



Proposed Conditions of Consent – Brymer Farms

Brymer Farms Limited

Substantive Fast Track Application

21 August 2026

B&A
Urban & Environmental

Prepared for:
Brymer Farms Limited



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1.0 Guide to the Proposed Conditions of Consent

Project: Brymer Residential Development

Location: 584 Whatawhata Road / Brymer Road / O'Brien Road, Hamilton / Temple View

Applicant: Brymer Farms Limited

Consenting framework: Fast-track Approvals Act 2024

The proposed conditions of consent are divided into ten Parts, comprising four Waikato District Council (WDC) consents and six Waikato Regional Council (WRC) consents.

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

Each Part is a standalone conditions document structured with a Conditions Set Overview, Table of Contents, Abbreviations and Definitions, Consent Particulars, and numbered conditions sections. Conditions cross referencing are draft until review by the EPA and finalisation.

All Parts must be read together. The Conditions Set Overview within each Part identifies the other consents that the relevant consent must be read in conjunction with.

1.1 WDC – Waikato District Council Consents

Part	Consent type	Activity authorised
Part A	Land Use Consent (Contaminated Land / NES:CS)	Soil disturbance and site preparation on land with a relevant HAIL use (stockyard areas), triggering the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS) Regulation 9(1). Conditions address soil investigation, validation, and management to protect human health during development.
Part B	Land Use Consent	The principal district consent authorising the Brymer Residential Development — approximately 1,000 residential units, neighbourhood centre, reserves, and associated infrastructure. Conditions cover general and administrative requirements, development controls, staging, the residential design framework, management plans (ecological, acoustic, cultural, landscape), specialist technical conditions, and enabling works.

Part C0	Subdivision Consent (Day 0)	Day 0 subdivision consent authorising the initial lot reconfiguration necessary to allow enabling and early construction works to commence ahead of the main staged subdivision.
Part C	Subdivision Consent	Staged residential subdivision creating residential, commercial, and reserve lots across the development. Conditions cover engineering design and certification, financial contributions, esplanade reserves, road vesting, and staging requirements.

1.2 WRC – Waikato Regional Council Consents

Part	Consent type	Activity authorised
Part D	Land Disturbance Consent	Bulk earthworks and land disturbance across the full development footprint, including cut and fill, drainage installation, and associated erosion and sediment control.
Part E	Water Permit (Diversion of Catchment Tributaries)	Permanent diversion and damming of catchment tributaries affected by the development footprint. Conditions address fish capture and relocation, riparian restoration planting, and ongoing flow monitoring.
Part F	Groundwater Diversion and Discharge	Discharge of groundwater to land and water during construction dewatering operations associated with earthworks and infrastructure installation. Conditions include a Dewatering Management Plan (DWMP) and groundwater monitoring requirements.
Part G	Water Permit (Temporary Groundwater Take)	Temporary take of groundwater for construction dewatering of wastewater pump stations, trenched services, and associated excavations. Conditions include a DWMP, TARP trigger levels, and daily dewatering records.
Part H	Stormwater Diversion and Discharge	Diversion and discharge of stormwater from the developed site to receiving environments via stormwater pond and wetland treatment infrastructure.
Part I	Water Permit (NES-FM Wetlands)	Activities within or adjacent to natural inland wetlands under the National Environmental Standards for Freshwater (NES-FM): structures over water, vegetation clearance within 10m of a natural inland wetland, and activities causing wetland drainage. Both NES-FM activities are authorised under this single consent.

1.0 WDC Land Use Consent (Contaminated Land / NES:CS)

1.1 Conditions Set Overview

Land use consent for soil disturbance and site preparation works on land with a relevant HAIL use (stockyard areas) triggering the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS) Regulation 9(1), at 584 Whatawhata Road / Brymer Road / O'Brien Road, Hamilton / Temple View.

This consent must be read in conjunction with:

- **Part A – WDC Land Use Consent (Contaminated Land / NES:CS)**
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
ASSMP	Acid Sulphate Soils Management Plan
BFL	Brymer Farms Limited
CLMG	Contaminated Land Management Guidelines
CSMP	Contaminated Soils Management Plan
HAIL	Hazardous Activities and Industries List
NES:CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Resource Management (NES:CS) Regulations 2011)
RAP	Remediation Action Plan
RMA	Resource Management Act 1991
Site	The land at 584 Whatawhata Road / Brymer Road / O'Brien Road, Hamilton / Temple View
SQEP	Suitably Qualified Experienced Person/Professional
SVR	Site Validation Report
WCR	Works Completion Report
WDC	Waikato District Council
WRC	Waikato Regional Council
Council(s)	Waikato District Council & Hamilton City Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Fifteen (15) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The activities authorised by this consent shall be undertaken in general accordance with the information and plans submitted by Brymer Farms Limited (BFL) in support of the consent application. In the event of a conflict between the application documents and the conditions of this consent, the conditions shall prevail.
- (2) A copy of this land use consent and any certified Management Plans shall be kept on Site at all times that the works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.
- (3) Any reference in these conditions to a New Zealand Standard includes any later New Zealand Standard that amends or replaces it.
- (4) BFL shall be responsible for all contracted operations relating to the exercise of this land use consent and shall ensure contractors are made aware of the conditions of this consent and their requirement to comply with those conditions.

2.4 Fees & Charges

- (5) BFL must pay to WDC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.5 Consent Lapse

- (6) This consent shall lapse fifteen (15) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

2.6 Review

- (7) WDC may at any time in July each year, from commencement of construction until two (2) years after construction is completed, serve notice on BFL under Section 128(1) of the RMA to review the conditions of this consent where:

- (a) a material adverse effect which was not identified in the AEE has arisen; or
- (b) the magnitude of adverse effects from the Project are materially larger than what was indicated in the AEE.

Costs associated with any review of conditions will be recovered from BFL in accordance with the provisions of Section 36 of the RMA.

2.7 Pre-Start Requirements

- (8) BFL must appoint a representative prior to commencement of any works as WDC's principal contact person for matters relating to this consent. WDC must be informed of the representative's name and contact details prior to this consent being exercised. Should that person change during the term of this consent, BFL must immediately give written notice to WDC of the new representative's name and contact details.
- (9) Prior to the commencement of activities authorised by this consent on the Site, BFL must hold a pre-start meeting, scheduled not less than ten (10) working days before the anticipated commencement of works. The meeting must: outline the strategy, sequence and approach to construction; confirm the approach to management plans and what is relevant per delivery stage(s); and include representatives from WDC's compliance monitoring officers and engineers, the site representative, the contractor, and any other relevant party representing BFL, including representatives from Ngaati Maahanga.

2.8 Communications Plan

- (10) Prior to the start of construction, BFL must prepare a Communications Plan and submit it to WDC at least twenty (20) working days prior to the start of construction. The Communications Plan must include:
 - (a) contact details of the Project Liaison Person;
 - (b) a list of stakeholders (including all those who provided comment on the application);
 - (c) details of communication activities proposed;
 - (d) details of the complaint management process;
 - (e) details of consultation requirements set out in other conditions; and
 - (f) the process for ongoing review and amendment of the Communications Plan.

2.9 Complaints Management

- (11) A record of any complaints received in respect of the Construction Works shall be maintained during construction. The record shall include:
 - (a) name, phone number and address of the complainant;
 - (b) nature of the complaint;
 - (c) date and time of the complaint;
 - (d) weather conditions at the time;
 - (e) any other activities in the area unrelated to the Project;

- (f) measures taken to respond;
- (g) outcome of the investigation and any changes to procedures; and
- (h) a record of the response provided to the complainant.

The record of complaints shall be made available to WDC upon request.

2.10 Management Plans

- (12) The following Management Plans are required to be prepared and certified in accordance with the conditions of this consent:

Management Plan	Abbreviation
Remediation Action Plan	RAP
Contaminated Soils Management Plan	CSMP
Acid Sulphate Soils Management Plan	ASSMP

Advice note: The certified CSMP, ASSMP and RAP must each be submitted to WDC's Planning Guidance Manager (or nominee) at least ten (10) working days prior to the commencement of any remedial or soil disturbance works on Site.

- (13) All Management Plans required by this consent must be prepared by a SQEP in land contamination.
- (14) The certification process for each Management Plan must be confined to confirming that the Management Plan:
- (a) gives effect to its objective(s);
 - (b) addresses the consent condition requirements;
 - (c) contains the required information; and
 - (d) is generally consistent with the application documents.

Within twenty (20) working days of receiving a Management Plan for certification, WDC must notify BFL whether the Management Plan is certified or, if not, the reasons why and the matters that must be addressed.

- (15) BFL must implement all certified Management Plans for the duration of the works. Any changes and/or updates to a certified Management Plan must be submitted to WDC for certification in writing. While a Management Plan is being changed or updated, construction activity must cease unless WDC provides written confirmation that the activity may continue.

2.11 Contaminated Land

- (16) Site works shall be conducted in accordance with the Remediation Action Plan (RAP), Contaminated Soils Management Plan (CSMP), and Acid Sulphate Soils Management Plan (ASSMP).

- (17) Any remediation, validation or management work referred to in the conditions of this consent shall be prepared in accordance with Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand (Revised 2011) and shall be certified by a SQEP in land contamination.

Remediation Action Plan (RAP)

- (18) A Remediation Action Plan (RAP) must be developed by a SQEP in land contamination for the HAIL land identified in the Detailed Site Investigation prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825-R01-V1.0, Rev 1.0, 6 November 2025). The RAP shall include the agreed remedial and management works deemed most appropriate to mitigate the risk posed by contaminants, prepared as relevant to each stage of works. A copy of the RAP must be provided to WDC's Planning Guidance Manager (or nominee) at least ten (10) working days prior to any remedial works being undertaken on the Site for acceptance.

Contaminated Soils Management Plan (CSMP)

- (19) A certified Contaminated Soils Management Plan (CSMP) must be prepared by a SQEP, updating the draft CSMP prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825-R01-V1.0, Rev 1.0, 6 November 2025), and submitted to WDC's Planning Guidance Manager (or nominee) at least ten (10) working days prior to any remedial works being undertaken on the Site for acceptance. The objective of the CSMP is to identify how soil disturbance on the Site will be managed to avoid hazards to human health and to recommend mitigation methods relevant to actual Site conditions and future uses. The CSMP must include contingency measures for the management of any previously unidentified contamination, and the following:
- (a) maps of likely contamination areas;
 - (b) a testing regime reflecting the findings of the Detailed Site Investigation prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825-R01-V1.0, Rev 1.0, 6 November 2025);
 - (c) measures to prevent or restrict exposure to contaminated soils on-site and to prevent the off-site discharge of contaminated material, including contingency for previously unidentified contamination;
 - (d) remediation methods and targets;
 - (e) measures for safe removal and disposal of soil exceeding NES:CS limits to a licensed waste facility; and
 - (f) an ongoing review and amendment process.
- (20) Any changes proposed to the CSMP or RAP shall be confirmed in writing by BFL and approved in writing by WDC's Planning Guidance Manager (or nominee) acting in a technical certification capacity, prior to the implementation of any changes proposed.
- (21) Any soil exceeding the applicable NES:CS standard that is to be removed must be done under controlled conditions to a licensed waste facility or landfill for disposal in accordance with the requirements of the disposal site and the relevant authority. Receipts of transport must be included in either a Site Validation Report or Works Completion Report.

Acid Sulphate Soils Management Plan (ASSMP)

- (22) A certified Acid Sulphate Soils Management Plan (ASSMP) must be prepared by a SQEP in land contamination, updating the draft ASSMP prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825.00001, Rev 1.0, 5 August 2026), and submitted to WDC's Planning Guidance Manager (or nominee) at least ten (10) working days prior to any land disturbance works being undertaken in areas of identified acid sulphate soil risk. The objective of the ASSMP is to safely manage any acid sulphate soils identified or encountered during construction works. The ASSMP must include, at a minimum:
- (a) identification of areas of acid sulphate soil risk, informed by the findings of the Detailed Site Investigation;
 - (b) field screening and laboratory sampling procedures for excavated soils during construction;
 - (c) treatment methods for actual acid sulphate soils prior to their use as fill on Site;
 - (d) procedures for safe disposal of acid sulphate soils that cannot be treated on Site, including identification of an authorised disposal facility; and
 - (e) the process for ongoing review and amendment of the ASSMP.
- (23) During construction, field screening of excavated soils must be completed to identify actual acid sulphate soils. Any actual acid sulphate soils identified during field screening must be managed in accordance with the certified ASSMP. Laboratory samples must be analysed at a rate of at least 10% of field samples to verify field screening accuracy.

2.12 Completion Requirements

- (24) Works completion reporting must be provided within two (2) months of soil disturbance works being completed, to confirm that the methods outlined in the CSMP were enforced for the period of soil disturbance works, and that the measures were successful in ensuring that the potential risks were adequately managed.
- (25) After completing remedial activities, site validation must be undertaken to demonstrate the approved remediation targets have been achieved and that the land is suitable for the intended use. A Site Validation Report (SVR) must be provided to WDC's Planning Guidance Manager (or nominee) as soon as practicable after remedial validation is completed.
- (26) Following completion of any remedial activities, BFL must:
- (a) complete a Site Validation Report (SVR) demonstrating that remediation targets in the CSMP have been achieved, submitted within twenty (20) working days of completion of validation;
 - (b) provide a Works Completion Report (WCR) within two (2) months of completion of soil disturbance works, confirming conditions of consent have been complied with; and
 - (c) provide receipts for transportation of contaminated material, included in the SVR or WCR.

2.13 Accidental Discovery

- (27) If previously unidentified contamination is encountered during soil disturbance works (including discoloured soils, unusual odours, asbestos materials, or separate-phase hydrocarbons), BFL must:
- (a) immediately cease works in the affected area;
 - (b) notify WDC's Planning Guidance Manager (or nominee) in writing within 24 hours of discovery;
 - (c) arrange for a SQEP in land contamination to assess the discovery and determine whether the CSMP or RAP requires amendment before works in the affected area resume; and
 - (d) not resume soil disturbance works in the affected area until written confirmation has been received from WDC's Planning Guidance Manager (or nominee) that any required amendments to the CSMP or RAP have been certified.

1.0 Part B – WDC Land Use Consent

1.1 Conditions Set Overview

This conditions set is structured in three sections. Section 1 sets out the general and pre-start conditions that apply across the entire development, including general obligations, fees, consent lapse, pre-start requirements, iwi and cultural conditions, all required management plans, engineering conditions of general application, and vehicle crossing requirements. Section 2 sets out the land use staging conditions specific to each stage of the development, beginning with the framework staging condition and then addressing residential stages, the standalone commercial and apartment components (being C1, C2, A1 and A2), and the affordability condition. Section 3 is a repository for all remaining specialist and technical conditions, grouped under subheadings covering geotechnical conditions, engineering and engineering staging, certification, reserve and firefighting conditions, budget conditions for vesting of the park, completion reports, and other specialist conditions.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- **Part B – WDC Land Use Consent**
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
ADP	Accidental Discovery Protocol
AEE	Assessment of Environmental Effects
ASSMP	Acid Sulphate Soils Management Plan
B&A	Barker & Associates Limited
Design Guidelines	The residential design guide prepared by Barker & Associates Limited.
BMP	Bird Management Plan
BFL	Brymer Farms Limited
BPMP	Buffer Planting Management Plan
CAR	Corridor Access Request
CIA	Cultural Impact Assessment
CMP	Construction Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CommMP	Communications Management Plan
CPE	Chartered Professional Engineer
CSMP	Contaminated Soils Management Plan
CTMP	Construction Traffic Management Plan
DMP	Dust Management Plan
DRP	Design Review Panel
EMP	Earthworks Management Plan
EcolMP	Ecological Management Plan
ESCMP	Erosion and Sediment Control Management Plan
FENZ	Fire and Emergency New Zealand

FTAA	Fast-track Approvals Act 2024
GCR	Geotechnical Completion Report
GEMP	Geotechnical Effects Management Plan
HCC	Hamilton City Council
HNZPT	Heritage New Zealand Pouhere Taonga
IAWAI	IAWAI - Flowing Waters
LandMP	Landscape Maintenance Plan
LBMP	Long-tailed Bat Management Plan
LMP	Lizard Management Plan
Maven	Maven Associates Limited
NineThirty Plans	The architectural plans prepared by NineThirty for commercial and apartment development as listed in the document register.
PDA	Private Developer Agreement between BFL and Relevant Stakeholders
PMP	Parking Management Plan
RITS	Regional Infrastructure Technical Specifications 2025
RMA	Resource Management Act 1991
SDP	Stage Development Plan
Site	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete
SMP	Stormwater Management Plan
SQEP	Suitably Qualified and Experienced Person/Professional
WDC	Waikato District Council
WRC	Waikato Regional Council
Council(s)	Waikato District Council & Hamilton City Council

2.2 Consent Particulars Table

Resource Consent:	[to be inserted]
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Fifteen (15) years from the date of commencement unless it has been given effect to, surrendered, or cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

3.0 Section 1 — General And Pre-Start Conditions

3.1 General Conditions

- (1) The proposal must proceed in general accordance with the information and plans submitted with the application, and all supporting information, except where otherwise required by the resource consent conditions. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this resource consent and any certified Management Plans shall be kept on Site at all times that the works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a WDC officer or agent.
- (3) BFL shall be responsible for all contracted operations relating to the exercise of this consent and must ensure contractors are made aware of the conditions of this consent and ensure compliance with those conditions.
- (4) Any reference in these conditions to a New Zealand Standard includes any later New Zealand Standard that amends or replaces it.
- (5) BFL must advise WDC in writing, at least five (5) working days prior to works commencing on Site, so that monitoring of the conditions of this consent can be undertaken.

3.2 Fees & Charges

- (6) BFL must pay to WDC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA. This includes the reasonable costs incurred by WDC arising from supervision and monitoring of this consent, including routine inspections, liaison with BFL, responding to complaints or enquiries, and review and assessment of compliance with conditions.

3.3 Consent Lapse

- (7) This consent shall lapse fifteen (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

3.4 Review

- (8) WDC may, once per year, serve notice on BFL under Section 128(1) of the RMA of its intention to review the conditions of this consent where:
- (a) a material adverse effect not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project is materially larger than indicated in the AEE.

3.5 Pre-Start Requirements

- (9) BFL must appoint a single Site Manager prior to commencement of any works as WDC's principal contact for matters relating to this consent. WDC must be informed of the representative's name and contact details prior to this consent being exercised. Should that person change during the term of this consent, BFL must immediately give written notice to WDC of the new representative's name and mobile phone number.
- (10) Prior to the commencement of activities on Site, BFL must hold a pre-start meeting on the Site, scheduled not less than five (5) working days before commencement of activities. The meeting must include representatives of the contractor(s) and all relevant technical specialists required on Site during works (e.g. engineers, ecologist).
- (11) No Management Plans or detailed design/engineering plans will be accepted for certification/approval by WDC until BFL has supplied an electronic file containing all application documents, indexed and referenced, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version.
- (12) The consented activities authorised by this consent must not be undertaken until the Day 0 subdivision consent (Part C0) has received Section 224(c) certification from WDC.

3.6 Communications Plan

- (13) Prior to the commencement of construction, BFL must prepare a Communications Plan and submit it to WDC at least twenty (20) working days prior to the start of construction. The Communications Plan must include:
- (a) contact details of the Project Liaison Person;
 - (b) a list of stakeholders;
 - (c) details of communication activities proposed;
 - (d) details of the complaint management process;
 - (e) details of consultation requirements; and
 - (f) the process for ongoing review and amendment.

3.7 Complaints Management

- (14) BFL must maintain a Complaints Log recording:
- (a) date, time and type of complaint;
 - (b) complainant details (name, address, phone if provided);
 - (c) location of complaint;
 - (d) weather conditions and wind direction at the time of any dust or noise complaint;
 - (e) likely cause;
 - (f) response of BFL including corrective action; and
 - (g) future actions to avoid reoccurrence.

BFL must notify WDC of any complaint within two (2) working days and advise WDC and the complainant of the outcome and measures taken within five (5) working days.

3.8 Iwi and Cultural

- (15) At least twenty (20) working days prior to commencement of each stage of earthworks, BFL must give written notice to representatives of Ngaati Maahanga to:
- (a) clarify the Accidental Discovery Protocol (ADP);
 - (b) obtain names and contact details of iwi representatives for cultural advice in the event of a discovery; and
 - (c) arrange inspections if desired.

At least ten (10) working days prior to commencement of construction, Ngaati Maahanga must also be invited to: attend the pre-start meeting; provide a karakia prior to commencement; deliver a cultural induction for key Site personnel; and monitor earthworks.

- (16) BFL must invite Ngaati Maahanga to attend the pre-start meeting, provide a karakia prior to commencement of works, deliver a cultural induction to key Site personnel, and monitor earthworks and in-stream works as requested.
- (17) In the event that any archaeological sites, artefacts, taonga, kōiwi or other material of cultural significance are discovered during earthworks, BFL must immediately implement the Accidental Discovery Protocol (ADP), which includes: cessation of works in the affected area; notification to WDC, HNZPT, and Ngaati Maahanga within 24 hours; and no recommencement of works until all necessary statutory authorisations are obtained.
- (18) If during construction activities any kōiwi (skeletal remains) or similar material are uncovered, works must cease within a 100m radius of the discovery immediately, and BFL shall notify the New Zealand Police, Ngaati Maahanga, HNZPT, and WDC's Consents Team Leader. Works shall not recommence until authorised.
- (19) Prior to the commencement of any construction works, BFL must invite Ngaati Maahanga to discuss the implementation of the recommendations within the Cultural Impact Assessment (CIA) and to confirm the approach to cultural monitoring of earthworks, dewatering, and any works near waterways or wetlands.

- (20) The outcomes of engagement with Ngaati Maahanga regarding the CIA recommendations must be reported to WDC prior to construction commencing.

3.9 Management Plans

- (21) The following Management Plans (MPs) are required to be prepared and certified in accordance with the conditions of this consent:

Management Plan	Abbreviation
Construction Traffic Management Plan	CTMP
Erosion and Sediment Control Management Plan	ESCMP
Acid Sulphate Soil Management Plan	ASSMP
Earthworks Management Plan	EMP
Contaminated Soils Management Plan	CSMP
Communications Management Plan	CommMP
Construction Management Plan	CMP
Construction Noise and Vibration Management Plan	CNVMP
Dust Management Plan	DMP
Geotechnical Effects Management Plan	GEMP
Stormwater Management Plan	SMP
Buffer Planting Management Plan	BPMP
Ecological Management Plan	EcoIMP

- (22) BFL must ensure that all MPs are prepared by a Suitably Qualified and Experienced Person (SQEP). Where an MP is an update of an existing draft, the update must be completed by a SQEP. BFL must submit all MPs to WDC for certification at least twenty (20) working days prior to work commencing, except where otherwise specified in these conditions.

Advice note: To assist WDC with the certification process, BFL is encouraged to provide three (3) weeks' notice prior to each MP being submitted for certification. Exception: The CSMP and ASSMP are governed by the timing requirements of Part A Conditions 12, 18 and 25 (certified versions to be submitted at least ten (10) working days prior to commencement of remedial or soil disturbance works). Compliance with Part A timing for those plans satisfies the equivalent requirement under this condition.

- (23) MPs may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the development. When an MP is provided in part or for a stage

it must satisfy all certification requirements. MPs submitted to WDC must clearly show the linkage with MPs for adjacent stages and any interrelated activities or other MPs.

(24) The certification process for MPs must be confined to confirming that each MP:

- (a) gives effect to its objective(s);
- (b) addresses the consent condition requirements;
- (c) contains the required information; and
- (d) is generally consistent with the application documents.

Within twenty (20) working days of receiving an MP for certification, WDC must notify BFL whether the MP is certified or, if not, the reasons why and the matters that must be addressed.

