discuss w/c 29/06.	
<u>6.1.4 Operation and Maintenance</u>	(a) Confirmation that long-term maintenance and monitoring of the stormwater management system, including all T-bar dispersal devices and on-lot devices, is undertaken by a single collective entity (the Resident's Society) and not by individual lot owners, and the organisational structure supporting this; (b) Cumulative monitoring of the dispersal device network, undertaken in accordance with the Geomorphic Monitoring and Adaptive Management Plan;	Healthy Waters: Updated wording circulated to Barkers 25/06 – awaiting response. Meeting to be arranged with Healthy Waters & applicant team to discuss w/c 29/06.	
<u>7.3.7 (New)</u>	New Conditions – Ecology: Wastewater Treatment Plant Offset Area + Prior to the commencement of any wastewater discharge to the irrigation field within the covenant area on Lot 5001, the consent holder must identify and legally protect an offset area in accordance with the requirements of this condition. The purpose of the offset area is to provide certainty that there will be no net loss of indigenous biodiversity protection in the event that a significant failure of the wastewater treatment system results in adverse ecological effects on the covenant vegetation within Lot 5001 that cannot be fully remediated.	Ecology: We accept that day-to-day operational effects of the WWTP are manageable, but maintain that legal protection of an equivalent bush area is a proportionate and not particularly onerous safeguard against a scenario that, while unlikely, cannot be excluded.	

	<u>X+1. The consent holder must prepare and submit to Auckland Council for certification an Offset Plan at least 20 working days prior to the commencement of any wastewater discharge to the irrigation field. The Offset Plan must be prepared by a suitably qualified ecologist and must identify a proposed area that meets the following minimum criteria:</u> <u>(a) Size: The offset area must be of equivalent or greater area to the consented notice area within Lot 5001 that is proposed for use as the wastewater irrigation field.</u> <u>(b) Ecological value: The offset area must support indigenous vegetation of equivalent or greater ecological condition to the covenant vegetation within Lot 5001, including vegetation structure, canopy composition, and habitat condition;</u> <u>(c) Location: The offset area must be located:</u> • <u>Within the Rodney or Tāmaki Ecological Districts; and</u> • <u>As close as practicable to the Delmore site, and preferably within the Ōrewa River catchment, to maximise ecological coherence and landscape connectivity with the existing covenant and SEA areas on the site;</u> <u>(d) Protection status: The offset area must not be subject to any existing legal protection mechanism that would otherwise have secured its protection in the absence of this condition, such that the protection required by this condition represents a genuine and additional conservation outcome; and</u> <u>(e) Legal protection mechanism: The offset area must be protected in perpetuity under a covenant (e.g. QEII Open Space Covenant).</u> <u>X+2. The consent holder must implement and maintain, in perpetuity, a programme of pest plant management within the proposed offset area.</u> <u>Note: the legal protection of the nominated offset site must be additional, i.e. the site cannot be currently subject to a designation, reserve status, or existing QEII covenant.</u>	This is acknowledged in the Applicant's own response — they accept that failure "can never be entirely excluded." The intention of a precautionary offset of this kind is that it provides security against effects that have not yet occurred and may never occur, but which could be severe and irreversible if they did.
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Attachment Two: Brookfields Legal Memo

BEFORE AN EXPERT CONSENTING PANEL

IN THE MATTER

of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER

of an application for approvals by Vineway Limited for a project known as “Delmore”, involving the subdivision and development 109.18 hectares of FUZ land into a comprehensively planned development, including up to 1,213 dwellings, one residential super-lot, a commercial area, two neighbourhood parks, supporting infrastructure, as well as associated works

MEMORANDUM OF COUNSEL FOR AUCKLAND COUNCIL

Dated: 26 June 2026

Matthew Allan
Partner
allan@brookfields.co.nz
Telephone No. 09 979 2128
P O Box 240
DX CP24134
AUCKLAND

BROOKFIELDS
LAWYERS

MAY IT PLEASE THE PANEL:

1. INTRODUCTION

1.1 We act for the Auckland Council (**Council**) in relation to the substantive application for the Delmore project (**Application**) by Vineway Limited (**Applicant**) under the Fast-track Approvals Act 2024 (**FTAA**).

1.2 This memorandum of counsel forms part of the Council's response to the Panel's request for further information dated 12 June 2026 (**RFI**). Pursuant to paragraph [8] of the RFI, it addresses Council's response to:

(a) Question 1 relating to Water Services Act 2021 (**WSA**) authorisations, as follows:

1. What are the nature of the authorisations required for water supply and waste water under the Water Services Act? Should the Panel anticipate (for the purposes of drafting conditions) that authorizations from the Water Services Authority may be required for private wastewater systems in the future?

(b) Questions 2, 3 and 4. These are the interrelated questions concerning the interpretation of the Future Urban Zone (**FUZ**) objectives and policies in the Auckland Unitary Plan – Operative in Part (**AUP**) in light of three cases: *Matvin*,¹ *East-West Link*,² and *Glenpanel*.³ The three questions are as follows:

2. In what way has the approach in *Matvin* been altered by later decisions of the Supreme Court in the *East-West Link* decision and the Court of Appeal in *Glenpanel* with respect to plan provision interpretation?
3. The Applicant's approach in the AEE to the interpretation of the relevant objectives and policies in the FUZ is to look at the intent of the provisions, rather than the plain and ordinary meaning. To what extent is this approach to the interpretation of planning provisions open to the Panel?
4. How should the Panel interpret the word 'avoid' in Objective H18.2(4) and associated Policy H18.3(6), particularly in relation to 6(b), (c), (d) and (g)?

¹ *Auckland Council v Matvin Group Ltd* [2023] NZHC 2481.

² *Royal Forest and Bird Protection Society of New Zealand Inc v New Zealand Transport Agency* [2024] NZSC 26.

³ *Glenpanel Development Limited v Expert Consenting Panel* [2025] NZCA 154.

2. EXECUTIVE SUMMARY

Question 1

- 2.1 We provide brief commentary in the **Analysis** below on the extent to which authorisations are required for private drinking water and wastewater networks under the WSA. In short, authorisations are required for private drinking water but not private wastewater networks. The Panel may find it challenging to take into account remote and uncertain future regulatory changes to bring private wastewater networks within the WSA's regime, and therefore conditions should be set based on the law as it stands.

Question 2

- 2.2 We do not consider *Matvin* to have been overruled, or – as the Applicant has put it – to be of “limited, if any, assistance to the Panel”.⁴ In our opinion, it remains good authority on the application of the ordinary meaning of “avoid” to the AUP's FUZ provisions – and provides useful commentary on the operation of Chapter H18 of the AUP more generally. That ordinary meaning, as applied in *Matvin* (“not allow” or “prevent the occurrence of”), is confirmed by *East-West Link*, drawing on *King Salmon*.
- 2.3 *Matvin* should, however, now be read in light of *East-West Link* (as applied in *Glenpanel*). *East-West Link* requires a fair appraisal of the relevant objectives and policies read as a whole, rather than an isolated or decontextualised reading of individual provisions.⁵ But that is not a “blender” exercise, to use the Supreme Court's word, in which stronger directive objectives and policies are weakened.⁶ The provisions must be considered both on their own terms and as they relate to one another.⁷ *East-West Link* also recognises that there may be room for a genuine, on-the-merits exception in an appropriate case, but only where that exception does not subvert the policy.⁸ The more precise and sharp-edged the policy, the less room there will be for such an exception.
- 2.4 We discuss all three cases further in the **Analysis** below.

⁴ Memorandum of Counsel for the Applicant with Response to Comments, 5 June 2026, at [5.48].

⁵ *East-West Link*, at [79].

⁶ *East-West Link*, at [80].

⁷ *East-West Link*, at [80].

⁸ *East-West Link*, at [109].

Question 3

- 2.5 The Panel must interpret the FUZ provisions in the orthodox way: by reading the text in the light of purpose and context.⁹ Here, the relevant words are clear. For instance, objective H18.2(4) directs that urbanisation on FUZ land is to be avoided until the land is rezoned for urban purposes.
- 2.6 The AEE does not appear to give effect to that direction. It acknowledges that “urbanisation is not avoided until the site is rezoned for urban purposes”,¹⁰ but treats the proposal as not contrary to objective H18.2(4) because it is said to avoid the broader mischief of *ad hoc* or compromising development. That approach substitutes the AEE’s asserted purpose of the provision for its actual text. We do not consider it is an interpretation open to the Panel. Nor does the master planning supporting the proposal change the meaning of H18.2(4) or the word “avoid”, as used in that objective and policy H18.3(6).

Question 4

- 2.7 “Avoid” in objective H18.2(4) and policy H18.3(6) carries its strong, directive *King Salmon* meaning (“not allow” / “prevent the occurrence of”), consistent with *Matvin* and *East-West Link*. That meaning is not displaced by reading the FUZ provisions purposively or as a whole. We also note that policy H18.3(6) is engaged at a low threshold: subdivision, use or development that “may result in” one or more of the listed outcomes. If that threshold is met, the policy direction is to avoid the relevant subdivision, use or development. Whether limbs (b), (c), (d) and (g) are in fact engaged is a matter for the Panel on the evidence.

3. ANALYSIS

Authorisations under the Water Services Act 2021

- 3.1 The WSA treats drinking water and wastewater very differently. The WSA’s “main purpose” is “to ensure that drinking water suppliers provide safe drinking water to consumers”, whereas an “additional purpose” is to provide

⁹ Legislation Act 2019, s 10. See the further discussion of the approach to interpretation in the **Analysis** below.

¹⁰ AEE, page 110.

a framework for transparency about the performance of wastewater networks and operators.¹¹

Drinking water supply

- 3.2 “Drinking water supply” is relevantly defined to “*mean the infrastructure and processes used to abstract, store, treat, transmit, or transport drinking water for supply to consumers or another drinking water supplier....*”.¹² The definition does not distinguish between public and private suppliers.
- 3.3 The owner of a drinking water supply must register it¹³ in accordance with the requirements of subpart 7 of the WSA. Supplying from an unregistered supply is an offence.¹⁴ Layered over that are the duties to supply safe water¹⁵ and comply with drinking water standards,¹⁶ and to hold a drinking water safety plan.¹⁷
- 3.4 A person must not operate a drinking water supply or wastewater network, or a class of drinking water supply or wastewater network, if:¹⁸
- (a) regulations require the operator to be authorised; and
 - (b) the person is not authorised in accordance with the regulations.
- 3.5 Regulations may prescribe matters relating to authorisations (including licences, certifications, registrations, and permits), qualifications, skills, and experience.¹⁹ However, there are no operator-authorisation regulations²⁰ at present, so the authorisation regime remains dormant for drinking water operators.

Wastewater networks

- 3.6 The position for wastewater is quite different. A “wastewater network” is defined²¹ to mean:

¹¹ WSA, section 3.

¹² WSA, section 9.

¹³ WSA, section 23.

¹⁴ WSA, section 178.

¹⁵ WSA, section 21.

¹⁶ WSA, section 22.

¹⁷ WSA, sections 30-31.

¹⁸ WSA, section 68.

¹⁹ WSA, sections 72 and 200.

²⁰ WSA, sections 68, 72 and 200.

²¹ WSA, section 5.

the infrastructure and processes that—

(a) are used to collect, store, transmit through reticulation, treat, or discharge wastewater; and

(b) are operated by, for, or on behalf of one of the following:

(i) a local authority, water organisation, or subsidiary of a water organisation:

(ii) a department:

(iii) the New Zealand Defence Force

3.7 The specified operators are all public entities. So, while the Delmore wastewater system remains genuinely private, it falls outside the definition of wastewater network. “Wastewater network operator” has a corresponding definition²², which also incorporates:

(a) any person who operates a wastewater network, or any aspect of a wastewater network, for, or on behalf of, the specified public organisations; and

(b) an organisation or individual involved in the operation of a wastewater network if the organisation or individual is authorised or included on a register in accordance with regulations made under section 200.

3.8 While this definition is somewhat more expansive, it remains tied to the definition of “wastewater network” which must be operated by or on behalf of the specified public organisations.

3.9 As noted above, the operator authorisation and competency requirements remain dormant, and once activated would only apply to wastewater networks as defined.

3.10 The substantive obligations on a *wastewater network operator* include complying with wastewater environmental performance standards set by regulation,²³ and to prepare, implement, and five-yearly review a wastewater network risk management plan submitted to the Water Services Authority.²⁴

²² WSA, section 5.

²³ WSA, section 138.

²⁴ WSA, section 139.

Question 1: What is the nature of the authorisations required under the Water Services Act, and should the Panel anticipate that authorisations may be required for private wastewater systems in the future?

- 3.11 We have provided brief discussion of the contrasting treatment of water supply and wastewater under the WSA above.
- 3.12 The Panel questions whether it should anticipate, for the purpose of drafting conditions, that authorisations from the Water Services Authority may be required for private wastewater systems in the future.
- 3.13 In our opinion, that should not be assumed. For that to occur, there would need to be legislative amendments (e.g. to the definition of “wastewater network” to incorporate privately operated networks), and possibly a set of relevant operator authorisation and competency requirements promulgated under regulations. As the legislation currently stands, a private wastewater system would not require an operator authorisation from the Water Services Authority merely because it collects, treats, or discharges wastewater. The Water Services Authority’s website notes that “[p]rivately owned wastewater systems and very small networks are captured by Standard AS/NZS 1547:2012”.²⁵
- 3.14 The general principle is that decision-makers should take the law as it stands during their decision-making processes, rather than anticipating potential future changes in legislation or regulations. If amendments were clearly signalled and likely to take effect in the near future, then there may be a basis to depart from the general principle and consider how this could be anticipated within conditions. However, that is not the case here and there would therefore be significant challenges in seeking to anticipate in condition drafting uncertain potential future regulatory changes.
- 3.15 Therefore, we consider the Panel should approach the setting of conditions for the operation of private wastewater networks on the basis that such conditions would be the current governing regulatory framework, and no regulation applies under the WSA.
- 3.16 Finally, for completeness, while Watercare Services Limited (**Watercare**) entirely reserves its position in relation to any future vesting of private water

²⁵ <https://www.taumataarowai.govt.nz/wastewater-sector>.

services infrastructure in Watercare, or any future connection of that infrastructure (or any parts of it) to the public network, the Panel should note that if any such vesting or connection is proposed in the future, sections 97K and 97L of the WSA would then be engaged. In broad terms:

- (a) Section 97K prevents a water service provider from accepting a transfer of ownership of water services infrastructure unless the infrastructure meets the design, construction, and operational performance requirements in the National Engineering Design Standards (**NEDS**). The NEDS are expected to be published in 2028.²⁶
- (b) Section 97L similarly prevents a water service provider from connecting, or allowing the connection of, water services infrastructure to a water services network unless the infrastructure meets those NEDS requirements, the connection is made in accordance with the NEDS connection requirements, and any applicable water services bylaw is complied with.
- (c) Importantly, even where those requirements are met, the WSA does not require a water service provider (here Watercare) to accept a transfer of ownership or to make or allow a connection.²⁷

Observations on the FTAA statutory setting and case law identified by the Panel

- 3.17 To ‘set the scene’ for our discussion of the Panel’s Questions 2 to 4, we briefly make some observations in relation to the FTAA statutory framework, and on the case law referenced by the Panel (*Matvin*, *East-West Link*, and *Glenpanel*).

FTAA framework

- 3.18 We make three brief observations below concerning the different statutory framework of the FTAA, as relevant context:

- (a) First, the s 104D gateway test for non-complying activities was engaged in *Matvin*, *East-West Link* and *Glenpanel*. By contrast, the

²⁶ <https://www.taumataarowai.govt.nz/about-us/what-we-do/national-engineering-design-standards>.

²⁷ WSA, ss 97K(2) and 97L(2).

FTAA does not carry s 104D across: clause 17(1)(b) of Schedule 5 imports the RMA provisions directing decision-making on a consent application "but excluding section 104D". The FUZ objectives and policies are therefore relevant through s 104(1)(b) RMA (as imported) and through ss 81 and 85, but not as a gateway the proposal must pass.

- (b) Clause 17(1) requires the listed matters to be taken into account, with greatest weight going to the FTAA's purpose. Section 85(3) permits decline where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits (after conditions and modifications), but s 85(4) provides that inconsistency with a planning document cannot, of itself, be the sole basis for treating an impact as meeting that threshold. Inconsistency with the FUZ provisions may thus contribute to a decline but cannot alone justify one. The Panel in the *Pound Road Industrial Development* fast-track decision put it as follows:²⁸

110 Section 85(4) provides that a Panel may not form the view that an adverse impact meets the threshold in s85(3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that the Panel must take into account under s 81(2).

111 Accordingly, inconsistency with planning instruments or other statutory documents may weigh against the grant of approval and therefore may fall within the broad definition of "adverse impact" in s85(5). However, such inconsistency does not, of itself, determine the proportionality assessment. ...

- (c) Because inconsistency or 'contrariness' can contribute to the proportionality assessment (alongside other potential impacts), the Panel must form a view on what the FUZ provisions mean and whether the proposal is contrary to them. The change of statutory framework does not displace that task, nor does it set aside what *Matvin* and *East-West Link* establish about how directive "avoid" provisions are read: those cases concern the interpretation of planning provisions, which the FTAA still requires, and their guidance

²⁸ *Pound Road Industrial Development*, decision dated 1 May 2026, at [110] and [111].

carries across notwithstanding that the s 104D gateway (at play in those decisions) does not apply.

Case law

The *Matvin* Decision (High Court)

3.19 *Matvin* arose under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (**COVID Act**) and concerned a retirement village development in the Future Urban Zone (**FUZ**).

3.20 His Honour Woolford J stated in *Matvin*:

[29] The Panel criticises the “strict literal” interpretation of the FUZ provisions taken by the Council. However, words are generally to be given their natural or ordinary meanings. The Panel also says that they do not read the Zone description as being absolute. However, I view the Zone description as a synthesis of the objectives and policies. It is quite clear in its meaning. It succinctly states in three sentences:

The Future Urban Zone is applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural activities but cannot be used for urban activities until the site is re-zoned for urban purposes.

The Zone description uses the words, “cannot be used”, not “can perhaps be used” or “may be used.”

[30] Objective H18.2(4) is similarly quite clear — “Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes”.

[31] As noted by the Supreme Court in the *New Zealand King Salmon* case, “avoid” is a strong word meaning “not allow” or “prevent the occurrence of”.

...

[35] Again, quite strong words are used – “require”, “avoid” and “prevent”.

[36] In interpreting the FUZ provisions, it is not a question of weighing up the various objectives and policies for and against urban development. There are no provisions specifically allowing urban development.

...

[38] I am therefore persuaded that the Panel made an error of law in finding that the overall purpose of the FUZ was to preclude activities that may compromise future urban development. The overall purpose of the FUZ is as a holding zone and to provide a transition from rural to urban use and development. The zone recognises the need for comprehensive and intentional design for soon-to-be urban areas.

Until rezoned urban, the primary set of activities that are to occur in the FUZ are rural.

3.21 Therefore, Woolford J held that the FUZ provisions are to be given their plain and ordinary meaning. He rejected the Panel's 'overall purpose' reading, under which the objectives and policies were read to preclude activities that may compromise future urban development. The key conclusions were that:²⁹

- (a) words are "*generally to be given their natural or ordinary meanings*"; that the zone description ("*cannot be used for urban activities until the site is re-zoned*") is "quite clear";
- (b) "avoid" in objective H18.2(4) is a strong word meaning "not allow" or "prevent the occurrence of" (drawing on *King Salmon*); and
- (c) "*it is not a question of weighing up the various objectives and policies for and against urban development*" because "*there are no provisions specifically allowing urban development*".

3.22 Of direct relevance to Question 4, Woolford J also addressed Policy H18.3(6) directly, holding that it is "not conditional" but is "*illustrative of the scale of urban development that may be able to proceed prior to rezoning*", and that the proposal there was contrary to it.³⁰

The *East-West Link* Decision (Supreme Court)

3.23 *East-West Link* concerned, among other things, the coastal "avoid" policies of the New Zealand Coastal Policy Statement and the AUP's significant ecological area overlays. The Supreme Court majority confirmed the "fair appraisal" approach from *Dye*: the relevant objectives and policies must be read as a whole, rather than by isolating and decontextualising individual provisions. The Court also confirmed that this is not a "blender" exercise in which stronger directive policies are weakened and weaker policies

²⁹ *Matvin*, at [29]-[38]. The quotation of *King Salmon*'s meaning of "avoid" is at [31], drawing on *Environmental Defence Society Inc v New Zealand King Salmon Co Ltd* [2014] NZSC 38, [2014] 1 NZLR 593.

³⁰ *Matvin*, at [54].

strengthened. The provisions must be considered both on their own terms and as they relate to one another.³¹

- 3.24 The Supreme Court also addressed the possibility of genuine exceptions to directive policies.³² The Court said that policies mean what they say, but they remain policies.³³ A genuine, on-the-merits exception will not subvert a directive policy; rather, true exceptions can protect the integrity of the policy from anomalous or unintended outcomes. However, the Court was equally clear that the more precise and sharp-edged the policy, the less room there will be for such an exception. We therefore consider the potential *East-West Link* exception, as described by the majority, to be a narrow one.

The *Glenpanel* Decision (Court of Appeal)

- 3.25 *Glenpanel*, another COVID Act fast-track case, broadly concerned directive “avoid” provisions against premature urbanisation outside an urban growth boundary on rural zoned land. The panel decision, which pre-dated *East-West Link*, had treated directive “avoid” wording as determinative.³⁴
- 3.26 The Court of Appeal held that, in light of *East-West Link*, a more nuanced approach was required.³⁵ What mattered in *Glenpanel* was the particular wider planning context: Ladies Mile had been identified as a priority future urban development area; the NPS-UD was driving additional housing capacity; and the Council had approved, although not yet publicly notified, a variation to extend the urban growth boundary to include the site, and give the site an urban zoning. That context (particularly the proposed variation) potentially engaged the *East-West Link* approach.³⁶
- 3.27 Importantly, the Court was equally clear about the limits of that approach (in the context of a COVID Act proposal), for example commenting that:
- (a) the nuanced approach “*does not mean that Glenpanel’s application should have been granted*”, only that the panel “*was required to give substantive consideration to that possibility*”;³⁷

³¹ *East-West Link*, at [79]-[80]. The “fair appraisal ... read as a whole” formulation derives from *Dye v Auckland Regional Council* [2002] 1 NZLR 337 (CA).

³² *East-West Link*, at [109].

³³ *East-West Link*, at [101].

³⁴ *Glenpanel*, at [29], [41], citing the Panel’s decision at [408].

³⁵ *Glenpanel*, at [33].

³⁶ *Glenpanel*, at [39].

³⁷ *Glenpanel*, at [42].

- (b) *“Bringing forward projects in this way does not mean applications should be granted”*; environmental effects remained part of the required consideration, and *“the more nuanced approach does not dictate an outcome”*.³⁸
 - (c) uncertainties about where and how urbanisation would occur, and the “orderly and strategic” management of growth, remained relevant.³⁹
- 3.28 That is so under the FTAA as much as under the COVID Act. One strand of *Glenpanel*, that the regime was meant to “bring forward” projects otherwise grantable later, was tied to the COVID Act’s purpose of urgently promoting employment in pandemic recovery. We observe that the FTAA’s purpose is different. In any event, the nuanced approach does not dictate an outcome: bringing a project forward “does not mean applications should be granted”.⁴⁰

Question 2: How has *Matvin* been altered by *East-West Link* and *Glenpanel*?

- 3.29 Turning then to Question 2, with the above context, we do not consider *Matvin* to have been overruled, or – as the Applicant has put it – to be of “limited, if any, assistance to the Panel”.⁴¹
- 3.30 *Matvin* remains good authority on the interpretation and operation of the FUZ provisions in Chapter H18. In particular, Woolford J held that the zone description and Objective H18.2(4) are clear; that “avoid” carries its ordinary *King Salmon* meaning of “not allow” or “prevent the occurrence of”; and that the FUZ is a holding zone in which, until rezoning, the primary activities are rural.
- 3.31 What *East-West Link* does qualify is any reading of *Matvin* that would treat the directive wording of H18 as automatically determinative. *East-West Link* requires a fair appraisal of the relevant objectives and policies read as a whole. But that does not dilute the directive language used in H18. The provisions must still be considered on their own terms and as they relate to one another.

³⁸ *Glenpanel*, at [45].

³⁹ *Glenpanel*, at [46].

⁴⁰ *Glenpanel*, at [45].

⁴¹ Memorandum of Counsel for the Applicant with Response to Comments, 5 June 2026, at [5.48].

- 3.32 *East-West Link* also recognises that a genuine, on-the-merits exception may be available in an appropriate case. But that is a narrow proposition. A true exception must not subvert the policy. The more precise and sharp-edged the policy, the less room there will be for such an exception.
- 3.33 While *Glenpanel* was decided under the COVID Act, not the FTAA, a brief comparison with Delmore may assist the Panel.
- 3.34 In *Glenpanel* the site was zoned rural and lay outside the urban growth boundary. As noted earlier, what potentially engaged the *East-West Link* approach was how far the wider planning work had nonetheless advanced toward urbanising it: Ladies Mile had been identified as a priority future urban area in the spatial plan and masterplan; the National Policy Statement on Urban Development was driving additional housing capacity; and, importantly for the Court of Appeal, the Council had approved (though not yet notified) a proposed variation to the Proposed District Plan extending the urban growth boundary to take in, and rezoning, the site. The Court of Appeal held that this context potentially engaged the *East-West Link* approach and required substantive consideration of whether the application could be granted as an exception.⁴² Again, it did not hold that the application should be granted.
- 3.35 The Delmore land is zoned FUZ, and is therefore identified in the AUP for future urbanisation, but on a sequenced basis. As the Panel is aware, the Future Development Strategy 2023–2053 (the **FDS**) anticipates urbanisation of the Upper Orewa Future Urban Area, but not until 2050 and beyond. We do not repeat the content of Council’s comments in this regard, but (very) broadly that timing reflects when the necessary bulk infrastructure is expected to be in place.⁴³
- 3.36 In the Delmore context, the Panel may wish to consider how this difference bears on any potential exception (to the extent that an exception is said to arise). The difference is not in the underlying status of the land (the FUZ identifies Delmore for future urbanisation after all), but in the direction of the wider planning work. In *Glenpanel* the wider instruments, including an imminent variation to rezone the land, pointed toward bringing the project

⁴² *Glenpanel*, at [38]–[39].

⁴³ See e.g. Council’s strategic / FDS assessment at Section B.1 of the Council Memorandum of Planning Matters dated 4 May 2026, and the supporting Watercare, Auckland Transport and Funding and Financing memoranda referenced therein; and *Arvida Limited v Auckland Council* [2026] NZEnvC 049 at [89], [90] and [95].

forward, and it was that which potentially opened the door to a potential exception. Here the FDS, which the Panel must have regard to, tends to point the other way: it sequences this land for development from 2050, for infrastructure reasons. The Panel may accordingly wish to consider whether the features that assisted the applicant in *Glenpanel* (notably the imminent variation to rezone the land) are present here, and what follows for any 'genuine exception' inquiry if the strategic context instead points *against* bringing the development forward.

3.37 In summary:

- (a) *Matvin* has not been overruled, but should be read subject to *East-West Link*.
- (b) *East-West Link* requires a fair appraisal of the relevant objectives and policies read as a whole. That is not a "blender" exercise in which stronger directive objective and policies are weakened.
- (c) The directive force of the FUZ "avoid" provisions therefore survives. What changes is that the Panel should not treat those provisions as automatically determinative without considering whether, on a fair appraisal of the relevant objectives and policies as a whole, a genuine and narrow exception is available.
- (d) Whether such an exception is available at Delmore is a question for the Panel on the evidence. The sequenced nature of the FUZ and the direction of the wider strategic instruments will be central to that assessment.

Question 3: Is the Applicant's "intent over plain meaning" approach open to the Panel?

- 3.38 The short answer is that the Panel must interpret the FUZ provisions in the orthodox way: by reading the text in the light of purpose and context. That does not permit the provisions' supposed "intent" to be used to displace the plain meaning of "avoid".

- 3.39 The orthodox approach to interpretation is settled. As the Environment Court recently restated in *Braeburn Property Ltd v Christchurch City Council*:⁴⁴
- (a) The interpretation of plan provisions is governed by s 10(1) of the Legislation Act 2019, under which meaning is "ascertained from its text and in the light of its purpose and its context"; and
 - (b) *Powell v Dunedin City Council* remains the leading authority.
- 3.40 In *Powell*, the Court of Appeal accepted that it was appropriate to seek the plain meaning of a rule from the words themselves, but it was not appropriate to undertake that exercise "in a vacuum": regard must be had to the objectives and policies, and text, purpose and context are to be "comprehended together in a unified way" rather than treated as separate cross-checks.⁴⁵ Purpose therefore informs the reading of the text; it does not displace it.
- 3.41 That is the exercise Woolford J undertook in *Matvin*. His Honour did not read Objective H18.2(4) in isolation. He treated the zone description as "a synthesis of the objectives and policies" of H18 and read the provisions as a whole.⁴⁶ Reading them that way, he nonetheless arrived at their plain and ordinary meaning – that "avoid" and "cannot be used" are strong, directive words, and that "*it is not a question of weighing up the various objectives and policies for and against urban development*".⁴⁷
- 3.42 The approach taken in the AEE appears to depart from that orthodox approach. The AEE accepts that, on objective H18.2(4), "urbanisation is not avoided until the site is rezoned for urban purposes".⁴⁸ It then treats the proposal as not contrary to that objective because the proposal is said to avoid the broader mischief of *ad hoc* or compromising development. In our opinion, that inverts the s 10 Legislation Act interpretive exercise: the text is to be read in the light of its purpose and context, not displaced by it.

⁴⁴ *Braeburn Property Ltd v Christchurch City Council* [2024] NZEnvC 343 at [18]–[20], citing s 10(1) of the Legislation Act 2019 and *Powell v Dunedin City Council* [2004] NZRMA 49 (HC), affirmed [2005] NZRMA 174 (CA)

⁴⁵ *Braeburn*, at [21]–[22], citing *Powell* (CA) at [35] and *Auckland Council v Teddy and Friends Ltd* [2022] NZEnvC 128 at [27].