(25) BFL must implement all certified MPs for the duration of the works.

(26) Any changes and/or updates to a certified MP must be made in writing and submitted to WDC for certification. While an MP is being changed/updated, construction activity must cease unless WDC provides written confirmation that the activity may continue.

Advice note: This condition does not relate to any operational aspect of an MP.

3.9.1 Construction Management Plan (CMP)

(27) BFL must carry out all construction activities in accordance with the certified CMP. The objective of the CMP is to detail the approach to be taken for managing construction works to ensure that adverse effects that may arise from the works have been appropriately identified, managed and minimised. The CMP must be updated as required to meet the objective. The CMP must include, but is not limited to:

- (a) a response to any relevant conditions of this consent;
- (b) the contact details of a single Site Manager who is responsible for the whole Site, appointed for the duration of the construction phase and contactable 24-hours a day (including a mobile number and a project-based email address);
- (c) the location of notice board(s) on Site that are readily visible and readable from a public place, identifying the name, telephone number, email and address for service of the Site Manager;
- (d) a schedule of each construction stage including site plans, commencement date and expected duration;
- (e) the hours of construction work, in accordance with Condition 60 (7:30 am to 6:00 pm, Monday to Saturday, with no noisy construction on Sundays or public holidays);
- (f) machinery to be used on Site and measures to prevent contaminant spills during refuelling and machinery servicing and maintenance;
- (g) a list of hazardous substances stored on Site, measures to prevent contaminant spills and the response in the event of a spill;
- (h) detailed management procedures for fill placement, treatment (including weed management), and/or stockpiling;

- (i) measures to address the cumulative effects of working on multiple stages simultaneously;
- (j) any other details of the intended works programme; and
- (k) the process for ongoing review and amendment of the CMP to maintain its effectiveness.

3.9.2 Communications Management Plan (CommMP)

- (28) As part of the CMP, BFL must also submit a CommMP for certification. The objective of the CommMP is to set out how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be communicated with throughout the construction works. The CommMP must be updated as required to meet the objective. The CommMP must include, but is not limited to:
- (a) a response to any relevant conditions of this consent;
 - (b) contact details of a single Site Manager appointed for the duration of the construction phase as the main and readily accessible point of contact for persons interested in or affected by construction works;
 - (c) a list of stakeholders who must be communicated with, including all those who provided comment on the application;
 - (d) details of communication activities already undertaken and any specific stakeholder feedback in relation to the construction phase;
 - (e) details of communication activities proposed, including procedures for ensuring that owners and/or occupiers in the immediate vicinity (within approximately 150m of the Site and along all streets used by construction vehicles for access) are given a minimum of ten (10) working days prior notice of the commencement of construction works;
 - (f) methods to communicate project details to stakeholders and the public;
 - (g) in relation to noise and vibration, the potential for noise/vibration from construction works and the methods used to mitigate those effects;
 - (h) details of the complaint management process, including who is responsible for responding, how responses must be provided and within what timeframes; and
 - (i) the process for ongoing review and amendment of the CommMP to maintain its effectiveness.

3.9.3 Earthworks Management Plan (EMP)

- (29) As part of the CMP, BFL must also submit an EMP for certification. The objective of the EMP is to set out the earthworks stages and appropriate management methods. Earthworks must be carried out in a staged manner and in accordance with the certified EMP. The EMP must be updated as required to meet the objective and must include:
- (a) a response to any relevant conditions of this consent; and
 - (b) the process for ongoing review and amendment of the EMP to maintain its effectiveness.

3.9.4 Contaminated Soils Management Plan (CSMP)

- (30) As part of the CMP, the Consent Holder must also submit a CSMP for certification. The objective of the CSMP is to identify how soil disturbance on the Site must be managed to avoid hazards to human health and recommend mitigation methods relevant to actual Site conditions and future uses. The CSMP must be updated as required to meet the objective. The CSMP must include, but is not limited to:
- (a) a response to any relevant conditions of this consent;
 - (b) map(s) showing likely areas of contamination/concern;
 - (c) a suitable testing regime that reflects the contaminant risk identified in the Detailed Site Investigation prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825-R01-V1.0, Rev 1.0, 6 November 2025);
 - (d) measures to prevent, or restrict, exposure to contaminated soils that may give rise to human health hazards, including contingency measures for the management of any previously unidentified contamination;
 - (e) methods to remediate the presence of contaminated soils, including remediation targets to enable future development;
 - (f) measures to safely manage the removal of any soil exceeding the applicable NES:CS limits, including identifying the licensed waste facility or landfill for disposal; and
 - (g) the process for ongoing review and amendment of the CSMP to maintain its effectiveness.

3.9.5 Construction Traffic Management Plan (CTMP)

- (31) As part of the CMP, BFL must also submit a CTMP for certification and a Corridor Access Request (CAR). The objective of the CTMP is to avoid, remedy and/or mitigate adverse effects associated with construction traffic. The CTMP must be updated as required to meet the objective. The CTMP must include, but is not limited to:
- (a) a response to any relevant conditions of this consent;
 - (b) construction staging and proposed activities;
 - (c) expected number of vehicle movements, particularly heavy vehicle numbers during each phase of construction;
 - (d) points of Site access and measures to stabilise those access points;
 - (e) construction traffic routes and any road upgrades required to accommodate intended construction traffic and ensure pedestrian, cyclist and resident safety;
 - (f) nature and duration of any temporary traffic management proposed;
 - (g) location on Site for worker car parking and loading areas;
 - (h) measures to prevent, monitor and remedy tracking of debris onto public roads, including a wheel wash facility;

- (i) pre-construction road condition surveys for roads 100m either side of stabilised vehicle entrances, and measures to remedy any damage during and upon completion of works;
- (j) measures to avoid idling or parking of construction traffic outside the Site; and
- (k) the process for ongoing review and amendment of the CTMP to maintain its effectiveness; and
- (l) a dedicated construction haul route to be used for all heavy vehicle construction traffic. The haul route must avoid existing residential streets, including the Harrogate neighbourhood.

3.9.6 Construction Noise and Vibration Management Plan (CNVMP)

- (32) As part of the CMP, BFL must also submit a CNVMP for certification. The detailed requirements for the CNVMP — including its objectives, content, preparation, certification, implementation, on-site maintenance, and amendment — are set out in Conditions 65–72, which are the primary CNVMP conditions and take precedence over any general description in this section in the event of any inconsistency.

3.9.7 Dust Management Plan (DMP)

- (33) As part of the CMP, BFL must also submit a DMP for certification. The objective of the DMP is to identify sources of dust and require the adoption of the best practicable option to minimise the effects of discharges to air (dust) from construction works. The DMP must be updated as required to meet the objective. The DMP must:
- (a) accord with, as a minimum, the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016); and
 - (b) include, but is not limited to:
 - (c) a response to any relevant conditions of this consent;
 - (i) practices to minimise all dust and particulate emissions and the potential for dust emissions beyond the Site boundary;
 - (ii) measures to ensure exposed areas have sufficient soil moisture levels at all times under prevailing wind conditions;
 - (iii) use of chemical dust suppressants for problematic or unfinished areas if other methods fail;
 - (iv) identification of on-call staff available at all times to operate the water application system; and
 - (v) the process for ongoing review and amendment of the DMP to maintain its effectiveness.

3.9.8 Geotechnical Effects Management Plan (GEMP)

- (34) As part of the CMP, BFL must also submit a GEMP for certification. The objective of the GEMP is to manage effects during the earthworks phase and ensure buildable/useable ground for development. The GEMP must be updated as required to meet the objective. The GEMP must include, as a minimum:

- (a) a response to the recommendations of the Geotechnical Investigation Report (CMW, Report No. HAM2025-0084AC, December 2025), including mitigation of liquefaction effects for building foundation design, static settlement, stockpile locations and earthworks compaction; and
- (b) the process for ongoing review and amendment of the GEMP to maintain its effectiveness.

3.9.9 Stormwater Management Plan (SMP)

- (35) BFL must submit an SMP for certification. The objective of the SMP is to set out how stormwater runoff from the Site will be managed to avoid, remedy or mitigate adverse effects on the receiving environment. The SMP must be updated as required to meet the objective. The SMP must include, but is not limited to:
 - (a) a response to any relevant conditions of this consent;
 - (b) design details for all stormwater management devices and infrastructure;
 - (c) an operation and maintenance schedule for all on-site stormwater devices;
 - (d) monitoring and reporting requirements; and
 - (e) the process for ongoing review and amendment of the SMP to maintain its effectiveness.

3.9.10 Buffer Planting Management Plan (BPMP)

- (36) BFL must submit a BPMP for certification. The objective of the BPMP is to buffer and soften the edge of the development on the existing environment and manage the interface between the residential development and adjoining rural and rural residential land uses. The BPMP must be updated as required to meet the objective. The BPMP must include, but is not limited to:
 - (a) a response to any relevant conditions of this consent;
 - (b) detailed representative planting plans and cross sections showing the anticipated plant mix (trees, shrubs and groundcovers) to a depth of at least 4m from the Site boundary;
 - (c) a planting schedule requiring planting to occur during the first planting season (April – September) following the completion of each construction stage;
 - (d) plant sizes, species and supply requirements, with species to be predominantly native;
 - (e) site preparation, transport, handling and protection of plants;
 - (f) mulching requirements and application standards;
 - (g) the maintenance programme (watering, pest and disease management, pruning, weed management) including maintenance to be undertaken by BFL for the first three (3) years following planting, and maintenance obligations for individual lot owners thereafter (to be captured in Consent Notices); and
 - (h) the process for ongoing review and amendment of the BPMP to maintain its effectiveness.

Advice note: Buffer planting maintenance obligations on boundary lots will be registered as Consent Notices on the relevant Records of Title (see Condition C75 (Buffer Planting bond) and Condition C78(d) (consent notice wording) of the WDC Subdivision Consent (Part C)).

3.9.11 Bat Management Plan

- (37) Prior to any vegetation clearance within the development area, the consent holder shall submit a Bat Management Plan (BMP), prepared by a Department of Conservation certified bat ecologist, to Waikato Regional Council for certification.
- (38) Where any tree is identified as having no potential for bat roosting in accordance with the certified BMP, vegetation clearance in that area may proceed without further bat management requirements.
- (39) All vegetation clearance within the development area shall be undertaken in accordance with the certified BMP.

3.9.12 Wildlife Act Authorisation and Lizard Management Plan

- (40) Prior to any vegetation clearance or earthworks within lizard habitat areas, the consent holder shall:
 - (a) Submit a Lizard Management Plan (LMP), prepared by a DOC authorised herpetologist, to Waikato District Council for approval no less than thirty (30) working days prior to commencement of any construction works; and
 - (b) Obtain a Wildlife Act Authorisation (WAA) from the Department of Conservation authorising the capture and relocation of native lizards.
- (41) Where no native lizards are identified during salvage surveys in accordance with the certified LMP, vegetation clearance in that area may proceed without further lizard management requirements.
- (42) All vegetation clearance and earthworks within lizard habitat areas shall be undertaken in accordance with the certified LMP and any conditions of the WAA.

3.10 Engineering — Catch-All (All Staging)

3.10.1 During Construction — Earthworks

- (43) All earthworks shall be carried out in accordance with good engineering practice and shall:
 - (a) be implemented in accordance with the approved CMP;
 - (b) avoid or mitigate detrimental effects on the environment with regard to dust, vegetation destruction, contamination of natural water or diversion of surface or groundwater flows;
 - (c) not alter the existing landform in a manner that detrimentally affects adjoining properties through changes in drainage or abrupt changes in ground level; and
 - (d) avoid any hazard to persons or property.
- (44) Earthworks must not be carried out between 1 May and 30 September in any year unless the prior written agreement of WDC has been obtained.

- (45) BFL must ensure that all vehicle movements do not track dirt and loose material from the vehicle entrance onto the road carriageway. Any material that inadvertently deposits on the road must be washed or swept clear of the road carriageway as soon as practicable.
- (46) All bare areas of land and fill must be either sealed or covered with aggregate or topsoiled and established with a grass mixture to achieve an 80% ground cover within one month of the completion of earthworks.
- (47) All areas of bare earth no longer required for construction purposes shall be revegetated or re-grassed as soon as practicably possible.
- (48) All earthmoving machinery, pumps and generators shall be operated in a manner that ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any surface water such that any spillage can be contained and does not enter any surface water.
- (49) Prior to bulk earthworks commencing in any stage of development, BFL must submit to WDC a certificate signed by a SQEP confirming that the erosion and sediment control measures have been constructed in accordance with the certified ESCMP. The certificate must be submitted to WDC within five (5) working days of completion of construction of those measures and must include:
 - (a) contributing catchment area;
 - (b) retention volume of the structure (dead storage and live storage measured to the top of the primary spillway);
 - (c) shape and dimensions of the structure;
 - (d) position of inlets and outlets; and
 - (e) stabilisation details of the structure.

Advice note: An example template and the information required for As-Built Certification Statements can be found on the Waikato Regional Council website.

- (50) Stockpiles must be located at least 30m from any Site boundary unless otherwise agreed in writing with WDC.
- (51) BFL must take all reasonable measures to ensure that existing trees and vegetation identified in the landscape drawings as being recommended for retention are protected from damage during construction, in accordance with best practice arboricultural methods and the certified VMP.
- (52) All temporary retaining walls required during earthworks or construction must be designed by a Chartered Professional Engineer, constructed and maintained in a safe and stable condition for the duration of the works, and removed upon completion of the relevant construction stage unless otherwise incorporated into the permanent works. Any retaining wall retained as a permanent structure must comply with the retaining wall conditions set out in Conditions 229 to 233 of this consent.

Advice note: This condition applies as a catch-all to temporary retaining walls not otherwise addressed by the certified GEMP or stage-specific engineering design. Permanent boundary

and lot retaining walls are addressed in Conditions 229 to 233 (Geotechnical Conditions) and Condition 71 (Residential Design Framework Conditions).

3.11 Importation and Placement of Cleanfill

- (53) The Consent Holder shall ensure that all material imported onto the site for the purpose of filling comprises cleanfill, as defined in the Waikato District Plan.
- (54) No material that does not meet the definition of cleanfill shall be imported or placed as part of the works authorised by this consent.

Advice Note: The importation and placement of material that does not meet the definition of cleanfill may require separate resource consent(s) from Waikato District Council.

Maximum quantity

- (55) The total volume of cleanfill imported and placed on the site pursuant to this consent shall not exceed 900,000 m³ over the duration of the consent.
- (56) The volume of cleanfill imported to the site shall not exceed [X,XXX] m³ in any 12-month period, unless otherwise approved through a change to the conditions of this consent.

Cleanfill records

- (57) The Consent Holder shall maintain records of all cleanfill imported to the site. As a minimum, the records shall include:
 - (a) the date the material was received;
 - (b) the source location of the material;
 - (c) a description of the nature and composition of the material;
 - (d) the approximate volume of material received; and
 - (e) where relevant, any investigation, assessment or testing undertaken to demonstrate that the material meets the definition of cleanfill in the Waikato District Plan.
- (58) The records required by this condition shall be retained for the duration of this consent and shall be provided to the Waikato Regional Council upon request.

Acceptance of imported material

- (59) Prior to accepting imported material, the Consent Holder shall undertake a visual inspection and make reasonable enquiries regarding the source and previous use of the material to confirm that it is suitable for acceptance as cleanfill.
- (60) Where the source, appearance, odour, composition or previous use of the material gives reasonable cause to suspect that the material may contain contaminants or otherwise not meet the definition of cleanfill, the material shall:
 - (a) not be placed within the fill area; and
 - (b) either be removed from the site or quarantined in a manner that prevents the discharge of contaminants pending confirmation of its suitability.

- (61) Where necessary, confirmation of suitability shall be supported by appropriate investigation and/or laboratory testing undertaken by a suitably qualified and experienced practitioner.

Annual reporting

- (62) By [date] each year, or upon request by the Waikato District Council, the Consent Holder shall provide the Council with a summary of cleanfill imported during the preceding 12-month period.

The summary shall include:

- (a) the total volume of cleanfill imported during that period;
- (b) the cumulative volume imported under this consent;
- (c) the principal source or sources of the material; and
- (d) details of any loads rejected or quarantined because the material was suspected or found not to meet the definition of cleanfill.

Placement and stability

- (63) Imported cleanfill shall be placed, compacted, contoured and stabilised in a manner that:
- (a) maintains the long-term stability of the filled land;
 - (b) does not cause or exacerbate instability or erosion;
 - (c) does not obstruct or adversely alter overland flow paths;
 - (d) does not increase the risk of flooding on neighbouring properties; and
 - (e) enables the completed surface to be permanently stabilised in accordance with the erosion and sediment control requirements of this consent.

3.11.1 Noise & Vibration

NOISE – OPERATIONAL

State Highway Noise Control Boundary

- (64) Any habitable room within a residential building located within the State Highway Noise Control Boundary (NOISE-R44) must be designed, constructed and maintained to comply with NOISE-RR of the Waikato District Plan, including:
- (a) the applicable maximum future indoor design noise levels specified in Table 28 of APP1; and
 - (b) the ventilation requirements specified in section 8.1(4) of APP1.

Operational Noise – Residential Lots Outside Areas C1 and C2

- (65) Except as provided for by Condition 49, noise generated from any residential lot outside Areas C1 and C2 must not exceed the following noise limits when measured and assessed at or within the boundary of any other lot containing a Noise Sensitive Activity:
- (a) 50 dB LAeq(15 min) between 7:00 am and 7:00 pm;
 - (b) 45 dB LAeq(15 min) between 7:00 pm and 10:00 pm; and

- (c) 40 dB LAeq(15 min) and 65 dB LAFmax between 10:00 pm and 7:00 am the following day.
- (66) The noise limits in Condition 48(a) and (b) do not apply to normal residential activities, including children's play and the use of domestic garden equipment.
- (67) Noise must be measured and assessed in accordance with:
 - (a) NZS 6801:2008 Acoustics – Measurement of Environmental Sound; and
 - (b) NZS 6802:2008 Acoustics – Environmental Noise.

Operational Noise – Activities Within Areas C1 and C2

- (68) Noise generated from any site within Area C1 or C2 must not exceed the following limits when measured and assessed at the boundary of any other site within Area C1 or C2:
 - (a) 65 dB LAeq(15 min) between 7:00 am and 11:00 pm; and
 - (b) 55 dB LAeq(15 min) and 85 dB LAFmax between 11:00 pm and 7:00 am the following day.
- (69) Noise generated from any site within Area C1 or C2 must not exceed the following limits when measured and assessed at or within the boundary of any lot containing a Noise Sensitive Activity located outside Areas C1 and C2:
 - (a) 55 dB LAeq(15 min) between 7:00 am and 7:00 pm;
 - (b) 50 dB LAeq(15 min) between 7:00 pm and 10:00 pm; and
 - (c) 40 dB LAeq(15 min) and 65 dB LAFmax between 10:00 pm and 7:00 am the following day.
- (70) Noise must be measured and assessed in accordance with:
 - (a) NZS 6801:2008 Acoustics – Measurement of Environmental Sound; and
 - (b) NZS 6802:2008 Acoustics – Environmental Noise.

Acoustic Treatment – Noise Sensitive Activities Within Areas C1 and C2

- (71) Any Noise Sensitive Activity established within Area C1 or C2 must be designed, constructed and maintained so that external noise does not result in an internal design sound level exceeding 40 dB LAeq within the Noise Sensitive Activity.
- (72) Prior to occupation of any building containing a Noise Sensitive Activity within Area C1 or C2, the Consent Holder must provide Waikato District Council with:
 - (a) an acoustic design certificate prepared by a suitably qualified and experienced acoustic specialist confirming that an internal design sound level not exceeding 40 dB LAeq will be achieved, having regard to the permitted external noise levels applying within Areas C1 and C2; and
 - (b) a commissioning report demonstrating that any mechanical ventilation system required to achieve compliance with Condition 54 complies with the applicable performance requirements specified in section 6.1(2) of APP1 of the Waikato District Plan.
- (73) For the purposes of Conditions 48–56, Noise Sensitive Activity means:

- (a) buildings used for residential activities, including boarding establishments, retirement villages, papakāinga housing development, visitor accommodation and other buildings used for residential accommodation, excluding camping grounds;
- (b) marae and marae complexes;
- (c) hospitals;
- (d) teaching areas and sleeping rooms within an education facility; and
- (e) places of assembly.

Pump Stations A, B and D

- (74) Noise generated by fixed mechanical plant, processes or other noise sources operating continuously or on an automated basis at Pump Stations A, B or D must not exceed the following limits when measured and assessed at or within the notional boundary of any Noise Sensitive Activity outside Areas C1 and C2:
 - (a) 45 dB LAeq between 7:00 am and 10:00 pm; and
 - (b) 35 dB LAeq and 60 dB LAFmax between 10:00 pm and 7:00 am the following day.
- (75) Noise generated by all other activities associated with Pump Stations A, B or D, including vehicle movements, deliveries and inspections, must not exceed the following limits when measured and assessed at or within the notional boundary of any Noise Sensitive Activity outside Areas C1 and C2:
 - (a) 50 dB LAeq between 7:00 am and 10:00 pm; and
 - (b) 40 dB LAeq and 65 dB LAFmax between 10:00 pm and 7:00 am the following day.
- (76) Noise generated by Pump Stations A, B and D must be measured and assessed in accordance with:
 - (a) NZS 6801:2008 Acoustics – Measurement of Environmental Sound; and
 - (b) NZS 6802:2008 Acoustics – Environmental Noise.

CONSTRUCTION NOISE AND VIBRATION

Construction Hours

- (77) Except as provided for by Condition 61, construction works and construction-related heavy vehicle movements must only occur between:

7:30 am and 6:00 pm, Monday to Saturday.

- (78) No noisy construction works may occur on Sundays or public holidays.
- (79) Quiet construction activities may occur outside the hours specified in Condition 60 where:
 - (a) the activity is authorised by the certified Construction Noise and Vibration Management Plan required by Conditions 65–72; and
 - (b) the activity complies with the applicable construction noise limits in Condition 63.

For the purposes of this condition, quiet construction activities may include site meetings, internal building fit-out, planting and other activities sufficiently separated from neighbouring receivers to comply with Condition 63.

Construction Noise Limits

- (80) Construction noise generated from the Site must comply with the following limits when measured and assessed 1 metre from the façade of any occupied dwelling or occupied building on another site:

Time Period	LAeq	LAFmax
7:30 am–6:00 pm, Monday to Saturday	70 dB	85 dB
All other times, including Sundays and public holidays	45 dB	70 dB

- (81) Construction noise must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction Noise.

Construction Noise and Vibration Management Plan

- (82) At least 10 working days prior to the commencement of construction works, the Consent Holder must submit a Construction Noise and Vibration Management Plan (CNVMP) to Waikato District Council for certification.
- (83) The objectives of the CNVMP are to:
- (a) identify and require implementation of the Best Practicable Option to avoid or, where avoidance is not practicable, minimise construction noise and vibration effects at surrounding receivers;
 - (b) achieve compliance with the construction noise and vibration conditions of this consent;
 - (c) establish specific management and mitigation requirements for construction works undertaken within 40 metres of any occupied building on another site; and
 - (d) establish specific management and mitigation requirements for any construction activities authorised to occur outside the hours specified in Condition 60.
- (84) The CNVMP must, as a minimum:
- (a) address the relevant requirements of Annex E of NZS 6803:1999 Acoustics – Construction Noise;
 - (b) have regard to the AAAC guideline for interpreting and applying NZS 6803:1999;
 - (c) identify construction activities with the potential to generate significant noise or vibration;
 - (d) identify sensitive receivers that may be affected by construction noise or vibration;
 - (e) specify the construction methodologies and Best Practicable Option mitigation measures to be implemented to manage construction noise and vibration;
 - (f) specify the procedures applying to construction works within 40 metres of an occupied building on another site;
 - (g) identify any quiet construction activities that may be undertaken outside the standard construction hours specified in Condition 60;

- (h) specify procedures for responding to and investigating noise and vibration complaints; and
- (i) specify the procedures for monitoring construction noise and vibration where monitoring is required to demonstrate compliance with these conditions.
- (85) The CNVMP must be prepared by a suitably qualified and experienced acoustic specialist.
- (86) Construction works must not commence until Waikato District Council has provided written certification of the CNVMP.
- (87) All construction works must be undertaken in accordance with the certified CNVMP.
- (88) A copy of the current certified CNVMP must be maintained on the Site and made available to contractors and Waikato District Council during construction hours.
- (89) Where an amendment to the certified CNVMP is proposed that involves a material change to the construction methodology or the methods for managing construction noise or vibration:
 - (a) the amendment must be prepared or reviewed by a suitably qualified and experienced acoustic specialist;
 - (b) the amendment must clearly identify and track the changes from the previously certified version; and
 - (c) the amended CNVMP must be submitted to Waikato District Council for certification before the amended methodology is implemented.

Notification of Construction Works

- (90) At least 5 working days before the commencement of demolition or earthworks, the Consent Holder must provide written notice of the construction works to the occupiers of all buildings located within 50 metres of the Site boundary.
- (91) The notice required by Condition 73 must include:
 - (a) an overview of the construction works, including the anticipated overall duration of the works and standard working hours;
 - (b) the approximate dates and anticipated duration of the activities expected to generate the highest levels of construction noise or vibration; and
 - (c) the name and telephone number of a person who may be contacted throughout the construction period;
 - (d) to advise the Consent Holder of particularly noise-sensitive times or activities; and
 - (i) in relation to any questions or complaints concerning construction noise or vibration.

Construction Vibration

- (92) All construction works must be designed and undertaken so that construction vibration does not exceed the applicable guideline values in DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures, when measured and assessed at any building located outside the Site.

- (93) Where the CNVMP identifies that construction activities have the potential to exceed the applicable DIN 4150-3:1999 guideline values, the Consent Holder must implement the specific monitoring, management and mitigation measures identified in the certified CNVMP before and during those activities.

Advice note: For the purposes of these conditions, references to the Site, Areas C1 and C2, Pump Stations A, B and D, and the State Highway Noise Control Boundary (NOISE-R44) should correspond with the relevant approved plans forming part of the Brymer Farms land use consent.

3.11.2 Roading

- (94) All works within a road corridor must be managed under a current Corridor Access Request (CAR) in accordance with WDC's current requirements prior to any works commencing within the road reserve.
- (95) BFL must complete a Safe System Audit at the detailed design stage for all site accesses and any new internal roads, and submit to WDC in accordance with the Waka Kotahi NZ Transport Agency Safe System Audit Guidelines (October 2022). A post-construction Safe System Audit must also be completed following construction, with any concerns identified addressed within timeframes agreed with WDC.
- (96) Prior to the commencement of construction, BFL must commission and submit to WDC a pre-construction road condition survey of all roads to be used for construction traffic. The survey must be completed by a SQEP and must establish baseline road conditions against which any post-construction damage may be assessed.

3.11.3 Engineering Design and Approval

- (97) BFL must submit all engineering plans to WDC for review and approval prior to any building consent application (or at least twenty (20) working days prior to construction commencing where building consent is not required). Engineering plan approval is required for all stormwater, wastewater, water, transport and landscaping infrastructure. The engineering plans must:
- (a) be consistent with the relevant certified SDP required by Condition 147;
 - (b) include trunk servicing details and ensure that future connections within the Site are provided for;
 - (c) include servicing details for each lot as applicable;
 - (d) be in accordance with the RITS and other relevant standards including the WDC Development Manual; and
 - (e) nominate the name and contact details of the SQEP responsible for overseeing construction of the infrastructure on all engineering plans and associated documents.
- (98) All as-built plans, Quality Assurance documents, producer statements, warranty documents and associated data for all assets to be transferred to WDC, as well as written correspondence from utility providers confirming connections to each lot, must be submitted at the completion of works in accordance with the requirements of the RITS.

3.11.4 Stormwater

- (99) BFL must manage the quality and quantity of stormwater runoff from the Site in accordance with the certified Stormwater Management Plan (SMP). The detailed engineering design, certification, construction, monitoring, maintenance and vesting requirements for stormwater infrastructure are set out in Conditions C49 to C70 of the WDC Subdivision Consent, and those conditions prevail in the event of any inconsistency. The SMP must be informed by up-to-date groundwater monitoring results and must include, but is not limited to:
- (a) a response to any relevant conditions of this consent;
 - (b) detailed design parameters for the stormwater network, including:
 - (c) attenuation requirements for the 1%, 10% and 50% AEP events (including extended detention, retention of initial abstraction volume and water quality treatment);
 - (i) optimised infrastructure sizing;
 - (ii) a best practicable option approach to stormwater management accounting for elevated groundwater, particularly during high recharge conditions (high rainfall winter/spring periods) and in areas where low hydraulic conductivity layers are encountered;
 - (iii) a flood risk assessment with a model build report confirming the detailed design;
 - (d) natural overland flow paths (OLFPs) and watercourse locations to be maintained;
 - (e) secondary OLFPs and ponding areas shown on engineering plans, designed to provide for 1% AEP storm events without exacerbating adverse flood effects upstream or downstream;
 - (f) operation and maintenance procedures for the stormwater network, including inspection frequency;
 - (g) monitoring methods, inspection checklists and record keeping;
 - (h) identification of the person responsible for overseeing the SMP for the first five (5) years of operation; and
 - (i) the process for ongoing review and amendment of the SMP to maintain its effectiveness.
- (100) No structure or earthworks shall be constructed within a natural or secondary OLFP that will obstruct the flow of stormwater.
- (101) Only inert roofing materials are permitted on residential lots.
- (102) Stormwater ponds, basins and associated infrastructure must be constructed, completed and operational in accordance with Conditions C59 and C69 of the WDC Subdivision Consent.

3.11.5 Wastewater

- (103) Wastewater must be managed as follows:

- (a) reticulation of wastewater to the public wastewater system must be achieved via new and upgraded infrastructure in accordance with any relevant infrastructure servicing agreement with Hamilton City Council (HCC) and/or WDC;
 - (b) all wastewater infrastructure must comply with the RITS and the WDC Development Manual.
- (104) Any new wastewater pump stations must be:
- (a) provided with emergency storage tanks with a minimum nine (9) hours emergency storage based on average daily flow prior to emergency overflow, in accordance with RITS;
 - (b) provided with a rider main connection for wash-down water supply from the adjacent water main;
 - (c) elevated from the ground and situated away from overland flow paths, with lid levels a minimum of 150mm above adjacent ground levels; and
 - (d) provided with electrical and telemetry equipment confirmed with WDC, with alarm and operational data control systems installed by BFL (or by WDC at BFL's cost).
- (105) Prior to the occupation of any dwelling within a stage, BFL must provide WDC with written confirmation from HCC (or the relevant wastewater infrastructure provider) that the reticulated wastewater system serving that stage has been completed and approved as compliant with all applicable standards.

3.11.6 Water Supply

- (106) Water supply must be managed as follows:
- (a) all water supply services must comply with the RITS, the WDC Development Manual and SNZPAS 4509:2008 (NZ Fire Service Fire Fighting Water Supply Code of Practice); and
 - (b) all water infrastructure must comply with the RITS and the WDC Development Manual.
- (107) Prior to lodging engineering plans for each of Stages 3–12 (or any sub-stages thereof), BFL must submit a report to WDC confirming:
- (a) whether actual water demand is consistent with the water supply modelling assessment submitted with the application; and
 - (b) whether upgrades are required to the wider public water network to meet RITS and WDC Development Manual standards.
- If upgrades are required, all costs will be met by BFL and must be detailed in the engineering plans lodged for that stage.
- (108) Installed water supply reticulation serving each stage must be pressure tested and sterilised in accordance with Appendix C of NZS 4404:2010. Written proof of pressure and sterilisation testing must be provided to WDC prior to the occupation of any dwelling within the stage.

3.11.7 Three Waters Infrastructure – Alternative Agreed Infrastructure Solution

- (109) Notwithstanding any other condition of this consent relating to the staging, design, timing, location, capacity, connection, construction or delivery of water supply, wastewater or

stormwater infrastructure, an alternative infrastructure solution or staging arrangement may be implemented where it is agreed in writing by the relevant infrastructure authority or authorities, being Iwi-owned water services entity IAWAI, Waikato District Council (WDC), Hamilton City Council (HCC), or any combination of those parties, as applicable to the infrastructure concerned.

- (110) An alternative infrastructure solution under clause (1) may include changes to:
- (a) the sequencing, boundaries or timing of development stages;
 - (b) the timing or location of water supply, wastewater and stormwater infrastructure;
 - (c) the point, timing or method of connection to existing or planned public infrastructure;
 - (d) interim, temporary or permanent infrastructure solutions;
 - (e) infrastructure capacity, upgrades, extensions or associated works; and
 - (f) the allocation of responsibility for the funding, delivery, ownership, operation or vesting of infrastructure between the relevant parties.
- (111) Where an alternative infrastructure solution or staging arrangement is agreed, it shall be recorded in a signed Infrastructure Agreement, Development Agreement, Memorandum of Understanding, or equivalent written agreement between the Consent Holder and the relevant infrastructure authority or authorities.
- (112) Upon provision of the signed agreement to the relevant consent authority, the water supply, wastewater and stormwater infrastructure requirements of this consent, including any associated staging requirements, plans or implementation requirements, may be updated to give effect to the agreed infrastructure solution, without requiring compliance with an alternative infrastructure solution specified elsewhere in these conditions, provided that:
- (a) the relevant infrastructure authority or authorities have confirmed in writing their acceptance of the alternative solution;
 - (b) the alternative solution provides for the servicing of the relevant stage or stages of development;
 - (c) any necessary approvals required under separate legislation, bylaws or infrastructure approval processes are obtained; and
 - (d) any amendment to the consent conditions that is legally required to give effect to the agreed solution is obtained through the applicable statutory process.
- (113) For the avoidance of doubt, where there is any inconsistency between a specific water supply, wastewater or stormwater infrastructure solution identified in these conditions and a subsequently signed agreement contemplated by this condition, the Consent Holder may adopt the infrastructure solution and staging agreed with the relevant infrastructure authority or authorities, subject to clause (4).
- (114) The purpose of this condition is to provide sufficient flexibility for the detailed three waters infrastructure strategy and development staging to respond to future network planning, capacity, funding, delivery and jurisdictional arrangements, while ensuring that each stage

of the development is appropriately serviced prior to occupation or use where servicing is required.

3.12 Wastewater Pump Station Dewatering (General)

Staging and General Requirements

- (115) The construction and associated temporary dewatering of Wastewater Pump Stations (WWPS) A, B and D shall be undertaken generally in accordance with the staging and locations shown on the Maven Scheme Plan Ref. XXX, and the methodology and assumptions contained in the WGA [Groundwater Assessment title/reference/date].
- (116) For the avoidance of doubt, the wastewater pump stations may be constructed and commissioned separately in accordance with the staging of the development shown on the Maven Scheme Plan.

3.13 Vehicle Crossings

Vehicle Crossings

- (117) The location and configuration of vehicle crossings serving individual residential lots shall be in general accordance with the approved Maven Scheme Plans, Ref. XXX.
- (118) The vehicle crossings shown on the approved Maven Scheme Plans are authorised by this consent, including their location and connection to the adjoining road network, and no further resource consent shall be required in respect of the location of those vehicle crossings, subject to compliance with this condition.
- (119) Notwithstanding Condition 106, the location of an individual vehicle crossing may be adjusted from the location shown on the approved Maven Scheme Plans where necessary to respond to the final dwelling typology, building footprint, garage or parking location, services, landscaping, or detailed design confirmed through the building consent and detailed design process, provided that:
 - (a) the crossing remains associated with and provides access to the same allotment;
 - (b) the revised location does not materially alter the safe and efficient operation of the adjoining road or intersection;
 - (c) the revised location does not create a conflict with any required pedestrian or cycling facility, street tree, stormwater device or other infrastructure that cannot be appropriately resolved through detailed design; and
 - (d) any engineering approval required from the relevant road controlling authority for the physical construction of the crossing is obtained.
- (120) For the avoidance of doubt, minor or consequential adjustments to the location or configuration of a vehicle crossing made in accordance with clause (3) are considered to be in general accordance with the approved Maven Scheme Plans and do not require a variation to this resource consent or a separate resource consent for the vehicle crossing.

Advice Note: The vehicle crossing locations shown on the approved Maven Scheme Plans establish the consented access arrangement for each lot. The purpose of the "general accordance" provision is to provide sufficient flexibility to finalise the precise crossing

position once the dwelling typology, building footprint and garage or parking arrangement for the relevant lot are confirmed, while retaining the overall access pattern authorised by this consent.

4.0 Section 2 — Land Use Staging Conditions

CONDITIONS SECTION NOTE — Day Zero Subdivision: This application is supported by a day zero subdivision consent (WDC Day Zero Subdivision Consent — Part C0), which creates the parent titles necessary to enable the staged development of Brymer Farms. The day zero subdivision creates lots that either have their own individual access or are amalgamated in accordance with the access arrangements shown on [insert Maven plan reference], to allow the Applicant to create the sub-stages of the PMA. The day zero stages are administrative in nature and are not created for traditional urban development purposes. The land use conditions in this Part B do not govern the day zero subdivision, which is addressed in Part C0.

- (121) Development may be undertaken in stages or sub-stages, subject to each stage or sub-stage occurring sequentially, complying with all relevant conditions of this consent, being in general accordance with the plans, drawings and information submitted with the application, and being able to be serviced without restricting the future development of later stages.

Advice note: Sequentially means Stage 1, then Stage 2, then Stage 3 and so on, meaning that if development in Stage 12 is to occur, all numerically preceding stages must be completed or commenced. This does not preclude stages being constructed concurrently.

- (122) The staging is as follows:

Stage 1: 122 lots.

Stage 1A (Large Lot Residential): 8 lots.

Stage 2: 60 lots.

Stage 3: 37 lots.

Stage 4: 77 lots.

Stage 5: 53 lots.

Stage 6: 58 lots.

Stage 7: 138 lots.

Stage 8: 38 lots.

Stage 9: 48 lots.

Stage 10: 84 lots.

Stage 11: 32 lots.

Stage 12: 44 lots.

Lot numbers exclude infrastructure lots and lots to vest as reserve or road. The total residential yield across all stages is 799 lots. The commercial and apartment development

(A1, A2 and C1, C2) are assessed separately in Section 2.2 and is not part of the residential staging sequence.

Advice note: Each stage must include the associated three waters and roading infrastructure. Staging is as shown on the Maven Scheme Plan.

4.1 Residential Stages

4.1.1 Residential Development Controls

- (123) All dwellings and associated buildings constructed on residential lots must comply with the following development controls outlined in Tables DC1 & DC2:

Table DC1 - Terrace Lots

Table DC2 - Duplex, Single and Split-Level Lots

4.1.2 Residential Design Framework Conditions

Residential Design Framework

- (124) All dwellings and associated buildings constructed on the residential lots must be designed and developed generally in accordance with the Design Guidelines XXX, including the three design objectives, and having regard to the residential typology plans and drawings referenced in Appendix [1].
- (125) For the purposes of Condition 96:
- (a) the Design Guidelines XXX establishes the design objectives, criteria and design outcomes applicable to development on the residential lots;
 - (b) the residential typology plans and drawings are representative and demonstrate how the anticipated dwelling typologies can be accommodated on the residential lots. The typology plans do not prescribe or fix the detailed architectural design, floor plan, elevation, materials or architectural treatment of individual dwellings;
 - (c) alternative dwelling designs and variations from the representative typologies are permitted where the proposed dwelling complies with the applicable Development Controls and is certified under Conditions 110–125 as being generally consistent with the applicable objectives and criteria of the Design Guidelines XXX; and
 - (d) the Design Guidelines XXX, residential typology plans, and residential design review and certification requirements in Conditions 107–133 do not apply to the apartment, commercial or mixed-use buildings within C1, C2, A1 and A2. Those buildings must be developed in accordance with the architectural plans and other requirements specifically approved for those buildings under this consent.

Development Controls

- (126) All dwellings and associated buildings constructed on the residential lots must comply with the applicable Development Controls contained in the Design Guidelines XXX and any lot-specific or typology-specific control identified on an approved Development Controls Plan or in Appendix [X].

- (127) The development controls applicable to each residential typology are set out in the table in Condition 94 of this consent.
- (128) Where a lot-specific or typology-specific Development Control is identified on an approved Development Controls Plan or in Appendix [X], that control applies in place of the corresponding general Development Control in the Design Guidelines XXX.

Retaining Walls

- (129) All retaining walls constructed on, or in association with, a residential lot must:
 - (a) be specifically designed by an appropriately qualified and experienced engineer in accordance with accepted engineering practice to provide adequate structural support, including reasonable allowance for surcharge loadings likely to occur during the life of the structure, and incorporate appropriate provision for drainage;
 - (b) not be located within an easement unless the easement expressly provides for, or otherwise relates to, the retaining wall;
 - (c) be designed and located so as not to compromise the stability, access, servicing or development of an adjoining lot; and
 - (d) where visible from a road, JOAL, reserve or other public space, be designed and finished generally in accordance with the applicable criteria of the Design Guidelines.

Residential Design Review and Certification

Establishment of Design Review Panel

- (130) Prior to submission of the first building consent application for a dwelling on a residential lot, the Consent Holder must establish the Brymer Design Review Panel (DRP) to undertake the residential design review process required by Conditions 108–127.
- (131) The DRP must comprise:
 - (a) a suitably qualified and experienced professional urban designer (SQEP Urban Designer), appointed by the Consent Holder, who is responsible for design certification under Condition 116; and
 - (b) any other suitably qualified and experienced persons appointed by the Consent Holder to assist with the review of proposed building and landscape designs.
- (132) Before undertaking any certification under Condition 116, the Consent Holder must provide the Council with the name, qualifications and relevant experience of the SQEP Urban Designer.
- (133) If the SQEP Urban Designer is replaced, the Consent Holder must appoint another suitably qualified and experienced professional urban designer and provide the Council with that person's name, qualifications and relevant experience before that person undertakes any certification under Condition 116.

Purpose and Role of the DRP

- (134) The purpose of the DRP is to review proposed dwelling and associated landscape designs to facilitate built-form outcomes that:
 - (a) comply with the applicable Development Controls; and

- (b) achieve the three design objectives and are generally consistent with the applicable design criteria contained in the Design Guidelines XXX.
- (135) The DRP may provide design advice and recommendations on matters addressed by the Design Guidelines, including building and façade composition, roof form, entrances and public interfaces, external materials and finishes, garage design, landscaping and fencing, pedestrian and vehicle access, and service and utility areas.
- (136) Any advice or recommendation of the DRP must relate to the applicable Development Controls, design objectives and design criteria contained in the Design Guidelines and must not impose or seek to impose any requirement additional to, or inconsistent with, the Development Controls, the Design Guidelines or any other requirement of this consent.
- (137) For the avoidance of doubt, the DRP undertakes the design review and advisory function. Formal certification under these conditions is the responsibility of the SQEP Urban Designer.

Residential Design Review — Information Requirements

- (138) Prior to submission of an application for building consent(s) for a dwelling(s) on a residential lot(s), building and landscape plans for that dwelling must be submitted to the DRP for review and to the SQEP Urban Designer for certification under Condition 116.
- (139) The information submitted must be sufficient to enable the DRP and SQEP Urban Designer to assess the proposed dwelling against the applicable Development Controls, design objectives and design criteria contained in the Design Guidelines, and must include the information below where relevant.

Table — Required Design Review Information

Item	Required information	Minimum content
1	Design Approval Form	Completed Design Approval Form in the form specified in the Design Guidelines XXX.
2	Site plan	Lot boundaries and street name; site coverage calculations; setbacks; existing and proposed levels/contours where relevant; dwelling and garage footprints; outdoor living areas; entrances and paths; vehicle access, driveways and parking; service/utility areas; and other relevant site features.
3	Floor plans	Floor plans sufficient to assess the dwelling against the applicable Development Controls and design criteria.
4	Building elevations	Elevations, including information necessary to demonstrate compliance with applicable height-in-relation-to-boundary controls.

5	Landscape plan	Planting, retaining walls, fencing and proposed paved areas, where applicable.
6	Roof form	Plans or elevations clearly showing the proposed roof form.
7	Materials and finishes	Specifications of proposed external materials, finishes and colours, where applicable.
8	3D imagery	Three-dimensional rendered images, where available.
9	Other Design Guide information	Any other information expressly identified in the Design Guidelines XXX as necessary to assess the proposal against the applicable Development Controls or design criteria.

- (140) All plans and drawings submitted for review must be legible, drawn to an appropriate scale and identify the relevant lot and street. Site and landscape plans must include a north arrow.

Design Review and Resubmission

- (141) Following receipt of the information required by Condition 110, the DRP must review the proposed dwelling against the applicable Development Controls, design objectives and design criteria contained in the Design Guidelines XXX.
- (142) Where the DRP considers that a proposed design does not satisfy a matter necessary for certification under Condition 116, the DRP must identify the relevant Development Control, design objective or design criterion and advise the applicant of the reason why the proposed design does not satisfy that matter.
- (143) The applicant may amend and resubmit the proposed design to the DRP and SQEP Urban Designer for further review and certification.

Certification by SQEP Urban Designer

- (144) Following completion of the DRP review, and prior to submission of an application for building consent for the relevant dwelling, the SQEP Urban Designer must certify in writing that:
- (a) the proposed dwelling complies with the applicable Development Controls; and
 - (b) the proposed dwelling achieves the three design objectives and is generally consistent with the applicable design criteria contained in the Design Guidelines XXX.
- (145) In determining whether to provide certification, the SQEP Urban Designer must:
- (a) have regard to any advice and recommendations arising from the DRP review;
 - (b) assess the proposed dwelling against the applicable Development Controls, design objectives and design criteria contained in the Design Guidelines;
 - (c) recognise that the residential typology plans and drawings contained in the Design Guidelines are representative and do not prescribe the detailed architectural design of individual dwellings; and

- (d) not require any amendment to a proposed dwelling that would impose a requirement additional to, or inconsistent with, the Development Controls, Design Guidelines XXX or any other requirement of this consent.
- (146) A proposed dwelling is not required to comply with every individual discretionary design criterion in the Design Guidelines XXX in order to be certified under Condition 116(b). Where a proposed dwelling departs from an applicable discretionary design criterion, the SQEP Urban Designer may certify the design where satisfied that the departure:
 - (a) is consistent with the relevant design objective or objectives;
 - (b) will achieve an equivalent or better built-form or urban-design outcome; and
 - (c) will not result in non-compliance with an applicable Development Control.
- (147) Where certification is given in reliance on a departure from an applicable discretionary design criterion, the written certification must identify the departure and briefly record the reasons why Condition 120(a)–(c) is satisfied.
- (148) Certification of a departure from a discretionary design criterion applies only to the dwelling for which that certification is issued and does not establish a precedent for the assessment or certification of any other dwelling.
- (149) Certification must not be withheld solely because a proposed dwelling differs from a residential typology plan or drawing contained in the Design Guidelines XXX, provided the requirements for certification in Condition 116 are otherwise satisfied.

Building Consent and Construction

- (150) A copy of the written certification issued by the SQEP Urban Designer under Condition 116 must be provided to the relevant territorial authority at the time the building consent application for the relevant dwelling is lodged.
- (151) Construction of a dwelling must not commence unless:
 - (a) the SQEP Urban Designer has issued the certification required by Condition 116; and
 - (b) all other authorisations required for the commencement of construction, including any required building consent, have been obtained.
- (152) The dwelling must be constructed in general accordance with the plans and information certified by the SQEP Urban Designer.