⁴⁶ *Matvin*, at [29].

⁴⁷ *Matvin*, at [29], [36].

⁴⁸ AEE, page 110.

- 3.43 The approach is also difficult to reconcile with *East-West Link* where the Supreme Court confirmed that "policies mean what they say", and that reading the policies as a whole is not a "blender" in which stronger directive objectives and policies are weakened.⁴⁹
- 3.44 In our opinion, the Panel may read the FUZ provisions purposively and as a whole. But, consistently with the Legislation Act, that reading informs the text rather than displacing it. It does not allow, for example, objective H18.2(4) to be treated as satisfied merely because *ad hoc* or compromising development is said to be avoided. On the orthodox approach, and consistently with *Matvin*, the proposal is contrary to that objective on its plain terms. We also observe that the proposal's difficulty would not appear to be confined to H18.2(4) (e.g. the proposal is in tension with various policies in H18).
- 3.45 Whether, reading all of these as a whole, a genuine and narrow exception is nonetheless available is the separate *East-West Link* issue addressed under Question 2.

Question 4: How should "avoid" in objective H18.2(4) and policy H18.3(6) be interpreted?

- 3.46 This question can be answered briefly. We do not repeat our comments above on whether any genuine, narrow exception may be available, which is a separate matter for the Panel.
- 3.47 In our opinion, "avoid" in Objective H18.2(4) and Policy H18.3(6) carries its strong, directive *King Salmon* meaning: "not allow" or "prevent the occurrence of". That was Woolford J's approach in *Matvin*, and *East-West Link* confirms it. We therefore consider that the ordinary meaning of "avoid" remains the starting point.
- 3.48 We also note the Supreme Court's statement that a directive "avoid" provision can have a "powerful shaping effect".⁵⁰
- 3.49 We make two further brief points specific to policy H18.3(6):

⁴⁹ *East-West Link*, at [80] and [101].

⁵⁰ *East-West Link*, at [110].

- (a) First, it is engaged at a low threshold. It directs the avoidance of subdivision, use, and development that "may result in" one or more of the listed outcomes, not only development that certainly will.
- (b) Second, the directive force is the same across the listed limbs, including limbs (b), (c), (d) and (g) identified by the Panel. If, on the evidence, the development may result in the relevant outcome, the policy directs that the relevant subdivision, use or development be avoided, and the proposal is to that extent contrary to it. Whether each limb is in fact engaged is a matter for the Panel's assessment of the evidence from the Applicant and Council.

DATED the 26th day of June 2026



Matt Allan / Rowan Ashton
Counsel for Auckland Council

Attachment Three: Draft Conditions Set

Delmore: Proposed Consent Conditions Contents

- 1.0 General (applies across all consents and permits)
- 2.0 Land Use (s9 of the RMA)
- 3.0 Subdivision (s11 of the RMA)
- 4.0 Stream works (s13 of the RMA)
- 5.0 Water Permit for Dewatering/Diversion of Groundwater (s14 of the RMA)
- 6.0 Stormwater Discharge Permit (s15 of the RMA)
- 7.0 Wastewater Discharge Permit (s15 of the RMA)
- 8.0 Air Discharge Permit (s15 of the RMA)
- 9.0 Archaeological Authority

Green – Confirmed accepted by both AC and the applicant

Yellow – Amendments requested by AC and not accepted by the applicant

Blue – Council additions to be discussed directly with the applicant team w/c 29/06

Delmore: Proposed Consent Conditions Explanatory Note

Explanatory Note – Servicing Framework

The development has been designed to enable connection to the public water supply and wastewater reticulation networks, when those services become available. However, recognising the uncertainty around the timing of these connections, these consents provide a staged and adaptive servicing framework.

The servicing conditions establish a hierarchy of servicing options that apply depending on the availability of public infrastructure at the time Engineering Plan Approval is sought for each stage of development, as follows:

- (1) Where confirmation is received from the utility provider that public water supply and/or wastewater services are available, development must connect to the public network.
- (2) For Stage 1A, where a public wastewater connection is not immediately available but is confirmed to become available within an agreed timeframe between the consent holder and the utility provider, temporary wastewater servicing may be provided through the collection, storage and transport of untreated wastewater to an authorised off-site facility. This approach recognises that it would not be practical to construct and commission the on-site WWTP to service a relatively small number of dwellings for a limited period, where a permanent connection to the public network is expected shortly thereafter.
- (3) Where no confirmed public wastewater connection is available within the required timeframe, wastewater servicing must be provided through an on-site wastewater treatment and disposal system.
- (4) Where a public water supply connection is unavailable, potable water must be supplied from a private water supply and treatment system.
- (5) If public water and/or wastewater services become available after private servicing infrastructure has been established, these consents provide for the decommissioning of private infrastructure and transition to the public network, subject to the relevant consent conditions.

For clarity, these consents do not authorise the on-site treatment and disposal of wastewater generated by Stage 2 of the development. Prior to the issue of section 224(c) certification for any lots within Stage 2, the Consent Holder must either obtain all necessary approvals and resource consents for Stage 2 wastewater treatment and disposal, or provide a connection to the public wastewater network if that is available at that time.

As at the date of these consents, no agreement has been reached with the water/wastewater network utility provider regarding the acceptance for vesting of any infrastructure associated with the subdivision and development, or the approval of any connection to the public water and/or wastewater network under the Water Supply and Wastewater Network Bylaw 2015 (or any replacement bylaw). For the avoidance of doubt, nothing in these consents requires the provider to accept vesting of any such infrastructure, or to approve any such connection, now or in the future.

1.0 General Conditions (applies across all consents and permits)

1.1 Activity in accordance with application

1. The Consent Holder must undertake the works in general accordance with the application formally received by the Environmental Protection Authority (EPA) on the 23 December 2025, except where amended by the Section 55 Response to Comments received by the EPA on the 5 June 2026. In the event that any of the provisions of the following documents conflict with the requirements of these conditions of consent, these conditions of consent must prevail. The relevant documents include:
 - Assessment of Environmental Effects prepared by Barker & Associates Ltd titled “*Delmore – 88, 130, 132 Upper Ōrewa Road and 53A, 53B and 55 Russell Road, Ōrewa*” and dated December 2025; and
 - The reports, plans and further responses listed at **Attachment 1**.

1.2 Consent Lapse

2. Under section 125 of the RMA, these consents lapse eight years after the date they are granted, unless:
 - (a) The consents are given effect to; or
 - (b) The council extends the period after which the consents lapse.

1.3 Consent Duration

3. Resource consents for stream works, groundwater diversion/dewatering, stormwater discharge, wastewater discharge and air discharge expire 35 years from the date the consent is granted, unless it has lapsed, been surrendered, or cancelled at an earlier date pursuant to the RMA.
4. Resource consents for bulk earthworks expire 15 years from the date the consent is granted, unless it has lapsed, been surrendered, or cancelled at an earlier date pursuant to the RMA.

1.4 Monitoring Deposit

5. The Consent Holder must pay Council 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, these will be charged at the relevant hourly rate applicable at the time.

1.5 Management Plans for Construction Works

6. At least 20 working days prior to the commencement of construction activity for any stage or sub-stage of the development, the management plans and other documents listed below are required under the following conditions must be submitted to Council for certification.

(a) A Construction Management Plan (CMP) – see Condition 2 of land use consent;

(b) An Erosion and Sediment Control Plan (ESCP) – see Condition 3 of land use consent;

(c) A Construction Traffic Management Plan (CTMP) – see Condition 5 of land use consent;

(d) A Construction Air Quality Management Plan (CAQMP) – see Condition 6 of land use consent;

(e) A Construction Noise and Vibration Management Plan (CNVMP) – see Condition 7 of land use consent;

(f) A Chemical Treatment Plan (ChTMP) – see Condition 8 of land use consent;

(g) An Adaptive Management Plan (AMP) – see Condition 9 of land use consent;

(h) A Settlement Monitoring Plan (SeMP) – see Condition 11 of land use consent;

(i) A Tree Management Plan (TMP) – see Condition 12 of land use consent;

(j) A Fauna Management Plan (FMP) – see Condition 13 of land use consent;

(k) A Stream Works Management Plan (SWMP) – see Condition 1 of the stream works consent; and

(l) A Native Fish Capture and Relocation Plan (NFCRP) – see Condition 3 of the stream works consent.

Advice note: Management Plans and the other documents listed above shall be sent to monitoring@aucklandcouncil.govt.nz.

7. The management plans and other documents required by Condition 6 may be separate documents or may form part of the CMP. Management plans may be submitted in parts or in sub-stages to reflect the staged implementation of the project. Each stage must be certified by Council.

8. A copy of the CMP, SWMP and the ESCP (and any updates to these documents) shall be provided to Ngāti Manuhiri, Te Kawerau ā Maki, te Runanga o Ngāti Whātua, and Ngaati Whanaunga at the same time as they are provided to Council.

1.6 Pre-start Meeting

9. Prior to the commencement of any works within a stage (or sub-stage), the Consent Holder must hold a pre-start meeting that:

- (a) Is located on the subject site;
- (b) Is scheduled not less than five working days before the anticipated commencement of any enabling works, construction and/or earthworks;
- (c) Includes the relevant Council representative(s);
- (d) Includes representation from the contractors who will undertake the works and any Suitably Qualified and Experienced Professionals (SQEPs) if required by other conditions; and
- (e) Includes the archaeologist approved to oversee the project works covered by the Archaeological Authority obtained for the project works.

Representatives from Ngāti Manuhiri, Te Kawerau ā Maki, Te Rūnanga o Ngāti Whātua, and Ngāti Whanaunga must be invited to attend the pre-start meeting at least 10 working days prior to the meeting.

10. The meeting must discuss the erosion and sediment control measures 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) Name and contact details for key contractors and SQEPs (as required);
- (c) Resource consent conditions;
- (d) Copies of the management plans and other documents required by Condition 6;
- (e) A copy of the Archaeological Authority obtained for the works;
- (f) Any cultural induction and monitoring material supplied to the Consent Holder by or on behalf of Ngāti Manuhiri,

Te Kāwarau ā Maki, te Runanga o Ngāti Whātua, and Ngāati Whanaunga before the meeting; and

- (g) Confirmation from the consultant acting for the Consent Holder that the contractor's Public Liability cover, and Health & Safety Plan / policy have been viewed and found satisfactory.

Advice Note: To arrange the pre-construction meeting please email Council at monitoring@aucklandcouncil.govt.nz.

1.7 Cultural Monitoring

- 11. The consent holder must invite Ngāti Manuhiri, Te Kāwarau ā Maki, te Runanga o Ngāti Whātua, and Ngāati Whanaunga to attend each of the following activities at least 10 working days before the activity begins specifically to carry out cultural monitoring and observation:

- (a) Commencement of Stage 1 topsoil strip;
- (b) Commencement of Stage 2 topsoil strip;
- (c) Commencement of works within the area covered by consent notice 10576706.2; and
- (d) If any archaeological sites or artefacts are discovered per Condition 36 of the land use consent.

Ngāti Manuhiri, Te Kāwarau ā Maki, te Runanga o Ngāti Whātua, and Ngāati Whanaunga shall be notified no later than 15 working days after the completion of each of the activities set out in Condition 11(a)-(c).

1.8 Servicing Framework

1.8.1 Public Reticulation Network

- 12. If at Engineering Plan Approval for any stage of the development, the Consent Holder has received written confirmation from the water and wastewater utility provider that a connection can be made to the public water supply and/or wastewater network for that stage of the development, the Consent Holder must provide a connection to the public water supply and/or wastewater network for that stage in accordance with the following conditions:

- (a) Conditions 8 - 10 of subdivision consent – Engineering Plan Approvals; and
- (b) Conditions 41 and 42 of subdivision consent – Infrastructure Servicing.

1.8.2 Private Wastewater Servicing

- 13. If at Engineering Plan Approval for Stage 1A, the Consent Holder has received written confirmation from the wastewater

utility provider that an immediate connection is not available, but a connection can be made to the public wastewater network by 31 December 2031 (or a date as otherwise agreed between the Consent holder and the wastewater utility provider), the Consent holder may provide temporary wastewater servicing for up to 264 dwellings, by holding and transporting untreated wastewater in accordance with the following conditions:

- (a) Conditions 43 – 54 of land use consent – Private Wastewater Servicing;
- (b) Condition 86 of land use consent – Private Wastewater Servicing Condition Review;
- (c) Conditions 3.1.12 - 40 of subdivision consent – Utility Company and Resident's Society;
- (d) Conditions 43 and 44 of subdivision consent – Infrastructure Servicing; and
- (e) Conditions 2 - 8, and 11 - 14 of the air discharge permit.

Advice Note: This condition is included to address temporary wastewater servicing for Stage 1A of the development, prior to the Stage 1 Army Bay WWTP upgrade being completed.

14. If at Engineering Plan Approval for Stage 1A of the development, the Consent Holder has not received written confirmation from the wastewater utility provider that a connection to the public wastewater network will be available by 31 December 2031, the Consent Holder must provide wastewater servicing through on-site wastewater treatment and discharge in accordance with the following conditions:

- (a) Conditions 43 - 57 of land use consent – Private Wastewater Servicing;
- (b) Condition 86 of land use consent – Private Wastewater Servicing Condition Review;
- (c) Conditions 37 - 40 of subdivision consent – Utility Company and Resident's Society;
- (d) Condition 43 and 44 of subdivision consent – Infrastructure Servicing;
- (e) All conditions of the wastewater discharge permit; and
- (f) Conditions 2 - 5 and 9 - 14 of the air discharge permit.

1.8.3 Private Water supply

15. If at Engineering Plan Approval for any stage of the development, the Consent Holder has not received written confirmation from the water utility provider that a connection to the public water supply network is available, the Consent Holder must provide private water supply and water treatment in accordance with the following conditions:

- (a) Conditions 59 - 65 of land use consent;

(b) Conditions 37 - 40 of subdivision consent – Utility Company and Resident's Society;

(c) Conditions 43 - 45 of subdivision consent – Infrastructure Servicing; and

(d) Condition 122 of subdivision consent – Consent Notices.

Advice Note: The Consent Holder is advised that all conditions of WAT60456696 (groundwater take) and LUC60456730 and LUC60456721 (land use consents for groundwater bores) also apply.

1.8.4 Decommissioning of Private Infrastructure and Transfer to the Public System

16. If at any time after private infrastructure servicing has commenced, the Consent Holder receives written confirmation from the water and wastewater utility provider that a connection to the public water supply and/or wastewater network is available, the Consent Holder may decommission the private water and wastewater infrastructure and transfer the servicing of the site to the public water supply and/or wastewater network in accordance with the following conditions:

(a) 66 - 67 of land use consent – Decommissioning of Private Water and Wastewater Infrastructure; and

(b) Condition 9 of subdivision consent – Engineering Plan Approvals.

2.0 Land Use (s9 of the RMA)

2.1 Consent Holder

1. The land use consent is to attach to the Consent Holder, Vineway Limited. The Consent Holder may transfer the whole or part of its interest in the consent to any other person and must provide written notice of the transfer to Council.

Advice Note: This purpose of this condition is to expressly provide for the land-use consent to attach to the applicant, in accordance with Section 134 of the Resource Management Act.

2.2 Pre-Commencement Conditions

2.2.1 Construction Management Plan (CMP)

2. At least 20 working days prior to the commencement of construction activity for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification, a CMP. 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. The CMP must include the following as applicable to the project or project stage.
 - (a) Details of the site manager, including their contact details;
 - (b) The location of a notice board that clearly identifies the name, telephone number and address for service of the site 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) Measures to ensure that no rubbish, fuel, solvents, concrete wash-down material or other related materials enter the freshwater environment;
 - (g) Location of workers' offices, conveniences and parking;
 - (h) 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;
 - (i) Location and layout of construction yards, including associated buildings, fencing and site access;

(j) Means of maintaining safety of the general public;

(k) Any cultural induction and/or monitoring material provided in accordance with Condition 10 (general conditions), which must be appended to the CMP.

2.2.2 Erosion Sediment Control Plan (ESCP)

3. At least 20 working days prior to the commencement of bulk earthworks for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification, a final ESCP. The ESCP(s) must be prepared in accordance with the draft ESCP submitted with the application and referenced under Attachment 1, and in accordance with *Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating any amendments to this document (GD05)*. The ESCP must contain sufficient details to address the following matters:

(a) Specific erosion and sediment control measures for the earthworks (location dimensions, capacity), including the location of any sediment retention ponds (SRPs), decanting earth bunds, super silt fences, silt fence clean and dirty water diversion bunds and stabilized construction entrances;

(b) Supporting calculations and design drawings as necessary, including confirmation that all SRPs are to be constructed based on a 3% criteria;

(c) Details of construction methods;

(d) Monitoring, maintenance and inspection requirements;

(e) Catchment boundaries and contour information as necessary;

(f) Identify location of stabilised construction entrances; and

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

Advice note: The above ESCP requirement relates to bulk earthworks stages. Additional ESCPs are required at subdivision stage for civil works. Refer to Condition 50 of the subdivision consent.

2.2.3 Installation of Erosion and Sediment Control Measures

4. Within 10 working days following implementation and completion of the specific erosion and sediment controls required by the ESCP (referred to in Condition 3 of the land use consent) and prior to the commencement of the earthworks activity, the Consent Holder must provide to Council written certification prepared by a SQEP confirming that the erosion and sediment control measures have been constructed in accordance with GD05.

Advice Notes: Certification of the sediment and erosion control structure should contain sufficient details to address the following matters:

- Details on the contributing catchment area;

- Retention volume of structure (dead storage and live storage measured to the top of the primary spillway);
- Dimensions and shape of structure;
- Position of inlets/outlets; and
- Details regarding the stabilisation of the structure.

2.2.4 Construction Traffic Management Plan (CTMP)

5. At least 20 working days prior to the commencement of activity for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a CTMP in accordance with the Auckland Council's requirements for CTMPs and the New Zealand Transport Agency's Code of Practice for Temporary Traffic Management. The purpose 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, and that internal construction traffic movements operate safely and efficiently. The CTMP plan must contain sufficient details to address the following matters:

- Construction dates and hours of operation including any specific hours for traffic congestion/noise outside the construction hours in Condition 19 of the land use consent;
- Truck route diagrams both internal to the site and external to the local road network;
- Temporary road closure and traffic management signage/details for both pedestrians and vehicles to appropriately manage the interaction of these road users with heavy construction traffic;
- Details of site access/egress over the entire construction period. Noting that all egress points to be positioned so that they achieve appropriate site distance as per the Land Transport Safety Authority "Guidelines for visibility at driveways" RTS-6 document;
- Details of staging areas / work area;
- Details of vehicle cleaning facilities within the site to avoid mud and other material being dropped on the road; and
- Location of construction vehicle parking onsite.

2.2.5 Construction Air Quality Management Plan (CAQMP)

6. At least 20 working days prior to the commencement of construction activity for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a CAQMP. The objective of the CAQMP is to avoid as far as practicable, offensive or objectionable dust, arising from construction activities beyond the boundary of the project site. The CAQMP must address the following matters as a minimum:

- Description of the works, anticipated equipment/processes, and durations;
- Periods of time when emissions of dust might arise from construction activities;

(c) Identification of sensitive land uses likely to be adversely affected by emissions of dust from construction activities;

(d) Methods for mitigating dust that may arise from the construction site, potentially including but not limited to:

- Controlling vehicle speeds;
- The use of vacuum sweeping (hard paved areas);
- Water suppression;
- Restabilising ground cover on exposed earth by way of revegetation or geotechnical cloth (or similar) and wheel washes for vehicles at exit points;

(e) Methods for undertaking and reporting on the results of daily inspections of construction activities that might give rise to dust;

(f) Procedures for maintaining contact with stakeholders, notification of proposed construction activities and handling complaints about dust or other air quality matters;

(g) Identification of contingency measures to address verified effects on neighbouring property in the event of a process malfunction or accidental dust discharge; and

(h) Contact numbers for key construction staff responsible for managing air quality during construction.

2.2.6 Construction Noise and Vibration Management Plan (CNVMP)

7. At least 20 working days prior to the commencement of noise and vibration generating activity for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a CNVMP. The objective of the CNVMP is to identify and implement the best practicable option to minimise adverse construction noise and vibration effects. The CNVMP must be prepared with reference to Annex E of NZS 6803:1999 *Acoustics – Construction Noise* and must address the following matters as a minimum:

(a) Applicable site noise and vibration criteria, including the criteria in Condition 37;

(b) Programme of works and hours of operation;

(c) Identification of surrounding noise and/or vibration sensitive receivers;

(d) Details of the specific monitoring, management and mitigation measures required to comply with the relevant noise and vibration criteria;

(e) The requirement to provide written communication to occupants of all immediately neighbouring buildings prior to the commencement of activities on site. The written communication must set out:

- A brief overview of the construction works;

- The working hours and expected duration;
- All mitigation measures to be implemented;
- The procedure for recording concerns/complaints regarding noise and vibration;
- The procedure for noise and vibration monitoring where concerns are raised by receivers; and
- Contact details for site personnel for any concerns regarding noise and vibration.

2.2.7 Chemical Treatment Management Plan (ChTMP)

8. At least 20 working days prior to the commencement of earthworks for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a ChTMP. The ChTMP must be prepared in general accordance with *Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 2 (GD05)*. The ChTMP must include as a minimum:
- (a) Specific design details of a chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds, decanting earth bunds, or any other approved impoundment devices;
 - (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.

2.2.8 Adaptive Management Plan (AMP)

9. At least 20 working days prior to the commencement of earthworks for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a final AMP for all earthworks which are to be undertaken throughout the full duration of consent. The AMP must be in general accordance with the draft AMP submitted with the application and referenced under Attachment 1, and must be prepared in general accordance with Auckland Council's guideline document "*Erosion and Sediment Control Adaptive Management Plan Discussion Document*", July 2020. The AMP must address monitoring requirements and changes to management procedures in response to the results of monitoring.

2.2.9 Detailed Construction Methodology

10. At least 10 working days prior to the commencement of works for any stage or sub-stage of the development, the Consent Holder must provide a detailed construction methodology endorsed by a chartered geo-professional who must provide written confirmation of the review. The methodology must include earthworks, boundary works and installation of slope protection measures in accordance with the recommendations provided within the Geotechnical Report, referenced in Attachment 1 and submitted to Council. No works onsite are permitted prior to written confirmation that the detailed construction methodology has been reviewed and accepted by the Council. This does not apply to enabling works which are permitted under the Auckland Unitary Plan.

Advice notes:

- *The detailed construction methodology is required to ensure stability is maintained throughout the civil works stage of the development.*
- *Typical enabling work activities may include the following:*
 - *Permitted vegetation clearance;*
 - *Implementation or exercise of any management plans which will not adversely impact slope stability or geohazards for example, bat surveys etc;*
 - *Installation of erosion and sediment control measures; and*
 - *Site establishment activities, including the setup of site offices and associated facilities.*

2.2.10 Settlement Monitoring Plan (SeMP)

11. At least 20 working days prior to the commencement of bulk earthworks for any stage or sub-stage of the development, a SeMP prepared by a chartered geo-professional, must be submitted to Council for certification. Any later proposed amendment of the SeMP must also be submitted to Council for certification. The purpose of the SeMP is to set out the practices and procedures to be adopted to ensure compliance with the consent conditions regarding earthworks fill settlement monitoring and must include, at a minimum, the following information:

- (a) A monitoring location plan, showing the location and type and construction detail of all settlement monitoring points;
- (b) Details of the monitoring frequency;
- (c) All monitoring data, the identification of services susceptible to damage and all building/service condition surveys undertaken to date; and
- (d) Details of criteria to confirm that fill induced settlements have sufficiently attenuated.

Settlement monitoring results must be presented in the Geotechnical Completion Report (refer Condition 32).

2.2.11 Tree Management Plan (TMP)

12. At least 20 working days prior to the commencement of any vegetation clearance works for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council a final TMP for certification. The purpose of the TMP is to manage arboricultural effects on vegetation

identified within the Arboricultural Report and to specify procedures for restricting the spread of kauri dieback. Measures for kauri dieback management must include:

- (a) Identification and mapping of all kauri trees within or adjacent to the works area and establishment of a Kauri Contamination Zone;
- (b) Implementation of vehicle, machinery, equipment and footwear hygiene procedures for any works undertaken within the Kauri Contamination Zone to prevent the spread of contaminated soil and organic material;
- (c) Installation and use of wash-down or cleaning facilities for vehicles, machinery and equipment entering or leaving the Kauri Contamination Zone;
- (d) Management of earthworks to ensure that soil and organic material disturbed within the Kauri Contamination Zone is not transported beyond that area, unless it is disposed of at an approved landfill; and
- (e) Adoption of best practice kauri dieback management protocols, including those relating to tree removal, pruning, and machinery hygiene.

2.2.12 Fauna Management Plan (FMP)

13. At least 20 working days prior to the commencement of earthworks and vegetation clearance for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification a final FMP. The FMP must be in general accordance with the draft FMP submitted to Council and referenced under Attachment 1 and must include the measures as outlined in Condition 13(a) – (d).

Advice note: The FMP may be prepared in parts to align with the development staging.

Long tail bats

- (a) The FMP must include the following measures relating to long tail bats:
 - Measures to minimise as far as practicable, disturbance from construction activities within 50m of any active long tail bat roosts that are discovered through survey until such roosts are confirmed to be vacant of bats;
 - Timing of any construction works within 50m of any active maternity long tail bat roosts. Those construction works must be undertaken outside the bat maternity period (between December and March inclusive) where reasonably practicable; and
 - Details of areas where vegetation is to be retained and where additional planting is proposed to be provided and maintained for the purposes of the connectivity of long tail bat habitats.

Native Avifauna (Birds) (excluding wetland birds)

- (b) The FMP must include the following measures relating to native avifauna (birds):

- Timing of any construction works which may have adverse effects on native avifauna (birds) (excluding wetland birds). Those construction works must be undertaken outside of the bird breeding season (1 September to 31 March inclusive) where practicable; and
- Where works are required during the bird breeding season, methods to minimise adverse effects on native avifauna (birds), including a survey to identify if and/or where native bird nesting behaviour is occurring and measures by which to deter dotterels from establishing nests within or adjacent construction areas (as per Table 1 of the draft FMP).
- If nesting behaviour, or an active nest is located, an exclusion area with a radius of 20 m must be demarcated around the tree (or nest if it is a ground nest) and works must not occur within this cordon until it has been confirmed by the appropriately qualified ecologist that all nestlings have fledged. Once the appropriately qualified ecologist has confirmed this, the vegetation may be cleared.

Native Wetland Birds

(c) The FMP must include the following measures relating to native wetland birds:

- Details of any nesting bird surveys of native wetland birds. Nesting bird surveys must be undertaken within any wetland where works are proposed, including a minimum 50m radius from the wetland. Surveys must be undertaken prior to any such works taking place and repeated at the beginning of each wetland bird breeding season until the completion of construction;
- Timing of any construction works which may have adverse effects on native wetland birds. Those construction works must be undertaken outside of the bird breeding season (1 September to 31 March inclusive) where practicable;
- Where works are required during the bird breeding season, methods to minimise adverse effects on native wetland birds; and
- Details of what protection and buffer measures are proposed to manage effects on nesting native wetland birds. Proposed measures must address:
 - The type, intensity and duration of construction activity;
 - The likely sensitivity of the nesting bird species to the construction activity; and
 - Any environmental features (e.g. vegetation and contour) that could influence the extent of potential adverse effects on the native wetland birds.

Native Lizards

(d) The FMP must include the following measures relating to native lizards:

- Credentials and contact details of the ecologist/herpetologist who will implement the plan;

- Timing of the implementation of the FMP;
- A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols;
- The location and description of the proposed relocation site; including:
 - Provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released lizards that have been rescued;
 - Any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc;
 - Weed and pest animal management measures to ensure the relocation site is maintained as appropriate habitat.

Advice note: It is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs, and to rescue any skinks from ground cover vegetation and terrestrial retreats.

14. A copy of the FMP (and any updates to these documents) shall be provided to Ngāti Manuhiri, Te Kāwarau ā Maki, te Runanga o Ngāti Whātua, and Ngaati Whanaunga at the same time as they are provided to Auckland Council.

2.2.13 Wetland Offset Plan

15. At least 20 working days prior to the commencement of earthworks on-site, the Consent Holder must prepare and submit to Council for certification, a final Wetland Offset Plan. The Wetland Offset Plan must be prepared with input from a suitably qualified ecologist, hydrologist and stormwater engineer. The objective of the Wetland Offset Plan is to attain a no net loss of natural wetland areas. The Wetland Offset Plan must be in general accordance with the following documents referenced in Attachment 1, as follows:

- (a) The Landscape Plans prepared by Greenwood Associates, dated June 2026;
- (b) The report prepared by WWLA, titled "Wetland and Culvert Assessment", dated December 2025; and
- (c) The report prepared by Viridis, titled "Delmore Fast Track Application – Ecological Impact Assessment", dated December 2025.

The Wetland Offset Plan must include the following minimum details:

- (a) Calculated accountancy for unavoidable wetland reclamation in accordance with the AUP(OP) Appendix 8;
- (b) The location of the area(s) proposed for wetland creation;

- (c) Works to ensure wetland hydrology is created and maintained;
- (d) Planting schedule, including species, density and grade;
- (e) Legal protection of the new wetlands (e.g. a consent notice);
- (f) A five-year maintenance and monitoring plan to ensure the wetland(s) and associated planting is successfully established; and
- (g) Measures to be undertaken if the wetland(s) or planting(s) is not successful.

Advice note: The Wetland Offset Plan may be submitted in stages or sub-stages to align with the development staging.

2.2.14 Ecological Management Plan (EMP)

16. At least 20 working days prior to the commencement of earthworks on the site for any stage or sub-stage of the development, the Consent Holder must prepare and submit to Council for certification, an EMP prepared by a suitably qualified ecologist for all areas identified on the Drawing titled “Ecological and Landscape Management Plans Scope Delineation”, prepared by Greenwood Associates and dated 2 June 2026. The EMP must include as a minimum:

- (a) The location of all revegetation planting;
- (b) Planting schedules for ecological revegetation planting (to include species, number of plants and spacings, etc.);
- (c) Infill planting schedules for gaps created in existing bush covenant areas and SEA areas following pest plant control activities;
- (d) The details and timing of revegetation planting, including which areas will be implemented prior to s224(c) certification for each stage;
- (e) Confirmation that plants will be eco-sourced from the Tamaki or Rodney Ecological Districts;
- (f) Confirmation that the required extent of revegetation required under the Biodiversity Offset Accounting Model (BOAM) has been achieved;
- (g) A programme and specification for ongoing control of pest plants and pest animals in perpetuity, including how these activities will be integrated with management of the wastewater irrigation infrastructure related to Consent Notice Area 6079871.2;
- (h) Locations of pest animal control devices across the site;
- (i) Methods for ensuring that the vegetation that has been planted is protected in perpetuity; and
- (j) Delegation of responsibilities between the Consent Holder and the Resident’s Society, as follows:
 - The Consent Holder is responsible for the establishment and maintenance of all new planting as detailed within the Landscape Plans referenced under Attachment 1, 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 over a minimum 5 year defects liability, period commencing on the date that the section 224(c) certificate is issued.

- Once all new planting is established in accordance with the above, the Resident's Society is responsible for the ongoing maintenance and ongoing eradication of pest plants and animals.

Advice note: Pest plant eradication means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any weed species present are dead. In addition, there must be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Pest animal control means meeting Council's minimum requirements and national standard best practice methods for control of these species to an acceptable level.

2.2.15 Culvert Monitoring and Management Plan (CMMP)

17. At least 20 working days prior to the commencement of any vegetation clearance within the site, the Consent Holder must prepare and submit to Council for certification a Culvert Management and Monitoring Plan to manage the risk of blockage of the NZTA culvert (in the location shown on the McKenzie & Co Drawing titled "Stormwater Culvert Plan NZTA" and referenced under Attachment 1) from residual slash, debris, or sediment during construction activities. This condition does not apply if the Consent Holder has upgraded the NZTA culvert in accordance with Condition 34 of the subdivision consent.

2.3 During Construction Conditions

2.3.1 Management Plans During Construction

18. The Consent Holder must maintain and implement the Construction Management Plan (CMP), Erosion and Sediment Control Plan (ESCP), Construction Traffic Management Plan (CTMP), Construction Air Quality Management Plan (CAQMP), Construction Noise and Vibration Management Plan (CNVMP), Chemical Treatment Management Plan (ChTMP), Adaptive Management Plan (AMP), Settlement Monitoring Plan (SeMP), Tree Management Plan (TMP), the Fauna Management Plan (FMP), and the Culvert Monitoring and Management Plan (CCMP) throughout the entire earthworks and construction period within the Stage to which they relate. Any changes to those plans must be re-submitted to Council for certification.

2.3.2 Construction Hours

19. All earthworks and construction works associated with the implementation of this resource consent must be carried out:
- (a) Between the hours of 7:30am and 18:00pm, Monday to Saturday; and
 - (b) Must not occur on Sunday's and public holidays.

The restriction on hours of works must not apply to low noise generating activities, such as site set up or staff meetings, which may occur outside of

these hours.

2.3.3 Earthworks

20. No earthworks on the site can be undertaken between 01 May and 30 September in any year, without a 'Request for winter works' approved by Council. All requests must be renewed annually prior to the approval expiring. All winter works will be re-assessed by the Consent Holder, as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the Consent Holder.
21. No storage of machinery, hazardous substances, rubbish, construction stockpiling, or any refilling activity shall occur within the area demarcated in accordance with Condition 39 of the land use consent, unless authorised by this consent.
22. The maximum area of exposed earth at any one time throughout the duration of the project when exercising this consent must be no greater than 30 hectares.

Advice note: The 30ha limit applies to "bulk" earthworks only and not to "post construction" subdivision earthworks.

23. Earthworks at the site must be progressively stabilised against erosion throughout the earthworks phases of the project and must be sequenced to minimise the discharge of contaminants to surface water in accordance with the certified ESCP.

Advice Note: Stabilisation measures may include:

- *The use of waterproof covers, geotextiles, or mulching;*
- *Top-soiling and grassing of otherwise bare areas of earth;*
- *Aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

24. The operational effectiveness and efficiency of all erosion and sediment control measures shown on the Erosion and Sediment Control Plans required under Condition 3 of the land use consent, 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 Council on request.
25. Earthworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note: In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *Provision of a stabilised entry and exit(s) point for vehicles*
- *Provision of wheel wash facilities*
- *Ceasing of vehicle movement until materials are removed*
- *Cleaning of road surfaces using street-sweepers*
- *Silt and sediment traps*
- *Catchpit protection*

26. Immediately upon abandonment or completion of earthworks on the subject site, all areas of bare earth associated with the works must be permanently stabilised against erosion to the satisfaction of the Council.

Advice Note: Should any earthworks be completed or abandoned, bare areas of earth associated with the works must be permanently stabilised against erosion. Measures may include:

- *The use of mulching or natural fibre matting.*
- *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
- *Aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

27. All sediment retention ponds and any other impoundment devices, must be chemically treated in accordance with the ChTMP required by Condition 8 of the land use consent. All measures required by the ChTMP must be put in place prior to commencement of the earthworks activity and be maintained for the duration of the earthworks activity.

2.3.4 Adaptive Management

28. All monitoring and management procedures as detailed within the certified AMP required by Condition 9 of the land use consent, and any subsequent revisions, must be implemented on an ongoing basis throughout the duration of all earthworks activities on site.

Advice Note: The AMP is a live document, and updates are expected to address unforeseen circumstances or changes in the earthworks methodology as the site responds through its adaptive monitoring regime, to ensure sediment discharges are minimised and the potential for significant adverse effects are avoided.

29. As a result of observed inefficiencies upon site inspection or identified within the site reporting, Council may request that the AMP be updated to address those inefficiencies. If such a request is made by the Council, the revised plan must be submitted to the Council within 5 working days of the request. The updated AMP must not be implemented without the Council's approval.

30. An earthworks area which has been stabilised as a result of a trigger level exceedance or a management response as defined and required by the certified AMP (required under Condition 9 of the land use consent) and any subsequent revisions approved by the Council, can only be re-opened for earthworks on the written approval of the Council.

2.3.5 Geotechnical

31. The placement and compaction of fill material, construction of geogrid reinforced slopes, shear piles, retaining and palisade walls, soil nails, shear keys, counterfort drains and subsoil drainage works must be supervised by a chartered geo-professional. In supervising the works, the chartered geo-professional must ensure that they are constructed and otherwise completed in accordance with the recommendations contained within the Geotechnical Report referenced under Attachment 1, relevant engineering code of practice, and the detailed plans forming part of the application and approved and referenced under Attachment 1.

NEW: The detailed design of all stream-margin retaining and geotechnical structures must be certified by a chartered geotechnical professional prior to construction of each structure. The certification must confirm that the design accommodates the anticipated bed lowering and channel widening over the design life of the structure, having regard to the adjustment trajectory of the stream network, and that the adjustment allowance adopted is conservative for that reach.

32. Within 20 working days from the completion of earthworks, subsoil drainage and slope protection structures, a Geotechnical Completion Report (GCR) signed by the chartered geo-professional must be provided to the satisfaction of the Council. The GCR must include (but not to be limited to):

(a) Earthworks operations (e.g. fill compaction, testing, inspections etc.);

(b) Site inspections, observations, recommendations and photo evidence;

(c) Results of settlement monitoring required by the Settlement Monitoring Plan (Condition 11 of the land use consent) and demonstration that sufficient settlement attenuation has occurred;

(d) Statement of professional opinion (as per schedule 2A of NZS4404:2010);

(e) Certified as-built plans for the implemented works including but not limited to earthworks cut and fill, shear keys, reinforced earth batter slopes, soil nails, retaining and palisade walls, counterfort drains and subsoil drainage;

(f) Justification on soil expansivity, subsoil site class, foundation requirements, geotechnical input of erosion protection measures for dispersal devices on each lot and confirming that the works have been completed in accordance with the approved construction methodology as required by Condition 10 of the land use consent.

33. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting

any neighbouring properties. In the event that such collapse or instability does occur, the Consent Holder must immediately rectify the damage.

2.3.6 Contaminated Soils

34. Following demolition and removal of the existing dwellings and other buildings (garages, sheds, barns etc.) existing within the site as at the date of grant of consent, surficial soil and debris (to the lesser of 300mm depth or top of natural insitu soils) across the footprint of each former structure, and a halo 2 metres wide on all sides around it, must be either:

- (a) Excavated and disposed offsite to a consented Class 1 landfill if physically/geotechnically unsuitable for reuse; or
- (b) Tested by a suitably qualified and experienced contaminated land professional, as defined in the Users' Guide to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, 2012, to confirm its suitability for reuse onsite or disposal to alternative offsite facilities. All sampling and testing must be undertaken in accordance with the Contaminated Land Management Guidelines No.5: Site Investigation and Analysis of Soils (Ministry for the Environment, revised 2021).

35. In the event of the accidental discovery of contamination during earthworks which has not been previously identified, including asbestos material, the Consent Holder must immediately cease the works within a 2-metre halo of the contamination, notify Council, and engage a suitably qualified and experienced contaminated land professional to assess the situation (including possible sampling and testing) and decide on the best option for managing the material.

Advice Note: Asbestos Containing Materials

If you are demolishing any building that may have asbestos containing materials (ACM) in it:

- *You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.*
- *Work may have to be carried out under the control of a person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.*
- *If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.*
- *Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.*

If ACM is found on site following the demolition or removal of the existing buildings you may be required to remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance a further consent application may be required.

2.3.7 Archaeology

36. Should any Māori archaeological sites be encountered during earthworks and construction works, Te Kōwhiri a Māki, Ngāti Manuhiri, Ngāati Whanaunga, te Runanga o Ngāti Whatua must be contacted by the consent holder no later than 15 working days after the discovery.

2.3.8 Construction Noise and Vibration

37. Noise arising from earthworks and construction works on-site must not exceed the limits within the following table when measured or assessed at any building on any other site that is occupied during the works in accordance with the requirements of NZS6803:1999, where affected party approval has not been obtained.

Address	Activity	
	Earthworks during Stage 1E	All other times
59 Russell Road	75 dB LAeq	Noise limits in Standard E25.6.27
All other properties	Noise limits in Standard E25.6.27	Noise limits in Standard E25.6.27

38. If vibration levels from earthworks or construction works exceeding 2mm/s are predicted or measured, in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings (if applicable), or within 500mm of ground level at the foundation of a single storey building, the Consent Holder must ensure the vibration will not exceed 5 mm/s and must consult with the relevant occupants to:

- (a) Discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur;
- (b) Determine whether the exceedances could be timed or managed to reduce the effects on the receiver; and
- (c) Provide in writing, no less than 3 days before to the work begins, details of the location and duration of the works, a phone number for complaints and the name of the site manager.

2.3.9 Wetland and Stream Delineation During Construction

39. Prior to the commencement of any works authorised by this consent within the relevant stage or sub-stage area, the Consent Holder must delineate and establish with an exclusion fence, at least a 10 metre setback from the natural wetlands and streams. The purpose of the exclusion fence is to exclude construction machinery or spoil from accidental incursion to the natural wetlands and streams and to protect them from the effects of earthworks.

Advice Note: A day-glow barrier mesh or pigtail fence/wire or rope would be sufficient for this purpose. Streams shall be classified as per the AUP(OP) intermittent and permanent definitions (Chapter J), and wetlands in accordance with Ministry for the Environment (MfE) wetland delineation protocols.

40. No work (other than as authorised by this consent) is permitted to be carried out within the area surrounded by the exclusion fence required under Condition 39 of the land use consent, and no building or fill materials must be stored or placed within that area, either on a temporary or permanent basis.

2.3.10 Ecology

41. A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the lizard management measures outlined in Condition 13 of the land use consent must certify that the lizard related works have been carried out according to the certified FMP within two weeks of completion of the vegetation clearance works.

2.4 Infrastructure Servicing

2.4.1 Private Wastewater Servicing

General

42. If a connection to the public network is not provided in accordance with Condition 12 (general conditions), Conditions 48 - 54 will apply to the trucking of untreated and/or treating wastewater. For the avoidance of doubt, Conditions 48 - 54 do not apply if a connection to the public network is provided.

Wastewater Management Plan

43. At least 20 working days prior to the commencement of any private wastewater servicing for the development, the Consent Holder must prepare and submit a Wastewater Management Plan (WMP) to Council for certification. The purpose of the WMP is to manage and reduce risks to the natural environment and to people from hazardous substances stored for wastewater purposes. The WMP must include, but not be limited to:
- (a) Identification of the specific activities conducted on the site;
 - (b) Identification of potential contaminants associated with these activities, including a Hazardous Substance Inventory and associated Material Safety Data Sheets;
 - (c) Methods used to contain identified contaminants and prevent them contacting stormwater runoff as far as practicable, and methods to manage environmental risks from site activities;
 - (d) A Spill Response Plan (which includes the provision that all spills over 20 litres, or any spill or environmentally hazardous substances that has entered the stormwater system, a waterbody or has contacted unsealed ground, must be reported immediately to the Auckland Council's 24-Hour Pollution Hotline (09-377-3107)). If untreated wastewater is to be taken off-site, the Spill Response Plan must include management measures to disinfect small spills or drops that may occur during filling (such as the use of sodium hypochlorite spray);
 - (e) Accurate site drainage plan(s) showing the location of all site catchpits, containment systems, treatment devices and the discharge point(s) of the site stormwater system;

- (f) An appropriate auditing programme to ensure site performance with all components of the WMP;
- (g) Methods for providing and recording staff training;
- (h) Details of processes governing review and updating of the WMP;
- (i) An Operation and Maintenance Plan for the WWTP (if the WWTP is constructed); and
- (j) A programme and specification for how maintenance of the wastewater irrigation lines within Consent Notice Area 6079871.2 will be integrated with ongoing control of pest plants and pest animals, as required by the Ecological Management Plan. This must ensure that all works use low impact methods consistent with ecological management practices.

Off-Site Wastewater Disposal Management Plan

44. At least 20 working days prior to the commencement of any tankering of treated or untreated wastewater from the site, the Consent Holder must prepare and submit to Council for certification an Off-site Wastewater Disposal Management Plan (OWDMP). The OWDMP must include but not be limited to:

- (a) The circumstances in which wastewater may be removed from the site;
- (b) Whether the wastewater is treated wastewater, untreated wastewater, or sludge;
- (c) The approved receiving facility or facilities;
- (d) Maximum daily volumes to be removed;
- (e) Temporary storage arrangements on site;
- (f) Truck loading procedures;
- (g) Hours of operation;
- (h) Contingency measures in the event the nominated receiving facility is unavailable; and
- (i) Record-keeping and reporting requirements.

Advice note: For the avoidance of doubt, in the absence of a policy change, Watercare Services Limited has confirmed that none of its facilities are able to accept tankered wastewater from the development.

Wastewater Filling Station

45. The Consent Holder must construct the proposed turning head and wastewater filling station in accordance with the roading drawings prepared by McKenzie & Co, titled “Wastewater Disposal & Truck Access Plan” as referenced under Attachment 1.

46. An acoustic fence must be constructed to the south of the dwelling on Lot 203 in accordance with the noise assessment titled “*Noise Assessment - Delmore Residential Development, Wainui*” prepared by SLR and dated December 2025.

The purpose of the acoustic fence is to ensure compliance from the wastewater filling station with the applicable noise standards under the Auckland Unitary Plan, as referenced below.

Time Period	Noise Level
Monday to Saturday (7:00am to 10:00pm)	50dB LA _{eq}
Sunday (9:00am to 6:00pm)	
All other times	40dB LA _{eq}
	75dB LAF _{MAX}

47. The load out area for the wastewater filling station must be designed to drain to a single catchpit. The area must be designed to either pump out or drain the catchpit back to the sewer network, or empty it via vacuum truck, if it becomes contaminated by a spill.
48. The Consent Holder must monitor the proposed turning head off Russell Road for soil tracking and must undertake remedial action to remove soil if required.
49. The Consent Holder must undertake regular visual inspections of the unsealed section of Russell Road between the proposed turning head and Upper Orewa Road. If it is identified that a high proportion of fine (dust-generating) material is present, the Consent Holder must replenish the surface layer with gravel.

Advice note: The purpose of this condition is to manage dust effects as a result of the additional truck movements on Russell Road.

Wastewater Tankering

50. Prior to wastewater removal being required on Russell Road, the Consent Holder must at their own expense, widen Russell Road so that there is sufficient space for a 19.5m long truck and trailer tanker to pass a 6.3m long van travelling in the opposite direction with a minimum of 0.5m clearance between the vehicles and between the edge of the vehicles and the edge of the carriageway. Road widening must also be undertaken at the intersection of Russell Road and Upper Orewa Road to ensure that a 19.5m long truck and trailer tanker can turn left from Russell Road onto Upper Orewa Road without crossing into the northbound traffic lane on Upper Orewa Road. This work must be in accordance with the Auckland Council Code of Practice for Land Development and Subdivision Development Chapter 3 Transport.

51. No wastewater must be tankered from the site except to a lawfully authorised receiving facility that is identified in the certified OWDMP (as required under Condition 44 of the land use consent) and has confirmed capacity and acceptance criteria. The Consent Holder must maintain current written confirmation of acceptance from each receiving facility.

52. All wastewater removed from the site must be transported only by operators holding all required approvals, licences and codes of compliance for wastewater transport.

53. The Consent Holder must keep a record of every tanker load removed from the site, including:

- (a) The date and time of collection;
- (b) The tanker operator;
- (c) The wastewater type (ie. treated or untreated);
- (d) The load volume;
- (e) The destination facility; and
- (f) Evidence of receipt / disposal.

A summary of all off-site wastewater removed from the site must be provided to Council every three months.

54. If an approved receiving facility cannot accept wastewater, tankering from the site must cease unless and until wastewater can be directed to another approved facility identified in the certified OWDMP (as required under Condition 44 of the land use consent). The Consent Holder must maintain contingency storage and alternative disposal arrangements sufficient to avoid any unauthorised discharge.

Advice note: For the avoidance of doubt, in the absence of a policy change, Watercare Services Limited has confirmed that none of its facilities are able to accept tankered wastewater from the development.

WWTP Design

55. If a WWTP is constructed on the site in accordance with Condition 14 (general conditions), it must be designed and constructed in general accordance with the “*Delmore Water and Wastewater Treatment Plant Design Report*” prepared by Apex and referenced under Attachment 1. The WWTP may be constructed in stages to align with the development staging.

56. If a WWTP is constructed on the site in accordance with Condition 14 (general conditions), the WWTP and pump station must be designed to comply with the applicable noise standards under the Auckland Unitary Plan as referenced below:

Time Period	Noise Level
Monday to Saturday (7:00am to 10:00pm)	50dB LA _{eq}
Sunday (9:00am to 6:00pm)	
All other times	40dB LA _{eq}
	75dB LAF _{MAX}

57. If a WWTP is constructed on the site in accordance with Condition 14 (general conditions), the Consent Holder must implement the landscape design at the Water and Wastewater Treatment Plant Lot (Lot 5002) in general accordance with the landscaping plans approved under referenced under Attachment 1.

2.4.2 Private Water Supply

General

58. If a connection to the public water supply network is not provided in accordance with Condition 12 (general conditions), Conditions 59 - 65 will apply. For the avoidance of doubt, Conditions 59 - 65 do not apply if a connection to the public network is provided.

59. The Consent Holder must construct and commission the on-site water treatment infrastructure in general accordance with the *"Delmore Water and Wastewater Treatment Plant Design Report"* prepared by Apex and referenced under Attachment 1.

60. Prior to commissioning of the on-site potable water supply system, the Consent Holder must submit to Council for certification a Water Supply Management Plan prepared by a suitably qualified water engineer and drinking-water specialist. The Plan should include:

- (a) Source description and bore construction details;
- (b) Sustainable yield assessment;
- (c) Peak day, average day, and seasonal demand calculations for each stage and full build-out;
- (d) Treatment process description and design capacity;
- (e) Storage volumes for operational, emergency and fire-fighting purposes;
- (f) Backup power and critical spares;
- (g) Network layout and pressure management;
- (h) Monitoring, sampling, reporting and incident response procedures;

- (i) Water conservation and demand management measures;
- (j) Triggers for restricting use, staging occupation, or augmenting supply;
- (k) Operation, maintenance and asset renewal responsibilities;
- (l) A Water Demand Monitoring Programme detailing how potable water demand, groundwater abstraction, and the performance of water conservation measures will be monitored and reported;
- (m) Performance criteria demonstrating how the assumed potable water demand adopted within the Water Balance Assessment will be verified during operation;
- (n) Trigger levels where actual potable water demand materially exceeds the modelled demand assumptions, together with the actions to be implemented should those trigger levels be exceeded; and
- (o) An adaptive management framework identifying demand management measures, supplementary water supply, infrastructure upgrades, or staging restrictions should monitoring demonstrate that the assumed demand reductions are not being achieved.

61. Prior to the commencement of operation of the water treatment plant (WTP), the consent holder must submit to Council for certification, a Hazardous Substances Storage and Management Plan for the WTP and associated potable water infrastructure.

62. The Consent Holder must ensure that all water supplied for human consumption from the development complies at all times with the applicable requirements of the Water Services Act 2021, the Drinking Water Standards for New Zealand, and the Drinking Water Quality Assurance Rules issued or administered by Taumata Arowai, including any amendments or replacements in force from time to time.

63. All dwellings serviced by a private water supply system must incorporate water efficient fittings and fixtures to minimise potable water demand.

64. All dwellings within Stage 2 of the development must install:

- (a) A rainwater harvesting tank sized in accordance with Attachment 4 of this consent, against the actual roof catchment area, plumbed to supply outdoor irrigation, toilet flushing, and laundry cold-feed; and
- (b) A greywater recycling system (Hydraloop or equivalent) configured to receive light greywater from all showers, baths, handbasins, and laundry within the dwelling, and to supply treated water to laundry cold-feed and supplementary toilet flushing; and
- (c) The non-potable reticulation, backflow prevention, and lilac pipework must comply with AS/NZS 3500. Compliance is to be confirmed by Producer Statement PS1 at Building Consent stage, a Producer Statement 3 PS 3 by the licensed installer at Construction Stage and Producer Statement PS4 at Code Compliance Certificate stage.

65. The Consent Holder must provide treated potable water storage sufficient to meet:

- (a) At least 24 hours of average day demand for occupied dwellings;
- (b) Emergency reserve; and
- (c) Any required fire-fighting storage,

The exact volumes required must be certified by a suitably qualified water engineer and submitted to Council prior to commissioning.

2.4.3 Decommissioning of Private Water and Wastewater Infrastructure

66. Where, at any time in the future, a connection to the public water supply and/or wastewater network is proposed, and the water/wastewater network utility operator has confirmed in writing that connections are available, the Consent Holder must:
- (a) Within 3 months of receiving the water/wastewater network utility operators written confirmation, submit a Decommissioning Plan to the Council for certification; and
 - (b) Obtain certification of the Decommissioning Plan prior to any connection to the public network occurring; and
 - (c) Implement the Decommissioning Plan as certified.
67. The Decommissioning Plan must be prepared in consultation with the water/wastewater network utility operator and include:
- (a) The design and steps for disconnection of the WWTP and WTP from the local water supply and wastewater reticulation network;
 - (b) The design and steps for the connection of the local water supply and wastewater reticulation network to the public network;
 - (c) Testing and commissioning procedures;
 - (d) Measures to maintain service continuity during the transition;
 - (e) The decommissioning, making safe, and removal of all infrastructure associated with the WWTP and WTP;
 - (f) Any required remediation of the site, including the treatment and removal of any contamination caused from the operation of the WWTP and WTP;
 - (g) A programme and timetable for all decommissioning and connection works, including notification to residents, and written notification to Council confirming completion of decommissioning; and
 - (h) Written approval from the water/wastewater network utility operator that there is sufficient capacity in the network to enable the development to be connected.

2.5 Ecological Management

Wetland Offset Areas

68. The Consent Holder must implement the Wetland Offset Plan approved under Condition 15 of the land use consent. All wetland planting and landscaping must be implemented within the first planting season following completion of earthworks and wetland formation works in the relevant area, unless otherwise agreed in writing by Council.

Advice note: The wetlands will be completed in stages or sub-stages to align with the development staging.

69. Within three months following completion of the wetland creation and planting works, the Consent Holder must submit to Council written certification confirming that the wetlands have been constructed and planted in accordance with the certified Wetland Offset Plan.

70. The Consent Holder must maintain and monitor the wetland(s) and associated planting for a period of five years following completion of planting. Monitoring methods must include, but not be limited to, vegetation plots to stay in place during the five year monitoring period and photopoints. Annual monitoring reports must be prepared by a SQEP and submitted to Council within three (3) months of each monitoring anniversary. Each report must, as a minimum:

- (a) Assess wetland hydrology, vegetation establishment, species composition and weed and pest presence;
- (b) Evaluate performance against the success criteria specified in the certified Wetland Offset Plan; and
- (c) Identify any remedial actions required.

Ecological Management Plan Monitoring

71. The Consent Holder must submit an annual monitoring report to Council to demonstrate compliance with the certified EMP required under Condition 16 of the land use consent. The Monitoring Report must include but is not limited to the following information:

- (a) Identification of pest plant and pest animal presence, a description of weed suppression outcomes, and confirmation of control measures undertaken;
- (b) Photographic records from fixed monitoring points demonstrating vegetation establishment and progression over time and a description of canopy development and species survival rates;
- (c) Recommendations for remedial planting or maintenance actions where performance criteria are not being met and/or where alternative weed control measures are required;
- (d) An assessment of whether $\geq 20\%$ drought-related mortality of any species has occurred with the year that is the subject of the Monitoring Report.

If this has occurred for any species the consent holder must review the suitability of the species for planting within the site. The assessment must state the basis for attributing mortality to drought, as distinct from other causes such as browsing, poor planting technique, or weed competition. Where a species is found not to be suitable, any replacement species must be WF11-consistent and selected by a suitability qualified ecologist and/or landscape architect and implemented within the next planting year and replacement planting will be undertaken to a level that is sufficient to maintain the intended planting density which is to be reported in the following year's monitoring report;

(e) An assessment of whether the required minimum 90% plant survival rate and progression toward 80% canopy closure has been achieved;

(f) After five (5) years (or at the end of the establishment period if that period extends beyond year 5) a review of podocarp establishment is undertaken to be included in the monitoring report. This review, at a minimum, should check survival and condition of planted podocarps, reported separately from overall plant survival; and evidence of podocarp recruitment where recruitment is reasonably expected. This can be a simple qualitative assessment if quantitative monitoring is not proportionate; and

(g) Where the Year 5 check in (f) identifies an obvious shortfall in podocarp establishment relative to the intended WF11 trajectory, limited supplementary podocarp planting is required in suitable microsites within the net planting season.

The monitoring report is no longer required when it can be demonstrated that the planting has successfully established in accordance with Condition 16(j) of the land use consent (Ecological Management Plan).

2.6 Landscaping

72. Prior to occupation of the respective dwellings, the Consent Holder must implement the on-lot landscape design in general accordance with the Landscape Plans approved and referenced under Attachment 1.

73. Landscaping on the following lots within the areas defined on the drawing prepared by Commute and titled "*Sight Distance Assessment – Stage 1 and Stage 2*", and dated 28 May 2026, referenced under Attachment 1, must be restricted to low-level planting and structures that do not exceed a maximum height of 1.1m to ensure traffic sight distances are met:

(a) Lots 183 – 186;

(b) Lots 210 – 211;

(c) Lot 1628; and

(d) Lots 959 – 963.

74. Any fencing and planting constructed along boundaries or within 2 metres of boundaries of neighbourhood parks (Lots 1800 and 5020) must be low height (1.2m) and the fencing must be at least 50% visually permeable. The council is exempt from sharing costs.

75. Any fencing and planting constructed along boundaries or within 2 metres of boundaries of any drainage reserves must be either low height (1.2m) or the fencing must be at least 50% visually permeable (maximum height 1.8m). If located above a retaining wall, a maximum 1.2m fence with 50% visual permeability must be provided.

76. Any retaining wall(s) and ancillary and supporting structures must be entirely located within the residential lots and/or JOALs and must be clear of the boundaries of the recreational reserves. Retaining walls must be no higher than:

(a) 1m adjacent to any land in lieu of reserve for the purpose of drainage;

(b) 1m above existing ground level adjacent to Lot 5020; and

(c) 1.5m above existing ground level adjacent to Lot 1800.

A certificate from a licensed cadastral surveyor must be provided certifying compliance with this requirement at the lodgement of the survey plan for approval.

2.7 On-Lot Stormwater Devices

77. Prior to the occupation of dwellings, the Consent holder must design and install the private on-site stormwater management devices for all residential lots and JOALs in accordance with Council's standards. These must ensure that the stormwater runoff from the site is managed to meet SMAF1 requirements. Where a lot discharges to a stream via a T-bar dispersal device, the device must be designed for erosion and scour control, and vegetation must be established and maintained below each device to aid dispersal and reduce scour.

78. The stormwater management device or system must be installed or built generally in accordance with the design specifications provided in the documents referred to in Attachment 1 by a suitably qualified service provider.

79. Within three months of the practical completion of the works for the related dwelling, the Consent Holder must provide the following to Council:

(a) Written evidence in the form of a validation report that the stormwater management device or system was installed or built generally in accordance with the design specifications provided in the documents referred to in Attachment 1, and by a suitably qualified service provider; and

(b) As-built plans of the stormwater management device or system, certified (signed) by a suitably qualified service provider as a true record of the stormwater management system.

2.7.1 Culverts

80. All culverts must be constructed in general accordance with the approved culvert drawings. Where a proposed design change is expected to materially

alter the hydraulic performance, attenuation function, flood levels, storage volume, flow conveyance characteristics, or any other aspect of the approved post-development hydraulic outcomes, an updated design report and hydraulic assessment, including an updated hydraulic model where required, must be prepared by a SQEP and submitted to Auckland Council Healthy Waters and the Road Controlling Authority for review and approval prior to construction of the modified works. Post development outcomes must be maintained in general accordance with the Operation and Maintenance Manual for the culvert system.