Changes to a Certified Design

- (153) Where a change is proposed to a dwelling after certification under Condition 116, but before or during construction, the change must be referred to the SQEP Urban Designer where it may affect compliance with an applicable Development Control or consistency with an applicable design objective or design criterion in the Design Guidelines XXX.
- (154) The SQEP Urban Designer may confirm in writing that the change:
 - (a) does not materially affect the basis on which the original certification was issued; or
 - (b) satisfies the requirements for certification under Condition 116.

- (155) Where neither Condition 126(a) nor (b) is satisfied, the amended design must be resubmitted through the design review and certification process in Conditions 112–118 before the relevant change is constructed.

Non-compliance with Development Controls

- (156) Nothing in Conditions 102–125 authorises the DRP or SQEP Urban Designer to approve or certify a dwelling that does not comply with an applicable Development Control.
- (157) Where a proposed dwelling does not comply with an applicable Development Control, any resource consent or other approval required to authorise that non-compliance must be obtained before the SQEP Urban Designer may certify the dwelling under Condition 116.

Records

- (158) The Consent Holder must maintain a record of:
- (a) each written certification issued by the SQEP Urban Designer;
 - (b) the plans and information to which each certification relates;
 - (c) any departure from a discretionary design criterion certified under Condition 116 and the reasons recorded for that departure; and
 - (d) any subsequent design change confirmed or certified under Condition 125.
- (159) The Consent Holder must provide a copy of the records required by Condition 130 to the Council on request for the purposes of monitoring compliance with these conditions.

Relationship with Resource Consent

- (160) Certification by the SQEP Urban Designer under Conditions 116–125:
- (a) does not authorise an infringement of the Development Controls or any other requirement of this resource consent;
 - (b) does not constitute approval of any resource consent, building consent or other statutory approval that may otherwise be required; and
 - (c) does not remove the requirement to obtain any further statutory approval required where a proposed dwelling does not comply with the requirements of this consent.

4.1.3 Stage-Specific Residential Staging Conditions

- (161) The subdivision must be developed in accordance with the staging set out in the Staging Plan submitted with the application.
- (162) Each stage must be developed in general accordance with the plans, drawings and information submitted with the application, including any amendments approved in writing by the Waikato District Council.
- (163) No stage shall commence until all conditions required to be satisfied prior to title issue for any preceding stage have been met, unless otherwise agreed in writing by the Council.

Stage 1

- (164) Stage 1 comprises 122 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.

- (a) Water supply and wastewater servicing for Stage 1 is addressed in Conditions 308 and 321 respectively.
- (b) The roading, reserve and stormwater infrastructure required for Stage 1 is outlined in Part C of the conditions set.

Stage 1A (Rural Residential)

- (165) Stage 1A comprises eight (8) rural residential (lifestyle) lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 2

- (166) Stage 2 comprises 60 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) Water supply and wastewater servicing for Stage 2 is addressed in Conditions 309, 310 and 322 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 3

- (167) Stage 3 comprises 37 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) Water supply and wastewater servicing for Stage 3 is addressed in 309, 310 and 322 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 4

- (168) Stage 4 comprises 77 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) Water supply and wastewater servicing for Stage 4 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 5

- (169) Stage 5 comprises 53 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) Water supply and wastewater servicing for Stage 5 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 6

- (170) Stage 6 comprises 58 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
- (a) Water supply and wastewater servicing for Stage 6 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 7

- (171) Stage 7 comprises 138 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
- (a) Water supply and wastewater servicing for Stage 7 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 8

- (172) Stage 8 comprises 38 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
- (a) Water supply and wastewater servicing for Stage 8 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 9

- (173) Stage 9 comprises 48 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
- (a) Water supply and wastewater servicing for Stage 9 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 10

- (174) Stage 10 comprises 84 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
- (a) Water supply and wastewater servicing for Stage 10 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 11

- (175) Stage 11 comprises 32 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.

- (a) Water supply and wastewater servicing for Stage 11 is addressed in Conditions 312 and 324 respectively.
- (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

Stage 12

- (176) Stage 12 comprises 44 residential lots and must be developed in general accordance with the plans, drawings and information submitted with the application.
 - (a) Water supply and wastewater servicing for Stage 12 is addressed in Conditions 312 and 324 respectively.
 - (b) The roading, reserve and stormwater infrastructure required for Stage 1A is outlined in Part C of the conditions set.

4.2 Stage Development Plan Conditions

Staging and Stage Development Plans

The stage specific infrastructure requirements for each stage are set out in Conditions 103 to 115 and in the stormwater, wastewater and water supply conditions of this consent. Water supply and wastewater staging requirements are addressed in Conditions 226–249.

- (177) BFL must submit to WDC a Stage Development Plan (SDP) for each stage of development for certification prior to commencing works in that stage. Each SDP must:
 - (a) be submitted together with the engineering plans for the corresponding stage;
 - (b) confirm that the stage complies with the staging conditions of the WDC Subdivision Consent (Part C) and is able to be serviced without restricting future development of later stages;
 - (c) identify all works, infrastructure and activities proposed within the stage;
 - (d) confirm sequencing and interface with adjacent stages; and
 - (e) be in general accordance with the plans, drawings and information submitted with the application.
- (178) If the lot numbers on an SDP differ from the approved plans, BFL must submit an updated development control table with the SDP confirming how the revised lot layout and numbering relates to the applicable development controls in the Design Guidelines XXX and the Residential Design Framework conditions of this consent.
- (179) Within twenty (20) working days of receiving an SDP for certification, WDC must notify BFL whether the SDP is certified or, if not, the reasons why and the matters that must be addressed for certification to occur.
- (180) BFL must implement all development in accordance with the certified SDPs.
- (181) Any changes and/or updates to a certified SDP must be made in writing and submitted to WDC for certification. While an SDP is being changed or updated, construction activity in the relevant stage must cease unless WDC provides written confirmation that the activity may continue.

4.3 Commercial and Apartments

4.3.1 Commercial — C1 and C2

Commercial Node Conditions — General (All Commercial Stages)

- (182) The commercial/mixed-use neighbourhood centre must be developed in two commercial stages, being Commercial Stage One and Commercial Stage Two. Each commercial stage must:
- (a) occur sequentially, which does not preclude commercial stages being constructed concurrently;
 - (b) comply with all relevant conditions of this consent, including the general conditions 122 to 129 and the stage specific conditions 132 to 133;
 - (c) be in general accordance with the plans, drawings and information submitted with the application; and
 - (d) be able to be serviced in accordance with the conditions of this consent without restricting the development of later commercial stages.
- (183) Commercial Stage One must be constructed as part of residential Stage 5. The timing of Commercial Stage Two is set out in Condition 153.
- (184) BFL must submit a Stage Development Plan to WDC for certification for each commercial stage, prepared and certified in accordance with the Stage Development Plan conditions of this consent. Each Stage Development Plan for a commercial stage must confirm the buildings, activities, car parking, access, servicing and landscaping proposed within that stage, and the interface with the adjoining residential stages and reserves.
- (185) All buildings and activities on the commercial/mixed-use neighbourhood centre lot(s) must be in general accordance with the application documents submitted with the resource consent application and must include:
- (a) retail, commercial services, food and beverage and/or community facility activities at ground floor level on the road frontage(s);
 - (b) vehicle access locations as shown on the approved site layout plans;
 - (c) pedestrian, cycling and car connectivity and infrastructure to integrate with the surrounding residential streets and open space network; and
 - (d) landscaping and public realm improvements to the street frontage of the commercial/mixed-use lot.
- (186) Other activities in the commercial/mixed-use neighbourhood centre are limited to retail activities, commercial services, food and beverage, healthcare/medical facilities and community facilities as provided for in the relevant zone of the Operative Waikato District Plan.
- (187) All signage on the commercial/mixed-use neighbourhood centre lot(s) must comply with the signage requirements of the Operative Waikato District Plan.
- (188) BFL must engage a SQEP to prepare a Parking Management Plan (PMP) for certification by WDC. The PMP must be submitted to WDC at least twenty (20) working days prior to

construction on the commercial/mixed-use neighbourhood centre commencing, and must be prepared and certified in accordance with the Management Plan certification process set out below. The PMP must address, as a minimum:

- (a) the allocation of specific car parking spaces for any childcare, medical or community facility activities at peak pick-up/drop-off times;
 - (b) time limits on parking spaces to discourage long-term parking near sensitive activities;
 - (c) dedicated staff parking provisions separated from visitor and customer parking;
 - (d) rubbish collection and servicing vehicle access points and operating times, to minimise conflict with pedestrians and vehicles;
 - (e) delineated pedestrian paths and signage within the car parking area to emphasise pedestrian priority and reduce the risk of pedestrian-vehicle conflict;
 - (f) traffic calming measures to maintain a low speed environment within the car parking area; and
 - (g) the process for ongoing review and amendment of the PMP to maintain its effectiveness.
- (189) Prior to occupation of any building in the commercial/mixed-use neighbourhood centre, BFL must complete a post-construction Safe System Audit of all vehicle access points, pedestrian and cycling connections in accordance with the Waka Kotahi NZ Transport Agency Safe System Audit Guidelines (October 2022) and submit to WDC. Any safety concerns identified in the audit must be addressed within timeframes agreed with WDC as road controlling authority.

4.3.2 C1 Commercial and Apartment Development

General Accordance with Approved Plans and Information

- (190) The development of the C1 commercial and apartment units must be undertaken generally in accordance with the relevant plans and information contained in the Approved NineThirty Plans identified in Schedule C1-1, and must correspond with and be read together with the relevant approved engineering, landscape, geotechnical, earthworks and preloading plans and information identified in that Schedule, including:
- (a) Architectural Plans: the approved architectural plans and drawings for C1, including the location and orientation of buildings, building footprints, floor plans, elevations, building heights, façade treatment, roof form, balconies, entrances, commercial and residential areas and associated architectural detailing;
 - (b) Maven Associates Limited Engineering Plans: the approved Maven Associates Limited engineering plans and information, including earthworks and finished levels, stormwater, wastewater and water supply infrastructure, vehicle access and crossings, parking, loading and manoeuvring areas, retaining interfaces, servicing infrastructure and other associated civil engineering works;
 - (c) Barker & Associates Limited Landscape Plans: the approved Barker & Associates Limited landscape plans and information, including planting, communal and private outdoor living areas, pedestrian connections, fencing, retaining interfaces, hard landscaping and the treatment of street, public-space and other landscape interfaces;

- (d) CMW Geosciences Geotechnical Plans and Information: the approved CMW Geosciences geotechnical plans, reports and information, including the specified foundation type and foundation design requirements and the geotechnical design criteria and requirements applicable to earthworks, building platforms, settlement management, retaining structures, slopes and other geotechnical works; and
- (e) Approved Earthworks and Preloading Plans: the approved earthworks and preloading plans and associated information, including:
 - (i) the extent, depth and finished levels of earthworks;
 - (ii) the location, extent, height and configuration of preload and/or surcharge areas;
 - (iii) preload and surcharge sequencing and duration;
 - (iv) settlement monitoring requirements, hold periods and settlement acceptance criteria;
 - (v) building platform locations and levels and associated earthworks interfaces;
 - (vi) the location, extent and general configuration of boundary retaining walls where required;
 - (vii) the relationship of retaining walls to site boundaries, buildings, building platforms, accessways, services, pedestrian routes and landscape areas; and
 - (viii) associated batters, slopes, drainage and other geotechnical or earthworks measures.

Coordination of Approved Plans

- (191) The architectural, engineering, landscape, geotechnical, earthworks, preloading, retaining and servicing plans and information for C1 must be coordinated and must correspond with one another. All detailed architectural, civil engineering, landscape, servicing and retaining design must correspond with and give effect to the approved earthworks and preloading plans and the approved CMW Geosciences requirements, including the approved building platform levels, foundation requirements, preload and settlement requirements and the location and extent of boundary retaining walls where required. Where a boundary retaining wall is identified or required by the approved earthworks, preloading or geotechnical plans and information, that retaining wall must be incorporated into the detailed engineering and landscape design and constructed generally in the location and to the extent established by those approved plans.

Foundations, Preloading and Settlement

- (192) The C1 development must be designed and constructed using the foundation type and foundation design requirements specified in the approved CMW Geosciences plans, reports and recommendations, unless an alternative is otherwise authorised in accordance with the conditions of this consent. Any preload and/or surcharge required for C1 must be placed, maintained, monitored and removed in accordance with the approved earthworks and preloading plans and the requirements and recommendations of CMW Geosciences, including any specified preload or surcharge height and extent, duration, settlement monitoring, hold periods, settlement acceptance criteria and geotechnical verification

requirements. Foundation construction on an affected building platform must not commence until the applicable preload and settlement requirements have been satisfied and a Suitably Qualified and Experienced Geotechnical Professional (SQEP) has confirmed in writing that the relevant building platform is suitable for construction of the approved foundation system.

Three Waters Servicing

- (193) Water supply, wastewater and stormwater infrastructure required to service the C1 development, including the servicing of each commercial and apartment unit, must be designed, approved and constructed in accordance with the approved Maven Associates Limited engineering plans and information, the relevant approved engineering plans identified in Schedule C1-1, and the requirements and engineering approvals of the relevant network utility operator and/or Council. The detailed three waters design must correspond with the approved building layout, finished levels, earthworks, preloading, retaining, access and landscape plans and must not compromise the approved geotechnical, preload or boundary retaining solution.

Detailed Design Refinement

- (194) Detailed architectural, landscape, civil, geotechnical, structural, transport and servicing design may be developed or refined from that shown on the approved plans, provided that:
- (a) the development remains generally in accordance with the plans and information identified in Schedule C1-1;
 - (b) the detailed plans remain coordinated and correspond with the relevant approved plans and information;
 - (c) the approved foundation, earthworks, preloading, settlement and boundary retaining requirements are maintained, unless otherwise authorised in accordance with the conditions of this consent;
 - (d) the approved three waters servicing outcomes are maintained; and
 - (e) any change that may materially alter the scale, intensity, external appearance, access, servicing, earthworks, geotechnical, preloading, retaining, landscape outcome or external environmental effects of the approved C1 development is addressed in accordance with the applicable change or review provisions of this consent.

Transport and Servicing Conditions — C1

- (195) The C1 site must not be occupied until all road, walking, cycling, parking, servicing and other transport infrastructure necessary to serve C1 has been completed and made operational.
- (196) Prior to occupation of C1, a minimum of two recessed truck loading bays shall be provided, designed to accommodate the applicable design vehicle. The loading bays may also accommodate kerbside refuse collection.
- (197) Prior to commencement of commercial activities on C1, a Servicing Management Plan for C1 shall be submitted to the Council for certification. The plan shall identify:
- (a) delivery and collection hours;

- (b) the design vehicle;
 - (c) loading and servicing locations;
 - (d) refuse collection arrangements and bin haul routes; and
 - (e) measures for managing conflicts with pedestrians, customers and residents.
- (198) Visitor cycle parking shall be distributed throughout the C1 development so that it is conveniently located relative to building and tenancy entrances. Secure resident cycle and micro-mobility parking, including charging facilities, shall be provided within C1, with step-free and appropriately lit access from the road and pedestrian network.
- (199) Prior to building consent for C1, the detailed basement access design shall demonstrate compliance with the applicable access gradient, transition and vehicle-crossing separation requirements, or otherwise obtain any necessary resource consent.
- (200) Pedestrian routes crossing vehicle circulation aisles within C1 shall incorporate raised tables, differentiated surfacing or other appropriate measures to establish pedestrian priority.

4.3.3 C2 Commercial and Apartment Development

General Accordance with Approved Plans and Information

- (201) The development of the C2 commercial and apartment units must be undertaken generally in accordance with the relevant plans and information contained in the Approved NineThirty Plans identified in Schedule C2-1, and must correspond with and be read together with the relevant approved engineering, landscape, geotechnical, earthworks and preloading plans and information identified in that Schedule, including:
- (a) Architectural Plans: the approved architectural plans and drawings for C2, including the location and orientation of buildings, building footprints, floor plans, elevations, building heights, façade treatment, roof form, balconies, entrances, commercial and residential areas and associated architectural detailing;
 - (b) Maven Associates Limited Engineering Plans: the approved Maven Associates Limited engineering plans and information, including earthworks and finished levels, stormwater, wastewater and water supply infrastructure, vehicle access and crossings, parking, loading and manoeuvring areas, retaining interfaces, servicing infrastructure and other associated civil engineering works;
 - (c) Barker & Associates Limited Landscape Plans: the approved Barker & Associates Limited landscape plans and information, including planting, communal and private outdoor living areas, pedestrian connections, fencing, retaining interfaces, hard landscaping and the treatment of street, public-space and other landscape interfaces;
 - (d) CMW Geosciences Geotechnical Plans and Information: the approved CMW Geosciences geotechnical plans, reports and information, including the specified foundation type and foundation design requirements and the geotechnical design criteria and requirements applicable to earthworks, building platforms, settlement management, retaining structures, slopes and other geotechnical works; and
 - (e) Approved Earthworks and Preloading Plans: the approved earthworks and preloading plans and associated information, including the approved earthworks and finished

levels, preload and/or surcharge areas, preload sequencing and duration, settlement monitoring and acceptance criteria, building platforms, boundary retaining walls where required, and associated batters, slopes, drainage and geotechnical measures.

Coordination of Approved Plans

- (202) The architectural, engineering, landscape, geotechnical, earthworks, preloading, retaining and servicing plans and information for C2 must be coordinated and must correspond with one another. All detailed architectural, civil engineering, landscape, servicing and retaining design must correspond with and give effect to the approved earthworks and preloading plans and the approved CMW Geosciences requirements, including the approved building platform levels, foundation requirements, preload and settlement requirements and the location and extent of boundary retaining walls where required. Where a boundary retaining wall is identified or required by the approved earthworks, preloading or geotechnical plans and information, that retaining wall must be incorporated into the detailed engineering and landscape design and constructed generally in the location and to the extent established by those approved plans.

Foundations, Preloading and Settlement

- (203) The C2 development must be designed and constructed using the foundation type and foundation design requirements specified in the approved CMW Geosciences plans, reports and recommendations, unless an alternative is otherwise authorised in accordance with the conditions of this consent. Any preload and/or surcharge required for C2 must be placed, maintained, monitored and removed in accordance with the approved earthworks and preloading plans and the requirements and recommendations of CMW Geosciences, including any specified preload or surcharge height and extent, duration, settlement monitoring, hold periods, settlement acceptance criteria and geotechnical verification requirements. Foundation construction on an affected building platform must not commence until the applicable preload and settlement requirements have been satisfied and a Suitably Qualified and Experienced Geotechnical Professional (SQEP) has confirmed in writing that the relevant building platform is suitable for construction of the approved foundation system.

Three Waters Servicing

- (204) Water supply, wastewater and stormwater infrastructure required to service the C2 development, including the servicing of each commercial and apartment unit, must be designed, approved and constructed in accordance with the approved Maven Associates Limited engineering plans and information, the relevant approved engineering plans identified in Schedule XXX, and the requirements and engineering approvals of the relevant network utility operator and/or Council. The detailed three waters design must correspond with the approved building layout, finished levels, earthworks, preloading, retaining, access and landscape plans and must not compromise the approved geotechnical, preload or boundary retaining solution.

Detailed Design Refinement

- (205) Detailed architectural, landscape, civil, geotechnical, structural, transport and servicing design may be developed or refined from that shown on the approved plans, provided that:

- (a) the development remains generally in accordance with the plans and information identified in Schedule C2-1;
- (b) the detailed plans remain coordinated and correspond with the relevant approved plans and information;
- (c) the approved foundation, earthworks, preloading, settlement and boundary retaining requirements are maintained, unless otherwise authorised in accordance with the conditions of this consent;
- (d) the approved three waters servicing outcomes are maintained; and
- (e) any change that may materially alter the scale, intensity, external appearance, access, servicing, earthworks, geotechnical, preloading, retaining, landscape outcome or external environmental effects of the approved C2 development is addressed in accordance with the applicable change or review provisions of this consent.

Transport and Servicing Conditions — C2

- (206) The C2 site must not be occupied until all road, walking, cycling, parking, servicing and other transport infrastructure necessary to serve C2 has been completed and made operational.
- (207) Prior to occupation of C2, a minimum of two recessed truck loading bays shall be provided, designed to accommodate the applicable design vehicle. The loading bays may also accommodate kerbside refuse collection.
- (208) Prior to commencement of commercial activities on C2, a Servicing Management Plan for C2 shall be submitted to the Council for certification. The plan shall identify:
 - (a) delivery and collection hours;
 - (b) the design vehicle;
 - (c) loading and servicing locations;
 - (d) refuse collection arrangements and bin haul routes; and
 - (e) measures for managing conflicts with pedestrians, customers and residents.
- (209) Visitor cycle parking shall be distributed throughout the C2 development so that it is conveniently located relative to building and tenancy entrances.
- (210) Pedestrian routes crossing vehicle circulation aisles within C2 shall incorporate raised tables, differentiated surfacing or other appropriate measures to establish pedestrian priority.

4.3.4 Apartments — A1 and A2

A1 Apartment Development

General Accordance with Approved Plans and Information

- (211) The development of the A1 apartment units (Stage 1) must be undertaken generally in accordance with the relevant plans and information contained in the Approved NineThirty Plans identified in Schedule A1-1, and must correspond with and be read together with the relevant approved engineering, landscape, geotechnical, earthworks and preloading plans and information identified in that Schedule, including:

- (a) Architectural Plans: the approved architectural plans and drawings for A1, including the location and orientation of buildings, building footprints, floor plans, elevations, building heights, façade treatment, roof form, balconies, entrances and associated architectural detailing;
- (b) Maven Associates Limited Engineering Plans: the approved Maven Associates Limited engineering plans and information, including earthworks and finished levels, stormwater, wastewater and water supply infrastructure, vehicle access and crossings, parking and manoeuvring areas, retaining interfaces, servicing infrastructure and other associated civil engineering works;
- (c) Barker & Associates Limited Landscape Plans: the approved Barker & Associates Limited landscape plans and information, including planting, communal and private outdoor living areas, pedestrian connections, fencing, retaining interfaces, hard landscaping and the treatment of street, public-space and other landscape interfaces;
- (d) CMW Geosciences Geotechnical Plans and Information: the approved CMW Geosciences geotechnical plans, reports and information, including the specified foundation type and foundation design requirements and the geotechnical design criteria and requirements applicable to earthworks, building platforms, settlement management, retaining structures, slopes and other geotechnical works; and
- (e) Approved Earthworks and Preloading Plans: the approved earthworks and preloading plans and associated information, including:
 - (i) the extent, depth and finished levels of earthworks;
 - (ii) the location, extent, height and configuration of preload and/or surcharge areas;
 - (iii) preload and surcharge sequencing and duration;
 - (iv) settlement monitoring requirements, hold periods and settlement acceptance criteria;
 - (v) building platform locations and levels and associated earthworks interfaces;
 - (vi) the location, extent and general configuration of boundary retaining walls where required;
 - (vii) the relationship of retaining walls to site boundaries, buildings, building platforms, accessways, services, pedestrian routes and landscape areas; and
 - (viii) associated batters, slopes, drainage and other geotechnical or earthworks measures.

Coordination of Approved Plans

- (212) The architectural, engineering, landscape, geotechnical, earthworks, preloading, retaining and servicing plans and information for A1 must be coordinated and must correspond with one another. All detailed architectural, civil engineering, landscape, servicing and retaining design must correspond with and give effect to the approved earthworks and preloading plans and the approved CMW Geosciences requirements, including the approved building platform levels, foundation requirements, preload and settlement requirements and the location and extent of boundary retaining walls where required. Where a boundary retaining wall is identified or required by the approved earthworks, preloading or

geotechnical plans and information, that retaining wall must be incorporated into the detailed engineering and landscape design and constructed generally in the location and to the extent established by those approved plans.