Advice note: The majority of culverts are proposed to be vested, as they will be located within the public road reserve. Where culverts are located within JOALs, the maintenance of the culvert will be undertaken by the Resident's Society (refer Condition 38 of the subdivision consent).

2.8 Acoustic Insulation for Dwellings

81. Any noise sensitive space with a facade that is within or partially within the Traffic Noise Area located within Figure 1 of the memo titled “*Delmore Residential Development, Wainui, Delmore, NoR6 Road Traffic Noise*”, prepared by SLR and dated 7 May 2026, must be designed, constructed and maintained so that road traffic noise does not exceed 40 dB LAeq(24hour) in all noise sensitive spaces. For the avoidance of doubt, this applies to Lots 1, 2, 3, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 56, 57, 58, 76, 77, 78, 470, 474, 477, 478, 257, 258, 259, 260, 276, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 446, 447, 448, 449, 450, 451, 462, 463, 464, 465, 466, 467, 475, 600, 601, 602, 603, 690, and 606, 607, 608, 609, 610, 611, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 684, 685, 686, 687, 688, 689.

82. If windows must be closed to achieve the design noise levels in Condition 81, the noise sensitive space(s) must be designed, constructed, and maintained with a mechanical ventilation system that:

(a) For habitable rooms for a residential activity, must achieve the following requirements:

- Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
- Is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
- Provides relief for equivalent volumes of spill air; and
- Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
- Does not generate more than 35 dB LAeq(30sec) when measured at 1 metres away from any air diffuser.

(b) For other spaces, is as determined by a suitably qualified and experienced person.

83. A design report must be submitted by a suitably qualified and experienced person to the Council demonstrating compliance with Condition 81 and

Condition 82 prior to the construction or alteration of any building containing an activity sensitive to noise that is within the Road Traffic Noise area identified under Condition 81. In the design, road noise is based on current measured or predicted traffic noise levels plus 3 dB, or future predicted noise levels.

84. Should noise modelling undertaken on behalf of the consent holder be used for the purposes of future predicted noise levels under this standard, modelling shall be based on the following inputs:

- (a) A low noise Porous Asphalt road surface (Type PA road surface which provides -1 dB of reduction of road traffic noise), or the as-constructed surface type if that differs from Type PA
- (b) 50km/hr speed environment;
- (c) Arterial Annual Average Daily Traffic (AADT) flow predictions for 2048 of 11,400, and heavy vehicles (HV) % for 2048 of 3.5%.

2.9 Transport

85. The Consent Holder must ensure that all parking spaces located within garages are compliant with the dimensions in Table E27.6.3.1.1 of the Auckland Unitary Plan (Minimum Car parking space and manoeuvring dimensions).

2.10 Review Conditions

2.10.1 Private Wastewater Servicing Condition Review

86. Under section 128 of the RMA, the conditions of this consent associated with the off-site disposal of wastewater may be reviewed by the Manager Resource Consents at the Consent Holder's cost:

- (a) To address significant adverse effects on the environment arising from the off-site disposal of wastewater which were not apparent at the time of granting consent, including in relation to traffic, noise, odour, spills, or effects on the receiving environment.

The review must be limited to an update to the Off-Site Wastewater Disposal Management Plan.

2.10.2 Earthworks Condition Review

87. Under section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents at the Consent Holder's cost, within six (6) months after commencement of bulk earthworks and subsequently at intervals of not less than two (2) years thereafter, in order to:

- (a) Address significant adverse effects on the environment arising from the earthworks which were not apparent at the time of granting the consent, including in relation to water quality, sediment transport, erosion, dust and instability; and

(b) In the case of contamination, require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.

3.0 Subdivision (s11 of the RMA)

3.1 General subdivision conditions applying to all stages

3.1.1 Consent Holder

1. This subdivision consent must attach to Vineway Limited as the Consent Holder. The Consent Holder may transfer the whole or part of its interest in the consent to any other party, and must provide written notice of the transfer to Council.

Advice Note: This purpose of this condition is to expressly provide for the subdivision consent to attach to the applicant, in accordance with Section 134 of the Resource Management Act.

3.1.2 Subdivision in accordance with the land use consent

2. The subdivision of each residential lot must be undertaken in accordance with the land use resource consent referenced as BUN60463107 / LUC60463108. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the record(s) of title to be issued for each residential lot.

"This Lot has been created in accordance with approved land use resource consent BUN60460972 / LUC60460973. All development including landscaping on this lot must be in accordance with the approved land use resource consent referenced as BUN60460972 / LUC60460973 including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity."

Advice note: In the event the dwellings are substantially constructed at the time the S224c completion certificate application is made the Council may waive the requirement for this consent notice.

3.1.3 Staging of Subdivision

3. The subdivision shall be undertaken in general accordance with the staging plans referenced in Condition 1.

Details relating to the stages are as follows:

Stage 1A

- Stage 1A-1: Lot 2000 (road to vest), Lot 1601 and 1603 (land in lieu of reserve – for drainage purposes), Lot 1605 (utility reserve), Lots 1500-1503 (JOAL), Lot 5000-5004 (balance allotments) and Lots 1-18, 20-119, 470, 472-474, 477-481, and 484 (residential allotments);
- Stage 1A-3: Lot 1504 (JOAL), Lot 1901 (balance allotment), and Lot 130-154 (residential allotments);

- Stage 1A-4: Lot 2001 (road to vest), Lot 1604 and 1616 (land in lieu of reserve – for drainage purposes), Lot 1904 and 1905 (balance allotments), Lot 1505 – 1507 (JOAL), Lot 155-256 (residential allotments);
- Stage 1A-2: Lot 2002 (road to vest), Lot 1602 (land in lieu of reserve – for drainage purposes); Lot 1508 (JOAL), and Lot 120, 122 - 129 (residential allotments).

Stage 1B

- Stage 1B-1: Lot 2003 (road to vest), Lot 1605-1606 (land in lieu of reserve – for drainage purposes), Lot 1508, 1509, 1515 (JOAL), Lot 5005, 1930 and 1931 (balance allotments), Lot 257 – 299 and 471 (residential allotments);
- Stage 1B-2: Lot 2005 (road to vest), Lot 1510, 1511 and 1513 (JOAL), Lot 1800 (land in lieu of reserve for the purpose of recreation), Lot 1932 and 5008 (balance allotment), Lot 300 – 358, 371 - 409 (residential allotments);
- Stage 1B-3: Lot 2008 (road to vest), Lot 1514, 1516 and 434 (JOAL), Lot 1609 (land in lieu of reserve – for drainage purposes), Lot 1908 (balance allotment), Lot 410-467, 475, 600-605, 690, and 1400 (residential allotments);

Stage 2

- Stage 2A-1: Lot 2100 (road to vest), 2025 (road reserve to vest), Lot 1523, 1525 – 1527, 1550 (JOALS), Lot 1621 (land in lieu of reserve – for drainage purposes), Lot 5010-5012, 5025 and 1628 (balance allotment), Lot 606-674, 690 – 708, 711 - 769 (residential allotments);
- Stage 2A-3: Lot 1522 (JOAL), and Lots 675 – 689 (residential allotments);
- Stage 2C: Lot 2106, (road to vest), Lot 1627 (land in lieu of reserve – for drainage purposes) Lot 1543-1544 (JOAL), Lot 1239-1310, 1320-1353, 1401 (residential allotments);
- Stage 2B-3: Lot 2104 (road to vest), Lot 1623-1624, 1627 (land in lieu of reserve – for drainage purposes), Lot 1537-1542 (JOAL), Lot 6000 (commercial superlot), Lot 5015-5017 and 5500 (balance allotments), Lot 5020 (land in lieu of reserve for the purpose of recreation), Lot 1031-1238, 1622 (residential allotments);
- Stage 2B-2: Lot 2105 (road to vest), 1920 (balance allotment), Lot 982-1023 (residential allotments);
- Stage 2B-1: Lot 2103 (road to vest), Lot 1534-1535 (JOAL), Lot 950-981 (residential allotments), Lot 5014 (balance allotment); and
- Stage 2A-2: Lot 2102 (road to vest), Lot 1620 (land in lieu of reserve – for drainage purposes), Lot 1527-1533 (JOAL), Lot 5013, 3000 and 1910 (balance allotment), Lot 468-469, 771-951 (residential allotments).

Advice note: Stage 1A-2 involves subdivision of the WWTP lot (Lot 5002). This subdivision stage will not occur until such time that a connection can be

made to the public wastewater system and the WWTP is not required.

4. Amendments to the subdivision staging identified in Condition 3 of the subdivision consent may be undertaken, provided that all necessary infrastructure required to service a stage (including roads, wastewater, water supply, stormwater, electricity and telecommunications) have been implemented.

Advice note: Amendments may involve completing the subdivision staging in a different sequence or may involve amendments to the size of the stage.

5. Where variations to staging in accordance with Condition 4 of the subdivision consent are proposed, the Consent Holder shall submit amended staging plans showing the variations to Council for certification. The Consent Holder shall also provide evidence that the stages can be serviced with all necessary infrastructure in accordance with Condition 4 of the subdivision consent.

3.1.4 Engineering Plan Approvals

6. All new public assets including roads, stormwater assets, vehicle crossings, footpaths and street furniture must be designed to Auckland Council and the Road Controlling Authorities relevant Engineering Standards, and the Auckland Council Code of Practice for Land Development and Subdivision Chapter 3 Transport (the TDM) and be in general accordance with this consent and the reports and plans approved and referenced under Attachment 1; or be in accordance with departures approved under the Standards at a later date.

7. Prior to the commencement of works for any relevant stage or sub-stage (excluding vegetation removal and/or earthworks) the Consent Holder must submit complete engineering plans for all infrastructure proposed to be vested to Council for Engineering Plan Approval.

Advice note: Landscaping associated with public roads will be considered for engineering plan approval when the lots are created and land is to be vested at the time of subdivision. It is advisable that any landscaping as part of the land use be designed in accordance with Auckland Council standards and in particular "The Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape."

8. All new water supply and wastewater infrastructure that is proposed to connect to the public network and be vested to the network utility provider in accordance with Condition 12 (general conditions), must be designed and constructed in accordance with the current Water and Wastewater Code of Practice for Land Development and Subdivision (Code of Practice).

9. Where the private water supply or wastewater network is proposed to be connected to the public network and/or vested to the public network provider at any time in the future, the Consent Holder will be required to obtain Engineering Plan Approval at that time or at any other time as agreed with the network utility operator.

10. Where infrastructure is required to be designed or constructed in accordance with a specified standard, guideline, drawing or requirement under this consent, departures from those requirements may be approved through the Engineering Plan Approval process, where agreed in writing with Council.

3.1.5 Transport

Transport pre-requisites

NEW: Before section 224(c) certification is issued for the first stage of the subdivision to be developed, the consent holder must provide evidence to Council that a shared path has been constructed and is operational between the Ara Hills Drive intersection and the signalised pedestrian crossing at Arran Drive. The shared path must have a usable width of 3.5 metres and include anti-throw screens along its full length.

11. Prior to the issue of a section 224(c) certificate for the first stage of the subdivision that is developed, the Consent Holder must construct access from the termination point of Grand Drive in the form of a two-lane arterial with a flush median and active modes on each side in the location shown on the drawing prepared by Terra Studio, titled "Traffic Upgrades Plan", drawing reference "A-RFI-1-20", Rev B.

Advice Note: The design of the road will be developed and addressed as part of those separate approval processes.

12. Prior to the occupation of more than 573 dwellings in the Delmore site, Roads 5 and 17 must be constructed and operational and the intersection of Road 17 and Upper Orewa Road must be constructed as a single-lane roundabout and designed to achieve sight distances in accordance with Austroads Guide to Road Design Part 4B: Roundabouts Part 4B for 60km/h operating speeds.

13. Prior to the opening of the roundabout at Road 17 and Upper Orewa Road, as required by Condition 12 of the subdivision consent, the Consent Holder must:

- (a) Upgrade Upper Orewa Road between Road 17 and Wainui Road to provide minimum 1m sealed shoulders on both sides of the road;
- (b) Upgrade the Upper Orewa Road / Wainui Road intersection to provide a right turn bay on Wainui Road and a left turn lane on Upper Orewa Road;
- (c) Widening of Wainui Road to provide minimum 1m sealed shoulders on both sides of the road to the Waterloo Creek bridge;
- (d) Construct a temporary off-road footpath (minimum 1.8m in width and an all-weather surface) along Upper Orewa Road and Russell Road between the Road 17 / Upper Orewa Road intersection and the eastern boundary of the Delmore site; and
- (e) Upgrade the intersection of Russell Road / Upper Orewa Road to provide additional road markings in accordance with the Commute drawing titled "Russell Road / Upper Orewa Road upgrade" and dated 15 April 2026.

Advice note: The upgrade of the intersection of Upper Orewa Road and Wainui Road would not be required if the NoR6 road has been constructed through this intersection, or if upgrades have been undertaken by another party.

14. Prior to the issue of a section 224(c) certificate for the last sub-stage of the subdivision, any part of Stage 2, the consent holder must construct the portion of

the arterial road, known as designation 14108 in the Auckland Unitary Plan, identified on the drawing prepared by Terra Studio, titled "Traffic Upgrades Plan", Rev B, from the southern boundary of Stage 1 of the Delmore development through to the intersection of Upper Orewa Road and Russell Road. The road must be constructed as a two-lane arterial road with active mode facilities on each side. The intersection of the arterial road (designation 14108) with Russell Road and Upper Ōrewa Road must be designed and constructed as a roundabout.

Traffic Surveys

15. Once the Road 17 / Upper Orewa Road roundabout is operational, the Consent Holder must undertake traffic surveys and undertake additional assessment at the earlier of:
 - (a) 12 months following the opening of the roundabout; or
 - (b) Prior to the occupation of 1,450 dwellings across the Delmore site and Ara Hills sites.
16. The traffic surveys must be undertaken at the State Highway 1 / Grand Drive motorway interchange by a suitably qualified traffic engineer and must include, as a minimum:
 - (a) Surveys undertaken over at least three separate weekdays, including both AM (6.00am to 9.00am) and PM (4.00pm to 7.00pm) peak periods, and excluding school and public holiday periods, including but not limited to the Christmas to New Years period. The surveys must be undertaken at least one week apart, and on different weekdays.
 - (b) Measurement and recording of traffic volumes and queue lengths for all movements / lanes on all approaches to both of the roundabouts which constitute the interchange. Queue lengths should be recorded every three minutes with the longest length queue observed for each lane in the three minute interval recorded.
17. Within 20 working days of completing the traffic surveys, the Consent Holder must provide to Council a Traffic Monitoring Report, prepared by a suitably qualified traffic engineer, that:
 - (a) Summarises the results of the traffic surveys;
 - (b) Includes an appendix with copies of all the data collected as part of the surveys;
 - (c) Assesses whether the Grand Drive interchange or any approach to the Grand Drive interchange is operating at Level of Service E or worse.
18. Where the Traffic Monitoring Report identifies that the Grand Drive interchange is operating at Level of Service E or worse, the Consent Holder must:
 - (a) Prepare a detailed design for mitigation in the form of a new 200 metre only left turn lane on Grand Drive the eastern approach to the interchange;
 - (b) Consult with Waka Kotahi NZTA on the left turn lane design and undertake any changes to the design necessary to gain NZTA acceptance; and
 - (c) Submit the left turn lane design to Council for approval within 20 working days of submitting the Traffic Monitoring Report. The assessment must

include written confirmation from Waka Kotahi NZTA that it has reviewed the proposed design and considers it acceptable.

19. The Consent Holder may propose alternative mitigation measures to the left turn lane but must provide detailed design drawings and assessment of the alternative mitigation prepared by a suitably qualified traffic engineer for the review of NZTA and Council. The left turn lane may be substituted but only upon mutual agreement, in writing, by the consent holder, Council, and NZTA.
20. The Consent Holder must, at their own expense, implement the left turn lane under condition 18(a), or other mitigation measures, mutually agreed to by the Consent Holder, NZTA, and Council under Condition 19 as soon as practicable, and no later than 6 months following Council approval, unless otherwise agreed in writing by Council.
21. Additional traffic surveys and assessment, in accordance with Conditions 16 and 17 must be undertaken by the applicant prior to the occupation of 1,600 and 1,750 dwellings across the Delmore site and Ara Hills sites. If the assessment undertaken under Condition 17 identifies that the Grand Drive interchange or any approach to the interchange is operating at level of service E or worse, the Consent Holder must carry out the design, consultation, and mitigation works described in Conditions 18, 19 and 20.

NEW: The consent holder must, at their own expense, construct a temporary off-road footpath (minimum 1.8m in width and an all-weather surface) along Upper Ōrewa Road between the intersection with Russell Road and the Ministry of Education site in Upper Ōrewa Road. This condition will cease to have effect if the Ministry of Education site is not designated for use as a school site within two years of consent being granted.

Engineering Plan Approval

22. The following additional details must be provided on the roading plans at Engineering Plan Approval stage, unless a departure from the below is agreed with Council as part of Engineering Plan Approval:
 - (a) Detail around the traffic measures proposed for cyclist crossings and pram crossings on side road intersections;
 - (b) Location and design of bus stops for any future bus routes;
 - (c) Vehicle tracking diagrams to demonstrate that the road layout, intersections, turning heads, cul-de-sacs, and vehicle crossings are designed to accommodate the appropriate design vehicles in accordance with Auckland Council's Code of Practice and the Transport Design Manual (TDM);
 - (d) Evidence that Approach Sight Distance (ASD) and Safe Intersection Sight Distance (SISD) is achieved at all intersections and at roundabouts the three sight distance criterion laid out in Section 3.2 of Austroads Guide to Road Design Part 4B is achieved;
 - (e) Evidence that K-values of roads achieve the Austroads requirements;
 - (f) Concrete pedestrian footpaths with a gradient steeper than 8% must provide high-friction surfacing;
 - (g) A temporary turning head at the termination point of the AT designation 14108 arterial road within Stage 1 of the site in accordance with Auckland

Transport's Code of practice;

x. Prior to the construction of AT designation 14108 arterial road through to the intersection of Upper Ōrewa Road and Russell Road, required as part of condition 8, the consent holder must construct a temporary turning head with a pedestrian path through to Upper Ōrewa Road at the termination point of the AT designation 14108 arterial road within Stage 1 of the site in accordance with the Auckland Council Code of Practice for Land Development and Subdivision Chapter 3 Transport.

(h) Traffic calming measures must be provided at 60m intervals on all local roads, or in other such locations as approved by Auckland Council, and in accordance with the Auckland Council Code of Practice for Land Development and Subdivision Chapter 3 Transport;

(i) Emergency access to Russell Road via Road 1 is to be controlled by an automatic lifting arm installed to restrict general traffic associated with the temporary wastewater filling station;

(j) JOALs must be designed to include:

- Speed management devices on all JOALS greater than 50m in length, with one device 10m from the road boundary and additionally at each 30m spacing; and
- Turning heads to enable waste and delivery vehicle to service all lots; or designed as one-way routes.

(k) Vehicle crossings must be provided to all residential lots and shall be designed to include:

- A 2m separation distance between each crossing, or alternatively a combined driveway (6m wide) may be provided.
- A pedestrian visibility splay in accordance with [Auckland Transport Practice Note 07 Vehicle Crossings Design Standards Ed 1 \(TDM PN-07\)](#)

on both sides of all the proposed vehicle crossings. Any obstructions including boundary fencing and/or landscaping within the visibility splay areas must not exceed 900mm in height. If fencing is provided above the 900mm height stipulation, it must be at least 80% visually permeable.

- Vehicle crossings are to be constructed in accordance with the Auckland Council Code of Practice for Land Development and Subdivision Chapter 3 Transport.

23. The Consent Holder must construct all new public roads and roading ancillary facilities in accordance with the approved Engineering Plan Approval drawings.

24. An Engineering Completion Certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in Auckland Council have been constructed in accordance with the approved engineering plans, must be provided in support of the section 224(c) application.

3.1.6 Road Naming

25. The Consent Holder must provide and install road naming signs in accordance with Council standards for both public and private roads that serve six or more lots within the subdivision. The names must be approved by Council.

Advice Note: The road naming approval must be obtained from the Local Board prior to the submission of the survey plan pursuant to Section 223 of the RMA. The road naming application should provide suggested street names (one preferred plus two alternative names) and must include evidence of consultation with Te Kawarau ā Maki, Ngaati Whanaunga, Ngāti Manuhiri, and te Runanga o Ngāti Whātua).

26. Prior to the issue of a section 224(c) certificate for Stage 2A-1, the paper road traversing the site must be stopped. Prior to this occurring a legal agreement for sale and purchase of the stopped road land must be prepared and executed between the consent holder (or nominated entity) and Auckland Council as vendor to document the terms and conditions that provides the basis for the road stopping.

3.1.7 Lighting Plan

27. Prior to the issue of a s224(c) certificate for a subdivision stage (or sub-stage), the Consent Holder must submit a Lighting Plan for the off-road pedestrian paths which are separate from JOALs and roads; JOALs servicing 10 or more dwellings / residential lots; and roads to be vested. The Lighting Plan must be prepared by a suitably qualified Lighting Engineer and submitted to Auckland Council for certification. As part of the certification, the lighting design (light pole location) must be reviewed by Council's traffic engineer.

The purpose of this condition is to provide adequate lighting for the safety of people. The Lighting Plan must:

- (a) Demonstrate compliance with the relevant standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part); and
- (b) 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.

28. Prior to the issue of a s224(c) certificate for a subdivision stage (or sub-stage), the consent holder must submit a Lighting Plan for dwellings within 20m from riparian corridors and the Nukumea Scenic Reserve (SEA). The Lighting Plan must include the following measures to minimise light spill and intensity, particularly relevant given the known sensitivity of bats and other native fauna to artificial light at night (ALAN):

- (a) Use directional, low-intensity, warm-spectrum LED lighting, selecting luminaires with temperatures of 2,700 Kelvins;
- (b) Ensuring light levels are attenuated to below 0.3 lux (horizontal and vertical) when measured at the external boundary of forested areas;
- (c) Limiting street lights along subdivision roads;
- (d) Directing external light fittings away from forested areas and fitting bulbs that have minimal light spill and emit no upwards light; and
- (e) Mounting light fixtures as low as practical.

29. The Lighting Plans must be implemented as part of the subdivision. The JOAL lighting must be maintained by the Resident's Society required to be established under Condition 38 thereafter.

3.1.8 Geotechnical

30. The Consent Holder must construct the earthworks, reinforced earth batters, slopes, shear piles, retaining and palisade walls, soil nails, shear keys, counterfort drains and subsoil drainage in accordance with the recommendations of the Riley Consultants Ltd Geotechnical Investigation Report approved and referenced under Attachment 1 to ensure the site is stable and suitable for development.

NEW: A Geotechnical Completion Report (GCR) from a suitably qualified and experienced chartered geo-professional must be prepared and submitted to Council to confirm that all residential and commercial lots are stable and suitable for development over the design life, accounting for the anticipated geomorphic adjustment of the stream network including the bed-lowering and channel-widening design parameters documented in the assessment referenced under Attachment 1, when applying for a certificate under section 224(c) for a subdivision stage (or sub-stage). The GCR must include a Building Restriction Zone plan that identifies specific design zones and no-build zones. Development must be undertaken in accordance with the recommendations of the GCR.

The preceding paragraph must be registered as a consent notice on the records of title for all residential and commercial lots to ensure that it is complied with on a continuing basis.

Advice note: The specific name and date of the GCR provided must be referenced in the consent notice.

Refer to Auckland Council Code of Practice 2023 (Chapter 2) which details expectations of a geotechnical completion report.

NEW: All stream-margin retaining and geotechnical structures, and the land on which they are located, must remain in private ownership and must not be vested in Council. Prior to the issue of a certificate under section 224(c) for the relevant subdivision stage, a covenant or other legal instrument requiring inspection, maintenance and renewal of the structures over their design life by the Resident's Society (which must maintain funded reserves sufficient to meet those obligations) must be registered on the titles of all affected lots.

NEW: Prior to the issue of a certificate under section 224(c) for any subdivision stage, the Consent Holder must provide evidence to the satisfaction of Council that the Resident's Society has been legally established and holds, or is funded to hold, reserves sufficient to meet the geomorphic monitoring, stream stabilisation plans (SSP), maintenance, renewal, and reasonably foreseeable contingency remediation obligations under these conditions over the design life and until geomorphic stabilisation is demonstrated to the satisfaction of Council. The monitoring, maintenance, and contingency obligations relating to the streams, stream margins, stream-margin structures, and stormwater dispersal devices must transfer to that entity, must bind successors in title, and must not rest with individual lot owners.

NEW Prior to the issue of a certificate under section 224(c) for any subdivision stage, no land that is to vest in Council and that contains, adjoins, or lies within the anticipated geomorphic adjustment corridor of a stream reach identified as actively adjusting in the Geomorphic Monitoring and Adaptive

Management Plan or the assessment referenced under Attachment 1 shall vest until:

- (a) A Stream Stabilisation Plan for the relevant reach, prepared by a suitably qualified and experienced fluvial geomorphologist, has been submitted to and certified by Council; and either
 - o The stabilisation works identified in that certified Stream Stabilisation Plan have been constructed and certified complete by a suitably qualified and experienced fluvial geomorphologist or engineer, or
 - o A bond or other financial assurance sufficient to construct those works, set at 1.5 times their estimated cost and held until the works are completed or geomorphic stabilisation is demonstrated to the satisfaction of Council, has been provided to Council.
- (b) A certificate under section 224(c) must not issue for the stage until (a) and (b) are satisfied for all such land within that stage. For the avoidance of doubt, the Stream Stabilisation Plan required by this condition is the same instrument as the funded remediation pathway provided for under the Geomorphic Monitoring and Adaptive Management Plan.

Advice note: where the geomorphic response for a reach is to be managed adaptively rather than by upfront works, the relevant stream land should be retained in private ownership under the Resident's Society rather than vested, since an adaptive obligation cannot sensibly run with vested land.

31. Certified as-built details of installed counterfort drains must be included within the Geotechnical Completion Report, together with records of counterfort drain commissioning observations and flushing.

Advice Note: The drain commissioning information will provide baseline data for the counterfort drain operation and maintenance plan. The as-built drawings should also include locations of the flushing ports and outlet structures.

32. Where counterfort drains are installed within any stage of the development, a Counterfort Drain Operation and Maintenance Plan (CDOMP) must be provided as an attachment to the Geotechnical Completion Report to the Council for certification, incorporating a staged maintenance approach. This must include the observations to be made, their frequency and any associated actions to ensure their serviceability. Any subsequent revision of the CDOMP must also be submitted to the Council for certification. The consent holder must meet the costs of the production, certification, monitoring and review of the CDOMP.

Advice Note:

- *The council acknowledges that the CDOMP is intended to provide flexibility both for the consent holder and the council for the management of the counterfort drainage and slope stability. Accordingly, the CDOMP may need to be reviewed over time. Any reviews should be in accordance with the stated objectives of the management plan and limited to the scope of this consent.*
- *Certification of the CDOMP by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate*

to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.

3.1.9 Flood Level Report

33. Prior to the issue of a s224(c) certificate for a subdivision stage (or sub-stage), the Consent Holder must submit a Flood Report prepared by a SQEP to Auckland Council for certification. The report must:

- (a) Identify any residential lots that are affected by the 1 in 100-year overland flow path and any adjacent lots situated within 500mm vertical distance of the surface of the 1 in 100-year overland flow path; and
- (b) Recommend minimum finished floor levels for any future habitable buildings on the affected lots, with an appropriate freeboard allowance above the predicted flood level.

Advice note: If the required FFL is inconsistent with the FFLs included within the Architectural Drawings, the FFL under Condition 33 will take precedence.

3.1.10 Culvert upgrade

34. Prior to the issue of a s224(c) certificate for the first stage (or sub-stage) of subdivision, the consent holder must, to the satisfaction of Council, design and install one of the following on the NZTA culvert in the location shown on the McKenzie & Co Drawing titled “Stormwater Culvert Plan NZTA” and referenced under Attachment 1:

- (a) A relief inlet riser in accordance with the McKenzie & Co Drawing titled “Stormwater Culvert Plan NZTA”; or
- (b) An alternative debris control structure.

Advice Note: The consent holder is advised to consult with NZTA prior to undertaking any works on the culvert. All necessary approvals, permits, or other authorisations required by NZTA must be obtained directly from NZTA.

Dam Assessment

+ At the EPA stage the applicant must assess dam break scenarios for the inadvertent dams identified in Table 1 of the Flowstate Consulting Memorandum "Delmore Development (Upper Orewa): Dam Classification & Dam Breach Flood Hazard Assessment" dated 04/06/2026. These dam break assessments must address scenarios where there is failure of the upstream inadvertent dam(s), but no failure of the downstream dam.

+ At the EPA stage the applicant must provide certification by a suitably qualified and experienced Chartered Geotechnical Engineer for the embankment design, including appropriate anti-seepage measures included in the culvert(s) design and construction.

+ At the EPA stage the applicant must demonstrate compliance with relevant fish passage requirements.

+ If there are changes to the design of the proposed culverts, prior to engineering approval and any vesting of stormwater or roading assets along roads with inadvertent dams, the consent holder must provide written certification from a suitably qualified and experienced dam specialist approved by the Council and the Road Controlling Authority that the proposed culverts in these locations have been assessed in accordance with the New Zealand Society on Large Dams (NZSOLD) – New Zealand Dam Safety Guidelines (2024) and any other relevant statutory or technical requirements, to determine whether they meet the criteria for classification as a dam.

a. For inadvertent dams:

- i. A Dam Safety Assessment and Potential Impact Classification (PIC) report must be prepared by a suitably qualified and experienced dam specialist approved by the Council, demonstrating how the structure meets the objectives of safe performance, downstream hazard management, and sustainable maintenance in accordance with the NZSOLD Dam Safety Guidelines (2024).
- ii. The report and any associated design drawings must be certified by Auckland Council and the Road Controlling Authority as achieving those objectives before any construction or vesting occurs.
- iii. Any structure classified as a dam may only vest with Auckland Council (Healthy Waters) or the Road Controlling Authority, subject to its express written agreement.