Foundations, Preloading and Settlement

(213) The A1 development must be designed and constructed using the foundation type and foundation design requirements specified in the approved CMW Geosciences plans, reports and recommendations, unless an alternative is otherwise authorised in accordance with the conditions of this consent. Any preload and/or surcharge required for A1 must be placed, maintained, monitored and removed in accordance with the approved earthworks and preloading plans and the requirements and recommendations of CMW Geosciences, including any specified:

- (a) preload or surcharge height and extent;
- (b) preload duration;
- (c) settlement monitoring;
- (d) hold periods;
- (e) settlement performance or acceptance criteria; and
- (f) geotechnical verification requirements.

Foundation construction on an affected building platform must not commence until the applicable preload and settlement requirements have been satisfied and a Suitably Qualified and Experienced Geotechnical Professional (SQEP) has confirmed in writing that the relevant building platform is suitable for construction of the approved foundation system.

Three Waters Servicing

(214) Water supply, wastewater and stormwater infrastructure required to service the A1 development, including the servicing of each apartment unit, must be designed, approved and constructed in accordance with:

- (a) the approved Maven Associates Limited engineering plans and information;
- (b) the relevant approved engineering plans identified in Schedule A1-1;
- (c) the requirements of the relevant network utility operator and/or Council; and
- (d) any engineering approval required for the relevant three waters infrastructure.

The detailed three waters design must correspond with the approved building layout, finished levels, earthworks, preloading, retaining, access and landscape plans and must not compromise the approved geotechnical, preload or boundary retaining solution.

Detailed Design Refinement

(215) Detailed architectural, landscape, civil, geotechnical, structural, transport and servicing design may be developed or refined from that shown on the approved plans, provided that:

- (a) the development remains generally in accordance with the plans and information identified in Schedule A1-1;

- (b) the detailed plans remain coordinated and correspond with the relevant approved plans and information;
- (c) the approved foundation, earthworks, preloading, settlement and boundary retaining requirements are maintained, unless otherwise authorised in accordance with the conditions of this consent;
- (d) the approved three waters servicing outcomes are maintained; and
- (e) any change that may materially alter the scale, intensity, external appearance, access, servicing, earthworks, geotechnical, preloading, retaining, landscape outcome or external environmental effects of the approved A1 development is addressed in accordance with the applicable change or review provisions of this consent.

Transport and Servicing Conditions — A1

- (216) The A1 site must not be occupied until all road, walking, cycling, parking, servicing and other transport infrastructure necessary to serve A1 has been completed and made operational.
- (217) Prior to occupation of A1, a minimum of two recessed loading bays shall be provided, designed to accommodate the applicable design vehicle.
- (218) Prior to occupation of A1, a Residential Travel Plan shall be prepared and implemented for the A1 apartment development. The Travel Plan shall address:
 - (a) car-share arrangements;
 - (b) ride-share provision;
 - (c) resident and visitor cycle parking;
 - (d) public transport information;
 - (e) EV charging; and
 - (f) monitoring and review.
- (219) Car parking associated with A1 shall, to the extent legally practicable, be managed separately from individual apartment titles so that parking provision can be allocated and managed independently of dwelling ownership.
- (220) Dedicated car-share, ride-share and EV charging spaces identified on the approved plans for A1 shall be:
 - (a) constructed prior to occupation of A1;
 - (b) clearly marked and signposted; and
 - (c) retained for their intended purpose.

They shall not be permanently allocated as exclusive conventional parking spaces associated with individual residential units.
- (221) Visitor cycle parking shall be distributed throughout A1 so that it is conveniently located relative to building entrances. Secure resident cycle and micro-mobility parking, including charging facilities, shall be provided within A1, with step-free and appropriately lit access from the road and pedestrian network.

4.3.5 A2 Apartment Development

General Accordance with Approved Plans and Information

- (222) The development of the A2 apartment units (Stage 2) must be undertaken generally in accordance with the relevant plans and information contained in the Approved NineThirty Plans identified in Schedule A2-1, and must correspond with and be read together with the relevant approved engineering, landscape, geotechnical, earthworks and preloading plans and information identified in that Schedule, including:
- (a) Architectural Plans: the approved architectural plans and drawings for A2, including the location and orientation of buildings, building footprints, floor plans, elevations, building heights, façade treatment, roof form, balconies, entrances and associated architectural detailing;
 - (b) Maven Associates Limited Engineering Plans: the approved Maven Associates Limited engineering plans and information, including earthworks and finished levels, stormwater, wastewater and water supply infrastructure, vehicle access and crossings, parking and manoeuvring areas, retaining interfaces, servicing infrastructure and other associated civil engineering works;
 - (c) Barker & Associates Limited Landscape Plans: the approved Barker & Associates Limited landscape plans and information, including planting, communal and private outdoor living areas, pedestrian connections, fencing, retaining interfaces, hard landscaping and the treatment of street, public-space and other landscape interfaces;
 - (d) CMW Geosciences Geotechnical Plans and Information: the approved CMW Geosciences geotechnical plans, reports and information, including the specified foundation type and foundation design requirements and the geotechnical design criteria and requirements applicable to earthworks, building platforms, settlement management, retaining structures, slopes and other geotechnical works; and
 - (e) Approved Earthworks and Preloading Plans: the approved earthworks and preloading plans and associated information, including the approved earthworks and finished levels, preload and/or surcharge areas, preload sequencing and duration, settlement monitoring and acceptance criteria, building platforms, boundary retaining walls where required, and associated batters, slopes, drainage and geotechnical measures.

Coordination of Approved Plans

- (223) The architectural, engineering, landscape, geotechnical, earthworks, preloading, retaining and servicing plans and information for A2 must be coordinated and must correspond with one another. All detailed architectural, civil engineering, landscape, servicing and retaining design must correspond with and give effect to the approved earthworks and preloading plans and the approved CMW Geosciences requirements, including the approved building platform levels, foundation requirements, preload and settlement requirements and the location and extent of boundary retaining walls where required. Where a boundary retaining wall is identified or required by the approved earthworks, preloading or geotechnical plans and information, that retaining wall must be incorporated into the detailed engineering and landscape design and constructed generally in the location and to the extent established by those approved plans.

Foundations, Preloading and Settlement

- (224) The A2 development must be designed and constructed using the foundation type and foundation design requirements specified in the approved CMW Geosciences plans, reports and recommendations, unless an alternative is otherwise authorised in accordance with the conditions of this consent. Any preload and/or surcharge required for A2 must be placed, maintained, monitored and removed in accordance with the approved earthworks and preloading plans and the requirements and recommendations of CMW Geosciences, including any specified preload or surcharge height and extent, duration, settlement monitoring, hold periods, settlement acceptance criteria and geotechnical verification requirements. Foundation construction on an affected building platform must not commence until the applicable preload and settlement requirements have been satisfied and a Suitably Qualified and Experienced Geotechnical Professional (SQEP) has confirmed in writing that the relevant building platform is suitable for construction of the approved foundation system.

Three Waters Servicing

- (225) Water supply, wastewater and stormwater infrastructure required to service the A2 development, including the servicing of each apartment unit, must be designed, approved and constructed in accordance with the approved Maven Associates Limited engineering plans and information, the relevant approved engineering plans identified in Schedule A2-1, and the requirements and engineering approvals of the relevant network utility operator and/or Council. The detailed three waters design must correspond with the approved building layout, finished levels, earthworks, preloading, retaining, access and landscape plans and must not compromise the approved geotechnical, preload or boundary retaining solution.

Detailed Design Refinement

- (226) Detailed architectural, landscape, civil, geotechnical, structural, transport and servicing design may be developed or refined from that shown on the approved plans, provided that:
- (a) the development remains generally in accordance with the plans and information identified in Schedule A2-1;
 - (b) the detailed plans remain coordinated and correspond with the relevant approved plans and information;
 - (c) the approved foundation, earthworks, preloading, settlement and boundary retaining requirements are maintained, unless otherwise authorised in accordance with the conditions of this consent;
 - (d) the approved three waters servicing outcomes are maintained; and
 - (e) any change that may materially alter the scale, intensity, external appearance, access, servicing, earthworks, geotechnical, preloading, retaining, landscape outcome or external environmental effects of the approved A2 development is addressed in accordance with the applicable change or review provisions of this consent.

Transport and Servicing Conditions — A2

- (227) The A2 site must not be occupied until all road, walking, cycling, parking, servicing and other transport infrastructure necessary to serve A2 has been completed and made operational.
- (228) Prior to occupation of A2, a minimum of one recessed loading bay shall be provided, designed to accommodate the applicable design vehicle.
- (229) Prior to occupation of A2, a Residential Travel Plan shall be prepared and implemented for the A2 apartment development. The Travel Plan shall address:
 - (a) car-share arrangements;
 - (b) ride-share provision;
 - (c) resident and visitor cycle parking;
 - (d) public transport information;
 - (e) EV charging; and
 - (f) monitoring and review.
- (230) Car parking associated with A2 shall, to the extent legally practicable, be managed separately from individual apartment titles so that parking provision can be allocated and managed independently of dwelling ownership.
- (231) Dedicated car-share, ride-share and EV charging spaces identified on the approved plans for A2 shall be:
 - (a) constructed prior to occupation of A2;
 - (b) clearly marked and signposted; and
 - (c) retained for their intended purpose.

They shall not be permanently allocated as exclusive conventional parking spaces associated with individual residential units.

- (232) Visitor cycle parking shall be distributed throughout A2 so that it is conveniently located relative to building entrances. Secure resident cycle and micro-mobility parking, including charging facilities, shall be provided within A2, with step-free and appropriately lit access from the road and pedestrian network.

4.3.6 Affordability

- (233) No less than 5% of the total dwellings constructed on the residential lots within Brymer Farms must be sold as Affordable Dwellings. For the purposes of this condition:
 - (a) an Affordable Dwelling means a dwelling with a sale price that, at the time the dwelling is first offered for sale, is affordable to a household earning the mean household income for the [Hamilton City / relevant territorial authority area], based on mortgage repayments not exceeding 30% of gross household income;
 - (b) the 5% Affordable Dwelling requirement may be delivered progressively across the stages of the development on a pro rata basis. The number of Affordable Dwellings delivered within any individual stage may vary by up to plus or minus 50% of the pro rata requirement for that stage, provided that:

- (c) any shortfall is carried forward and provided for within a subsequent stage; and
- (d) the cumulative Affordable Dwelling requirement in clause (c) is achieved;
- (e) notwithstanding clause (b), on completion of the residential development, the total number of Affordable Dwellings sold must be no less than 5% of the total number of dwellings constructed on the residential lots;
- (f) where calculation of the overall 5% requirement results in a fraction of a dwelling, the required number of Affordable Dwellings must be rounded up to the next whole dwelling;
- (g) commencing from Stage 2, the Consent Holder must maintain a register of dwelling sales sufficient to demonstrate compliance with this condition; and
- (h) within [20] working days following completion of each stage, or otherwise upon written request from the Council, the Consent Holder must provide the Council with a written record identifying:
 - (i) the total number of dwellings completed and sold within that stage;
 - (j) the number of those dwellings sold as Affordable Dwellings;
 - (k) the sale price of each Affordable Dwelling;
 - (l) the mean household income figure and the mortgage assumptions used to determine the applicable affordable sale price;
 - (m) any Affordable Dwelling surplus or shortfall carried forward from the preceding stage; and
 - (n) the cumulative number of Affordable Dwellings sold relative to the cumulative and overall 5% requirement.

5.0 Section 3 — Specialist Conditions

5.1 Geotechnical Conditions

5.1.1 General Earthworks

- (234) All earthworks shall be undertaken in general accordance with the recommendations of the CMW GIR, NZS 4431:2022, applicable Waikato District Council requirements, Waikato RITS, the approved earthworks plans and these conditions, and under the guidance of a suitably qualified Chartered Geotechnical Professional.
- (235) Site-won Hamilton Ash clay/silt may be used as engineered fill where confirmed as suitable by the Chartered Geotechnical Professional. Imported fill shall comprise suitable approved material. Engineered fill shall be placed, moisture-conditioned, compacted, tested and certified in accordance with the earthworks specification and NZS 4431:2022.
- (236) Earthworks shall be managed to minimise remoulding, excessive trafficking and moisture ingress into sensitive natural subgrade soils. Pumping, yielding, uncontrolled fill or other unsuitable materials encountered during the works shall be undercut, removed, improved

or otherwise remediated in accordance with the recommendations of the Chartered Geotechnical Professional.

- (237) Detailed earthworks specifications, testing frequencies and any ground improvement or remediation measures required to satisfy Conditions 157 to 159 shall be confirmed during detailed design and implemented during construction.

5.1.2 Settlement Criteria

Residential Development

- (238) Foundation design for residential development shall have regard to the completed ground conditions and applicable Geotechnical Completion Report required by Conditions 166 to 169. Unless otherwise demonstrated by specific engineering design, foundation design shall limit probable maximum differential settlement to 25 mm over a horizontal distance of 6 m under the applicable serviceability limit state conditions. Where greater settlement is anticipated, the building and foundation system shall be specifically designed to accommodate the predicted settlement without unacceptable damage.

Roads and Gravity Services

- (239) Detailed design of roads, pavements, subgrade improvements and gravity services shall account for settlement resulting from filling, pavement construction, ground improvement and undercut and replacement of unsuitable materials. A maximum ground-surface settlement criterion of 25 mm shall be adopted unless otherwise confirmed by the Chartered Geotechnical Professional. More stringent settlement criteria shall be adopted for gravity services where required to maintain design grades, falls and serviceability.

5.1.3 Preload and Surcharge

- (240) Preloading and surcharge of compressible soils shall be undertaken generally in accordance with the CMW GIR and a detailed preload/surcharge design prepared or approved by a Chartered Geotechnical Professional. The design shall establish the extent, height, sequencing and anticipated duration of preload/surcharge and shall be progressively reviewed against the settlement monitoring required by Conditions 165 to 167.
- (241) Surcharge shall remain in place until monitoring demonstrates that sufficient consolidation has occurred to achieve the applicable post-construction settlement criteria. Surcharge shall not be removed solely on the basis of an estimated surcharge duration. Any reduction in duration through wick drains, increased surcharge loading, lightweight fill, ground improvement or another method shall be supported by specific geotechnical assessment.

5.1.4 Settlement Monitoring

Settlement Monitoring Plan

- (242) Prior to placement of preload or surcharge within an applicable stage or area, a Settlement Monitoring Plan shall be prepared by a Chartered Geotechnical Professional. The plan shall establish the monitoring locations, instrumentation, frequency, trigger criteria and reporting requirements necessary to assess settlement, consolidation and, where applicable, pore-water pressure response. Monitoring shall include settlement plates and, where appropriate, piezometers, extensometers or other suitable instrumentation.

Monitoring and Review

- (243) Monitoring shall be undertaken throughout the preload/surcharge period in accordance with Condition 218. Results shall be periodically reviewed by the Chartered Geotechnical Professional to assess consolidation behaviour, differential settlement and the continuing suitability of the preload design. Where actual performance differs materially from the design assumptions, the preload height, duration, ground improvement or other mitigation shall be reviewed and amended as necessary.
- (244) Surcharge Removal Preload or surcharge shall not be removed until the Chartered Geotechnical Professional has reviewed the monitoring data and confirmed in writing that sufficient consolidation has occurred and the applicable post-construction settlement criteria are expected to be achieved. Any residual settlement or ongoing monitoring requirements shall be recorded in the applicable Geotechnical Completion Report required by Conditions 166 to 169.

5.1.5 Cross-Boundary Effects

- (245) Prior to bulk filling, preloading or surcharge works that could influence adjoining properties, the detailed earthworks design shall be reviewed by a Chartered Geotechnical Professional to confirm that the works will not result in unacceptable settlement, deformation or instability beyond the site boundary. The assessment shall have regard to the CMW GIR and shall consider ground conditions, fill and surcharge heights, setbacks, neighbouring buildings and infrastructure, groundwater and drainage arrangements.
- (246) Where Condition 220 identifies a potential for adverse cross-boundary effects, appropriate monitoring and trigger criteria shall be established prior to commencement of the relevant works. If monitoring identifies movement approaching or exceeding the specified trigger criteria, the affected works shall be reviewed and appropriate mitigation implemented.
- (247) Following completion of the relevant works, the Chartered Geotechnical Professional shall confirm that identified cross-boundary effects have been appropriately managed. Any relevant monitoring results or ongoing requirements shall be incorporated into the applicable Geotechnical Completion Report.

5.1.6 Slope Stability

- (248) Prior to formation of permanent cut and fill slopes, the final slope geometry shall be reviewed by a Chartered Geotechnical Professional having regard to the CMW GIR and detailed earthworks design. Unless otherwise supported by specific geotechnical design, permanent slopes shall not be steeper than:
 - (a) 1V:2H for cut slopes within ridge areas;
 - (b) 1V:4H for cut slopes within low-lying areas; and
 - (c) 1V:3H for fill slopes within ridge areas.
- (249) Slopes proposed to be steeper than the gradients specified in Condition 224 shall be subject to specific geotechnical design and shall incorporate retaining, reinforcement or other stabilisation measures necessary to achieve the applicable stability requirements.
- (250) Temporary and permanent slopes shall be managed during construction to maintain stability. Where weak, saturated or otherwise unsuitable conditions are encountered, the

affected works shall be reviewed by the Chartered Geotechnical Professional and necessary stabilisation or remediation undertaken before works proceed.

- (251) Earthworks and batters adjoining stormwater wetlands shall be specifically assessed at detailed design for slope stability and seismic-induced lateral displacement. Where unacceptable displacement or instability is identified, appropriate mitigation shall be incorporated into the design. Mitigation may include increased setbacks, batter reinforcement, geogrid reinforcement, aggregate buttressing, sheet piling or other specifically engineered measures.

5.1.7 Retaining Walls

Staged Design

- (252) Prior to construction of retaining walls required to support an earthworks stage, detailed design shall be prepared by suitably qualified Chartered Professional Engineer(s), having regard to the CMW GIR. Retaining wall design shall address, as applicable, retained height, foundation and ground conditions, local and global stability, groundwater and drainage, surcharge and seismic loading, services, property boundaries and adjacent buildings and infrastructure.
- (253) Retaining walls shall comply with applicable New Zealand Building Code requirements. Walls exceeding approximately 3 m retained height, or where conventional retaining systems are unsuitable due to ground conditions, loading or location, shall be subject to specific geotechnical and structural design.
- (254) Retaining walls shall incorporate appropriate surface and subsurface drainage to prevent unacceptable hydrostatic pressures and shall not result in uncontrolled discharge or adverse effects on adjoining land, buildings or infrastructure.
- (255) Retaining walls forming part of an earthworks stage shall be constructed in accordance with the approved design and subject to appropriate engineering construction observation. Prior to completion certification for the applicable stage(s), the relevant Chartered Professional Engineer(s) shall provide appropriate completion documentation.

Lot-Specific Retaining Walls

- (256) Notwithstanding Conditions 175 to 178, minor retaining walls located wholly within an individual residential lot and associated with the specific dwelling or landscaping design may be deferred to the relevant building consent stage where they are not required for the stability, servicing or completion of the subdivision earthworks. Such walls shall comply with the applicable Building Act and New Zealand Building Code requirements and shall have regard to the applicable GCR, certified finished levels, ground conditions, drainage, services and adjacent retaining structures.

5.1.8 Acid Sulphate Soils

- (257) Earthworks that encounter or have the potential to encounter acid sulphate soils shall be undertaken in accordance with the approved Acid Sulphate Soil Management Plan (ASSMP) and the relevant recommendations of the CMW GIR.
- (258) Where acid sulphate soil conditions are encountered that differ materially from those anticipated by the ASSMP, the affected works shall be reviewed by a suitably qualified

professional and any additional testing, treatment, handling or disposal requirements implemented.

- (259) Where underground services, pump stations, concrete structures or other permanent infrastructure extend below engineered fill into potentially acid sulphate affected soils or groundwater, potential acidic and sulphate exposure shall be assessed during detailed design and appropriate durability or protection measures incorporated.
- (260) Prior to completion certification for the applicable stage(s), a suitably qualified professional shall confirm that acid sulphate soils encountered during the works have been managed in accordance with the ASSMP.

5.1.9 Trench and Open Drain Backfilling

- (261) Service trenches, former open drains and other excavations beneath road carriageways or within the 45-degree zone of influence of a building foundation or building platform shall be backfilled with suitable site-won or approved imported material and compacted to engineered fill standards. Backfilling, compaction and testing shall be undertaken in accordance with the approved earthworks specification and under the direction of the Chartered Geotechnical Professional. Compliance shall be documented in the applicable GCR required by Conditions 167 to 170.

5.1.10 Road Subgrades

- (262) Following stripping and formation to design subgrade level, road subgrades shall be proof rolled and subject to appropriate penetration resistance and/or CBR testing to verify the parameters adopted for pavement design.
- (263) Areas exhibiting excessive deflection, low strength, uncontrolled fill or otherwise unsuitable subgrade conditions shall be remediated before pavement construction. Remediation may include moisture conditioning and recompaction, undercut and replacement, ground improvement or other measures approved by the Chartered Geotechnical Professional.
- (264) Road formations crossing existing or former waterways shall incorporate any specific ground improvement, drainage or other mitigation identified by the detailed geotechnical and pavement design.
- (265) Prior to pavement construction within the relevant stage or road section, the Chartered Geotechnical Professional shall confirm that the subgrade has been inspected, tested and, where necessary, remediated and is suitable for the proposed pavement design.

5.1.11 Multi-Level Buildings — C1, C2, A1 and A2

Application and Staging

- (266) Conditions 189 to 191 apply independently to each multi-level building within Commercial Blocks C1 and C2 and Apartment Blocks A1 and A2. Compliance for each building may be demonstrated independently and shall not be dependent upon commencement or completion of another multi-level building.

Building Consent Geotechnical Assessment

(267) At the time of building consent application for each multi-level building, a building-specific geotechnical investigation and assessment shall be provided by a Chartered Geotechnical Professional. The assessment shall have regard to the CMW GIR and the applicable GCR prepared under Conditions 167 to 170 and shall confirm, as applicable:

- (a) ground and groundwater conditions;
- (b) bearing capacity and total and differential settlement;
- (c) liquefaction, lateral spread and seismic ground deformation;
- (d) suitability of natural ground and engineered fill;
- (e) additional ground preparation, preload, surcharge or ground improvement requirements;
- (f) foundation systems and founding depths;
- (g) basement excavation, retaining and temporary works requirements;
- (h) groundwater control and waterproofing requirements; and
- (i) potential effects on adjoining buildings, land and infrastructure.

Geotechnical and foundation design shall be undertaken in accordance with the New Zealand Building Code, including Clause B1 Structure and applicable Verification Methods and Acceptable Solutions, AS/NZS 1170, NZS 1170.5, NZS 4431:2022 where engineered fill is relied upon, NZS 3101 where relevant to concrete exposure and durability, and other applicable standards current at the time of building consent.

Building-Specific Ground Preparation and Completion

(268) Prior to foundation construction for each building, the ground beneath and within its zone of influence shall be prepared in accordance with the building-specific geotechnical design required by Condition 243. Ground preparation may include removal or remediation of unsuitable material, undercut and replacement, engineered filling, preload/surcharge, ground improvement, settlement monitoring and groundwater management. Where compressible soils remain beneath the building, the design shall demonstrate how total and differential settlement will be accommodated or mitigated. Where basements or foundations extend into compressible soils or below groundwater, specific design shall address excavation and basal stability, temporary and permanent retention, groundwater pressures and drawdown, settlement, effects on neighbouring land and infrastructure, waterproofing and construction sequencing. Geotechnically significant works shall be subject to appropriate construction observation and testing. Prior to Code Compliance Certification for the relevant building, the Chartered Geotechnical Professional shall provide appropriate completion documentation confirming that the ground preparation and geotechnically significant foundation works have been undertaken in accordance with the building-specific design.