+ The dam embankment, outlets, spillways and associated structures must be designed, constructed, operated, and maintained to ensure they are structurally sound, pose no undue risk to life, property, or the natural environment, and are able to perform satisfactorily under all foreseeable circumstances.

+ The dam must be designed, constructed, operated, and maintained with a flood spillway to pass a 100-year or larger ARI flood event without overtopping the dam crest or as determined in the PIC assessment. In addition:

- iv. Reference should be made to the Dam Safety Guidelines – Auckland Council Technical Publication and the New Zealand Dam Safety Guidelines – New Zealand Society of Large Dams 2024 for further guidance on spillway sizing.
- v. Section 17 of Building Act 2004 requires dams to comply with the building code in addition to the requirements set out in these rules.

+ Prior to commencement of construction, detailed design drawings, calculations and other supporting documents must be submitted to Auckland Council for certification demonstrating compliance with RC conditions and a complete set of documentation should be provided to the Road Controlling Authority.

- + All spillways and bypass arrangements must be constructed, terminated, and maintained to minimise erosion, and the spillway(s) entry must be designed to remain free of debris at all times.
- + Trees or vegetation which could weaken the dam stability or prevent inspection of the dam embankment must not be allowed to grow on or near the embankment.
- + The dam structures and spillways must be inspected at least once every 12 months and following any operation of the flood spillway. Any damage recorded at times of inspecting, or noticed at any other time, must be remedied as soon as practicable.
- + A dam safety management system must be developed for long term operation of the dams, in accordance with New Zealand Dam Safety Guidelines 2024 and the requirements of RC Conditions. This must be submitted to Auckland Council for certification within 30 days of completion of the dam structures on site and a complete set of documentation should be provided to the Road Controlling Authority.
- + If any culvert(s) are not classifiable as a dam but cannot meet the capacity requirements of The Auckland Code of Practice for Land Development and Subdivision Chapter 4: Stormwater or the NZTA Bridge Manual, the consent holder must:
 - vi. A suitably qualified and experienced Chartered Geotechnical Engineer provides Producer Statements for the design and construction of the anti-seepage measures to Auckland Transport.
 - vii. The road embankment within the influence line of the detained floodwater should be reinforced and specifically designed by a Chartered Geotechnical and copies of the Producer Statements for the design and construction monitoring be provided to Auckland Transport.

3.1.11 Waste Management

35. Prior to the issue of a s224(c) certificate for a subdivision stage (or sub-stage), the Consent Holder must prepare a Waste Management Plan for all residential lots that may not receive public kerbside collection services and may instead rely on on-site waste collection.

36. The Waste Management Plan must be submitted to Council for certification and must:

- (a) Detail how waste and recycling will be stored on-site in a manner that is safe, sanitary, and does not create a nuisance; and
- (b) Identify the proposed waste collection point(s) and demonstrate that they are accessible, safe, and do not adversely affect traffic, pedestrian access, or neighbouring properties.

The certified Waste Management Plan must be implemented prior to the occupation of any residential dwelling on the lots and maintained thereafter by the Resident's Society.

3.1.12 Utility Company

37. If a connection to the public network is not provided in accordance with Condition 12 (general conditions), then prior to the issue of a s224(c) certificate

for the first subdivision stage, the Consent Holder must provide evidence that a Utility Company has been legally established to operate the WWTP, the WTP and/or associated infrastructure, and implement (if and when required) decommissioning of the WWTP, the WTP and/or associated infrastructure. The evidence provided must include a copy of the company constitution. The constitution shall outline that the utility company must:

- (a) Operate and maintain the private wastewater and water infrastructure including the reticulation network, treatment plants, reservoirs, bores, pump stations, and dispersal fields to meet the requirements of this consent and WAT60456696;
- (b) Monitor water usage for each dwelling in accordance with the Water Supply Management Plan in accordance with Condition XX of the land use consent and implement the actions required by the Water Supply Management Plan if trigger levels are reached.
- (c) Hold a registered leasehold title over the land on which the WWTP and WTP are located, at the completion of the relevant subdivision stage;
- (d) Be responsible for ensuring that any necessary future consents or alternative management of wastewater discharges and water supply are in place prior to the expiry of this consent and WAT60456696; and
- (e) Ensure that all water supplied for human consumption from the development complies at all times with the applicable requirements of the Water Services Act 2021, the Drinking Water Standards for New Zealand, and the Drinking Water Quality Assurance Rules issued or administered by Taumata Arowai, including any amendments or replacements in force from time to time; and
- (f) Implement (if and when required) decommissioning of the WWTP, the WTP and/or associated infrastructure.

3.1.13 Resident's Society

38. Prior to the issue of a s224(c) certificate for the first subdivision stage, the Consent Holder must prepare the necessary documentation to create a society, body corporate, association or other body acceptable to the Council (hereafter referred to as the "Resident's Society") for management of the Common Infrastructure identified below.

Common Infrastructure	Ownership and Management Responsibilities
JOALs	JOALs are to be owned and managed in equal shares by all residential lots that access the JOAL, as identified within the approved Scheme Plan under Condition 1. This shall be a sub-group within the Resident's Society. The carriageway, lighting, planting, and all other infrastructure (e.g., any required stormwater devices and culverts) within the JOAL shall be operated, maintained and, when required, renewed by the relevant JOAL sub-group on an on-going basis. All costs shall be borne by that JOAL sub-group. Where rubbish collection is to be via "private service" the JOAL responsibilities shall also include the ongoing retention of the private service contact.
Lots 1901, 1904, 1905, 1930, 1931, 1932,	Lots 1901, 1904, 1905, 1930, 1931, 1932, 1908, 1628, 5025, 1920, 1910, 3000, and 1270 are to

1908, 1628, 5025, 1920, 1910, 3000, 1270	be transferred to the Resident's Society at the time of subdivision. The Resident's Society must ensure the long-term protection of the ecological values of the bush areas in accordance with the consent notice obligations. All maintenance must be undertaken in accordance with the Ecological Management Plan approved and referenced under Attachment 1. The Resident's Society must ensure the public walkways are maintained to a reasonable standard.
Bush covenant areas: Lots 14–17, 76–86, 106–119, 155–167, 229, 251–268, 260–262, 277–279, 303–307, 315–318, 352–359, 471, 610–615, 931–948, 952–958, 999–1023, 1031–1047, 1052–1055, 1057–1058, 1060, 1069–1070, 1215–1216, 1218–1238, 1246–1250, 1269, 1270–1272, 1274–1278, 1401.	The 'bush covenant' areas identified on the scheme plan are to remain in private ownership. The overall responsibility for the implementation of all ongoing management and maintenance measures necessary to protect the ecological values of these areas, including pest and weed control, shall belong to the Resident's Society in accordance with the Ecological Management Plan approved and referenced under Attachment 1.
Lot 1800 (Stage 1 park) Lot 5020 (Stage 2 park)	Lot 1800 and Lot 5020 will be transferred to the Resident's Society, if it is not vested to Auckland Council.

39. Membership of the Resident's Society must be compulsory for all owners of lots within the development. This obligation must be secured on the record title at the completion of the relevant sub-stage of the subdivision for each residential and commercial lot, by way of consent notice and covenant in gross in favour of the Resident's Society.

40. The Consent Holder must provide written evidence to Council that the Resident's Society Constitution includes the following items:

- (a) The ownership and management responsibilities of the Resident's Society, including the operation, maintenance, repair and renewal of the Common Infrastructure within the development. This includes the public walkways and associated infrastructure (signage etc.) located within the balance lots, as well as the Stage 2 park (Lot 5020) if it is not vested to Council;
- (b) The responsibility of the Resident's Society relating to the ongoing management and protection of the areas identified in the Ecological Management Plan, noting that such responsibilities may be carried out by suitably qualified contractors or third parties, provided that overall responsibility remains with the Resident's Society;

- (c) Mechanisms for the raising of funds from members to adequately finance the operation, maintenance, repair and renewal of the Common Infrastructure, including any private water and wastewater infrastructure which shall be paid to the utility company;
- (d) Decision making and dispute resolution requirements;
- (e) The obligation on the Resident's Society to comply with all resource consents;
- (f) Provision for the nomination and maintenance of a primary contact person (and alternate, if applicable) for the Resident's Society, including up-to-date contact details to be provided to Council at all times, who shall be authorised to receive and respond to enquiries and complaints from Council in relation to this consent;
- (g) In the event a connection has not been made to the public network in accordance with Condition 12 (general conditions), mechanisms for the raising of funds from members to adequately finance the consenting, future decommissioning of any on-site wastewater servicing, wastewater treatment plant, or on-site water take and treatment;
- (h) In the event a connection has not been made to the public network in accordance with Condition 12 (general conditions), mechanisms for the raising of funds from members to adequately finance the infrastructure works required to enable future connections to the public water supply and wastewater networks;
- (i) In the event a connection has not been made to the public network in accordance with Condition 12 (general conditions), mechanisms for the raising of funds from members to adequately finance the payment of future Infrastructure Growth Charges that may be payable to the public water and/or wastewater utility provider; and
- (j) An education and communication strategy for informing prospective purchasers, new residents, and existing residents of the cat and pest animal prohibition within Stage 2 of the development, including at the point of sale, at settlement, and on an ongoing basis.
- (k) The responsibility of the Resident's Society for the geomorphology monitoring in accordance with Conditions XX and XX.

3.1.14 Infrastructure Servicing

Public Reticulation Network

- 41. If a connection to the wastewater network is provided in accordance with Condition 12 (general conditions), the Consent Holder must, at no cost to the wastewater utility provider, design and construct connections to the public wastewater reticulation network to service all lots within the relevant stage or sub-stage in accordance with the requirements of the wastewater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).
- 42. If a connection to the public water network is provided in accordance with Condition 12 (general conditions), the Consent Holder must, at no cost to the water utility provider, design and construct connections to the public water reticulation network to service all lots within the relevant stage or sub-stage in accordance with the requirements of the water supply utility service provider. Certification from the utility provider that works have been

satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).

Private Wastewater Servicing and Water Supply

43. If a connection to the public network is not provided in accordance with Condition 12 (general conditions), then the Consent Holder must design and construct connections to the private water supply and wastewater reticulation networks to service all lots within the relevant stage or sub-stage. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).
44. If a connection to the public network is not provided in accordance with Condition 12 (general conditions), then prior to the issue of a section 224(c) certificate, a legal agreement must be prepared and executed between the Consent Holder (or nominated entity) and Auckland Transport to document the terms and conditions that provides the basis for the Consent Holder to reticulate, own and maintain private reticulation pipes that sit within the vested road reserve.
45. If a connection to the public water supply network is not provided in accordance with Condition 12 (general conditions), then prior to the issue of section 224(c) certification for any subdivision stage, the Consent Holder must provide certification from a suitably qualified hydrogeologist and water engineer confirming that:
 - (a) The groundwater take authorised for the development is sufficient to service that stage and all previously completed stages;
 - (b) Adequate residual capacity remains for later stages consistent with the approved staging plan; and
 - (c) The abstraction regime will not compromise the long-term sustainable yield of the source or any minimum performance requirements specified in the groundwater take consent.
46. Prior to the issue of any section 224(c) certificate within Stage 2 of the development, the Consent Holder must provide evidence that suitable provision has been made for the disposal of wastewater, or a connection can be provided to the public wastewater network in accordance with Condition 12 (general conditions).

Stormwater Network

47. The Consent Holder must design and construct connections to the reticulated stormwater network to serve all lots within the relevant stage or sub-stage in accordance with the McKenzie and Co Stormwater Report and Drawings approved and referenced under Attachment 1. Where connection to a public stormwater network is proposed, the connection must be designed and constructed to meet the requirements of the stormwater utility service provider. Certification from the utility provider that any approved public stormwater connections have been satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).

48. The Consent Holder must design and construct a stormwater outfall structure as a disposal point for stormwater runoff for all allotments within the relevant stage or sub-stage that do not have a connection to the public stormwater reticulation system, generally in accordance with the McKenzie & Co Stormwater Report approved and referenced under Attachment 1. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).

Telecommunications and Electricity

49. The Consent Holder must make provision for telecommunications and electricity supply to all residential lots within the relevant stage or sub-stage in accordance with the requirements of the respective utility operators. Certification from the utility operator that works have been satisfactorily undertaken must be provided when applying for a certificate for the relevant stage under section 224(c).

3.1.15 Erosion and Sediment Control

50. Prior to the commencement of any Civil-Construction or Subdivision earthworks at the site, an Erosion and Sediment Control Plan, specific to that stage of subdivision, must be prepared in accordance with Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 3 (GD05), and submitted to the Council for written certification. Earthworks activity on that stage of the site must not commence until the Council has certified that the ESCP satisfactorily meets the requirements of GD05. The plan must contain sufficient details to address the following matters:

- (a) Specific erosion and sediment control measures for the earthworks (location, dimensions, capacity) including the location of any sediment retention ponds, decanting earth bunds, super silt fences, silt fences, clean and dirty water diversion bunds and stabilised construction entrances, in accordance with GD05;
- (b) Supporting calculations and design drawings, as necessary;
- (c) Details of construction methods;
- (d) Monitoring and maintenance requirements;
- (e) Catchment boundaries and contour information as necessary; and
- (f) Details relating to the management of exposed areas (e.g. grassing, mulching).

3.1.16 Landscaping

Detailed Landscape Plans

51. At Engineering Plan Approval Stage, the Consent Holder must submit a detailed streetscape landscaping plan(s) for rain gardens/ street trees/ street

gardens for approval by the Manager Parks Planning. In particular, the plans must:

- (a) Be prepared by a suitably qualified landscape architect;
- (b) Be in general accordance with the Landscape Plans, prepared by Greenwood Associates, and referenced under Attachment 1;
- (c) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of streetlights and other service access points;
- (d) Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice;
- (e) The provision of root barrier solutions for any encumbered street tree locations;
- (f) Include planting methodology; and
- (g) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscape;
- (h) Include evidence that Te Kawarau ā Maki, Ngaati Whanaunga, Ngāti Manuhiri, and te Runanga o Ngāti Whātua have been consulted regarding provision of cultural markers or similar within the road reserves, and details of any agreed marker.

Advice notes: Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public works in the absence of that approval.

The plans may be submitted in a staged manner as relevant to the authorised subdivision staging.

Reserves

52. At Engineering Plan Approval Stage, the Consent Holder must submit a detailed landscaping plan(s) for stormwater ponds and drainage reserves, and neighbourhood parks for approval by the Manager Parks Planning. The plans must:

- (a) Be prepared by a suitably qualified landscape architect;
- (b) Be in general accordance with the Landscape Plans, prepared by Greenwood Associates, and referenced under Attachment 1;
- (c) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, and the overall material palette;
- (d) Include a weed management plan that includes the following:
 - o An inventory of the weed species to be removed;

- o Removal techniques to be utilised and weed disposal methods;
- o Time frames for work and whether the weed removal needs to be staged (particularly relevant for sensitive areas such as coastal edges or riparian margins);
- o Any re-vegetation programme required to prevent re infestation of weeds;
- o An assessment of any ecological issues around the removal of vegetation;
- o Methods for addressing stability and erosion and sediment control methods

(e) Include planting methodology;

(f) Demonstrate a topographic overlay to illustrate proposed gradient levels within the reserve;

(g) Demonstrate a flood overlay identifying flood-prone areas within the reserve;

(h) Demonstrate all outfalls and retaining walls, including visual assessments within the reserve;

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

(j) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscape.

Advice note: Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public works in the absence of that approval.

The plans may be submitted in a staged manner as relevant to the authorised subdivision staging.

Planting Implementation

53. Prior to issue of a section 224(c) certificate for any subdivision stage (or sub-stage), all street landscaping must be implemented in accordance with the approved streetscape plans and to the satisfaction of the Manager Parks Planning and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape, and in particular the following:

(a) The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition;

(b) Should site factors preclude compliance with any of these conditions, the Manager Parks Planning must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed by the consent holder to the satisfaction of Manager Parks Planning;

(c) Grassing must only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the Consent Holder must inform the Manager Parks Planning immediately.

54. Prior to the issue of section 224(c) certification, all hard and soft landscape works—within the neighbourhood parks and drainage reserves must be implemented in accordance with the approved landscape plans to the satisfaction of the Manager Parks Planning and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape, and in particular:

(a) All areas of the reserve that have been grassed must have a 90 percent strike rate, in a mowable condition, and be weed and rubbish free.

(b) Planted slopes to be a maximum 1:3 grade and grassed slopes to be a maximum 1:5 grade.

(c) Grassing and planting must be carried out by a suitably qualified landscape contractor in the planting season (April to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform the [council staff title] immediately.

(d) At practical completion auditing, a chartered professional engineer engaged by the applicant must provide certificates of compliance and producer statements as relevant and certify that the parks construction works have been carried out in accordance with the approved plans and comply with the requirements in condition (s) – above). Written manufacturers guarantee must be supplied for any products where warranties are available or applicable.

(e) Any defects identified at the practical completion audit are to be remedied by the applicant. The practical completion of the works will be determined by the Manager Parks Planning to their satisfaction, and this indicates the commencement of the maintenance period.

(f) The requirements of subclauses (a)–(e) apply unless otherwise agreed in writing by the Manager Parks Planning.

55. Prior to the issue of section 224(c) certification for any stage or sub-stage, all hard and soft landscape works within the relevant balance lots for the relevant subdivision stage (Lots 1904, 1905, 1930, 1931, 1932, 1908, 1628, 5025, 1920, 1910, 3000, 1270) must be implemented in accordance with the landscape plans and certified Ecological Management Plan. This includes pedestrian pathways and any associated infrastructure (eg. signage) located within the relevant lots as indicated on the Landscape Plans.

As-Built Plans

56. Prior to the issue of the 224(c) certificate, the Consent Holder must provide to the Development Engineer and Manager Parks Planning as-built plans for landscape works (hard and soft) within all proposed parks, reserves and streets to be vested in the following format:

(a) For vested assets from a new development, as-built plans must be provided in digital format (DWG, DXF or GIS shape files on CD or via e-mail) as well as a pdf copy of the signed as-built plan(s).

(b) The following requirements apply to digital formats:

- All dimensions are to be in millimetres, and all levels and lengths in metres.

- All locational data must be plotted in New Zealand Transverse Mercator 2000 (NZTM 2000) coordinates in terms of New Zealand Geodetic Datum 2000 (NZGD 2000) datum as approved by Land Information New Zealand (LINZ).

(c) All graphical data to be located/plotted to the following accuracy:

- X & Y coordinates +/-100mm
- Z coordinates +/-50mm (e.g. lid level) in terms of the NZTM 2000 coordinates
- Invert levels +/- 20mm.
- Digital plans must show all required information, including specific asset information shown in the Legend of the as-built files. If external reference files, overlay or non-standard font shape files are required for this, then these should also be provided.

(d) The as-built plan (generated from the digital format) and structural drawings must include a signed certification statement by a Licenced Cadastral Surveyor or a Registered Surveyor responsible for the as-built.

(e) The as-built plans must be submitted on standard ISO metric plan sheets, drawn at scales 1:100, 200, 250, 500 or 1:1000 as appropriate or as specified by the Council. The information should fit on one sheet where possible. If this is not possible at A3 size, multiple plan sheets must be submitted with an index sheet. On agreement with Auckland Council, hard copy plans may be saved and submitted in portable document format (pdf) for ease of transmission.

(f) Existing assets must be validated by providing asset information demonstrating appropriate dimensions of the existing known assets via sketch, aerial photo, and location of the assets.

(g) Existing assets and assets to be removed or abandoned must be shown on as-built plans.

(h) Copies of the following documents are required, where these assets will be maintained by Auckland Council.

- All assets | Operation and maintenance manuals or asset owner manuals, and any other documentation provided by a supplier for use by an asset owner, e.g. warranty, guarantee.
- Additional documentation will be required for project records. These will be specified in project contract documents or Auckland Council project management manuals.

Maintenance (Streetscape Planting and Drainage Reserves)

57. Prior to the issue of the section 224(c) certificate, the Consent Holder must provide for the approval of the Manager Parks Planning and Manager Healthy Waters Operations, a Maintenance Plan, for all planting and landscaping to be established in the road reserve and drainage reserves. The Maintenance Plan must include:

(a) Vegetation maintenance policies for the proposed planting, in particular, details of maintenance methodology and dates / frequencies.

(b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth;

(c) Vandalism eradication policies; and

(d) Removal of sediment from stormwater devices that have resulted from development activities within the subdivision (if required).

58. The Consent Holder must undertake maintenance for all planting and landscaping within the road reserve in accordance with the approved Maintenance Plan for a three-year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Manager Parks Planning during this period must be remedied by the consent holder at their expense. If any damage/theft to the planting occurs during the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height.

59. The Consent Holder must undertake maintenance of the drainage reserves, in accordance with the approved Maintenance Plan for a five-year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Manager Parks Planning and Manager Healthy Waters Operations during this period must be remedied by the consent holder at their expense. If any damage/theft to the planting occurs during the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height.

Monitoring (Streetscape Planting and Drainage Reserves)

60. Following the issue of the completion certificate under s224(c), the Consent Holder must submit a Monitoring Report to the Manager Parks Planning, for approval every 3 months for the duration of the three-year maintenance period. The Monitoring Report must include but is not to be limited to the following information in respect of all planting and landscaping established in the road reserve:

(a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);

(b) State of protection barriers where required;

(c) Canopy maturity, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds, etc;

(d) A running record of fertilisation, animal and weed pest control and replacement of dead plants;

(e) Details on the condition of, and recommendations for maintenance of, the fencing;

(f) Infiltration rates of bioretention planting media; and

(g) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work).

Any recommended remediation work must include a start date for replanting.

The first measure of the survival rate of plants must not be measured any sooner than 12 months following planting.

Advice Note: This condition requires monitoring reports to be submitted for two years following planting. This condition will be deemed satisfied upon a satisfactory final inspection after the maintenance period and subsequent bond release.

61. Following the issue of the completion certificate under s224(c), the Consent Holder must submit a Monitoring Report to the Manager Parks Planning and Manager Healthy Waters Operations, for approval every 3 months for the first 18 months, then 6 monthly thereafter, for the duration of the five-year maintenance period. The Monitoring Report must include but is not to be limited to the following information in respect of all planting and landscaping established in the drainage reserves to be vested:

(a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);

(b) State of protection barriers where required;

(c) Canopy maturity, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds, etc;

(d) A running record of fertilisation, animal and weed pest control and replacement of dead plants;

(e) Details on the condition of, and recommendations for maintenance of, the fencing;

(f) Infiltration rates of bioretention planting media; and

(g) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work).

Any recommended remediation work must include a start date for replanting.

The first measure of the survival rate of plants must not be measured any sooner than 12 months following planting.

Advice Note: This condition requires monitoring reports to be submitted for the 5 year maintenance period following planting. This condition will be deemed satisfied upon a satisfactory final inspection after the maintenance period and subsequent bond release.

3.1.17 Landscape Bonds

Streetscape Planting

62. Prior to the issue of a section 224(c) certificate for any stage or sub-stage, the Consent Holder must provide the Council a refundable bond in respect of the maintenance of the streetscape landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issue of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance.

Drainage Reserve Planting

63. Prior to the issue of a section 224(c) certificate for any stage or sub-stage, the Consent Holder must provide the Council a refundable bond in respect of the maintenance of the drainage reserve landscaping works required by the conditions of this consent. The maintenance bond will be held for a

period of five years from the issue of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance.

Revegetation Planting

64. Prior to the issue of a section 224(c) certificate for any stage or sub-stage, the Consent Holder must provide the Council a refundable bond in respect of the maintenance of the re-vegetation works required by the conditions of this consent. The bond will be held for a period of five years for from the issue of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance.

Geomorphic Monitoring and Contingency

Prior to the issue of a section 224(c) certificate for any stage or sub-stage, the Consent Holder must provide the Council a bond or other financial assurance for the geomorphic monitoring, bed and channel management, and contingency remediation works required by the Geomorphic Monitoring and Adaptive Management Plan, the Bed and Channel Management Plan, and any Stream Stabilisation Plan. The bond will be held for a minimum of 10 years following completion of the stage and thereafter until geomorphic stabilisation is demonstrated to the satisfaction of Council. The amount of the bond will be 1.5 x the estimated cost of the monitoring programme, the bed and channel management measures, and the reasonably foreseeable contingency remediation works identified in the certified Geomorphic Monitoring and Adaptive Management Plan, Bed and Channel Management Plan, and any Stream Stabilisation Plan, and must be reviewed and adjusted at the commencement of each stage.

3.2 Stage 1A Conditions

3.2.1 Infrastructure Servicing

Wastewater and Water Supply

65. If a connection to the public wastewater network and/or public water supply networks, is not provided in accordance with Condition 12 or Condition 13, the Consent Holder must construct the WWTP and associated reticulation network and/or private water supply and treatment system (as applicable) prior to the first subdivision stage. Evidence must be provided to Council prior to the issue of a section 224(c) certificate for the first subdivision stage.

3.2.2 Section 223 (Survey Plan Approval)

66. The Consent Holder must submit a survey plan in general accordance with the approved subdivision scheme plan approved under Condition 1 for Stage 1A. The survey plan must show all lots that have been agreed by Auckland Council to be to vested (including roads and reserves), all easements and amalgamation conditions, required by this subdivision consent.

Advice note: The survey plan may be for the whole subdivision stage, or a sub-stage.

67. The rights of way and all services easements labelled on the proposed scheme plans approved and referenced under Attachment 1 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The Consent Holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.
68. The survey plan must include easements in favour of Council for all overland flow paths that traverse private lots, in accordance with the requirements of the Stormwater Code of Practice (SW CoP).
69. The survey plan must include an easement in favour of Auckland Council for any public pathways located within the balance lots to ensure public access is maintained in perpetuity. The easement is to be owned and maintained by the responsible entity (private).
70. Lots 2000 - 2002 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as a public road. The Consent Holder must meet all costs associated with the vesting of the road.
71. Lots 1601-1604 and 1616 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as land in lieu of reserve – for drainage purposes. A right of way easement, in favour of Council, must be established over any lots required for the purposes of public access and/or reserve maintenance to allow access to Council staff and contractors.
72. The following amalgamation conditions must be recorded on the survey plan prior to certification pursuant to Section 223 of the Resource Management Act 1991:
 - (a) That Lot 1500 hereon (legal access) be held as to twenty-seven undivided one-twenty-seventh shares by the owners of Lots 1 to 18, 20 to 25 and 472 to 474 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (b) That Lot 1501 hereon (legal access) be held as to nine undivided one-ninth shares by the owners of Lots 26 to 31, 470 and 477 to 478 hereon and that individual records of title be issued in accordance therewith.
 - (c) That Lot 1502 hereon (legal access) be held as to forty-four undivided one-forty-fourth shares by the owners of Lots 56 to 96 and 479 to 481 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (d) That Lot 1503 hereon (legal access) be held as to twenty-three undivided one-twenty-third shares by the owners of Lots 97 to 119 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (e) That Lot 1504 hereon (legal access) be held as to twenty-five undivided one-twenty-fifth shares by the owners of Lots 130 to 154 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.

- (f) That Lot 1505 hereon (legal access) be held as to eleven undivided one-eleventh shares by the owners of Lots 246 to 256 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (g) That Lot 1506 hereon (legal access) be held as to twenty-nine undivided one-twenty-ninth shares by the owners of Lots 155 to 183 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (h) That Lot 1507 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 204 to 209 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (i) That Lot 1508 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 127 to 129 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.

3.2.3 Section 221 (Consent Notices)

73. Pursuant to section 221 of the RMA, the following consent notices must be registered against the relevant records of title on a continuing basis. The consent notice must be prepared by Council's solicitor and registered at the Consent Holders' expense.

Subdivision in accordance with the approved land use resource consent

74. The subdivision of each residential lot must be undertaken in accordance with the land use resource consent referenced as BUN60463107 / LUC60463108. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the record(s) of title to be issued for each residential lot.

"This Lot has been created in accordance with approved land use resource consent BUN60460972 / LUC60460973. All development including landscaping on this lot must be in accordance with the approved land use resource consent referenced as BUN60460972 / LUC60460973 including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity."

Advice note: In the event the dwellings are substantially constructed at the time the S224c completion certificate application is made the Council may waive the requirement for this consent notice.

Bush covenant lots

75. Lots 14-17, 76-86, 106-119, 155-167, 229, 260 - 262 contain vegetation and freshwater features that are required to be maintained and protected in perpetuity. This comprises the area to be protected as labelled 'bush covenant' on the scheme plans approved and referenced under Attachment 1.

- No person must cut, damage, fell, willfully injure or destroy any part (including the roots) of any native vegetation present within this area, or conduct any excavation, earthworks, construction, or storage of material or debris within the canopy span of such vegetation without the prior written approval of Council.
- No person may do anything that would prejudice the health or ecological value of the area to be protected, their long-term viability and/or sustainability.
- The owners must ensure the vegetation and freshwater features are maintained in accordance with the Ecological Management Plan. This includes the eradication of all pest plants and the control of all pest animals within the areas protected.
- No person may place any building and/or structure within the covenant area.

Ecological Management Plan

76. The owners of all residential lots must ensure that revegetation planting identified within the Ecological Management Plan is protected in perpetuity.

Geotechnical Stability

77. Development on all residential lots must be undertaken in accordance with the recommendations of the Geotechnical Completion Report required by Condition 0.

Advice Note: The specific name and date of the Geotechnical Completion Report provided must be referenced in the consent notice.

Operation and Maintenance of Stormwater Infrastructure

78. On-site stormwater management works must be undertaken to comply with the following:

- (a) Rain tanks sized for roof runoff from each individual lot must be designed and constructed to achieve hydrology mitigation in accordance with standard E8.6.3.1(1).
- (b) At the time of application for Building Consent, detailed design for the proposed stormwater tank must be submitted to and approved by the Council.
- (c) The rain tanks shall be maintained to ensure the tanks continue to operate as a stormwater attenuation device. In particular, the owner must not block or remove the part of the tank to be reserved for stormwater management.
- (d) The stormwater management devices on each of the individual lots are to be maintained by the owners of the lots in accordance with the Operation and Maintenance Plan as outlined in Condition 5 of the stormwater discharge permit.

Minimum Finished Floor Levels

79. For development on residential lots that are affected by the 1 in 100-year overland flow path, the means of conveying unobstructed overland flow must be provided and maintained. There must be no obstruction of the overland flow with any fencing, object, impermeable landscaping, building, or structure.

80. Development on residential lots that are affected by the 1 in 100-year overland flow path and any adjacent lots situated within 500mm vertical distance of the surface of the 1 in 100-year overland flow path must be undertaken in accordance with the recommendations of the Flood Level Report required by Condition 33.

Certification from a SQEP must be provided to Council, prior to the issue of a Code Compliance Certificate, confirming that the finished floor level complies with this condition.

Resident's Society

81. The owners of all residential lots must belong to the Resident's Society and must abide by its constitution (or similar incorporation documentation) and must pay all monies levied by the Resident's Society for the Common Infrastructure.

Noise

NEW: Consent notice to refer to noise sensitive space in accordance with Condition 81 of the land use consent.

Vegetation

82. Landscaping on Lots 183 – 186, and 210 - 211 within the areas defined on the drawing prepared by Commute and titled "*Sight Distance Assessment – Stage 1 and Stage 2*", and dated 28 May 2026, referenced under Attachment 1, must be restricted to low-level planting and structures that do not exceed a maximum height of 1.1m to ensure traffic sight distances are met. This must be maintained by the owner and occupier of the lot in perpetuity.

NEW: All retaining walls, shear keys, reinforced earth batter slopes, soil nails, retaining and palisade walls, counterfort drains and subsoil drainage located on Lots 114-120, 122, 204, 210-215 and 225-233 are to be maintained by the owners of the lots to ensure the ongoing performance in accordance with the Geotechnical Completion Report required by Condition 31.

The Council shall not be responsible for the maintenance, or ongoing performance of the structures. In the event of failure or deterioration of the structure, the owner of the lot shall undertake all necessary remedial works, designed by a suitably qualified engineer, at their cost.

3.3 Stage 1B Conditions

3.3.1 Section 223 (Survey Plan Approval)

83. The Consent Holder must submit a survey plan in general accordance with the approved subdivision scheme plan approved under Condition 1 for Stage 1B. The survey plan must show all lots that have been agreed by Auckland Council to be vested (including roads and reserves), all easements and amalgamation conditions, required by this subdivision consent.

Advice note: The survey plan may be for the whole subdivision stage, or a sub-stage.

84. The rights of way and all services easements labelled on the proposed scheme plans approved and referenced under Attachment 1 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The Consent Holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.

85. The survey plan must include easements in favour of Council for all overland flow paths that traverse private lots, in accordance with the requirements of the Stormwater Code of Practice (SW CoP).

86. The survey plan must include an easement in favour of Auckland Council for any public pathways located within the balance lots to ensure public access is maintained in perpetuity.

87. Lots 2003, 2005 and 2008 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as a public road. The Consent Holder must meet all costs associated with the vesting of the road.

88. Lots 1605, 1606 and 1609 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as land in lieu of reserve – for drainage purposes. A right of way easement, in favour of Council, must be established over any lots required for the purposes of public access and/or reserve maintenance to allow access to Council staff and contractors if by the time of application for the survey plan for Stage 1B to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of Lots 1605, 1606 and 1609.

NEW: If no agreement is in place in accordance with Condition 80 by the time of application for the survey plan for Stage 1B to be approved under section 223, then Lots 1605, 1606 and 1609 including all associated stormwater infrastructure shall remain in private ownership. Appropriate legal mechanisms and entities must then be established to ensure ongoing operation and maintenance of the associated stormwater infrastructure in accordance with this Consent.

89. Lot 1800 must be transferred to Council as land in lieu of reserve (for the purpose of recreation) if by the time of application for the survey plan for

Stage 1B-2 to be approved under section 223, the Consent Holder has entered into an agreement with Council for the sale and purchase of Lot 1800. Lot 1800 must be free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms, unless agreed in writing with Council.

90. If no agreement is in place in accordance with Condition 89 by the time of application for the survey plan for Stage 1B-2 to be approved under section 223, then Lot 1800 shall be developed into residential lots in accordance with the following plans:

- Scheme plan titled “Alternative Plan for Lots 359 — 370, 1512 Being Subdivision of Lot 1800 DP XXXXXX Stage 1B 1”, dated 20 May 2026.
- Architectural plans prepared by Terra Studio titled “A-S1-1-87, A-S1-1-88, A-S1-1-89, A-S1-1-90”.

will remain as a balance Lot for the purposes of a neighbourhood park to meet the need for open space to the community it is located within and have registered a consent notice for that purpose.

Advice Note:

If a sale and purchase agreement is not entered into, the intended outcome for park and open green space, will still be achieved by the consent holder through the provision of a privately owned and managed open space made available for public use via a common entity.

Balance lots for Neighbourhood Park purposes (Stage 1 Park Lot 1800)

NEW: Prior to the issue of a s224(c) certificate, the Consent Holder must establish an Incorporated Society (or equivalent legal body) to own, manage and maintain any communal lots, and all associated communal infrastructure, (if any) not accepted by Auckland Council for vesting under condition 90 above.

The following requirements must be met in order to satisfy the condition:

- (a) The common assets are required to remain in the ownership of the Incorporated Society (or equivalent legal body), except with the prior approval of Auckland Council.
- (b) The structure, functions and rules of the Incorporated Society must include provision for the following:
 - (i) All lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;
 - (ii) All lot owners fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;
 - (iii) The Incorporated Society will be responsible for the maintenance of landscaping, infrastructure, asset management plans, and similar matters as they pertain to the common assets.

- (iv) Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council, and
- (v) An acceptable method of management of the Incorporated Society's (or equivalent legal body) future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules must identify a process for setting, collecting and enforcing the payment of levies.
- (vi) All costs associated with the establishment and maintenance of the Incorporated Society (or equivalent legal body) must be borne by the Consent Holder.
- (vii) A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society (or equivalent legal body) must be provided to Auckland Council for certification that the infrastructure and assets will be properly maintained over time.
- (viii) The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

91. The following amalgamation conditions must be recorded on the survey plan prior to certification pursuant to Section 223 of the Resource Management Act 1991:

- (a) That Lot 1508 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 277 to 279 and 471 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (b) That Lot 1509 hereon (legal access) be held as to twenty undivided one-twentieth shares by the owners of Lots 280 to 299 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (c) That Lot 1510 hereon (legal access) be held as to twelve undivided one-twelfth shares by the owners of Lots 309 to 320 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (d) That Lot 1511 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 335 to 337 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (e) That Lot 1512 hereon (legal access) be held as to seven undivided one-seventh shares by the owners of Lots 364 to 370 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (f) That Lot 1513 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 371 to 376 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (g) That Lot 1514 hereon (legal access) be held as to eighteen undivided one-eighteenth shares by the owners of Lots 451 to 467 and 600 to 605 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.
- (h) That Lot 1515 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 257 to 259 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith.

- (i) That Lot 1516 hereon (legal access) be held as to seven undivided one-seventh shares by the owners of Lots 410 to 414, 475 and 690 hereon as tenants in common in the said shares, and that individual Records of Title be issued in accordance herewith.
- (j) That Lot 434 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 429 to 433 and 1400 hereon as tenants in common in the said shares, and that individual records of title be issued in accordance herewith.

3.3.2 Section 221 (Consent Notices)

- 92. Pursuant to section 221 of the RMA, the following consent notices must be registered against the relevant records of title on a continuing basis. The consent notice must be prepared by Council's solicitor and registered at the Consent Holders' expense.
- 93. If additional residential lots are included as a result of Condition 90, the Consent Holder must register the below consent notices on the record of title, where relevant.

Subdivision in accordance with the approved land use resource consent

- 94. The subdivision of each residential lot must be undertaken in accordance with the land use resource consent referenced as BUN60463107 / LUC60463108. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the record(s) of title to be issued for each residential lot.

"This Lot has been created in accordance with approved land use resource consent BUN60460972 / LUC60460973. All development including landscaping on this lot must be in accordance with the approved land use resource consent referenced as BUN60460972 / LUC60460973 including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity."

Advice note: In the event the dwellings are substantially constructed at the time the S224c completion certificate application is made the Council may waive the requirement for this consent notice.

Bush covenant lots

- 95. Lots 251-268, 277-279, 303-307, 315-318, 352-359, and 471 contain vegetation and freshwater features that are required to be maintained and protected in perpetuity. This comprises the area to be protected as labelled 'bush covenant' on the scheme plans approved and referenced under Attachment 1.

- No person must cut, damage, fell, willfully injure or destroy any part (including the roots) of any native vegetation present within this area, or conduct any excavation, earthworks, construction, or storage of material or debris within the canopy span of such vegetation without the prior written approval of Council.
- No person may do anything that would prejudice the health or ecological value of the area to be protected, their long-term viability and/or sustainability.
- The owners must ensure the vegetation and freshwater features are maintained in accordance with the Ecological Management Plan. This includes the eradication of all pest plants and the control of all pest animals within the areas protected.
- No person may place any building and/or structure within the covenant area.

Ecological Management Plan

96. The owners of all residential lots must ensure that revegetation planting identified within the Ecological Management Plan is protected in perpetuity.

Geotechnical Stability

97. Development on all residential lots must be undertaken in accordance with the recommendations of the Geotechnical Completion Report required by Condition 0 above.

Advice Note: The specific name and date of the Geotechnical Completion Report provided must be referenced in the consent notice.

Operation and Maintenance of Stormwater Infrastructure

98. On-site stormwater management works must be undertaken to comply with the following:

- (a) Rain tanks sized for roof runoff from each individual lot must be designed and constructed to achieve hydrology mitigation in accordance with standard E8.6.3.1(1).
- (b) At the time of application for Building Consent, detailed design for the proposed stormwater tank must be submitted to and approved by the Council.
- (c) The rain tanks must be maintained to ensure the tanks continue to operate as a stormwater attenuation device. In particular, the owner must not block or remove the part of the tank to be reserved for stormwater management.
- (d) The stormwater management devices on each of the individual lots are to be maintained by the owners of the lots in accordance with the Operation and Maintenance Plan as outlined in Condition 5 of the stormwater discharge permit.

Minimum Finished Floor Levels

99. Development on lots that contain or are located adjacent to Overland Flow Paths (as identified on the survey plan) must be undertaken in accordance with the recommendations of the Flood Level Report required by Condition 33.

Certification from a SQEP must be provided to Council, prior to the issue of a Code Compliance Certificate, confirming that the finished floor level complies with this condition.

Resident's Society

100. The owners of all residential lots must belong to the Resident's Society and must abide by its constitution (or similar incorporation documentation) and must pay all monies levied by the Resident's Society for the Common Infrastructure.

Reserves

101. If Lot 1800 is transferred to Auckland Council as recreation reserve, all residential lots adjoining Lot 1800 (recreation reserve) must ensure that retaining walls and ancillary supporting structures are located entirely within the residential lot and clear of the boundary of the recreation reserve. The retaining wall must be no higher than 1.5m above existing ground level adjacent to Lot 1800. Any fencing, hedging or planting along boundaries or within 2m of boundaries of Lot 1800 must be either low height (1.2m) and at least 50% visually permeable. Council is exempt from sharing costs.

NEW: Any retaining wall(s) and ancillary and supporting structures adjacent to any land in lieu of reserve for the purpose of drainage must be entirely located within the private or residential lots and must be clear of the boundary of any reserve(s). The retaining walls must be no higher than 1m above existing ground level.

NEW: All retaining walls, shear keys, reinforced earth batter slopes, soil nails, retaining and palisade walls, counterfort drains and subsoil drainage located on Lots 260-261, 268, 358, 439-450 and 1400 are to be maintained by the owners of the lots to ensure the ongoing performance in accordance with the Geotechnical Completion Report required by Condition 31.

The Council shall not be responsible for the maintenance, or ongoing performance of the structures. In the event of failure or deterioration of the structure, the owner of the lot shall undertake all necessary remedial works, designed by a suitably qualified engineer, at their cost.

3.4 Stage 2 Conditions

3.4.1 Section 223 (Survey Plan Approval)

102. The Consent Holder must submit a survey plan in general accordance with the approved subdivision scheme plan approved and referenced under

Attachment 1 for Stage 2. The survey plan must show all lots that have been agreed by Auckland Council to be vested (including roads and reserves), all easements and amalgamation conditions, required by this subdivision consent.

Advice note: The survey plan may be for the whole subdivision stage, or a sub-stage.

103. The rights of way and all services easements labelled on the proposed scheme plans approved and referenced under Attachment 1 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The Consent Holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.

104. The survey plan must include easements in favour of Council for all overland flow paths that traverse private lots, in accordance with the requirements of the Stormwater Code of Practice (SW CoP).

105. The survey plan must include an easement in favour of Auckland Council for any public pathways located within the balance lots to ensure public access is maintained in perpetuity.

106. Lot 5020 must be transferred to Council as land in lieu of reserve (for recreation purposes) if by the time of application for the survey plan for Stage 2B-3 to be approved under section 223 the Consent Holder has entered into an agreement with Council for the sale and purchase of Lot 5020. Lot 5020 must be free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms, unless agreed in writing with Council.

107. If no agreement is in place in accordance with Condition 106 by the time of application for the survey plan for Stage 2B-3 to be approved under section 223, then Lot 5020 will remain as a balance Lot for the purposes of a neighbourhood park to meet the need for open space to the community it is located within and have registered a consent notice for that purpose.

Advice Note: If a sale and purchase agreement is not entered into, the intended outcome for park and open green space, will still be achieved by the Consent Holder through the provision of a privately owned and managed open space made available for public use via a common entity.

108. Lots 2100, 2102-2106 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as a public road. The Consent Holder must meet all costs associated with the vesting of the road.

109. Lot 2025 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as road reserve. The Consent Holder must meet all costs associated with the vesting.

110. Lots 1620, 1621, 1623, 1624, and 1627 on the scheme plans approved and referenced under Attachment 1 must be vested to Council as land in lieu of reserve – for drainage purposes. A right of way easement, in favour of Council, must be established over any lots required for the purposes of public

access and/or reserve maintenance to allow access to Council staff and contractors. if by the time of application for the survey plan for Stage 2 to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of Lots 1620, 1621, 1623, 1624, and 1627.

If no agreement is in place in accordance with Condition 101 by the time of application for the survey plan for Stage 2 to be approved under section 223, then Lots 1620, 1621, 1623, 1624, and 1627 including all associated stormwater infrastructure shall remain in private ownership. Appropriate legal mechanisms and entities must then be established to ensure ongoing operation and maintenance of the associated stormwater infrastructure in accordance with this Consent

111. The following amalgamation conditions must be recorded on the survey plan prior to certification pursuant to Section 223 of the Resource Management Act 1991:

- (a) That Lot 1522 hereon (legal access) be held as to fifteen undivided one-fifteenth shares by the owners of Lots 675 to 689 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (b) That Lot 1523 hereon (legal access) be held as to thirty-eight undivided one-thirty-eighth shares by the owners of Lots 703 to 743 and 747 to 751 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (c) That Lot 1525 hereon (legal access) be held as to seventeen undivided one-seventeenth shares by the owners of Lots 753 to 769 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (d) That Lot 1526 hereon (legal access) be held as to forty-one undivided one-forty-first shares by the owners of Lots 616 to 656 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (e) That Lot 1527 hereon (legal access) be held as to fifteen undivided one-fifteenth shares by the owners of Lots 694 to 708 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (f) That Lot 1528 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 798 to 802 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (g) That Lot 1529 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 853 to 858 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (h) That Lot 1530 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 867 to 869 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (i) That Lot 1531 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 888 to 892 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (j) That Lot 1532 hereon (legal access) be held as to fourteen undivided one-fourteenth shares by the owners of Lots 919 to 931 and 970 hereon as

tenants in common in the said shares and that individual records of title be issued in accordance therewith.

- (k) That Lot 1533 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 948 to 951 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (l) That Lot 1534 hereon (legal access) be held as to fifteen undivided one-fifteenth shares by the owners of Lots 952 to 966 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (m) That Lot 1535 hereon (legal access) be held as to eleven undivided one-eleventh shares by the owners of Lots 971 to 981 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (n) That Lot 1537 hereon (legal access) be held as to ten undivided one-tenth shares by the owners of Lots 1060 to 1069 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (o) That Lot 1538 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 1081 to 1086 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (p) That Lot 1539 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 1097 to 1102 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (q) That Lot 1540 hereon (legal access) be held as to ten undivided one-tenth shares by the owners of Lots 1128 to 1137 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (r) That Lot 1541 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 1161 to 1165 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (s) That Lot 1542 hereon (legal access) be held as to twelve undivided one-twelfth shares by the owners of Lots 1204 to 1211 and 1214 to 1217 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (t) That Lot 1543 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 1278 to 1283 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (u) That Lot 1544 hereon (legal access) be held as to fifteen undivided one-fifteenth shares by the owners of Lots 1294 to 1300 and 1304 to 1310 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- (v) That Lot 1550 hereon (legal access) be held as to two undivided one-second shares by the owners of Lots 609 and 610 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.

3.4.2 Section 221 (Consent Notices)

112. Pursuant to section 221 of the RMA, the following consent notices must be registered against the relevant records of title on a continuing basis. The consent notice must be prepared by Council's solicitor and registered at the Consent Holders' expense.

Subdivision in accordance with the approved land use resource consent

113. The subdivision of each residential lot must be undertaken in accordance with the land use resource consent referenced as BUN60463107 / LUC60463108. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the record(s) of title to be issued for each residential lot.

"This Lot has been created in accordance with approved land use resource consent BUN60460972 / LUC60460973. All development including landscaping on this lot must be in accordance with the approved land use resource consent referenced as BUN60460972 / LUC60460973 including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity."

Advice note: In the event the dwellings are substantially constructed at the time the S224c completion certificate application is made the Council may waive the requirement for this consent notice.

Bush covenant lots

114. Lots 610-615, 931-948, 952-958, 999-1023, 1031-1047, 1052-1055, 1057, 1058, 1060, 1069, 1070, 1215, 1216, 1218-1238, 1246-1250, 1269, 1401, 1270-1272 and 1274-1278 contain vegetation and freshwater features that are required to be maintained and protected in perpetuity. This comprises the area to be protected as labelled 'bush covenant' on the scheme plans approved and referenced under Attachment 1.

- No person must cut, damage, fell, willfully injure or destroy any part (including the roots) of any native vegetation present within this area, or conduct any excavation, earthworks, construction, or storage of material or debris within the canopy span of such vegetation without the prior written approval of Council.
- No person may do anything that would prejudice the health or ecological value of the area to be protected, their long-term viability and/or sustainability.
- The owners must ensure the vegetation and freshwater features are maintained in accordance with the Ecological Management Plan. This includes the eradication of all pest plants and the control of all pest animals within the areas protected.
- No person may place any building and/or structure within the covenant area.

Ecological Management Plan

115. The owners of all residential lots must ensure that revegetation planting identified within the Ecological Management Plan is protected in perpetuity.

Geotechnical Stability

116. Development on all residential and commercial lots must be undertaken in accordance with the recommendations of the Geotechnical Completion Report required by Condition 0.

Advice Note: The specific name and date of the Geotechnical Completion Report provided must be referenced in the consent notice.

Operation and Maintenance of Stormwater Infrastructure

117. On-site stormwater management works must be undertaken to comply with the following:

- (a) Rain tanks sized for roof runoff from each individual lot must be designed and constructed to achieve hydrology mitigation in accordance with standard E8.6.3.1(1).
- (b) At the time of application for Building Consent, detailed design for the proposed stormwater tank must be submitted to and approved by the Council.
- (c) The rain tanks must be maintained to ensure the tanks continue to operate as a stormwater attenuation device. In particular, the owner must not block or remove the part of the tank to be reserved for stormwater management.
- (d) The stormwater management devices on each of the individual lots are to be maintained by the owners of the lots in accordance with the Operation and Maintenance Plan as outlined in Condition 5 of the stormwater discharge permit.

Minimum Finished Floor Levels

118. Development on lots that contain or are located adjacent to Overland Flow Paths (as identified on the survey plan) must be undertaken in accordance with the recommendations of the Flood Level Report required by Condition 33.

Certification from a SQEP must be provided to Council, prior to the issue of a Code Compliance Certificate, confirming that the finished floor level complies with this condition.

Resident's Society

119. The owners of all residential and commercial lots must belong to the Resident's Society and must abide by its constitution (or similar incorporation documentation) and must pay all monies levied by the Resident's Society for the Common Infrastructure.

Domestic Pets

120. The owners and/or occupiers of lots within Stage 2 of the development must not keep, harbour, or allow any domestic cat, mustelid (including ferrets, stoats, and weasels), or rodent on any residential or commercial lot, JOAL, road reserve, drainage reserve, or open space within the development at any time.

Reserves

121. Residential and commercial lots adjoining Lot 5020 (recreation reserve) must ensure that retaining walls and ancillary supporting structures are located entirely within the residential lot and clear of the boundary of the recreation reserve. The retaining wall must be no higher than 1m above existing ground level adjacent to Lot 5020. Any fencing, hedging or planting along boundaries or within 2m of boundaries of Lot 5020 must be either low height (1.2m) and at least 50% visually permeable. Council is exempt from sharing costs.

NEW: Any retaining wall(s) and ancillary and supporting structures adjacent to any land in lieu of reserve for the purpose of drainage must be entirely located within the private or residential lots and must be clear of the boundary of any reserve(s). The retaining walls must be no higher than 1m above existing ground level.

Water Conservation

122. Where a dwelling is serviced by a private water supply system, the owner of the allotment must retain and maintain, in perpetuity, the approved rainwater harvesting and greywater recycling system installed to service the dwelling for the purpose of achieving potable water demand reduction. The system shall not be removed, disconnected, or rendered inoperable unless replaced with an alternative system capable of achieving the same or greater level of potable water reduction.

Vegetation

123. Landscaping on the Lots 959 - 963 within the areas defined on the drawing prepared by Commute and titled "*Sight Distance Assessment – Stage 1 and Stage 2*", and dated 28 May 2026, referenced under Attachment 1, must be restricted to low-level planting and structures that do not exceed a maximum height of 1.1m to ensure traffic sight distances are met. This must be maintained by the owner and occupier of the lot in perpetuity.

Commercial

124. The provisions of the Auckland Unitary Plan (Operative in Part) Business – Neighbourhood Centre Zone shall apply to Lot 6000, instead of the Future Urban Zone provisions. For the avoidance of doubt:

- (a) Activities that are permitted activities within the Business – Neighbourhood Centre Zone shall be permitted on the lot without the need for a resource consent, provided all relevant standards and terms applicable to that activity within the Business – Neighbourhood Centre Zone are

complied with;

(b) Activities requiring resource consent within the Business – Neighbourhood Centre Zone shall require resource consent in accordance with the activity status specified in that zone; and

(c) All other relevant provisions of the Auckland Unitary Plan shall continue to apply to the lot, including but not limited to any Auckland-wide provisions, general rules, transport provisions, infrastructure provisions, subdivision provisions.

125. No dwellings can be constructed on Lot 609 until the section of NOR6 arterial road directly adjoining the Lot has been constructed and is operational.

Advice Note: The purpose of this consent notice is to ensure that development of the lot does not restrict the ability to able to construct the NOR6 road.

NEW: All retaining walls, shear keys, reinforced earth batter slopes, soil nails, retaining and palisade walls, counterfort drains and subsoil drainage located on Lots 938, 971-974, 1016-1023, 1031, 1060-1072, 1113-1127, 1255-1261, 1264-1269, 1537, 1628, 5013 and 6000 are to be maintained by the owners of the lots to ensure the ongoing performance in accordance with the Geotechnical Completion Report required by Condition 31.

The Council shall not be responsible for the maintenance, or ongoing performance of the structures. In the event of failure or deterioration of the structure, the owner of the lot shall undertake all necessary remedial works, designed by a suitably qualified engineer, at their cost.

4.0 Stream works Conditions (s13 of the RMA)

4.1 Pre-commencement Conditions

4.1.1 Stream Works Management Plan (SWMP)

1. At least 20 working days prior to the commencement of any works within wetlands or streams, a SWMP must be submitted to Council for certification. The purpose of the SWMP is to provide a finalised stream works methodology and management measures that enable effects of stream works to be managed during construction in accordance with best practice.

The SWMP must include as a minimum but is not limited to:

- (a) A plan showing the specific areas where stream works are to occur;
- (b) Management measures to demonstrate how erosion and sediment controls will avoid sediment or sediment laden water entering the stream in accordance with best practice;
- (c) Management of contaminants to water (e.g. hydrocarbons, construction materials);
- (d) An explanation of how and measures to ensure maintenance of fish passage during and after the stream works is achieved;
- (e) Methodology for diverting upstream flows during the stream works, including how sufficient flow will be maintained at all times below the site of the works to maintain in-stream biota, and the location and nature of any temporary diversion structures;
- (f) A detailed methodology for the installation of permanent structure(s); and
- (g) Details of final streambed remediation or stabilisation upon completion of stream works.

2. Any changes to the SWMP must be submitted to Council for re-certification with supporting information demonstrating that the changes to the SWMP meet Condition 1, incorporate best practice methodologies for managing effects from the stream works and that the adverse effects from the stream works remain the same or less.

4.1.2 Native Fish Capture and Relocation Plan (NFCRP)

3. At least 20 working days prior to the commencement of any stream works (including reclamation of ponds), a NFCRP must be submitted to the Council for certification. The NFCRP must be prepared by a suitably qualified and experienced Freshwater Ecologist and must include the following detail;
 - (a) Methodologies to capture fish within the impact stream, or justification there is no habitat for native fish present at the time of construction;
 - (b) Hand search of the base sediments of the stream bed and banks for native fish that may have burrowed into the soils;

- (c) Fishing effort;
- (d) Details of the relocation site;
- (e) Storage and transport measures including prevention of predation and death during capture;
- (f) Euthanasia methods for diseased or pest species;
- (g) Confirmation on the habitat availability of the relocation site to support fish at the time of stream works; and
- (h) An accidental discovery protocol for aquatic fauna which require specialised handling and relocation effort that is not otherwise covered in the standard methodologies (i.e. regionally threatened species as per the Conservation Status of Freshwater Fishes in Tāmaki Makaurau / Auckland). This includes a protocol to implement the following actions:
 - Immediately cease stream works (including dewatering) upon accidental discovery of any unexpected aquatic fauna and notify the Council.
 - Ensure aquatic fauna are left in a suitable environment where they will be unharmed while the NFCRP is updated.
 - Update the NFCRP to address handling and relocation of the unexpected aquatic fauna to be submitted to Council for re-certification.
 - Only re-commence the capture and relocation upon re-certification of the NFCRP.

4.2 Work in progress conditions

4. The methodology for the installation of the short-term surface water diversions must be in general accordance with the memorandum titled “*Delmore – Methodology for Culvert Works within Stream*”, included as Appendix D of the Earthworks Report, prepared by McKenzie & Co, dated 15 December 2025 and referenced under Condition 1 (general conditions).
5. All stream works must be undertaken in accordance with the certified SWMP required by Condition 1. All required control measures and methodologies must be in place prior to the stream works commencing and be maintained for the duration of the stream works activity.
6. Native fish capture and relocation must be undertaken in accordance with the certified NFCRP, and must only be undertaken by a suitably qualified and experienced freshwater ecologist. The freshwater ecologist must also be onsite during the dewatering process to ensure that any remaining native fish that is not caught during de-fishing are salvaged.
7. The temporary diversion cut must be designed to provide stable stream bed conditions to avoid scouring and erosion both upstream and downstream of the diversion and any other instability of any land or water body.
8. During periods of flow greater than the capacity of any stream diversion certified under condition 1 above, a stabilised flow path up to the 100-year

flood event must be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with minimal sediment generation or discharge.

4.3 Post-Construction Conditions

9. Within 20 working days following completion of the installation of the structure, the Consent Holder must provide certified (signed) as-built plans that confirm that the structure has been constructed in accordance with the approved plans to Council.

Advice Note: The Consent Holder must engage at their own expense a suitably qualified professional engineer to prepare and certify these plans.

10. If any of the routine monitoring or visual inspections identify that provision for fish passage has been reduced, or the culverts are damaged, the Consent Holder must undertake maintenance, or remediation works as soon as practicable to remedy the issues identified.

11. Within 20 working days following completion of works associated with the new road culvert crossings, the consent holder must submit to Council the information required by regulations 62 and 63 of the National Environmental Standard for Freshwater (2020).

12. Within 20 working days following completion of works associated with the new road culvert crossings, the Consent Holder must submit to Council a Fish Passage Monitoring and Maintenance Plan (FPMMP). The FPMMP must specify the ongoing maintenance measures of the culvert structures to ensure fish passage is maintained and must include the following:

- (a) Fish passage must be maintained through the culvert structure, and monitoring, maintenance and remediation measures must be undertaken in general accordance with the FPMMP;
- (b) If any monitoring or visual inspections identify that provision for fish passage has been reduced, or the culvert structure is damaged, the Consent Holder must undertake maintenance or remediation works as soon as practicable to remedy the issues identified; and
- (c) The consent holder must maintain a record of all monitoring and maintenance works undertaken on the culvert structure including photos and evidence of any maintenance works undertaken. If requested, the consent holder must provide this record to the Council within 10 working days of the date of request.

5.0 Water Permit for Dewatering and Diversion of Groundwater (s14 of the RMA)

5.1.1 Notice of Commencement of Excavation

1. The Council must be advised in writing at least ten working days prior to the date of the commencement of excavation for the relevant sub-stage of development.

Advice note: For the purpose of compliance with conditions of consent, "the Council" refers to the council monitoring inspector unless otherwise specified. To identify your allocated officer please email monitoring@aucklandcouncil.govt.nz.

5.1.2 Design and Construction

2. The design and construction of the excavations must be undertaken in accordance with the recommendations and analysis contained within the Geotechnical Report approved and referenced under Attachment 1.