5.2 Certification

Geotechnical

- (269) Monthly earthworks progress reports must be provided to the certifying professional engineer (CPE) for the duration of earthworks activities, and made available to WDC upon request.

Independent Geotechnical Peer Review

- (270) Prior to the commencement of construction for each development stage, BFL must appoint an Independent Chartered Professional Geotechnical Engineer (Peer Reviewer), acceptable to WDC, to undertake an independent review of the geotechnical design, construction methodology and implementation. The Peer Reviewer must be independent of the Project Geotechnical Engineer, contractor and earthworks supervisor, and must have demonstrable experience in the investigation, design and construction of developments involving peat, highly compressible soils and staged preload construction.
- (271) Prior to construction of each development stage, the Peer Reviewer must undertake an independent review of the geotechnical design documentation and provide written confirmation to WDC that the proposed methodology is consistent with accepted geotechnical engineering practice, appropriately manages the identified geotechnical hazards, and is capable of achieving the required long-term performance outcomes for buildings, infrastructure and assets intended to vest in WDC. The review must include, as a minimum:
- (a) the Stage-Specific Geotechnical Design Report;
 - (b) the Geotechnical Effects Management Plan (GEMP);
 - (c) the Geotechnical Works Specification;
 - (d) the Settlement Monitoring Plan;
 - (e) preload and surcharge design;
 - (f) stormwater pond and wetland geotechnical design;
 - (g) retaining wall, foundation and basement design (where applicable);
 - (h) pavement and subgrade recommendations; and
 - (i) any material amendment to the approved geotechnical documentation.
- (272) Throughout construction, BFL must provide the Peer Reviewer with all relevant monitoring and verification information to enable independent assessment of the geotechnical performance of the development. Where the Peer Reviewer determines that the approved design objectives or performance criteria are unlikely to be achieved, remedial measures must be prepared by the Project Geotechnical Engineer, reviewed by the Peer Reviewer and implemented prior to continuation of the relevant works. Monitoring information must include, as applicable:
- (a) settlement monitoring records;
 - (b) groundwater monitoring results;
 - (c) preload and surcharge performance data;
 - (d) earthworks quality assurance testing;
 - (e) geotechnical verification testing;

- (f) construction records;
 - (g) non-conformance reports; and
 - (h) records of corrective actions.
- (273) The following activities must not proceed until the Project Geotechnical Engineer and the Peer Reviewer have jointly confirmed in writing that the relevant geotechnical performance criteria have been achieved:
- (a) removal of preload or surcharge material;
 - (b) commencement of permanent pavement construction;
 - (c) commencement of permanent building construction where settlement criteria are critical;
 - (d) commissioning of stormwater ponds, wetlands and retaining structures;
 - (e) installation of permanent gravity infrastructure where ongoing settlement may affect performance; and
 - (f) completion of geotechnical works for the relevant development stage.
- (274) Any material amendment to the approved geotechnical design, Geotechnical Effects Management Plan, Settlement Monitoring Plan or preload methodology must be certified by the Project Geotechnical Engineer and independently reviewed by the Peer Reviewer prior to implementation. The review must confirm that the amendment will continue to achieve the required performance standards and does not introduce unacceptable residual geotechnical risk.
- (275) Prior to the acceptance of infrastructure intended to vest in WDC, the Peer Reviewer must provide a Peer Review Completion Statement to WDC confirming that:
- (a) the geotechnical works have been completed generally in accordance with the approved design documentation;
 - (b) settlement monitoring demonstrates compliance with the adopted design criteria;
 - (c) residual geotechnical risks have been identified and appropriately managed;
 - (d) the Geotechnical Completion Report accurately reflects the works undertaken;
 - (e) any ongoing monitoring requirements have been identified; and
 - (f) the infrastructure is suitable, from a geotechnical perspective, for its intended design life.
- (276) Where post-construction settlement monitoring is required, the Peer Reviewer must review and endorse the proposed monitoring programme before the relevant infrastructure is accepted by WDC. The monitoring programme must identify:
- (a) monitoring locations;
 - (b) monitoring frequency;
 - (c) trigger levels requiring investigation or remedial action;
 - (d) reporting requirements;

- (e) responsibility for monitoring and reporting; and
- (f) the criteria for completion of the monitoring programme.

Monitoring must continue until the Peer Reviewer confirms that the adopted long-term geotechnical performance criteria have been achieved.

Advice note: Detailed geotechnical construction requirements — covering earthworks, settlement criteria, preload and surcharge, settlement monitoring, cross-boundary effects, slope stability, retaining walls, acid sulphate soils, road subgrades, multi-level buildings, and Geotechnical Completion Reports — are set out in the Geotechnical Conditions at Conditions 158 to 217 of this consent. The Geotechnical Completion Report requirement previously in Condition 108 is superseded by Conditions 266 to 269.

5.3 Landscaping Conditions

Materials, Colour and Reflectivity

- (277) Prior to building construction, a materials and finishes schedule Plan shall be submitted to and approved by Council demonstrating that:
 - (a) Roof cladding has a reflectivity of no more than 40%, wall cladding no more than 60%, and glazing and other reflective façade materials no more than 20%, unless an equivalent low-reflectivity outcome is achieved through façade design.
 - (b) External finishes are generally matte or low-gloss, with no mirror-finish metals or highly reflective roof or wall cladding.
 - (c) Apartment and commercial buildings incorporate variation in massing, façade articulation, roof form, materials and/or colour to reduce apparent bulk.
 - (d) Visible retaining walls use recessive colours and low-reflectivity finishes and, where practicable, retaining walls exceeding 1.5 m in height are softened by planting.

Planting, Wetland and Edge Treatment

- (278) Prior to works commencing within each development stage, a detailed landscape planting plan shall be submitted to and approved by Council. The plan shall:
 - (a) Provide for the early establishment, where practicable, of wetland, riparian, buffer, street tree and boundary planting, with priority given to visually sensitive edges and corridors.
 - (b) Provide robust planting along Brymer Road, Whatawhata Road, State Highway 23, Te Kootiii Park, Derek Heather Park, public parks and recreation and stormwater reserves, and main watercourse corridors.
 - (c) Provide naturalised and sufficiently dense planting to wetlands, stream channels, stormwater reserves and modified watercourses to achieve visual softening and ecological structure.
 - (d) Integrate boundary planting with adjoining landform, paths, swales, reserves and street trees.
 - (e) Specify species, grades, spacing, quantities, planting zones, staging, establishment, maintenance and replacement requirements.

All planting shall be implemented in accordance with the approved plan and maintained and replaced as necessary to ensure successful establishment.

Landform, Retaining and Sloping Lots

- (279) Prior to construction of retaining walls exceeding 1.5 m in height, a detailed retaining and landscape plan shall be submitted to and approved by Council. The plan shall demonstrate that:
- (a) Retaining wall height and length have been minimised through appropriate grading, building levels, stepped forms and/or planted batters, where practicable.
 - (b) Walls exceeding 1.5 m that are prominently visible from public spaces or neighbouring properties are stepped, terraced and/or articulated to avoid large, uninterrupted wall faces.
 - (c) Walls exceeding 3 m are supported by site-specific cross-sections and elevations demonstrating their relationship with buildings, boundaries, roads and adjoining open spaces.
 - (d) Walls exceeding 4 m incorporate multiple tiers, setbacks and substantial planting, unless an alternative treatment achieves an equivalent visual outcome.
 - (e) Visible walls incorporate recessive, low-reflectivity finishes and sufficient planting at the toe, and where practicable the top, to soften their appearance.
 - (f) Fencing above tall retaining walls is visually permeable and/or set back and integrated with planting to minimise combined apparent height.
 - (g) Retaining adjoining wetlands, streams and stormwater reserves is minimised and integrated with naturalised landform and riparian planting.

Approved retaining works and associated planting shall be implemented as part of the relevant development stage, with planting maintained and replaced as necessary to ensure successful establishment.

5.4 Reserve Conditions and Firefighting

5.4.1 Landscaping (Vested Areas)

- (280) Landscaping for all areas to be vested in WDC (including roads, reserves, open spaces and accessways) must be provided in general accordance with landscape plans prepared by a SQEP. The landscape plans must:
- (a) show all planting, including details of intended species, location, plant sizes at time of planting and likely heights at maturity, tree pit specifications, the overall material palette, and the location of street lights and other service access points;
 - (b) ensure that selected species maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the RITS;
 - (c) show slopes within reserves;
 - (d) include planting methodology and eco-sourcing requirements for riparian margins, open space areas and areas adjacent to the Ohote Stream;

- (e) include all hard asset, park furniture and fixtures details;
 - (f) include an annotated pavement plan and related specifications, detailing site levels, materiality and colour of all hard surfacing;
 - (g) include all lighting details within streets and open spaces; and
 - (h) identify existing plants to be retained.
- (281) The landscape plans must be accompanied by a Landscape Maintenance Plan (LandMP), prepared and certified in accordance with the Management Plan certification process (Conditions 21 to 26), setting out management and maintenance measures for both hard and soft landscaping within all public spaces to be vested in WDC.

5.4.2 Firefighting Supply

- (282) The minimum firefighting water supply classification for all residential areas of the Site is FW2, requiring:
- (a) a primary water flow of 12.5 litres/sec within a radial distance of 135m;
 - (b) an additional secondary flow of 12.5 litres/sec within a radial distance of 270m;
 - (c) the required flow to be capable of achievement from a maximum of two hydrants operating simultaneously; and
 - (d) a minimum running pressure of 100 kPa.
- (283) The minimum firefighting water supply classification for the commercial/mixed-use neighbourhood centre area of the Site is FW3. The specific flow and pressure requirements for FW3 must be confirmed with WDC and Fire and Emergency New Zealand (FENZ) prior to detailed design and must be reflected in the engineering plans submitted for approval.

5.4.3 Central Park – Vesting and Development

Vesting of Central Park

- (284) The Consent Holder must vest the central park, comprising approximately [X]m² and shown as Lot [X] on the approved MAVEN plan [MAVEN Ref. XXX], in [Waikato District Council] as recreation reserve / land in lieu of reserve [as applicable]. The Consent Holder is responsible for all costs associated with the survey, formation, development and vesting of the central park. The central park must vest free of interests and encumbrances except for any easements, infrastructure or other interests expressly approved by the Council as part of the detailed design of the park.

Central Park Detailed Design

- (285) Prior to commencement of physical works within the central park, the Consent Holder must submit detailed landscape and engineering plans for the park to the Waikato District Council for certification that they are generally consistent with:
- (a) the approved B&A Landscape Plans [insert drawing references, revision and date];
 - (b) the approved Ecological Plans / Ecological Restoration Plans [insert document and drawing references, revision and date];
 - (c) the approved MAVEN plan [MAVEN Ref. XXX]; and

- (d) the requirements of Conditions [X]–[X].

The detailed plans must include, as a minimum:

- (a) finished landform and levels;
- (b) the alignment, width, surface treatment and construction details of pedestrian and cycle paths;
- (c) wetland extent, profiles and planting;
- (d) specimen tree, shrub, groundcover and other landscape planting;
- (e) grassed and informal recreation areas;
- (f) park furniture;
- (g) signage and wayfinding, where required;
- (h) fencing, bollards and vehicle-control measures, where required;
- (i) drainage and associated infrastructure; and
- (j) maintenance and establishment requirements.

North–South Walking and Cycling Connection

- (286) The Consent Holder must construct a continuous north–south walking and cycling connection through the central park in general accordance with the approved MAVEN plan [MAVEN Ref. XXX] and the approved B&A Landscape Plans. The walking and cycling connection must:
- (a) provide a continuous and legible connection between the northern and southern boundaries of the central park and connect with the adjoining pedestrian and cycle network;
 - (b) be designed and constructed to accommodate shared pedestrian and cycle use;
 - (c) incorporate appropriate gradients, crossfalls, drainage and surface treatment to provide an all-weather route;
 - (d) provide safe and convenient connections to adjoining streets, paths, open spaces and residential areas; and
 - (e) be integrated with the wetland, landscape planting and other recreational functions of the central park.

Wetlands and Ecological Planting

- (287) All wetlands and associated ecological planting within the central park must be established in general accordance with the approved:
- (a) Ecological Plans / Ecological Restoration Plans [insert references]; and
 - (b) B&A Landscape Plans [insert references].

The planting must include the species, plant grades, densities and spatial distribution specified on the approved plans, together with any associated establishment, weed control and maintenance requirements.

All wetland and ecological planting must be undertaken during an appropriate planting season unless otherwise approved by the project ecologist or landscape architect.

Park Landscaping

- (288) Prior to vesting of the central park, the Consent Holder must complete the park landscaping in general accordance with the certified detailed landscape plans required by Condition [X]. The works must include, as applicable:
- (a) formation and grassing of open-space and informal recreation areas;
 - (b) specimen tree planting;
 - (c) shrub, groundcover, riparian, wetland and ecological planting;
 - (d) construction of the north–south walking and cycling connection;
 - (e) connections to adjoining pedestrian and cycle paths;
 - (f) fencing, bollards and vehicle-control measures; and
 - (g) all other landscape works shown on the certified plans.

Park Furniture

- (289) The Consent Holder must provide and install park furniture within the central park in general accordance with the approved B&A Landscape Plans and the detailed landscape plans certified under Condition [X]. Park furniture must include, as applicable:
- (a) seating and benches;
 - (b) picnic tables;
 - (c) rubbish and recycling bins;
 - (d) cycle stands;
 - (e) bollards;
 - (f) wayfinding and park signage; and
 - (g) any other park furniture identified on the approved plans.

All park furniture must be durable, suitable for installation within a public open-space environment and installed in accordance with the manufacturer's specifications and applicable Council requirements.

Practical Completion

- (290) Following completion of the central park works and prior to vesting, the Consent Holder must request a practical completion inspection by the Council. Prior to practical completion being confirmed, the Consent Holder must demonstrate that:
- (a) the park has been constructed and landscaped in general accordance with the certified detailed plans and the conditions of this consent;
 - (b) the north–south walking and cycling connection has been completed and is available for use;
 - (c) all required wetland, ecological and landscape planting has been completed;

- (d) all required park furniture, fencing, bollards and signage has been installed;
- (e) the park is free from construction materials, debris and temporary works, except where required for ongoing landscape establishment;
- (f) all grassed areas have been established to an appropriate standard;
- (g) all paths and other park infrastructure are safe and fit for their intended purpose; and
- (h) as-built plans and other completion documentation reasonably required by the Council have been provided.

Defects Liability and Landscape Establishment Period

(291) The Consent Holder is responsible for the maintenance of all landscaping, ecological planting, paths, park furniture and other assets within the central park for a period of 24 months commencing from the date that practical completion is confirmed by the Council (Defects Liability and Landscape Establishment Period). During this period, the Consent Holder must:

- (a) maintain all planting in a healthy and vigorous condition;
- (b) undertake watering, weed control, pest plant control, mulching, pruning and other maintenance necessary to ensure successful establishment;
- (c) replace any dead, dying, diseased or otherwise unsuccessful plants with plants of the same species and an equivalent grade, unless an alternative is approved by the Council;
- (d) maintain the wetlands and associated ecological planting in accordance with the approved ecological and landscape plans;
- (e) maintain grassed areas and undertake any necessary reinstatement;
- (f) repair any defects in the walking and cycling paths, drainage infrastructure, park furniture, fencing, bollards, signage and other park assets resulting from defective materials or workmanship; and
- (g) keep the park in a safe, tidy and serviceable condition.

Any replacement planting required during the Defects Liability and Landscape Establishment Period must be undertaken during the next appropriate planting season.

Final Inspection and Acceptance

(292) At the conclusion of the 24-month Defects Liability and Landscape Establishment Period, the Consent Holder must request a final inspection of the central park by the Council. Prior to final acceptance, the Consent Holder must:

- (a) rectify any outstanding defects identified during the final inspection;
- (b) replace any dead, dying or unsuccessful planting;
- (c) demonstrate that the wetland and ecological planting has established in general accordance with the approved Ecological Plans and B&A Landscape Plans;
- (d) demonstrate that the north–south walking and cycling connection and all park furniture and other park assets are in a safe and serviceable condition; and

- (e) provide any updated as-built information and maintenance records reasonably required by the Council.

The Consent Holder's obligations under the Defects Liability and Landscape Establishment Period will cease following written confirmation from the Council that the central park assets and landscaping have achieved final acceptance.

5.5 Completion Reports

Geotechnical Completion Reports

GCR Requirement

- (293) Prior to the approval of a building consent for any residential building within each stage, the following must be undertaken and provided to WDC for approval:

Either:

- (a) A Geotechnical/Earthworks Completion Report and accompanying Schedule 2A certification in accordance with the RITS;

OR:

- (b) A Site-Specific Geotechnical Assessment (SSGA) is provided for review by WDC and/or its delegate and accepted by WDC. The SSGA shall include the following:
 - (i) As-built earthworks plans showing final ground platforms and net cut/fill earthworks with respect to ground levels prior to subdivision earthworks.
 - (ii) Plans showing existing and/or proposed retaining walls to be constructed under future building consent(s) for the area covered by the SSGA.
 - (iii) Site-specific testing comprising at least one investigation per proposed dwelling extending a minimum of 3 m below the final building platform level, noting that additional testing may be required to support a building consent application.
 - (iv) In areas of engineered fill placement, certification and relevant testing records demonstrating that compaction meets the criteria set out in the certified Geotechnical Effects Management Plan (GEMP) and earthworks specification.
 - (v) Any development restrictions specific to each lot covered by the SSGA (such as building setbacks, excavation restrictions, or specific engineered design requirements). Where applicable, these shall be clearly presented on a plan accompanying the SSGA.
 - (vi) Where applicable on sloping sites, slope stability analysis demonstrating that slope Factors of Safety meet the minimum requirements adopted in standard industry practice for static/long-term groundwater, elevated groundwater and ULS seismic conditions (for example, FoS of 1.5, 1.3 and 1.0 respectively).

GCR Content

- (294) Each GCR shall be prepared by a Chartered Geotechnical Professional and shall have regard to the CMW GIR and shall, as applicable:
 - (a) describe the earthworks, engineered fill, preload/surcharge, ground improvement and other geotechnically significant works undertaken;

- (b) summarise relevant testing, construction observations and monitoring;
- (c) confirm compliance with the approved geotechnical design and earthworks specifications;
- (d) confirm completed ground conditions and applicable foundation design parameters;
- (e) identify any residual settlement or monitoring requirements;
- (f) identify limitations or requirements applying to future buildings, foundations, retaining walls or earthworks;
- (g) identify lots or development areas requiring further site-specific geotechnical investigation or specific engineering design; and
- (h) identify restrictions or recommendations necessary to ensure future development appropriately addresses identified natural hazards.

Lot and Development Restrictions

- (295) Any lot-specific or area-specific geotechnical restriction identified by a GCR shall clearly identify the affected lot or development area and the further investigation, design, monitoring, ground improvement or certification required. Future building and earthworks design within the affected area shall have regard to those requirements.

Progressive Certification

- (296) Nothing in Conditions 213 to 215 shall require completion of earthworks or preparation of a GCR for the balance of Brymer Farms before building construction commences within an area covered by an applicable GCR. Subsequent GCRs may be prepared progressively as additional stages or areas are completed. Where a geotechnical matter extends across stage boundaries, the GCR shall identify any outstanding works, monitoring or certification required within subsequent stages.

5.6 Infrastructure Agreements and Private Developer Arrangements

- (297) Prior to the issue of the first section 224(c) certificate pursuant to this consent (or equivalent certification under the Fast-track Approvals Act), BFL (Applicant) shall use reasonable endeavours to agree with Waikato District Council (WDC), Hamilton City Council (HCC), IAWAI and, where relevant to the matter being addressed, any other relevant stakeholder (together, the Relevant Stakeholders), a set of terms or agreed framework (Agreed Terms) addressing the matters in Condition 271 that are relevant to the servicing and delivery of the Development. The Agreed Terms may:
 - (a) comprise one or more documents, term sheets, memoranda, agreements or other written arrangements;
 - (b) address different matters with different Relevant Stakeholders;
 - (c) provide for matters to be progressively agreed or implemented having regard to the staging of the Development;
 - (d) identify matters that are to be determined through subsequent detailed design, engineering approval, an PDA, infrastructure delivery agreement or other agreement; and

- (e) be amended, supplemented or replaced by written agreement between the parties relevant to the particular matter.

For the avoidance of doubt, nothing in this condition requires all Relevant Stakeholders to agree to, or be parties to, every component of the Agreed Terms.

Scope of Agreed Terms

(298) The Agreed Terms may address, to the extent relevant:

- (a) land proposed to vest or otherwise be transferred as part of the Development, including its location, size,
- (b) Development contributions, financial contributions, infrastructure contributions and other payments associated with the Development;
- (c) Any offsets, credits, reimbursements, rebates, cost-sharing arrangements or other adjustments associated with land, infrastructure, capacity or other assets provided by the Applicant;
- (d) The timing and manner of payments, credits, offsets, reimbursements or other financial arrangements;
- (e) The respective roles and responsibilities of the Applicant and relevant infrastructure owners, operators, territorial authorities and other Relevant Stakeholders;
- (f) The funding, design, consenting, procurement, construction, commissioning, ownership, operation, maintenance, vesting and/or transfer of infrastructure;
- (g) The staging and timing of infrastructure delivery and its relationship with the staging and occupation of the Development;
- (h) Arrangements relating to the strategic water supply infrastructure, including the reservoir, bulk and trunk water infrastructure, Brymer surface water take and associated infrastructure;
- (i) Arrangements relating to wastewater infrastructure, including interim servicing through the Grandview wastewater network, the Western Interceptor connection, pump stations and associated trunk infrastructure;
- (j) The allocation of costs and benefits associated with infrastructure that provides capacity, resilience or other benefits to land or users beyond the Development;
- (k) Opportunities for third-party, public or infrastructure-provider funding, contributions, reimbursements, credits or cost sharing;
- (l) Appropriate delivery milestones and reporting arrangements;
- (m) Any security reasonably required having regard to the nature, value, timing and risk associated with the obligation being secured;
- (n) Mechanisms for staging, reducing, substituting or releasing security as relevant obligations are performed;
- (o) The form, scope and parties to any subsequent PDA, infrastructure delivery agreement or other agreement;

- (p) Alternative infrastructure solutions or delivery mechanisms that achieve an equivalent or better servicing outcome; and
- (q) Any other matter agreed by the Applicant and the Relevant Stakeholder or Stakeholders relevant to that matter.

Subsequent Agreements

(299) Where the Agreed Terms identify that an PDA, infrastructure delivery agreement or other legally binding agreement is necessary to implement a particular obligation, the Applicant shall enter into that agreement with the relevant party or parties at the time specified in the Agreed Terms. Any such arrangements may comprise:

- (a) a single PDA or infrastructure agreement;
- (b) separate agreements with different Relevant Stakeholders;
- (c) separate water, wastewater, land, funding or infrastructure agreements;
- (d) a principal agreement supplemented by schedules or ancillary agreements; or
- (e) any other contractual structure agreed between the Applicant and the relevant parties.

Nothing in these conditions requires WDC, HCC, IAWAI or any other Relevant Stakeholder to be a party to a particular agreement unless its participation is necessary to implement the matters addressed by that agreement.

Infrastructure Delivery

(300) Any PDA or other agreement entered into under Condition 272 may constitute, incorporate or satisfy any requirement under the water supply or wastewater conditions for an Infrastructure Delivery Agreement where the relevant infrastructure owner or operator agrees that the applicable requirements are adequately addressed. Infrastructure required by these conditions may be delivered through the Applicant, an infrastructure owner or operator, a territorial authority, another developer, a third party, or any combination of those parties, where agreed with the relevant infrastructure owner or operator and provided the servicing outcomes required by these conditions are achieved.

Alternative Solutions

(301) Nothing in Conditions 217–220 prevents the Applicant and the relevant Relevant Stakeholder or Stakeholders from agreeing to an alternative:

- (a) infrastructure design or alignment;
- (b) infrastructure delivery mechanism;
- (c) funding or cost-sharing arrangement
- (d) ownership or vesting arrangement;
- (e) staging or sequencing arrangement;
- (f) security mechanism; or
- (g) servicing solution.

provided that the alternative achieves an equivalent or better servicing outcome and does not materially compromise the safe and efficient operation of the relevant public infrastructure network.

An alternative agreed under this condition shall not require an amendment to these consent conditions unless it materially changes an outcome expressly required by the Fast-track Approval.

Security

(302) Where security is required under the Agreed Terms or a subsequent agreement, its form and value shall be proportionate to the obligation being secured and may include:

- (a) a bond;
- (b) bank guarantee;
- (c) parent company guarantee;
- (d) statutory land charge, caveat or encumbrance
- (e) staged or progressively reducing security; or
- (f) another form of security agreed between the Applicant and the relevant party.

Security may be reduced, substituted or released progressively as the relevant secured obligations are satisfied.

Staged Development

(303) The Agreed Terms and any subsequent agreement may provide for obligations to arise progressively by reference to the relevant stage, infrastructure requirement, servicing demand, delivery milestone or other agreed trigger. The Applicant shall not be required to complete an infrastructure, financial, land transfer or security obligation earlier than the time at which that obligation is required under:

- (a) these consent conditions;
- (b) the Agreed Terms; or
- (c) the relevant subsequent agreement.

For the avoidance of doubt, an obligation relating solely to a later stage of the Development shall not prevent certification of an earlier stage where:

- (a) the earlier stage can be adequately serviced;
- (b) the infrastructure required by these conditions for that stage has been provided;
- (c) any obligation expressly required to be satisfied before certification of that stage has been satisfied; and
- (d) appropriate arrangements are in place for the subsequent delivery of any relevant strategic infrastructure.

Parties and Relevant Stakeholders

(304) The Relevant Stakeholders may include WDC, HCC, IAWAI and any other infrastructure owner, operator, public authority, landowner, developer, funding entity or other stakeholder whose participation is reasonably necessary to address a particular matter.

The involvement of a Relevant Stakeholder shall be limited to those matters relevant to its functions, assets, interests or responsibilities. The identification or involvement of a Relevant Stakeholder in the Agreed Terms does not, of itself, require that stakeholder to become a party to any subsequent PDA or other agreement.

Amendments and Evolution of Arrangements

- (305) The Agreed Terms and any PDA, infrastructure delivery agreement or other agreement may be amended, supplemented, replaced or restructured from time to time by written agreement between the parties relevant to that document or matter without requiring an amendment to these consent conditions, provided that the resulting arrangements continue to achieve the substantive infrastructure and servicing outcomes required by these conditions and the Fast-track Approval. For the avoidance of doubt, amendments may include changes arising from:
- (a) detailed engineering design;
 - (b) changes in infrastructure ownership or operational responsibility;
 - (c) changes in development staging or sequencing;
 - (d) changes in network capacity or demand;
 - (e) alternative infrastructure solutions;
 - (f) third-party infrastructure delivery;
 - (g) changes to funding, contribution, reimbursement or cost-sharing arrangements; or
 - (h) other circumstances agreed between the Applicant and the relevant parties.

5.7 Water Supply Conditions

Water Servicing Strategy

- (306) The Development shall be serviced generally in accordance with the approved Water Supply Servicing Strategy and the MAVEN Water Supply Plans (Revision XXX), unless otherwise agreed in writing by IAWAI. The Applicant may utilise the existing public water supply network for the staged servicing of the Development in accordance with these conditions and any Infrastructure Delivery Agreement entered into with IAWAI.

Stage 1 Water Supply – Up to 118 Residential Lots

- (307) Prior to the issue of a section 224(c) certificate (or equivalent certification under the Fast-track Approvals Act) for Stage 1, the Applicant shall construct all reticulation and water supply infrastructure necessary to service Stage 1, comprising up to 118 residential lots, in accordance with the approved engineering design. The Stage 1 works shall include:
- (a) connection to the existing 150 mm uPVC watermain within Ayrshire Drive;
 - (b) construction of the proposed 180 mm OD watermain through Stage 1 to Road 8;
 - (c) all associated reticulation required to service Stage 1
 - (d) transfer of the existing Harrowgate connections to the new water supply network; and
 - (e) decommissioning of the redundant watermain, generally in accordance with the MAVEN Water Supply Plans (Revision XXX).

Stages 2–3 Water Supply – Up to 215 Residential Lots in Total

- (308) To service Stages 2 and 3, up to a cumulative total of 215 residential lots within the Development, the Applicant shall:
- (a) connect to the existing 200 mm uPVC watermain within Grandview Road;
 - (b) ii. construct a 225 mm OD PE100 watermain along proposed Road 8;
 - (c) connect the 225 mm OD PE100 watermain to the Stage 1 180 mm OD watermain; and
 - (d) construct all associated reticulation necessary to establish a looped water supply network, generally in accordance with the MAVEN Water Supply Plans (Revision XXX).
- (309) Prior to the issue of a section 224(c) certificate (or equivalent certification under the Fast-track Approvals Act) for each of Stages 2 and 3, the Applicant shall construct all reticulation and water supply infrastructure necessary to service the relevant stage in accordance with the approved engineering design. The connections to Ayrshire Drive and Grandview Road may provide the interim potable water supply to the Development pending construction and commissioning of the strategic reservoir and associated infrastructure required by these conditions.

215-Lot Strategic Infrastructure Trigger

- (310) Upon the Development reaching a cumulative total of 215 residential lots, the Applicant shall trigger delivery of the strategic water supply infrastructure comprising:
- (a) a potable water reservoir with a minimum operational storage capacity of 6 megalitres;
 - (b) a 560 mm OD bulk feeder extending from Brymer Road to the proposed reservoir site south of 127 Brymer Road;
 - (c) a 315 mm OD strategic watermain extending through the Development toward State Highway 23;
 - (d) associated valves, telemetry, control systems and ancillary infrastructure; and
 - (e) all other infrastructure reasonably necessary to integrate and commission the reservoir as part of the public water supply network, generally in accordance with the approved Water Supply Servicing Strategy and MAVEN Water Supply Plans (Revision XXX).

For the purposes of this condition, "trigger delivery" means that the Applicant shall commence the design, consenting, procurement and construction programme necessary to deliver the strategic infrastructure in accordance with the Infrastructure Delivery Agreement required by Condition 288.

Stages 4–12 Water Supply

- (311) The balance of the Development, comprising Stages 4 to 12, shall be serviced through the staged extension of the approved water supply network together with delivery of the strategic reservoir and associated infrastructure required by Condition 285. The strategic works shall include the 315 mm OD watermain extending through the Development toward State Highway 23. The watermain shall be capped at State Highway 23 to facilitate a future connection to the wider public water supply network, generally as shown on the

approved Water Supply Servicing Strategy and MAVEN Water Supply Plans (Revision XXX). For the avoidance of doubt, subdivision and development within Stages 4 to 12 may continue to be serviced from the existing public water supply network through the approved staged connections while the strategic reservoir is being delivered, provided that:

- (a) the public water supply network continues to operate within engineering and operational limits acceptable to IAWAI;
- (b) the Applicant continues to comply with the Infrastructure Delivery Agreement required by Condition 288;
- (c) the security required by Condition 289 remains in place; and
- (d) the strategic infrastructure is delivered within the timeframe specified by Condition 287.

Strategic Reservoir – Delivery and Completion

- (312) The Applicant shall design, fund, construct and commission the strategic potable water reservoir and associated strategic water supply infrastructure identified in Condition 285. The reservoir and associated infrastructure shall:
- (a) be designed and constructed in accordance with applicable IAWAI engineering standards and requirements;
 - (b) connect to the public water supply network at Brymer Road in accordance with the approved engineering design;
 - (c) include all works necessary for testing, commissioning and integration into the public water supply network;
 - (d) be vested in IAWAI at no cost to IAWAI; and
 - (e) be fully commissioned, accepted by IAWAI and available for operation no later than ten (10) years after the date the Fast-track Approval comes into effect, unless otherwise agreed in writing by IAWAI.

For the avoidance of doubt, the 215-lot threshold in Condition 283 is the trigger for commencement of the strategic infrastructure delivery programme and does not constitute a prohibition on the construction or certification of residential lots beyond 215 lots, subject to compliance with Conditions 233–236.

Infrastructure Delivery Agreement

- (313) Prior to giving effect to the first subdivision stage, the Applicant and IAWAI shall enter into a legally binding Infrastructure Delivery Agreement providing for the delivery of the strategic reservoir and associated infrastructure required by Conditions 232–234. The Infrastructure Delivery Agreement shall include, as a minimum:
- (a) final design requirements;
 - (b) the location and extent of the strategic works;
 - (c) construction standards;
 - (d) the timing and staging of design, procurement and construction;

- (e) commissioning requirements;
- (f) vesting arrangements;
- (g) ownership of assets during construction;
- (h) operational testing requirements;
- (i) asset transfer procedures;
- (j) allocation of construction, administration and associated costs;
- (k) delivery milestones sufficient to demonstrate reasonable progress toward completion within the ten-year period specified by Condition 287;
- (l) reporting requirements, where reasonably required by IAWAI;
- (m) arrangements relating to the Brymer surface water take; and
- (n) any reasonable operational requirements necessary to protect the integrity and performance of the public water supply network.

The Infrastructure Delivery Agreement may be amended by written agreement between the Applicant and IAWAI without requiring an amendment to these consent conditions, provided that any amendment remains consistent with the outcomes required by these conditions and the Fast-track Approval.

Security for Delivery

- (314) Prior to the Development exceeding 215 residential lots, or such later stage as agreed in writing by IAWAI, the Applicant shall provide financial security acceptable to IAWAI to secure completion of the strategic reservoir and associated infrastructure required by Conditions 232–234. The form and value of the security shall be agreed between the Applicant and IAWAI and may include:
- (a) a bond;
 - (b) a bank guarantee;
 - (c) a parent company guarantee;
 - (d) staged security; or
 - (e) any other equivalent financial security acceptable to IAWAI.

The security shall remain in place until the strategic reservoir and associated infrastructure have been commissioned, accepted and vested in IAWAI, or until otherwise agreed in writing by IAWAI.

Interim Water Supply

- (315) Until the strategic reservoir has been commissioned and integrated into the public water supply network, potable water for the Development may be supplied from the existing reticulated Hamilton water supply network through the approved staged connections, including:
- (a) Ayrshire Drive;
 - (b) Grandview Road; and

- (c) any alternative connection approved in writing by IAWAI.

Continued use of the existing public water supply network shall be subject to the network continuing to operate within engineering and operational limits acceptable to IAWAI.

Brymer Surface Water Take

- (316) The Applicant may continue to exercise the Brymer surface water take resource consent for the purposes of supporting the potable water supply arrangements for the Development until the strategic reservoir has been commissioned and integrated into the public water supply network. Upon commissioning of the strategic reservoir, the Applicant shall transfer to IAWAI, or its nominated successor, all rights, infrastructure and interests necessary to give effect to the Brymer surface water take in accordance with:
 - (a) the relevant resource consent;
 - (b) the Infrastructure Delivery Agreement; and
 - (c) all applicable statutory requirements.

Future Network Security

- (317) The Applicant acknowledges that the strategic reservoir, associated bulk and trunk water infrastructure, and the Brymer surface water take form part of the wider strategic water supply network and are intended to provide benefits extending beyond the Development. Accordingly, the Applicant's obligation is to deliver the strategic infrastructure in accordance with these conditions and the Infrastructure Delivery Agreement, rather than by reference to a fixed maximum dwelling or lot threshold, provided that:
 - (a) the 215-lot delivery trigger in Condition 283 has been complied with;
 - (b) the Applicant continues to meet the delivery milestones contained in the Infrastructure Delivery Agreement;
 - (c) the security required by Condition 289 remains in place;
 - (d) the strategic infrastructure is fully commissioned within the timeframe specified by Condition 287; and
 - (e) the existing public water supply network continues to operate within engineering and operational limits acceptable to IAWAI.

Advice note: The Private Developer Agreement (PDA) is the principal agreement for the Brymer Residential Development, dealing with land to vest, development and financial contributions, payment timing and securities, and infrastructure delivery arrangements with IAWAI (including the delivery and vesting of the reservoir, bulk water infrastructure and strategic wastewater infrastructure). The PDA is required as a condition precedent by Condition 4 of the WDC Day 0 Subdivision Consent (Part C0) and Condition 6 of the WDC Subdivision Consent (Part C).

5.8 Wastewater Conditions

Wastewater Servicing Strategy

- (318) The Development shall be managed in accordance with the approved Wastewater Servicing Strategy, prepared by Maven Associates Limited, and the MAVEN Wastewater

Plans (Revision XXX) (Wastewater Servicing Strategy), unless otherwise agreed in writing by IAWAI. The Applicant shall provide wastewater infrastructure for the Development through a combination of:

- (a) interim connections to the Grandview wastewater network pending completion of the strategic Western Interceptor connection; and
- (b) a long-term strategic connection to the Western Interceptor wastewater network.

Staging of Wastewater Servicing

(319) The Applicant shall provide wastewater infrastructure to service each stage of the Development in a staged manner in accordance with:

- (a) the approved Wastewater Servicing Strategy;
- (b) engineering plans approved under Condition 50; and
- (c) the Infrastructure Delivery Agreement entered with IAWAI under Condition 300.

Stage 1 Wastewater – Up to 118 Residential Lots

(320) Prior to the issue of a section 224(c) certificate (or equivalent certification under the Fast-track Approvals Act) for Stage 1, the Applicant shall construct all wastewater reticulation and infrastructure necessary to service Stage 1, comprising up to 118 residential lots, in accordance with the approved engineering design. The Stage 1 works shall include:

- (a) Wastewater Pump Station A (WWPS A), sized to service the ultimate yield from Stage 1 and provide for future capacity from Stages 2 and 3;
- (b) a 150 mm OD rising main from WWPS A to the Grandview Wastewater Pump Station;
- (c) all associated gravity reticulation;
- (d) connection to the existing Grandview Wastewater Pump Station (SP5098), which shall be upgraded by HCC as a condition of its network extension approval; and
- (e) all ancillary works required to service Stage 1, generally in accordance with the MAVEN Wastewater Plans (Revision XXX).

Stages 2–3 Wastewater – Up to 215 Lots in Total

(321) To service Stages 2 and 3 up to a cumulative total of approximately 215 residential lots, the Applicant shall:

- (a) construct WWPS B, sized to service the ultimate yield from Stages 2 and 3 and designed to connect to the strategic Western Interceptor in lieu of the temporary connection to the Grandview Wastewater Pump Station once the Western Interceptor is commissioned;
- (b) construct a 180 mm OD rising main from WWPS B to the Grandview Wastewater Pump Station (SP5098); and
- (c) construct all associated gravity reticulation for Stages 2 and 3, generally in accordance with the MAVEN Wastewater Plans (Revision XXX).

Strategic Western Interceptor Connection

- (322) Within five (5) years of the date on which the Fast-track Approval comes into effect, the Applicant shall commence construction of a strategic gravity wastewater connection from the Development to the Western Interceptor wastewater main (Western Interceptor connection), unless IAWAI agrees in writing to a later commencement date. The Western Interceptor connection shall:
- (a) be designed and constructed in accordance with applicable IAWAI engineering standards and requirements;
 - (b) comprise a 375 mm OD gravity wastewater main (or equivalent sizing confirmed through detailed hydraulic design in consultation with IAWAI);
 - (c) be capable of servicing the ultimate yield from all stages of the Development;
 - (d) be vested in IAWAI at no cost to IAWAI; and
 - (e) be fully commissioned, accepted by IAWAI and available for operation no later than ten (10) years after the date the Fast-track Approval comes into effect, unless otherwise agreed in writing by IAWAI.

Stages 4–12 Wastewater – Up to Full Development Yield

- (323) The balance of the Development, comprising Stages 4 to 12 and up to the full residential and commercial yield authorised by the Fast-track Approval, shall be serviced through the staged extension of the approved wastewater reticulation network and delivery of the strategic Western Interceptor connection required by Condition 297. The staged extension of the wastewater reticulation shall include, as applicable:
- (a) WWPS D and the associated 225 mm OD rising main to WWPS B, sized to service the ultimate yield from Stages 4 to 12 and to provide for connection to the strategic Western Interceptor; and
 - (b) all associated gravity reticulation for Stages 4 to 12.

Interim Grandview Servicing Arrangement

- (324) Until the strategic Western Interceptor connection is commissioned and operational, the Development may be serviced on an interim basis through the interim Grandview wastewater connection comprising:
- (a) WWPS A and the 150 mm OD rising main between WWPS A and the Grandview Wastewater Pump Station;
 - (b) the 180 mm OD rising main between WWPS B and the Grandview Wastewater Pump Station;
 - (c) the upgraded Grandview Wastewater Pump Station (SP5098), including the additional buffer storage;
 - (d) the existing public wastewater network; and
 - (e) any subsequent staged wastewater infrastructure approved through the engineering design process.

Development may continue to be staged using the interim Grandview servicing arrangement where:

- (a) the relevant stage is capable of being adequately serviced in accordance with the approved engineering design;
- (b) the receiving public wastewater network has sufficient available capacity;
- (c) the required emergency and/or flow attenuation storage has been provided;
- (d) the Applicant continues to comply with the Infrastructure Delivery Agreement; and
- (e) the Applicant continues to progress delivery of the strategic Western Interceptor connection in accordance with Conditions 243 and 244.

Once the strategic Western Interceptor connection is commissioned and operational, and the interim connection to the Grandview Wastewater Pump Station is no longer required for the approved wastewater servicing solution, the Applicant shall decommission the interim Grandview connection in accordance with the approved engineering design and applicable IAWAI requirements.

Infrastructure Delivery Agreement

- (325) Prior to giving effect to the first subdivision stage, the Applicant and IAWAI shall enter into a legally binding Infrastructure Delivery Agreement providing for the staged delivery of the wastewater infrastructure required by these conditions, including the strategic Western Interceptor connection. The Infrastructure Delivery Agreement shall include, as a minimum:
- (a) final design requirements;
 - (b) the location and extent of the strategic wastewater works;
 - (c) construction standards;
 - (d) the timing and staging of design, consenting, procurement and construction;
 - (e) commissioning requirements;
 - (f) vesting arrangements;
 - (g) ownership of assets during construction;
 - (h) operational testing requirements;
 - (i) asset transfer procedures;
 - (j) allocation of construction, administration and associated costs, where applicable;
 - (k) delivery milestones sufficient to demonstrate reasonable progress toward commencement of construction of the strategic Western Interceptor connection within the five-year period specified by Condition 297 and its subsequent completion and commissioning
 - (l) requirements relating to the staged construction, upgrade and commissioning of WWPS A, WWPS B and WWPS D;
 - (m) requirements relating to the interim use and ultimate decommissioning of the Grandview wastewater connection;
 - (n) reporting requirements, where reasonably required by IAWAI;
 - (o) the timing, form and value of the security required by Condition 301; and

- (p) any reasonable operational requirements necessary to protect the integrity and performance of the public wastewater network.

The Infrastructure Delivery Agreement may be amended by written agreement between the Applicant and IAWAI without requiring an amendment to these consent conditions, provided that any amendment remains consistent with the outcomes required by these conditions and the Fast-track Approval.

Security for Delivery

- (326) By the date specified in the Infrastructure Delivery Agreement, the Applicant shall provide security acceptable to IAWAI to secure delivery of the strategic wastewater infrastructure required by Conditions 243 to 245. The form and value of the security shall be agreed between the Applicant and IAWAI and may include:
 - (a) a bond;
 - (b) a bank guarantee;
 - (c) a parent company guarantee;
 - (d) staged security; or
 - (e) any other equivalent financial security acceptable to IAWAI.

The security may be staged, reduced or released as components of the strategic wastewater infrastructure are completed, commissioned and vested in IAWAI in accordance with the Infrastructure Delivery Agreement.

Network Capacity and Monitoring

- (327) Where reasonably required by IAWAI, the Applicant shall undertake wastewater network monitoring and provide the results to IAWAI to demonstrate that wastewater discharges from the Development remain within the design assumptions adopted by the approved Wastewater Servicing Strategy and that the receiving public wastewater network continues to operate within acceptable engineering and operational limits. Any monitoring programme required under this condition shall:
 - (a) be proportionate to the scale and effects of the Development;
 - (b) have regard to the staging and rate of development;
 - (c) be undertaken in accordance with a methodology reasonably agreed with IAWAI; and
 - (d) may be amended by written agreement between the Applicant and IAWAI without requiring an amendment to these consent conditions.

Development Staging and Future Network Security

- (328) The Applicant acknowledges that the strategic wastewater infrastructure forms part of the wider public wastewater network and is intended to provide a long-term wastewater servicing solution that may provide benefits extending beyond the Development. Accordingly, the Applicant's obligation is to deliver the strategic wastewater infrastructure in accordance with these conditions and the Infrastructure Delivery Agreement rather than by reference to a fixed maximum dwelling or lot threshold. Development may continue to be staged pending completion of the strategic Western Interceptor connection where:

- (a) the relevant stage is capable of being adequately serviced in accordance with the approved engineering design;
- (b) the receiving public wastewater network continues to have sufficient available capacity;
- (c) construction of the strategic Western Interceptor connection has commenced within the timeframe required by Condition 297;
- (d) the Applicant continues to comply with the applicable delivery milestones contained in the Infrastructure Delivery Agreement;
- (e) any security required by Condition 301 remains in place; and
- (f) the public wastewater network continues to operate within acceptable engineering and operational limits.

For the avoidance of doubt:

- (a) the cumulative total of approximately 215 residential lots identified for Stages 1 to 5 describes the anticipated staging and interim servicing arrangement and does not, of itself, constitute a fixed maximum development threshold;
- (b) the existence of undeveloped or unused development capacity authorised by the Fast-track Approval shall not, of itself, require earlier completion of the strategic wastewater infrastructure; and
- (c) the strategic Western Interceptor connection is nevertheless required to commence within the five-year period specified by Condition 297, irrespective of whether the Development has reached 215 residential lots, unless otherwise agreed in writing by IAWAI in accordance with that condition.

Adaptive Strategic Wastewater Solution

- (329) Notwithstanding Conditions 238 to 248, the strategic wastewater infrastructure required by these conditions may comprise an alternative combination of gravity wastewater mains, rising mains, wastewater pump stations, storage or flow attenuation facilities, conveyance infrastructure, treatment upgrades, or other wastewater servicing infrastructure or solutions agreed in writing between the Applicant and IAWAI. Any alternative solution agreed under this condition shall:
- (a) achieve an equivalent or better level of service and network performance than the strategic solution contemplated by the approved Wastewater Servicing Strategy;
 - (b) be capable of adequately servicing the Development;
 - (c) maintain the integrity and performance of the public wastewater network;
 - (d) satisfy applicable IAWAI engineering standards and requirements; and
 - (e) be incorporated into the Infrastructure Delivery Agreement where relevant.

An alternative strategic wastewater solution agreed in writing under this condition shall not require an amendment to these consent conditions.

5.9 Ecological Conditions

Plan and Document References

Where these conditions refer to an approved plan, drawing, management plan or other technical document, the relevant plan or document reference may be inserted once the final consent documentation has been prepared.

Unless otherwise specified, references should be expressed in the following form: [insert plan/document title, drawing number, revision and date].