5.1.3 Damage Avoidance

3. All excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid damage to land, buildings, structures and services on the site or adjacent properties, unless otherwise agreed in writing with the asset owner.
4. At least 20 working days prior to the commencement of bulk earthworks for any stage or sub-stage of the development, a Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) prepared by a SQEP, must be submitted to Council for certification. Any later proposed amendment of the GSMCP must also be submitted to Council for re-certification. The purpose of the GSMCP is to set out the practices and procedures to be adopted to ensure compliance with the consent conditions and must include, at a minimum, the following information:
 - (a) A monitoring location plan, showing the location and type of all monitoring stations including groundwater monitoring bores, ground, building, inclinometer and retaining wall deformation pins;
 - (b) Details of any buildings/structures that require detailed pre-condition surveys, groundwater and ground surface monitoring frequency (in accordance with Schedule B, Schedule C and Schedule D in Attachment 2 of the conditions);
 - (c) All monitoring data, the identification of services susceptible to damage and all building/service condition surveys undertaken to date;
 - (d) A bar chart or a schedule, showing the timing and frequency of condition surveys, visual inspections and all other monitoring required by this consent, and a sample monitoring report template (monitoring reports are to be provided at 2-monthly intervals);
 - (e) Completed Schedule A for alert and alarm level triggers (refer Attachment 2 of the conditions), including reasons if changes are proposed, for

example, as a result of recommendations in the building condition surveys or data obtained from pre-dewatering monitoring; and

(f) Details of contingency actions to be implemented if alert or alarm levels are exceeded.

5. All construction, dewatering, monitoring and contingency actions must be carried out in accordance with the approved GSMCP. No bulk excavation (that may affect groundwater levels) or other dewatering activities must commence until the GSMCP is certified by the Council.
6. All excavation, dewatering, retaining structures and works associated with diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid damage to buildings, structures and services on the site or adjacent properties, unless otherwise agreed in writing with the asset owner.

5.1.4 Pre-Excavation Services Condition Survey

7. Prior to the commencement of excavation, a photographic condition survey (recording evidence of existing observable damage) of any structures within the influence zone of the proposed excavation, must be undertaken by a SQEP and a written report must be prepared and reviewed by the SQEP responsible for overseeing the monitoring.

Advice note: This condition does not apply to any service where written evidence is provided to Council that the owner of that service has confirmed they do not require a condition survey.

8. Prior to the commencement of excavation, a condition survey of the potentially affected stormwater services must be undertaken in consultation with the relevant service provider.

Advice note: This condition does not apply to any service where written evidence is provided to the Council that the owner of that service has confirmed they do not require a condition survey.

5.1.5 External Visual Inspections during Dewatering

9. External visual inspections of the surrounding ground and neighbouring structures within the influence zone of any excavation must be undertaken for the purpose of detecting any new external damage or deterioration of existing external damage. Inspections must be carried out weekly during active excavation, and then monthly until completion of the dewatering. A photographic record must be kept, including time and date, of each inspection and all observations made during the inspection, and must be of a quality that is fit for purpose. The results of the external visual inspections and an assessment of the results must be reviewed by the SQEP responsible for overseeing the monitoring.

Advice note: This condition does not apply to any land, building or structure where written evidence is provided to the Council confirming that the owner of the land, building or structure does not require visual inspections to be carried out.

5.1.6 Monitoring

10. Groundwater monitoring must be undertaken as shown in the approved GSMCP. The monitoring frequency may be changed if approved by the Council. Any change must be specified in the GSMCP.
11. Ground surface and building deformation monitoring stations must be established as required by the GSMCP. The monitoring frequency may be changed, if approved by the Council. The Consent Holder must request termination of ground surface settlement and building settlement monitoring from Council, supported with a letter of justification for the termination, prepared by a SQEP.
12. Retaining wall deflection stations and inclinometers (where deemed appropriate) for the measurement of lateral wall movement, must be installed along the top of retaining walls where groundwater is anticipated to be encountered.
13. Monitoring of the retaining wall deflection stations and inclinometers must be undertaken and recorded in accordance with the GSMCP and must be carried out using precise levelling, or by string lines between markers. The monitoring frequency may be changed, if approved by the Council, through the GSMCP.

5.1.7 Alert and Alarm Level Actions

14. The activity must not cause any settlement or movement greater than the alarm level thresholds specified in the GSMCP (required by Condition 4).
15. In the event of any alert level being exceeded, the consent holder must:
 - (a) Notify the Council within 24 hours;
 - (b) Re-measure all monitoring stations within 50m of the affected monitoring locations to confirm the extent of apparent movement;
 - (c) Ensure the data is reviewed, and advice provided, by a SQEP, on the need for mitigation measures or other actions necessary to avoid further deformation. Where mitigation measures or other actions are recommended, those measures must be implemented;
 - (d) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the Council within ten working days of alert level exceedance. The report must provide an analysis of all monitoring data (including wall deflection) relating to the exceedance, actions taken to date to address the issue, recommendations for additional monitoring (i.e. the need for increased frequency or repeat condition survey(s) of building or structures), and recommendations for future remedial actions necessary to prevent alarm levels being exceeded.
 - (e) Measure and record all monitoring stations within 50m of the location of any alert level exceedance every two days until such time that the written report referred to above has been submitted to the Council.

16. In the event of any alarm level being exceeded at any ground deformation pin, retaining wall deflection pin or inclinometer, the Consent Holder must:

- (a) Immediately halt construction activity, including excavation, dewatering, or any other works that may result in increased deformation, unless halting the activity is considered by a SQEP to be likely to be more harmful (in terms of effects on the environment) than continuing to carry out the activity.
- (b) Notify the Council within 24 hours of the alarm level exceedance being detected and provide details of the measurements taken.
- (c) Undertake a condition survey (this could comprise either a detailed condition survey or an external visual inspection at the discretion of the SQEP responsible for overseeing the monitoring) by a SQEP or suitably qualified building surveyor (SQBS) of any building or structure located adjacent to any monitoring station where the alarm level has been exceeded.
- (d) Take advice from the author of the alert level exceedance report (if there was one) on actions required to avoid, remedy or mitigate adverse effects on ground, buildings or structures that may occur as a result of the exceedance.
- (e) Not resume construction activities (or any associated activities), halted in accordance with paragraph (a) above, until any mitigation measures (recommended in accordance with paragraphs (d) above) have been implemented to the satisfaction of a SQEP.
- (f) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the Council, on the results of the condition survey(s), the mitigation measures implemented and any remedial works and/or agreements with affected parties within 10 working days of re-commencement of works.

5.1.8 Completion of Dewatering - Building, Structure and Services Condition Surveys

17. Between six and twelve months after completion of construction phase dewatering, a detailed condition survey of all previously surveyed stormwater services must be undertaken by a SQEP, and a written report must be prepared. The report must be reviewed by the SQEP responsible for overseeing the monitoring and then submitted to Council, within one month of completion of the survey.

The condition survey report must make specific comment on those matters identified in the pre-excavation condition survey. It must also identify any new damage that has occurred since the pre-dewatering condition survey was undertaken and provide an assessment of the likely cause of any such damage.

Advice note: This condition does not apply to any Services where written evidence is provided to Council confirming that the owner of that building, structure, or Service does not require a condition survey to be undertaken.

5.1.9 Additional Surveys

18. Additional condition surveys of any building, structure, or service within the area defined by the extent of groundwater drawdown or ground movement,

must be undertaken, if requested by the Council, for the purpose of investigating any damage potentially caused by ground movement resulting from dewatering or retaining wall deflection. A written report of the results of the survey must be prepared and/or reviewed by the SQEP responsible for overseeing the monitoring. The report must be submitted to the Council.

19. The requirement for any such additional condition survey will cease six months after the Completion of Dewatering, unless ground settlement is observed during the Dewatering period. In such circumstances the period where additional condition surveys may be required will be extended until monitoring shows that movement has stabilised and the risk of damage to buildings, structures and services as a result of the dewatering is no longer present.

5.1.10 Access to Third Party Property

20. Where any monitoring, inspection or condition survey in this consent requires access to property/ies owned by a third party, and access is declined or subject to what the consent holder considers to be unreasonable terms, the consent holder must provide a report to the Council prepared by a SQEP identifying an alternative monitoring programme. The report must describe how the monitoring will provide sufficient early detection of deformation to enable measures to be implemented to prevent damage to buildings, structures or services. Written approval from the Council must be obtained before an alternative monitoring option is implemented.

5.1.11 Contingency Actions

21. If the consent holder becomes aware of any damage to buildings, structures or services potentially caused wholly, or in part, by the exercise of this consent, the consent holder must:

- (a) Notify the Council and the asset owner within two working days of the consent holder becoming aware of the damage.
- (b) Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the damage; identifies the cause of the damage; identifies methods to remedy and/or mitigate the damage that has been caused; identifies the potential for further damage to occur and describes actions that must be taken to avoid further damage.
- (c) Provide a copy of the report prepared under (b) above, to the Council and the asset owner within ten working days of notification under (a) above.

Advice Note: It is anticipated the Consent Holder will seek the permission of the damaged asset to access the property and asset to enable the inspection/investigation. It is understood that if access is denied the report will be of limited extent.

5.1.12 Building, Structure, and Services Surveys and Inspections

22. A copy of all condition surveys and photographic records required by this consent must be provided to the Council upon request.

5.1.13 Notice of Completion

23. The Council must be advised in writing within ten working days of when the construction phase dewatering has been completed for the relevant sub-

stage of development.

5.1.14 Review Condition

24. Under section 128 of the RMA, the conditions of this water permit may be reviewed by the Manager Resource Consents at the Consent Holder's cost, within six (6) months after Completion of Construction Phase Dewatering and subsequently at intervals of not less than five (5) years thereafter, in order:

- (a) 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.
- (b) To vary the monitoring and reporting requirements, and performance standards, in order to take account of information, including the results of previous monitoring and changed environmental knowledge on:
 - Ground conditions;
 - Aquifer parameters;
 - Groundwater levels;
 - And ground surface movement.

6.0 Stormwater Discharge Permit (s15 of the RMA)

6.1 General

1. The stormwater treatment devices that are associated with this stormwater discharge permit are included within Attachment 5 to this consent.

NEW: All stormwater outlet structures that discharge to a stream must be designed, and certified by a suitably qualified and experienced fluvial geomorphologist and engineer, to remain functional and structurally sound under the anticipated geomorphic adjustment trajectory, including the bed-lowering and channel-widening design parameters documented in the assessment referenced under Attachment 1. The design must provide energy dissipation and scour protection sized to that trajectory so that, at the projected adjusted bed level, the outlet is not left perched, undermined, or a source of bed or bank instability. Evidence of certification must be provided to Council prior to vesting of the relevant outlet.

NEW Council may, in accordance with section 128 of the Resource Management Act 1991, serve notice of its intention to review the conditions of this permit within 20 working days of receipt of any monitoring report prepared under the Geomorphic Monitoring and Adaptive Management Plan, for the purpose of dealing with any adverse effect on the stream network or receiving environment arising from geomorphic adjustment, channel instability, or the cumulative effects of stormwater discharges, that was not anticipated at the time consent was granted or that is of a greater scale or intensity than anticipated, including by requiring additional monitoring, the preparation or revision of a Stream Stabilisation Plan, or further remediation works.

Geomorphic Baseline Survey

NEW: At least 20 working days prior to the commencement of earthworks for the relevant stage (or sub-stage), the Consent Holder must submit to Council for certification a Geomorphic Baseline Survey for the stream reaches identified as high risk in the Morphem Fluvial Geomorphology Assessment, dated 20 November 2025. The purpose of the Geomorphic Baseline Survey is to provide baseline data against which future monitoring and trigger levels under GM2 can be assessed. The Geomorphic Baseline Survey must comprise channel cross-sections at nominated monitoring locations, a longitudinal profile, mapped knickpoint locations, associated documented photos, and a LiDAR capture of the identified location of exacerbation within the stream reaches.

Advice Note: For the avoidance of doubt, this condition shall only apply to stages (or sub-stages) that contain stream reaches identified as high risk within the Morphem Fluvial Geomorphology Assessment, dated 20 November 2025. Where no such high-risk stream reaches are present within the relevant stage (or sub-stage), no Geomorphic Baseline Survey is required under this condition.

NEW Where further detailed geomorphic assessment is undertaken demonstrating that no high-risk stream reaches are present within the relevant stage (or sub-stage), then the requirement to prepare and certify a Geomorphic Baseline Survey and monitoring for that stage (or sub-stage) shall no longer apply. This assessment must be prepared by a suitably qualified and experienced fluvial geomorphologist and certified by Council to its satisfaction. Removal applies on a reach-specific basis and does not remove monitoring across a stage where any high-risk reach remains.

6.1.1 Geomorphic Monitoring and Adaptive Management Plan

NEW: At least 20 working days prior to the commencement of earthworks for the relevant stage (or sub-stage), a Geomorphic Monitoring and Adaptive Management Plan (GMAMP) prepared by a suitably qualified geomorphologist must be submitted to Auckland Council for certification for the stream reaches where the baseline survey has been undertaken in accordance with Condition GM1. Where a baseline survey is no longer required in accordance with Condition GM2, the monitoring and adaptive management plan will not be required.

The GMAMP must include:

- a) A pre-development and post-development assessment quantifying geomorphic change, including but not limited to bed level, bank retreat, bank heights and angles, knickpoint position and height, and channel width at fixed cross-sections, and parameters sufficient to assess cumulative effects of stormwater discharges on the receiving environment. The assessment must account for the stormwater management measures included in the Stormwater Management Plan (SMP) submitted with the application;
- b) A schedule identifying the stream reaches that are actively adjusting, and the basis for that classification, for the purposes of the monitoring and intervention provisions of these conditions;
- c) Monitoring methodology and frequency, with re-survey of at 1 to 2 year intervals for the first 10 years following completion of each stage, then at intervals of no greater than five years, until geomorphic stabilisation is demonstrated to the satisfaction of Council;
- d) Specific monitoring of wetlands identified as at risk of channelisation, including but not limited to knickpoint tracking and channel-definition indicators;
- e) An assessment of the likelihood and indicative timeframe of knickpoint-driven channelisation or drainage of each wetland identified as at risk, used to inform the monitoring frequency and intervention triggers applying to those wetlands;
- f) The party responsible for monitoring and reporting;
- g) Defined intervention triggers, measured as total change from the GM1 baseline. A trigger is reached where measured bed lowering or channel widening at any location reaches 70% of the bed-lowering or channel-widening allowance adopted in the detailed design for that location (and in any event not less than 70% of the corresponding parameters documented in the assessment referenced under Attachment 1), or where a knickpoint advances to within 50 m of any structure or identified wetland. Expert input from other disciplines (such as geotechnical) may inform the response to a trigger, but does not displace the trigger thresholds, which are fixed and objective;
- h) A funded remediation pathway that activates when a trigger is reached, requiring submission to Council for certification of a Stream Stabilisation Plan under GM4, with all remediation works undertaken in accordance with the certified Plan; and
- i) Reporting requirements and timeframes to Auckland Council.

The monitoring and maintenance obligations run with the consent and, following completion of each stage, transfer to the Resident's Society and bind successors in title. The stormwater management system and stream network must be monitored and managed in accordance with the certified GMAMP.

Stream Stabilisation Plan

NEW: Where monitoring undertaken in accordance with the GMAMP identifies that an intervention trigger under GM3(g) has been reached, a Stream Stabilisation Plan (SSP) must be submitted to Auckland Council for certification. The SSP must provide for works that manage the geomorphic adjustment, whether naturally occurring or development-related, that has caused or contributed to the trigger being reached, so as to protect the relevant structure, lot or communal asset and the stability of the stream network.

For the avoidance of doubt, this condition does not require the Consent Holder to remediate stream conditions that are unconnected to the development and do not threaten any structure, lot or communal asset.

The SSP must include, but not be limited to:

- the proposed remediation measures, including nature-based and green-infrastructure solutions;
- a demonstration of how the works will effectively manage geomorphic risk while maintaining or improving stream health;
- provision for resilience to future flow conditions, including climate change effects;
- timeframes for implementation and completion of works;
- identification of responsibility for implementation, monitoring and ongoing maintenance; and
- monitoring and maintenance requirements.

All remediation works must be undertaken in accordance with the certified SSP.

Definition — Geomorphic stabilisation

For the purposes of these conditions, geomorphic stabilisation means that, on the basis of monitoring under the certified GMAMP and assessed by a suitably qualified and experienced fluvial geomorphologist, no monitored location is approaching the bed-lowering or channel-widening design parameters for that location, and there is no active knickpoint within 50 m of any structure or identified wetland, sustained over two consecutive monitoring intervals.

6.1.2 Minor modifications

2. In the event that any minor modifications to the stormwater management works are required, that will not result in an application under section 127 of the RMA, 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 stormwater management system.

All information must be submitted to Council, prior to implementation.

6.1.3 Raingardens

3. The detailed design of all proposed raingardens must be carried out in accordance with Auckland Council's GD01 – Guidance Document for Stormwater Management Devices in the Auckland Region and Auckland Council's Stormwater Code of Practice (Version 4).

4. The raingardens must be designed to:

(a) Provide water quality treatment in accordance with the requirements of GD01;

(b) Achieve stormwater retention and detention volumes as required to meet the hydrology mitigation requirements for the development; and

(c) Maintain the design intent as presented in the application, including integration into the streetscape or landscape design where relevant.

Evidence demonstrating compliance with these requirements must be submitted to and approved by Council prior to lodgement of Engineering Plan Approval.

6.1.4 Operation and Maintenance

5. At least 20 working days prior to the commencement of any stormwater discharge authorised by this consent, an Operation and Maintenance Plan (OMP) for all stormwater management devices must be prepared and submitted to Council for certification. Any amendment to the OMP must be submitted to Council for re-certification.

The OMP must include:

(a) Details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;

(b) Confirmation that long-term maintenance and monitoring of the stormwater management system, including all T-bar dispersal devices and on-lot devices, is undertaken by a single collective entity (the Resident's Society) and not by individual lot owners, and the organisational structure supporting this;

(c) Cumulative monitoring of the dispersal device network, undertaken in accordance with the Geomorphic Monitoring and Adaptive Management Plan;

(d) A programme for the management of large woody material within the riparian buffer that retains its geomorphic function (energy dissipation, sediment storage, and bed and bank stabilisation) while meeting culvert conveyance maintenance obligations;

- (e) A programme for regular maintenance and inspection of the stormwater management system;
- (f) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
- (g) A programme for post-storm inspection and maintenance;
- (h) A programme for inspection and maintenance for the outfalls;
- (i) General inspection checklists for all aspects of the stormwater management system, including visual checks; and
- (j) A programme for inspection and maintenance of vegetation associated with the stormwater management devices.

6. The stormwater management system must be managed in accordance with the final OMP certified in accordance with Condition 5.

7. Details of all Maintenance Records (including inspections, servicing and maintenance) for the stormwater management system must be kept and retained by the Consent Holder for a minimum of the preceding three years and must be provided to the Council on request.

6.1.5 As-Builts

8. As-Built certification and plans of the stormwater management works, which are certified (signed) by a chartered professional engineer as a true record of the stormwater management devices, must be provided to Council within 20 working days of the completion of the stormwater management works.

9. The As-Built plans must display the entirety of the stormwater management system, and must include:

- (a) The surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure, with co-ordinates expressed in terms of NZTM and LINZ datum;
- (b) The location, dimensions and levels of any overland flow paths including cross sections and long sections;
- (c) Plans and cross sections of all stormwater management devices, including confirmation of the water quality volume, storage volumes and levels of any outflow control structure; and
- (d) documentation of any discrepancies between the design plans and the As-Built plans if modified in accordance with Condition 2 of the stormwater discharge permit.

7.0 Wastewater Discharge Permit (s15 of the RMA)

7.1 General

1. If a connection to the public network is not provided in accordance with Condition 12 or 13 (general conditions), Conditions 2 - 48 of the wastewater discharge permit will apply for Stage 1 of the development. For the avoidance of doubt, Conditions 2 - 48 of the wastewater discharge permit will not apply if a connection to the public network is provided, or if temporary trucking of untreated wastewater is provided.
2. The WWTP must be designed and constructed in general accordance with the *"Delmore Water and Wastewater Treatment Plant Design Report"* prepared by Apex and approved and referenced under Attachment 1.

7.2 Pre-Commencement Conditions

7.2.1 Receiving Soils Monitoring Plan (RSMP)

3. At least 20 working days prior to the wastewater discharge commencing, the Consent Holder must submit to Council for certification a Receiving Soils Monitoring Plan (RSMP) for all irrigation areas and land treatment areas. The RSMP must identify:
 - (a) Baseline soil sampling locations and depths;
 - (b) Parameters to be monitored, including at least total nitrogen, nitrate-nitrogen, ammonium-nitrogen, Olsen phosphorus or equivalent plant-available phosphorus, pH, electrical conductivity, sodium adsorption ratio or sodicity indicator, organic matter, and soil permeability/infiltration characteristics;
 - (c) Sampling frequency;
 - (d) Trigger levels for management response; and
 - (e) Corrective actions if adverse trends are identified.

7.2.2 Irrigation Field Design

4. The irrigation fields must be designed in general accordance with the *"Delmore Water and Wastewater Treatment Plant Design Report"* (dated December 2025, by Apex).
5. The Consent Holder must submit the detailed design of the irrigation fields to Council prior to installation. The detailed design must include, at a

minimum:

- (a) A final layout of the overall irrigation fields and irrigation zones;
- (b) A layout showing buffer distances from watercourses, buildings, bores and other features requiring buffer separation from the irrigation drip lines; and
- (c) Details of the irrigation system design, including dripline type, emitter type, emitter spacing and lateral spacing.

6. Prior to installation of any wastewater disposal lines within the disposal field, all areas of cut, fill, or otherwise disturbed ground within the proposed disposal area must be identified and assessed by a suitably qualified and experienced person. Where wastewater disposal lines are proposed to be installed within areas of cut or fill, those areas must be remediated to ensure that soil structure, permeability, stability, and wastewater treatment and dispersal capacity are suitable for the proposed onsite wastewater system. Remediation must include as a minimum:

- (a) removal of unsuitable, compacted, or poorly draining fill material where necessary;
- (b) reinstatement using clean, suitable, permeable soil material compatible with wastewater disposal;
- (c) placement of material in controlled layers to avoid excessive compaction;
- (d) contouring of the disposal field to prevent ponding, scouring, or concentration of stormwater flows; and
- (e) confirmation that the final ground conditions are suitable for installation and operation of the wastewater disposal lines.

7. All remediation works and installation of wastewater disposal lines within any cut or fill areas must be undertaken under the supervision of a suitably qualified and experienced wastewater practitioner, geotechnical engineer, or soil specialist. Written confirmation must be provided to the Council prior to commissioning of the wastewater system, confirming that the disposal field has been remediated and installed in accordance with condition 6 and is suitable for its intended use.

8. Before operation of any irrigation area, the consent holder must provide to Council:

- (a) As-built plans of all irrigation lines, valves, zones and buffers;
- (b) Certification from a SQEP that the irrigation system has been installed in accordance with the certified design; and
- (c) Confirmation that all buffer setbacks to bores, watercourses, buildings and other sensitive features have been achieved.

7.2.3 Flow Meter

9. Prior to the exercise of this wastewater discharge permit, the Consent Holder must install a flow meter or flow meters to record the daily volume of wastewater discharged to each of the discharge locations.

10. Prior to the exercise of this wastewater discharge permit, the Consent Holder must establish adequate facility and access for wastewater quality sampling of the treated wastewater before the wastewater discharges to the land application area.

7.3 Operational Conditions

7.3.1 Wastewater Management Plan (WMP)

11. The site must be operated and managed in accordance with the WMP approved under Condition 1 of the land use consent while the WWTP is operational. During this period:
- (a) The WMP must be reviewed and updated after 12 months from the date of commissioning of the WWTP, to ensure all components of the WMP are still relevant;
 - (b) The WMP must be kept on site and accessible at all times;
 - (c) The Hazardous Substance Inventory, associated Material Safety Data Sheets, and Spill Response Plan must be kept up to date and maintained onsite at all times;
 - (d) Suitable spill kits must be made available onsite at all times; and
 - (e) The Consent Holder must report all spills over 20 litres, or any discharge of environmentally hazardous substances, including wastewater to the environment, to Council within 24 hours of the spill occurring.

7.3.2 Discharge Limits

Total Discharge Volume

12. During the summer period (December to February) the daily average volume of treated wastewater discharged on site must not exceed a total of 101.5m³/day (as a 3 month rolling average from December to February), made up of an average of:
- (a) 38.5m³/day to the land infiltration trench; and
 - (b) 63m³/day to land irrigation.

The remainder of the treated wastewater must be trucked off-site to be disposed of at an appropriate facility.

13. Outside the summer period (March to November), the daily average volume of treated wastewater discharged on site to the irrigation field (or the land infiltration trench, or a combination of both), must not exceed 314m³/day (as a 9 month rolling average from March to November).

Total Discharge Limits

14. Outside of the summer period (March to November), as measured immediately prior to discharge to the land infiltration trench, the treated wastewater discharged to the land infiltration trench must comply with the following daily mass loading limits:

Parameters	12-month median daily equivalent
Total Nitrogen [mg/L]	0.22
Ammoniacal Nitrogen (mg/L)	0.065
cBOD5 [mg/L]	0.44
Total Suspended Solids [mg/L]	0.87
Total Phosphorus [mg/L]	0.015
Escherichia-coli [CFU/100mL]	<4.0
Enterococci [cfu/100mL]	<4.0

Advice note: For the purposes of this condition (March through November), to determine compliance with the consent limits, the daily total volume of treated wastewater discharged to the Land Infiltration Trench shall be taken from a totalised value as provided by the flow meter and as recorded from midnight to midnight in line with the requirements of Condition 9.

The concentration of the parameters detailed in the table above used to calculate mass loadings shall be as sampled and tested in accordance with Condition 34 by a suitably qualified and experienced person/individual/professional and tested by an IANZ accredited laboratory.

The basis for calculation shall be as follows:

Daily mass loading (kg/d) = (Totalised Daily flow (m³/d) x 1,000) x (Parameter Concentration (mg/L) / 1,000,000)

15. Inside of the summer period (December to February), as measured immediately prior to discharge to the land infiltration trench, the treated wastewater discharged to the land infiltration trench must comply with the following daily mass loading limits.

Parameters	12-month median daily equivalent
Total Nitrogen [mg/L]	0.038
Ammoniacal Nitrogen (mg/L)	0.012

cBOD5 [mg/L]	0.08
Total Suspended Solids [mg/L]	0.15
Total Phosphorus [mg/L]	0.0027
Escherichia-coli [CFU/100mL]	<4.0
Enterococci [cfu/100mL]	<4.0

Advice note: For the purposes of this condition, to determine compliance with the consent limits, the daily total volume of treated wastewater discharged to the Land Infiltration Trench shall be taken from a totalised value as provided by the flow meter and as recorded from midnight to midnight in line with the requirements of Condition 9.

The concentration of the parameters detailed in the table above used to calculate mass loadings shall be as sampled and tested in accordance with Condition 34 by a suitably qualified and experienced person/individual/professional and tested by an IANZ accredited laboratory.

The basis for calculation shall be as follows:

Daily mass loading (kg/d) = (Totalised Daily flow (m3/d) x 1,000) x (Parameter Concentration (mg/L) / 1,000,000).

16. Should three consecutive samples return results above the median mass load limits for the parameters detailed in Condition 14 or Condition 15 (depending on the time of the year), the Consent Holder must notify Auckland Council within 5 working days. The Consent Holder must then conduct an investigation into the cause, supported by a report to be supplied to Council. The report must outline the actions being undertaken to address and remedy the cause of the exceedance and detail whether further monitoring is required.

17. The UV dose must be greater than 16mWs/cm2 95% of the time, while discharging.

18. Chlorine must not exceed 3 mg/L as Free Available Chlorine at the point of discharge to land irrigation.

Advice note: Condition 18 relates solely to land irrigation, Condition 19 applies to the infiltration trench.

19. No chlorine dosing must take place into the discharge to the land infiltration trench.

20. The discharge trench must be fenced off and signposted to discourage access to the area.

21. No treated wastewater must be applied to land irrigation areas when soils are saturated, when rainfall conditions are such that ponding or runoff is likely.

22. No treated water must be applied to land within 40 metres of any bore used for abstraction of water for human consumption.

23. The total nutrient loading into the irrigation field must not exceed the following application rates:

Nutrient	Loading
Total Nitrogen	220kg/Ha.year
Total Phosphorous	80 kg/Ha.year
Biological Oxygen Demand	600kg/Ha.day

24. The maximum loading rate to the irrigation fields must not exceed 3mm/day.

25. A buffer zone of a minimum of 15 metres must be maintained between the discharge of wastewater in the irrigation field and any surface water body.

7.3.3 Sampling, Monitoring and Maintenance

26. A record of the volume of wastewater discharged daily at each of the discharge locations must be kept by the Consent Holder at all times. The Consent Holder must forward the record for the previous year to Auckland Council upon request.

27. The land infiltration trench and irrigation fields must be monitored and maintained by a SQEP to ensure they continue to perform as intended.

28. Maintenance of the land infiltration trench and irrigation fields must be carried out at a minimum of every 3 months, and a record of any maintenance carried out must be kept on site and available for review upon request by the Council. At a minimum, maintenance must include:

- Flushing of irrigation lines;
- Check that any sequencing valves are operating as intended;
- A walkover of the irrigation fields to check for ponding, runoff, or broken lines;
- Inspection of the land infiltration trench for weeds or other potential sources of blockages; and
- Check for odour.

All maintenance procedures must be listed in the WMP.

29. The Consent Holder must:

- (a) Undertake baseline soil monitoring before the first discharge to each irrigation area; and
- (b) Thereafter undertake soil monitoring at least annually for the first 5 years, and thereafter at a frequency approved by Council based on demonstrated performance.

30. If monitoring identifies nutrient accumulation, declining infiltration, salinity/sodicity effects, or other deterioration in soil condition attributable to the discharge, the consent holder must investigate and implement remedial action.

31. The Consent Holder must continuously monitor treated wastewater discharge flows and volume, with data linked to the WWTP SCADA system.

32. The Consent Holder must be able to demonstrate that a UV dose of a minimum of 16mWs/cm² is delivered by the UV disinfection facility 95% of the time (calculated on the basis of a 15- minute average, while discharging) over each calendar month.

33. The Consent Holder must take 24-hour flow proportioned samples of the treated wastewater on a fortnightly basis from the treated wastewater compliance monitoring point and analyse for the parameters set out below.

Parameters	Unit
Total Nitrogen	(mg/L)
Ammoniacal Nitrogen	(mg/L)
Nitrate Nitrogen	(mg/L)
Nitrite Nitrogen	(mg/L)
Soluble cBOD ₅	(mg/L)
Total Suspended Solids	(mg/L)
Dissolved Reactive Phosphorus	(mg/L)
Total Phosphorus	(mg/L)
Escherichia-coli	(cfu/100mL)
Enterococci	(cfu/100mL)
Temperature	°C
Electrical Conductivity	µS/cm
Total Residual Chlorine	(mg/L)
pH	

No more than 12 samples out of any 24 consecutive fortnightly samples shall exceed the specified limit.

34. The treated wastewater compliance monitoring point must be at a location within the WWTP compound, immediately following the final wastewater treatment plant step. All wastewater quality analyses must be undertaken by an IANZ accredited or equivalent laboratory. All methods used must be appropriate for the wastewater analyses undertaken.

35. The Consent Holder must maintain a monthly record of:

(a) the volume discharged to each irrigation zone;

(b) the nutrient concentrations used for loading calculations; and

(c) the resulting nitrogen and phosphorus loading rate for each zone and for the irrigation field as a whole.

These records must be provided to Council on request and summarised annually.

36. The infiltration trench must be monitored and maintained by a SQEP to ensure it continues to perform as intended. A record of any maintenance carried out must be kept on site and available for review upon request by the council.

37. Within one month of the first exercise of this wastewater discharge permit, the consent holder must supply Council with a Producer Statement/Certificate of Compliance from a SQEP, certifying that the WWTP, irrigation fields and land contact infiltration trench have been constructed as required by this consent.

7.3.4 Spill Response and Emergency Management

38. The Consent Holder must maintain spill kits and emergency response procedures at the loading area and along the tanker loading interface. In the event of any spill, leak, tanker rollover, hose failure, or other accidental discharge, the Consent Holder must:

(a) immediately stop the discharge if safe to do so;

(b) contain and recover the spill;

(c) prevent any wastewater entering the stormwater system or watercourses;

(d) notify Council as soon as practicable; and

(e) provide a written incident report within a specified period.

39. The Consent Holder must maintain sufficient on-site holding capacity at all times to avoid unauthorised discharge, including during delays to tanker

collection or temporary closure of any receiving facility. No wastewater must be loaded to or stored in a manner that could result in overtopping, leakage, or emergency discharge to land or water.

7.3.5 Receiving Environment Monitoring

Monitoring Locations

40. The Consent Holder must undertake surface water quality monitoring, and ecological surveys as described in Conditions 41 - 45 of the wastewater discharge permit, at the general locations within the unnamed tributary of the Orewa River, as follows:

- (a) A control site, 'US', situated approximately 100m upstream from the land contact infiltration trench discharge;
- (b) An impact site, 'DS-1', situated approximately 50m downstream from the land contact infiltration trench discharge; and
- (c) A second impact site, 'DS-2', situated approximately 50m downstream of the main channel's confluence with a tributary.

Surface Water Quality Monitoring

41. Surface water quality sampling must be undertaken:

- (a) For a period of at least 12 months prior to commencement of the wastewater discharge, at quarterly intervals, to establish baseline conditions and seasonal variability;
- (b) Following the commencement of the discharge, at quarterly intervals;
- (c) Once the development has been operating at design capacity for a minimum of two years, the sampling frequency may be reduced to once every three years, in consultation with Council, provided monitoring demonstrates no significant discharge-related reduction in surface water quality and no incidents having been reported under Condition 16.

The survey data must be provided to Council within 20 working days of the survey being carried out.

42. All surface water quality samples must be tested for the following parameters:

- (a) pH;
- (b) Total suspended solids;
- (c) Total ammoniacal nitrogen;
- (d) Nitrate-nitrogen;
- (e) Total nitrogen;

- (f) Dissolved reactive phosphorous;
- (g) Total phosphorous;
- (h) Escherichia coli;
- (i) Enterococci; and
- (j) Soluble carbonaceous five-day biochemical oxygen demand (cBOD₅).

43. All sample analyses must be undertaken by an IANZ accredited or equivalent laboratory.

Ecological Monitoring of Surface Water

44. Ecological surveys of the Orewa River must be undertaken:

- (a) Once, prior to the commencement of the discharge, during summer (between December and February);
- (b) Annually, following the commencement of the discharge, during summer (between December and February); and
- (c) Once the development has been operating at design capacity for a minimum of two years, the sampling frequency may be reduced to once every three years, in consultation with the Council, provided monitoring demonstrates no significant discharge-related deterioration in ecological condition and no incidents having been reported under Condition 16.

The survey data must be provided to Auckland Council within 20 working days of the survey being carried out.

45. Each ecological survey of the Orewa River must include:

- (a) A qualitative assessment of physical habitat characteristics;
- (b) Collection and analysis of macroinvertebrate samples; and
- (c) Overnight fish trapping.

Incident Reporting

46. Where surface water quality sampling and/or ecological surveys identify a deterioration in water quality and/or ecological health that is attributable to the WWTP discharge, the Consent Holder must:

- (a) Immediately investigate the cause and extent of the deterioration;
- (b) Provide a report to the Council within 20 working days of becoming aware of the deterioration, including recommended actions; and

- (c) Implement any remedial measures required to address discharge related effects.

Annual Water Quality Environmental Monitoring Report

47. The Consent Holder must prepare an Annual Water Quality Environmental Monitoring Report (AEMR) to be submitted to Council by each anniversary of the commencement of the wastewater discharge permit. The AEMR must include:
- (a) All monitoring results required by Conditions 41 - 45 of the wastewater discharge permit;
 - (b) A comparison of monitoring results against baseline conditions (including seasonal variability) and relevant guideline values; and
 - (c) An assessment as to whether any observed changes are attributable to the WWTP discharge, including any reporting required under Condition 46.

7.3.6 Annual WWTP Operational Report

48. Upon completion of commissioning of the WWTP and when the WWTP approaches normal operation, the Consent Holder must engage a suitably qualified and independent wastewater professional to undertake an annual audit of:
- (a) Treatment plant performance;
 - (b) Compliance with discharge limits;
 - (c) Irrigation and infiltration field performance;
 - (d) Maintenance records;
 - (e) Alarm history;
 - (f) Incidents, spills, odour complaints, and corrective actions; and
 - (g) Adequacy of on-site discharge capacity relative to actual flows.

NEW CONDITIONS

7.3.7 Wastewater Treatment Plant Offset Area

X. Prior to the commencement of any wastewater discharge to the irrigation field within the covenant area on Lot 5001, the consent holder must identify and legally protect an offset area in accordance with the requirements of this condition. The purpose of the offset area is to provide certainty that there will be no net loss of indigenous biodiversity protection in the event that a significant failure of the wastewater treatment system results in adverse ecological effects on the covenant vegetation within Lot 5001 that cannot be fully remediated.

X+1. The consent holder must prepare and submit to Auckland Council for certification an Offset Plan at least 20 working days prior to the commencement of any wastewater discharge to the irrigation field. The Offset Plan must be prepared by a suitably qualified ecologist and must identify a proposed area that meets the following minimum criteria:

(a) Size: The offset area must be of equivalent or greater area to the consented notice area within Lot 5001 that is proposed for use as the wastewater irrigation field;

(b) Ecological value: The offset area must support indigenous vegetation of equivalent or greater ecological condition to the covenant vegetation within Lot 5001, including vegetation structure, canopy composition, and habitat condition;

(c) Location: The offset area must be located:

- Within the Rodney or Tāmaki Ecological Districts; and
- As close as practicable to the Delmore site, and preferably within the Ōrewa River catchment, to maximise ecological coherence and landscape connectivity with the existing covenant and SEA areas on the site;

(d) Protection status: The offset area must not be subject to any existing legal protection mechanism that would otherwise have secured its protection in the absence of this condition, such that the protection required by this condition represents a genuine and additional conservation outcome; and

(e) Legal protection mechanism: The offset area must be protected in perpetuity under a covenant (e.g. QEII Open Space Covenant).

X+2. The consent holder must implement and maintain, in perpetuity, a programme of pest plant management within the proposed offset area.

Note: the legal protection of the nominated offset site must be additional, i.e. the site cannot be currently subject to a designation, reserve status, or existing QEII covenant.

8.0 Air Discharge Permit (s15 of the RMA)

8.1 General

1. If a connection to the public network is not provided in accordance with Condition 12 (general conditions), Conditions 1 - 14 of the air discharge permit will apply for Stage 1 of the development. For the avoidance of doubt, Conditions 1 - 14 of the air discharge permit do not apply if a connection to the public network is provided.

8.1.1 Odour Management Plan (OMP)

2. The Consent Holder must prepare and submit to Council a Final OMP for certification. The OMP must incorporate a series of monitoring, management and operational procedures, methodologies and contingency plans, and together must accurately record all information required to comply with the conditions of this consent.

The OMP must be in general accordance with the Draft OMP provided under Condition 1 (general consent conditions) and must include the following:

- (a) Identification of all point sources for discharges of contaminants into air, including a map and schematic diagram showing the location of each source;
 - (b) Procedures to minimise discharges of contaminants into air (including odour), including details of the inspection, maintenance, monitoring and contingency procedures in place for the wastewater treatment plant and the trucking of untreated wastewater off-site (if required);
 - (c) The operating parameters of odour control equipment and the frequency and scope of the regular checks to be performed on emissions control equipment; including testing of the carbon bed saturation;
 - (d) Procedures for the monitoring of odour, including details of inspection procedures, recording requirements and contingency measures;
 - (e) The identification of staff responsibilities; and
 - (f) The procedures for the receipt, recording and handling of air quality complaints received.
3. The OMP must be reviewed on an annual basis and any subsequent changes to the certified OMP must be submitted to the Council for certification prior to implementation. The Council will advise the Consent Holder in writing if any aspects of the OMP are considered to be inconsistent with achieving the provisions of this consent.

Advice Note: The council acknowledges that the OMP is intended to provide flexibility both for the consent holder and the council for the management of the air discharges. Accordingly, the OMP will be reviewed over time. Any reviews should be in accordance with the stated objectives of the management plan and

limited to the scope of this consent.

8.1.2 Air Discharges Limits

4. All processes associated with the management of wastewater must be operated, maintained, supervised, monitored and controlled in accordance with the OMP in accordance with Condition 2 of the air discharge permit, to ensure that all emissions authorised by this consent are maintained at the minimum practicable level.
5. Discharges of contaminants into air from the site must not cause:
 - (a) Odour that is noxious, dangerous, offensive or objectionable effect beyond the boundary of the site, in the opinion of an enforcement officer; and
 - (b) Visible emissions (other than water vapour/steam or heat haze) that cause a dangerous, offensive or objectionable effect, in the opinion of an enforcement officer.

Advice Note: Air discharge limits

Condition 5 is to be assessed by suitably trained council enforcement officers in accordance with the procedures outlined in the Good Practice Guides for Odour (Ministry for the Environment, 2016), including consideration of the FIDOL factors (frequency, intensity, duration, offensiveness and location) for amenity effects (dust, odour and visible emissions).

8.1.3 Untreated Wastewater to be Taken Off-Site

6. If untreated wastewater is to be transported and disposed of off-site, the Consent Holder must design and construct an odour control system for air that is displaced from the tankers during filling. The odour control system must be designed so that the discharge will not cause odour that is noxious, dangerous, offensive or objectionable to any residential dwellings.
7. If untreated wastewater is to be transported and disposed of off-site, the Consent Holder must design and construct an odour control system for vented emissions from the holding tank. The odour control system must be designed so that the discharge will not cause odour that is noxious, dangerous, offensive or objectionable to any residential dwellings.
8. If untreated wastewater is to be transported and disposed of off-site, within one month of the installation of the odour control systems, the Consent Holder must provide to the Council a report from an appropriately qualified person, which verifies that the design and installation of the odour control system has been undertaken in accordance with Conditions 6 and 7.

8.1.4 Wastewater Treatment Plant (WWTP)

9. If a WWTP is constructed on site, air discharges from solids screening and storage and sludge dewatering and storage must be extracted to an emission control system (including an activated carbon scrubber) and discharged from a stack at least 3m above ground level or the apex height of the nearest building within 20 metres, without obstruction of the vertical discharge of air.
10. If a WWTP is constructed on site, within one month of the WWTP commencing treatment, the Consent Holder must provide to the Council a report from a SQEP, which verifies that the design and installation of the WWTP and odour control system (including the odour extraction and treatment system) has been undertaken in accordance with Condition 9.

8.1.5 Monitoring and Reporting Conditions

11. Within 3 months of exercising this resource consent, The Consent Holder must:
- (a) Operate and maintain a weather station on the site to measure and record the air temperature, wind direction and wind velocity on a continuous basis (at no less than 10-minute intervals). The weather data must be retained for at least the duration of the resource consent;
 - (b) Provide the weather data of any period to Council within 5 days of a request;
 - (c) Locate the weather station on the site in a location which, as far as is practicable, is unaffected by surrounding structures or vegetation or other features for the purpose of ensuring the most accurate measurements as practicable on the site; and
 - (d) Install and operate the weather station in accordance with AS/NZS 3580.14:2014 (Methods for sampling and analysis of ambient air - Meteorological monitoring for ambient air quality monitoring applications).
12. Within two months of the first operation of the Wastewater Treatment Plant and/or commencement of tanker filling activities (whichever occurs first), the consent holder must engage a SQEP to undertake a post-commissioning odour assessment.

The assessment must:

- (a) Include field-based odour observations at and beyond the site boundary under representative operating conditions for both the WWTP and tanker filling activities;
- (b) Be carried out in general accordance with the Ministry for the Environment's Good Practice Guide for Assessing and Managing Odour (2016);
- (c) Identify any odour that is, in the opinion of the SQEP, offensive or objectionable beyond the boundary of the site; and
- (d) Recommend corrective actions where necessary to avoid future odour effects.

Within 20 working days of completing the assessment, the consent holder must provide the odour assessment report to the Council and implement

any corrective actions identified in the report within the timeframe specified by the SQEP.

13. The Council must be notified as soon as practicable in the event of any significant discharge to air, which results or has the potential to result in a breach of air quality conditions or adverse effects on the environment. The following information must be supplied:

- (a) Details of the nature of the discharge including any wind conditions as recorded under condition 11 during the incident timeframe;
- (b) An explanation of the cause of the incident; and
- (c) Details of remediation action taken.

Advice Note: Significant discharges to be notified to council in accordance with this condition include abnormal discharges arising from unexpected failures of the WWTP and/or the wastewater filling station (including emission control systems). An email to monitoring@aucklandcouncil.govt.nz should be sent detailing the nature of the issue and what contingency measures are to be implemented to minimise potential air quality effects.

14. All air quality complaints that are received must be recorded and if requested by Council, provided to Council within one working day of the complaint. The recorded complaint details must include:

- (a) The date, time, location and nature of the complaint;
- (b) The name, phone number and address of the complainant, unless the complainant elects not to supply these details;
- (c) Weather conditions, including wind speed and direction, at time of the complaint; and
- (d) Any remedial actions undertaken.

9.0 Archaeological Authority

9.1 Before Works

Start Work Notification

1. The Authority Holder must advise Heritage New Zealand Pouhere Taonga (HNZPT) and Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga of the date when archaeological works will begin at least two working days before archaeological works start.

Archaeological Management Plan

2. All works must be undertaken in accordance with the Archaeological Management Plan prepared by Clough and Associates titled “*Delmore Proposed Residential Development, Upper Ōrewa, Auckland*” dated December 2025 (AMP). Any changes to the AMP require the prior written agreement of Heritage New Zealand Pouhere Taonga.

A copy of the AMP (and any amendments or updates) shall be provided to Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga.

The Authority Holder may update the AMP by submitting the amended AMP in writing to HNZPT for its written approval.

Site Briefing

3. The Authority Holder must ensure that all contractors working on the project are briefed on site by the section 45 approved person (who may appoint a person to carry out the briefing on their behalf) prior to any archaeological works commencing. The briefing must include:
 - (a) the possibility of encountering archaeological evidence,
 - (b) how to identify possible archaeological sites,
 - (c) the archaeological work required by the conditions of this authority, and
 - (d) Contractors’ responsibilities with regard to discovering archaeological evidence to ensure that the authority conditions are complied with.

9.2 During Works

Tikanga

4. In addition to any tikanga agreed to between the authority holder and Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga provided with the authority application, the following shall apply:
 - (a) If any kōiwi (human remains) are encountered, all work should cease within 5 metres of the discovery. HNZPT, New Zealand Police, Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2010) and no further work in the area may take place until future actions have been agreed by all parties;
 - (b) Access for Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga shall be enabled in order to undertake tikanga consistent with any requirements of site safety;
 - (c) Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga shall be informed if any possible taonga or Māori/Moriiori artefacts are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met; and

- (d) Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the s45 approved person if required.

Monitoring

5. Any earthworks that may affect an archaeological site must be monitored by the section 45 approved person, who may appoint a person to carry out the monitoring on their behalf in accordance with accepted archaeological practice and the AMP.

Investigation

6. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with accepted archaeological practice.

Protection of Sites

7. The authority holder shall take the following measures to ensure that R10/1573 is protected:
- (a) temporary fencing around the site prior and during vegetation and planting works;
 - (b) location identified and explained by s45 approved person during site briefing.

Annual Reporting

8. Annually from the date of issue of this authority, the authority holder must submit to HNZPT and Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga a written report containing a summary of the progress of the activity and any archaeological findings.

9.3 After Works

Work Completion Notification

9. The Authority Holder shall advise HNZPT and Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngaati Whanaunga of the completion of archaeological works within five working days of completion.

Completion of Archaeological Siteworks

10. Within 20 working days of the completion of on-site archaeological work associated with this authority, the Authority Holder shall ensure that:

- (a) An interim report, to the satisfaction of HNZPT, following the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library;
- (b) Site records are updated or submitted to the NZAA Site Recording Scheme.

Archaeological Records

11. Within 12 months of the completion of the on-site archaeological work, the Authority Holder shall ensure that a final report, completed following the Archaeological Report Guideline (AGS12 2023), is emailed to HNZPT for inclusion in HNZPT's Archaeological Reports Digital Library, and to Ngāti Manuhiri, Te Kāwarau ā Maki, te Rūnanga o Ngāti Whātua, and Ngāati Whanaunga. A copy must also be provided to the NZAA Central Filekeeper.

Attachment 1 – Table of Plans and Reports

Report title and reference	Author	Rev	Dated
Ecological Impact Assessment	Viridis	N/A	18/12/2025
Arboricultural Assessment	Peers Brown Miller	1	19/12/2025
Draft Stormwater Management Plan	McKenzie & Co	E	26/05/202
Preliminary Site Investigation	Williamson Water and Land Advisory	4	16/12/2025
Geotechnical Report	Riley Consultants	1.0	19/12/2025
Geotechnical Supplementary Memo	Riley Consultants	N/A	19/12/2025
Geomorphic Risk Assessment	Morphum	N/A	20/11/2025
Geomorphic Risk Assessment Supplementary Memo	Morphum		19/12/2025
Archaeological Assessment	Clough & Associates Ltd	N/A	12/2025
Landscape Assessment Report	Greenwood Associates	0	18/12/2025
Water, Wastewater and Utilities Report	McKenzie & Co	G	22/12/2025
Stormwater Report	McKenzie & Co	J	26/05/2026
Earthworks Report and Drawings	McKenzie & Co	G	01/04/2026
Roading and Access Report	McKenzie & Co	H	15/12/2025
Noise Assessment	SLR	1.0	18/12/2025
Urban Design Assessment	Barker & Associates	N/A	19/12/2025
Integrated Transportation Assessment	Commute	N/A	22/12/2025
Flood Assessment Report	McKenzie & Co	H	26/05/2026

Water and Wastewater Design Report	Apex Water Limited	-	
Wastewater Disposal Memorandum	Vineway Limited	N/A	18/12/2025
Wastewater Discharge Assessment	Viridis	N/A	19/12/2025
Air Discharge Assessment	AirMatters	6	19/12/2025
Hazardous Substances Assessment	Williamson Water and Land Advisory	N/A	16/12/2025
Hydrology Assessment	Williamson Water and Land Advisory	2	18/12/2025
Architectural Plans			
Architectural Drawings	Terra Studios	B	-
Landscape Plans			
Landscape Plans	Greenwood Associates	-	04/06/2026
Engineering Plans			
Stage 1 Raingarden Plans	McKenzie & Co	H	20/05/2026
Stage 1 Earthworks Drawings	McKenzie & Co	M	21/05/2026
Stage 1 Site Clearing	McKenzie & Co	H	22/12/2025
Stage 1 Erosion and Sediment Control	McKenzie & Co	E	22/12/2025
Stage 2AB Earthworks Drawings	McKenzie & Co	L	28/05/2026
Stage 2CDE Earthworks Drawings	McKenzie & Co	O	28/05/2026
Stage 1 Roding Drawings	McKenzie & Co	J	07/05/2026
Stage 2 Roding Drawings	McKenzie & Co	I	07/05/2026
Stage 1 Stormwater Drawings	McKenzie & Co	G	12/04/2026
Stage 2AB Stormwater Drawings	McKenzie & Co	H	21/04/2026
Culvert Plans and Sections	McKenzie & Co	I	26/05/2026
Stage 2AB Site Clearing	McKenzie & Co	F	22/12/2025

Stage 2AB Sediment Erosion	McKenzie & Co	E	22/12/2025
Stage 2CDE Stormwater Drawings	McKenzie & Co	H	21/04/2026
Stage 2 CDE Site Clearing	McKenzie & Co	F	22/12/2025
Stage 2 CDE Sediment Erosion	McKenzie & Co	D	22/12/2025
Stage 1 Wastewater, Water & Utilities Drawings	McKenzie & Co	C	12/04/2026
Stage 2 Wastewater, Water & Utilities Drawings	McKenzie & Co	C	12/04/2026
Scheme Plans			
Stage 1 Scheme Plan	McKenzie & Co	K	12/05/2025
Stage 2 Scheme Plan	McKenzie & Co	I	12/05/2025

Attachment 2: Inputs to the Groundwater and Settlement Monitoring and Contingency Plan

Schedule A: Alarm and Alert Levels			
Movement		Trigger Thresholds (+/-)	
		Alarm	Alert
a)	Differential vertical settlement between any two Ground Surface Deformation Stations (the Differential Ground Surface Settlement Alarm or Alert Level):	TBC	TBC
b)	Total vertical settlement from the pre-excavation baseline level at any Ground Surface Deformation Station (the Total Ground Surface Settlement Alarm or Alert Level):	TBC mm	TBC mm
c)	Differential vertical settlement between any two adjacent Building Deformation Stations (the Differential Building Settlement Alarm or Alert Level)	TBC	TBC
d)	Total vertical settlement from the pre-excavation baseline level at any Building Deformation Station (the Total Building Settlement Alarm or Alert Level)	TBC mm	TBC mm
e)	Total lateral deflection from the pre-excavation baseline level at any retaining wall deflection station (the Retaining Wall Deflection Alarm or Alert Level):	TBC mm	TBC mm

Schedule B: Groundwater Monitoring Frequency					
Bore Name	Location		Groundwater level monitoring frequency (to an accuracy of 10 mm)		
			From bore construction until one month before Commencement of Construction Phase Dewatering	Two weeks before Commencement of Construction Phase Dewatering	From Completion of Construction Phase Dewatering until 3 months later
	Easting (mE)	Northing (mN)			
GWBH	TBC	TBC	Weekly (for at least two weeks)	Weekly	Monthly

Schedule C: Ground Surface and Building Monitoring			
Monitoring Station and type*	Frequency		
	Pre-Commencement of Excavation	Commencement to Completion of Excavation	Post- Completion of Excavation
Ground: TBC	Twice to a horizontal and vertical accuracy of +/-2 mm (achieved by precise levelling)	Weekly	Monthly for 6 months
Buildings: TBC	Twice to a horizontal and vertical accuracy of +/-2 mm (achieved by precise levelling)	Weekly	Monthly for 6 months

Schedule D: Retaining Wall Monitoring Frequency				
Frequency				
Pre-Commencement of Excavation	Commencement of Excavation to one month after Completion of Excavation		From Completion of Excavation until 3 months later	
Pre-Commencement of Dewatering	Retaining Wall Deflection Stations	Inclinometers	Retaining Wall Deflection Stations	Inclinometers
N/A - can only be installed after installation and immediately prior to excavation commencing	Once for every 2 metres depth (on average) of excavation, and, in any case, at a minimum of once weekly.	Once for every 2 metres depth (on average) of excavation, and, in any case, at a minimum of once fortnightly.	Fortnightly	Monthly

Attachment 3: Groundwater Diversion and Dewatering Definitions

Word	Definition
Alarm Level	Specific levels at which actions are required as described in the relevant conditions.
Alert Level	Specific levels at which actions are required as described in the relevant conditions.
Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5 m in diameter.
Commencement of Excavation	Commencement of Bulk Excavation or excavation to create perimeter walls.
Completion of Construction	Means when the Code Compliance Certificate (CCC) is issued by Auckland Council
Completion of Excavation	Means the stage when all Bulk Excavation has been completed
Condition Survey	Means an external visual inspection or a detailed condition survey (as defined in the relevant conditions).
Damage	Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below.
External visual inspection	A condition survey undertaken for the purpose of detecting any new external Damage or deterioration of existing external Damage. Includes as a minimum a visual inspection of the exterior and a dated photographic record of all

	observable exterior Damage.
GSMCP	Means Groundwater and Settlement Monitoring and Contingency Plan
Monitoring Station	Means any monitoring instrument including a ground or building deformation station, inclinometer, groundwater monitoring bore, retaining wall deflection station, or other monitoring device required by this consent.
RL	Means Reduced Level.
Seasonal Low Groundwater Level	Means the annual lowest groundwater level – which typically occurs in summer.
Services	Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure, road infrastructure assets such as footpaths, kerbs, catch-pits, pavements and street furniture.
SQEP	Means Suitably Qualified Engineering Professional
SQBS	Means Suitably Qualified Building Surveyor

Building Damage Classification Table

Category of Damage	Normal Degree of Severity	Description of Typical Damage <i>(Building Damage Classification after Burland (1995), and Mair et al (1996))</i>	General Category <i>(after Burland – 1995)</i>
0	Negligible	Hairline cracks.	Aesthetic Damage

1	Very Slight	Fine cracks easily treated during normal redecoration. Perhaps isolated slight fracture in building. Cracks in exterior visible upon close inspection. Typical crack widths up to 1 mm.	
2	Slight	Cracks easily filled. Redecoration probably required. Several slight fractures inside building. Exterior cracks visible, some repainting may be required for weather-tightness. Doors and windows may stick slightly. Typically crack widths up to 5 mm.	
3	Moderate	Cracks may require cutting out and patching. Recurrent cracks can be masked by suitable linings. Brick pointing and possible replacement of a small amount of exterior brickwork may be required. Doors and windows sticking. Utility services may be interrupted. Weather tightness often impaired. Typical crack widths are 5 mm to 15 mm or several greater than 3 mm.	Serviceability Damage
4	Severe	Extensive repair involving removal and replacement of walls especially over door and windows required. Window and door frames distorted. Floor slopes noticeably. Walls lean or bulge noticeably. Some loss of bearing in beams. Utility services disrupted. Typical crack widths are 15 mm to 25 mm but also depend on the number of cracks.	Stability Damage
5	Very Severe	Major repair required involving partial or complete reconstruction. Beams lose bearing, walls lean badly and require shoring. Windows broken by distortion. Danger of instability. Typical crack widths are greater than 25 mm but depend on the number of cracks.	

Advice Note: In the table above, the column headed "Description of Typical Damage" applies to masonry buildings only and the column headed "General Category" applies to all buildings

Attachment 4: Rainwater Tank Requirements

Minimum Required Re-use Tank Size	Roof area	
	Min	Max
3,000 L	49 m ²	74 m ²
4,000 L	74 m ²	98 m ²
5,000 L	98 m ²	123 m ²
6,000 L	123 m ²	147 m ²
7,000 L	147 m ²	172 m ²
8,000 L	172 m ²	197 m ²
9,000 L	197 m ²	221 m ²
10,000 L	221 m ²	246 m ²

Attachment 5: Stormwater Management Works

Table 1 Stormwater management devices to be vested							
Device	Stage	Raingarden total catchment (m²)	Raingarden impervious catchment (m²)	Raingarden design standard / requirement	Outfall catchment areas	Outfall design standard / requirement	Ownership
RG1	1	3,388	2,493	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG2	1	20,605	15,378	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG3	1	1,779	1,379	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG5	1	1,662	1,195	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG6	1	18,388	13,918	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG7	1	4,147	3,241	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG8	1	9,342	6,642	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG11	1	27,429	20,103	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG20	2	26,560	19,211	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG21	2	34,448	24,613	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested

RG22	2	4,794	3,807	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG23	2	3,398	2,619	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG24	2	26,090	18,656	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
RG25	2	1,704	1,193	GD01 SMAF1	As per raingarden & contributing lot areas	TR2013/18	Vested
Outlet for Lots 280-296	1	N/A	N/A	N/A	Contributing catchments from Lots 280-296	TR2013/18	Vested
Outlet for Lots 1017-1023	2	N/A	N/A	N/A	Contributing catchments from Lots 1017-1023	TR2013/18	Vested
Outlet for Lots 1205-1217	2	N/A	N/A	N/A	Contributing catchments from Lots 1205-1217	TR2013/18	Vested

Table 2 Stormwater management devices to remain private					
Device	Lots impacted	Total catchment area (m ²)	Impervious catchment area (m ²)	Design standard / requirement	Ownership
On-lot stormwater tank	All lots	Proposed lot area	Proposed impervious lot area	GD01 SMAF1	Private

T-bar dispersal device	Lots able to discharge directly to stream	Proposed lot area	Proposed impervious lot area	As approved by Council during detailed design	Private
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