Final plan and document references may be inserted into these conditions prior to certification or issue of the consent without altering the substantive requirements of the conditions.

Ecological Management Plan

- (330) Prior to commencement of earthworks within 100 m of any retained natural inland wetland, the Consent Holder shall submit an Ecological Management Plan (EcolMP) to the relevant consent authority for certification. The EcolMP shall be prepared by a suitably qualified and experienced ecologist and shall be generally consistent with the ecological outcomes and mitigation measures identified in the Assessment of Ecological Effects. The EcolMP shall include, as a minimum:
- (a) the confirmed boundaries of all natural inland wetlands to be retained, enhanced, restored, created or otherwise protected;
 - (b) plans identifying wetland protection areas, ecological buffers, wetland enhancement and restoration areas, wetland creation areas and their relationship with stormwater treatment and attenuation devices [insert relevant plan reference];
 - (c) a programme demonstrating how all wetland offset creation and natural wetland enhancement and restoration works required by these conditions will be undertaken as part of Stage 1 of the development;
 - (d) construction methodologies for works occurring within 100 m of retained natural inland wetlands;
 - (e) measures to maintain wetland surface-water and groundwater hydrology;
 - (f) erosion and sediment control measures specific to wetlands and their contributing catchments;
 - (g) wetland and ecological buffer planting specifications;
 - (h) weed and animal pest control requirements;
 - (i) plant establishment, maintenance and replacement requirements;
 - (j) the Wetland Defects Liability and Maintenance Period;
 - (k) ecological monitoring, performance standards, reporting and remedial actions; and
 - (l) mechanisms for the long-term physical and legal protection of created, enhanced and restored wetlands and their associated ecological buffers.

Identification of Wetlands and Ecological Protection Areas

- (331) Prior to commencement of earthworks within 100 m of a retained natural inland wetland, the wetland boundary shall be confirmed on the ground by a suitably qualified and experienced wetland ecologist. The confirmed wetland boundaries shall be generally consistent with the natural inland wetlands identified in EcolMP, subject to any refinement resulting from detailed survey or ecological verification. The confirmed wetland boundary and associated ecological protection areas shall be:
- (a) shown on the relevant detailed design and construction plans [insert plan reference];
 - (b) clearly demarcated on site prior to commencement of adjacent works; and
 - (c) communicated to contractors working in the vicinity of the wetland.

Wetland Ecological Buffers

- (332) An average 10 m wide planted ecological buffer shall be established around:
- (a) the wetland creation area identified in the EcolMP; and
 - (b) the retained natural inland wetlands subject to enhancement and restoration identified on EcolMP.

The buffer shall be additional to the area of wetland habitat itself.

The final configuration of the ecological buffers shall be shown on the certified EcolMP and/or Landscape Plan.

Stage 1 Wetland Offset and Enhancement Delivery

- (333) All physical works necessary to establish the wetland offset package, including the creation of new wetland habitat and the enhancement and restoration of retained natural inland wetlands, shall be undertaken as part of Stage 1 of the development. The location and extent of the Stage 1 wetland offset and enhancement works shall be generally in accordance with WOMP. The Stage 1 works shall include, as a minimum:
- (a) formation and earthworks for the minimum 0.76 ha created wetland;
 - (b) establishment of the hydrological regime required to support the created wetland;
 - (c) enhancement and restoration of approximately 1.197 ha of retained natural inland wetland;
 - (d) initial indigenous planting of the created and retained natural wetlands;
 - (e) establishment and initial planting of the required ecological buffers;
 - (f) installation of permanent stock-exclusion or protective fencing where required;
 - (g) initial weed and animal pest control;
 - (h) establishment of ecological connections with adjoining riparian and indigenous planting where required by [insert relevant plan reference]; and
 - (i) commencement of the legal protection process required by these conditions.

Wetland Offset Creation

- (334) As part of Stage 1, the Consent Holder shall create not less than 0.76 ha of new wetland habitat generally within the wetland creation area shown on [insert final wetland creation

plan reference]. The detailed design of the created wetland shall be shown on WOMP and shall:

- (a) establish suitable wetland hydrology;
- (b) provide a range of hydrological conditions and wetland habitat types;
- (c) include areas subject to periodic and/or semi-permanent inundation;
- (d) establish hydrological conditions capable of sustaining wetland-adapted indigenous vegetation;
- (e) incorporate suitable variation in water depth and microtopography;
- (f) be planted with indigenous vegetation communities appropriate to the hydrological conditions present; and
- (g) integrate with surrounding riparian, ecological buffer and other indigenous planting.

The EclA proposes 0.76 ha of wetland creation and identifies recontouring, connection with the water table and a range of inundation conditions as components of its establishment.

Stage 1 Enhancement and Restoration of Existing Natural Inland Wetlands

- (335) As part of Stage 1 of the development, the Consent Holder shall undertake and complete the initial enhancement and restoration works for all retained natural inland wetlands identified for enhancement and restoration on WOMP, comprising approximately 1.197 ha of existing wetland habitat. The Stage 1 natural wetland enhancement and restoration works shall include, as appropriate:
- (a) retirement of the wetlands and associated ecological buffers from incompatible land uses;
 - (b) exclusion of livestock;
 - (c) indigenous enrichment planting within the existing wetlands;
 - (d) progressive suppression and replacement of undesirable exotic vegetation;
 - (e) weed control;
 - (f) animal pest control;
 - (g) establishment and initial planting of ecological buffers;
 - (h) fencing and other physical protection measures where required;
 - (i) management of wetland margins to improve habitat structure and ecological function; and
 - (j) enhancement of ecological connectivity between retained natural wetlands, streams, the created wetland and other indigenous vegetation.

Wetland and Ecological Buffer Planting

- (336) Wetland and ecological buffer planting shall be undertaken generally in accordance with EcolMP & WOPM. The final planting schedule may be refined through detailed design provided that the ecological objectives and performance requirements of these conditions continue to be achieved. Planting shall comprise indigenous species suited to the

hydrological and soil conditions of the relevant planting zone. Species shall be selected having regard to:

- (a) local ecological appropriateness;
- (b) anticipated inundation and soil-moisture conditions;
- (c) ecological function;
- (d) habitat and connectivity objectives;
- (e) plant establishment and resilience; and
- (f) plant availability.

Indicative Ecological Plant Palette

- (337) The detailed species schedule shall be provided in [insert final Landscape Plan / Ecological Planting Plan reference]. Species identified in the EclA that may be considered include *Carex virgata*, *Carex secta*, *Juncus edgariae*, tī kōuka/cabbage tree, toetoe, karamū, mānuka, kānuka, māhoe, kōhūhū, māpou, kahikatea, mataī, tītoki and pukatea.

The above species are indicative only and do not constitute a mandatory or exhaustive planting schedule.

The final species mix, densities and distribution may be refined through detailed design having regard to site-specific hydrology, inundation frequency, soil conditions, ecological function, landscape requirements and plant availability.

Stormwater Treatment and Attenuation Device Planting

- (338) Stormwater treatment wetlands, attenuation devices, raingardens, swales and other planted stormwater devices shall be planted generally in accordance with [insert final Stormwater Management Plan / Landscape Plan reference]. The final species selection and planting arrangement may be refined through detailed design having regard to:

- (a) hydraulic and stormwater treatment requirements;
- (b) frequency and duration of inundation;
- (c) soil and substrate conditions;
- (d) maintenance and operational requirements;
- (e) sediment accumulation;
- (f) ecological connectivity; and
- (g) long-term plant establishment and resilience.

Species identified in the EclA or other ecological planting schedules may be used where appropriate.

For the avoidance of doubt, no individual species or complete species suite shall be mandatory for every stormwater treatment or attenuation device.

Wetland Defects Liability and Maintenance Period

- (339) The created wetland, enhanced and restored natural inland wetlands, associated ecological buffers and ecological planting forming part of the wetland offset package shall

be subject to a minimum five-year Wetland Defects Liability and Maintenance Period. The Wetland Defects Liability and Maintenance Period shall commence following certification by a suitably qualified and experienced ecologist that the Stage 1 wetland creation and natural wetland enhancement works required by these conditions have been completed. During this period, the Consent Holder shall remain responsible for plant replacement, infill planting, weed and animal pest control, fencing, erosion and sediment remediation, maintenance of appropriate wetland hydrology and any other remedial measures required to achieve the ecological outcomes specified by these conditions. At the end of the five-year period, the project ecologist shall certify whether the created and enhanced natural wetlands are appropriately established and on a trajectory toward the Year-15 ecological outcome. Where the required outcomes have not been achieved, the defects liability and maintenance obligations shall continue for the affected area until the relevant defects have been remedied. The EclA requires maintenance, weed control and animal pest control for a minimum of five years and requires the wetland areas to be on a trajectory toward the anticipated Year-15 net-positive outcome.

Long-Term Protection

- (340) The created wetland enhanced and restored natural inland wetlands and associated ecological buffers shown on [insert final covenant/protection plan reference] shall be legally and physically protected in perpetuity. The final areas subject to legal protection shall be confirmed following detailed design and survey.

Stage 1 Wetland Offset and Enhancement Completion Report

- (341) Prior to completion of Stage 1, the Consent Holder shall provide a Wetland Offset and Enhancement Establishment Report prepared by a suitably qualified and experienced ecologist. The report shall confirm:
- (a) establishment of the minimum 0.76 ha created wetland;
 - (b) completion of the initial enhancement and restoration works for approximately 1.197 ha of retained natural inland wetland;
 - (c) establishment of the required ecological buffers;
 - (d) completion of the initial wetland and buffer planting;
 - (e) installation of fencing and other physical protection measures;
 - (f) establishment of hydrological conditions capable of supporting the intended created wetland;
 - (g) commencement of the Wetland Defects Liability and Maintenance Period;
 - (h) the outstanding maintenance, monitoring and remedial obligations; and
 - (i) compliance with the relevant certified plans [insert final plan references].

Completion of Stage 1 shall not constitute completion of the wetland offset and enhancement obligations. Those obligations shall continue through the Wetland Defects Liability and Maintenance Period, subsequent ecological monitoring, the Year-15 ecological performance requirements and protection in perpetuity.

5.10 Transport Conditions

Advice note: Transport conditions specific to Commercial Sites C1 and C2 and Apartment Sites A1 and A2 (Part F of the ITA conditions) are integrated into the Stage 5 site-specific conditions in Section 2.

5.10.1 Part A — General Transport Conditions

A1 Approved Transport Framework

- (342) The subdivision and development of the site shall be undertaken generally in accordance with the transport network, access arrangements, road hierarchy and staging identified in the approved Brymer Farms Masterplan and supporting Integrated Transport Assessment, except where modified by these conditions or through subsequent detailed engineering approval.

A2 Stage-specific transport infrastructure

- (343) Prior to certification under section 224(c) of the Resource Management Act 1991 for any subdivision stage, the Consent Holder shall demonstrate to the relevant Council that all transport infrastructure necessary to serve that stage has been:

- (a) constructed and made operational; or
- (b) secured for completion prior to occupation where expressly provided for by these conditions.

The infrastructure shall include, where relevant:

- (a) vehicle access;
- (b) internal roads;
- (c) intersection works;
- (d) footpaths;
- (e) cycleways and shared paths;
- (f) street lighting;
- (g) bus infrastructure;
- (h) emergency access and turning facilities; and
- (i) connections to transport infrastructure constructed as part of preceding stages.

A3 Detailed engineering design

- (344) Prior to construction of transport infrastructure within each stage, detailed engineering plans shall be submitted to and approved by the relevant road controlling authority. The plans shall demonstrate compliance, where applicable, with:

- (a) the approved consent plans;
- (b) applicable District Plan road formation requirements;
- (c) Regional Infrastructure Technical Specifications (RITS);
- (d) applicable NZ Transport Agency Waka Kotahi requirements; and

- (e) relevant Austroads and other accepted transport design guidance.

A4 Safe System audits

- (345) Safe System audits shall be undertaken for transport infrastructure appropriate to the scale and nature of the works:
- (a) prior to construction following completion of detailed design;
 - (b) during construction where appropriate; and
 - (c) following completion and prior to opening the relevant infrastructure to general traffic.

The Consent Holder shall provide the audit findings and an associated response schedule to the relevant road controlling authority. Where an audit recommendation is not adopted, the response schedule shall record the reasons for that decision.

5.10.2 Part B — Early Development

B1 Stage 1A — Obrien Road

- (346) Vehicular access from Obrien Road shall be limited to the eight detached residential dwellings forming Stage 1A. No through-vehicle connection shall be established from the Stage 1A Obrien Road access to the balance of the Brymer Farms development.

B2 Harrowgate Place development

- (347) Vehicular access through Harrowgate Place shall serve no more than 118 detached residential dwellings. There shall be no through-vehicle connection between the Harrowgate Place catchment and the balance of the Brymer Farms development. Pedestrian and cycle connections may be provided where shown on the approved plans.

B3 Early-stage walking and cycling infrastructure

- (348) Footpaths and cycle facilities forming part of Stages 1A, 1 and other early stages shall be constructed progressively with the stage within which those facilities are located. Connections to existing adjoining pedestrian and cycling networks shall be completed when the stage adjoining that connection is developed and shall not be deferred until completion of the wider Brymer Farms development.

PART C — GRANDVIEW ROAD DEVELOPMENT PHASE

C1 Grandview Road access

- (349) The Grandview Road connection may provide vehicular access to development within Brymer Farms subject to Condition C2.

C2 Grandview Road dwelling limit

- (350) No more than 200 residential dwellings within the Brymer Farms development shall be occupied while relying on Grandview Road as the principal vehicle connection between the integrated Brymer Farms road network and the surrounding road network. For the avoidance of doubt, this limit excludes:
- (a) the eight Stage 1A dwellings solely accessing Obrien Road; and
 - (b) the 118 dwellings solely accessing Harrowgate Place,

- (c) provided those areas remain physically separated from the integrated Brymer Farms vehicle network.

Grandview Road Connection

- (351) Prior to the occupation of any dwelling or commencement of any activity within a development stage that is reliant on Grandview Road for its primary vehicle access, the consent holder shall complete the Brymer Farms connection to Grandview Road, including all associated intersection, carriageway, pedestrian, cycling, lighting, signage, marking and safety works shown on the approved engineering plans.
- (352) The Grandview Road connection shall be designed and constructed to the satisfaction of the relevant road controlling authority and shall be operational before occupation of the development that it is required to serve.

Monitoring of Grandview Road Effects

- (353) Following opening of the Grandview Road connection, the consent holder shall undertake traffic monitoring to confirm the actual traffic generation, and distribution associated with Brymer Farms against the assumptions and forecasts contained in the ITA and WRTM modelling.
- (354) Unless otherwise agreed in writing by the relevant road controlling authority, monitoring shall comprise:
 - (a) seven-day automatic traffic counts on Grandview Road in the vicinity of the Brymer Farms connection;
 - (b) AM and PM peak-period turning movement surveys at:
 - (i) the Brymer Farms / Grandview Road connection; and
 - (ii) the Brymer Road / Grandview Road / Newcastle Road intersection;
 - (c) a review of recorded crashes and any identified operational or safety issues affecting Grandview Road and the above intersections; and
 - (d) comparison of the observed traffic volumes, turning movements and distribution with the corresponding development scenario assessed in the ITA and WRTM modelling.
- (355) Monitoring shall be undertaken:
 - (a) within three months following occupation of the 100th dwelling reliant on the Grandview Road connection;
 - (b) prior to occupation of the 150th dwelling reliant on the Grandview Road connection; and
 - (c) at such additional intervals as may be agreed with the relevant road controlling authority until the permanent SH23 connection is operational.

Early Infrastructure Review Trigger

- (356) Following each monitoring survey required by Condition 5, a suitably qualified and experienced transportation engineer shall prepare a Transport Monitoring Report and provide it to the relevant road controlling authority.
- (357) The report shall determine whether:

- (a) actual development-generated peak-hour traffic or traffic using Grandview Road is materially greater than that predicted for the equivalent development stage in the ITA/WRTM modelling;
 - (b) development traffic has resulted in a material change in the distribution of traffic through Grandview Road, Brymer Road, Newcastle Road or the adjoining residential road network compared with that anticipated in the ITA;
 - (c) the operation of the Brymer Farms / Grandview Road connection or Brymer Road / Grandview Road / Newcastle Road intersection is materially worse than assessed in the ITA; or
 - (d) an identifiable safety effect has arisen that is attributable to traffic generated by Brymer Farms.
- (358) Where the Transport Monitoring Report identifies any of the matters in Condition 6, the consent holder shall, in consultation with the relevant road controlling authority, determine whether additional mitigation or the earlier delivery of the permanent SH23 connection is required.
- (359) Where the relevant road controlling authority determines, acting reasonably and on the advice of a suitably qualified transportation engineer, that earlier mitigation is necessary to avoid an unacceptable adverse effect on the safety or efficiency of the local road network, no further dwellings reliant on Grandview Road shall be occupied until the agreed mitigation has been implemented.

C3 SH23 trigger

- (360) Prior to development exceeding the limit specified in Condition C2:
- (a) the permanent Brymer Farms intersection with SH23 shall have been constructed;
 - (b) all required NZTA approvals shall have been obtained; and
 - (c) the intersection shall be open and available for public use.

5.10.3 Part D — Sh23 Access

D1 Approval of intersection form

- (361) Prior to construction of the permanent Brymer Farms access to SH23, the Consent Holder shall obtain the approval of NZ Transport Agency Waka Kotahi to the detailed form and design of the intersection. The intersection may comprise a roundabout, signalised intersection, or another form approved by NZTA that achieves an equivalent or better transport safety and operational outcome.

D2 SH23 detailed design

- (362) The detailed intersection design submitted under Condition D1 shall address, as applicable:
- (a) intersection geometry;
 - (b) approach treatments;
 - (c) the operating speed environment;
 - (d) sight distance;

- (e) road lighting;
- (f) pedestrian and cycle movements;
- (g) stormwater and drainage;
- (h) signs and road markings;
- (i) temporary traffic management associated with construction; and
- (j) any approval required for a crossing place or works affecting the State Highway corridor.

D3 Heavy and over-dimension vehicles

- (363) The permanent SH23 intersection shall be designed to accommodate the applicable design and checking vehicles, including over-dimension and high productivity motor vehicles where required by NZTA.
- (364) The permanent SH23 intersection shall include all associated approach, intersection, pedestrian/cycle, lighting, signage, road marking, speed-management and safety works required by NZTA and shall be constructed generally in accordance with the form assessed in the ITA, subject to detailed design and NZTA approval.
- (365) For the avoidance of doubt, the 200-dwelling threshold in Condition 8 is an upper limit and not an entitlement to defer the SH23 connection until the 200th dwelling. The SH23 connection shall be delivered earlier where the monitoring and review undertaken under Conditions 4–7 demonstrates that the effects of development traffic on Grandview Road or the surrounding local road network would otherwise be unacceptable.

Post-SH23 Monitoring

- (366) 11 Within 12 months following occupation of the 600th dwelling, the consent holder shall undertake a further set of traffic surveys at:
 - (a) the Brymer Farms / Grandview Road connection;
 - (b) the Brymer Farms / SH23 intersection; and
 - (c) the Brymer Road / Grandview Road / Newcastle Road intersection.
- (367) The monitoring shall confirm whether traffic generation and distribution are generally consistent with the ITA and WRTM modelling and whether any further transport mitigation is necessary as a direct consequence of the Brymer Farms development.

Reporting

- (368) 12 All Transport Monitoring Reports shall:
 - (a) identify the number of occupied dwellings and operative non-residential activities within Brymer Farms at the date of the surveys;
 - (b) present the surveyed daily and AM/PM peak-hour traffic volumes and turning movements;
 - (c) compare observed traffic generation and distribution against the corresponding ITA and WRTM forecasts;
 - (d) identify any material differences from the assessed development scenario;

- (e) assess the operation and safety of the relevant local road connections and intersections; and
- (f) identify any additional mitigation, staging change or infrastructure delivery required as a result of the monitoring.

5.10.4 Part E — Later Residential Development

E1 Integrated internal network

- (369) Following opening of the permanent SH23 connection, subsequent development stages shall progressively complete the integrated internal road network generally in accordance with the approved Masterplan.

E2 Active-mode infrastructure

- (370) For every subsequent development stage:
- (a) footpaths shall be constructed on internal streets within that stage;
 - (b) cycleways identified on the approved collector-road network shall be constructed within that stage; and
 - (c) connections to Grandview Heights, Western Heights and adjoining reserves or path networks shall be completed when the development stage reaches the relevant boundary.

E3 Bus-ready collector network

- (371) Collector roads identified as future public transport routes shall be designed and constructed to accommodate bus operation, including the tracking requirements of a 13.5 m single-unit bus.

E4 Bus infrastructure

- (372) Bus stop infrastructure shall be progressively installed at locations agreed with Waikato Regional Council and the relevant road controlling authority. Where required by those authorities, facilities shall include:
- (a) bus stop hardstands;
 - (b) accessible kerbs;
 - (c) shelters;
 - (d) seating; and
 - (e) lighting.

E5 Public transport engagement trigger

- (373) No later than the issue of the 400th residential title, or another equivalent population/development trigger agreed with Waikato Regional Council, the Consent Holder shall formally engage with Waikato Regional Council regarding the extension or diversion of scheduled passenger transport services into Brymer Farms. A record of that engagement and any agreed implementation pathway shall be provided to the relevant territorial authority.

PART F — COMMERCIAL AND APARTMENT TRANSPORT CONDITIONS (C1, C2, A1 AND A2)

The Part F transport conditions from the Integrated Transport Assessment relate specifically to the Commercial Site C1, Commercial Site C2, Apartment Site A1, and Apartment Site A2 development within Part 2 of these conditions.

5.10.5 Part G — Speed Environment and Street Design

G1 Neighbourhood centre low-speed environment

(374) The neighbourhood centres and adjoining neighbourhood park shall be designed as a low-speed environment consistent with an intended operating speed of approximately 30 km/h. Detailed design shall incorporate physical measures appropriate to achieving the intended operating environment, which may include:

- (a) raised platforms;
- (b) gateway or threshold treatments;
- (c) carriageway narrowing;
- (d) landscaping; and
- (e) pedestrian-priority treatments.

G2 Street lighting

(375) Street lighting shall be installed progressively with each development stage and shall be operational before occupation of the relevant stage. Lighting shall extend to internal roads, key pedestrian accessways, cycleways and shared paths where required by the applicable design standard.

PART H — CONSTRUCTION

H1 Construction Traffic Management Plan

(376) Prior to commencement of construction works within each relevant stage, a Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced transport practitioner and submitted to the relevant road controlling authority for certification. The CTMP shall address, where relevant:

- (a) construction staging and programme;
- (b) construction access locations;
- (c) heavy vehicle routes;
- (d) expected construction traffic volumes;
- (e) hours of construction traffic operation;
- (f) staff parking;
- (g) temporary traffic management;
- (h) pedestrian and cyclist safety;
- (i) wheel wash, road sweeping and debris controls;
- (j) communication with affected parties; and
- (k) complaints procedures.

H2 Works within SH23

- (377) All construction works affecting the SH23 corridor shall be undertaken in accordance with the approvals of NZTA and an approved Traffic Management Plan prepared in accordance with the applicable New Zealand Guide to Temporary Traffic Management.

H3 Temporary SH23 construction access

- (378) Any temporary construction access to SH23 shall:
- (a) provide appropriate sight distance;
 - (b) accommodate the tracking requirements of anticipated heavy vehicles;
 - (c) be operated in accordance with the approved CTMP/TMP; and
 - (d) be removed and the State Highway corridor reinstated to the satisfaction of NZTA when no longer required.

H4 Complaints

- (379) A transport-related construction complaints register shall be maintained for the duration of construction and shall record:
- (a) the date and nature of the complaint;
 - (b) any investigation undertaken;
 - (c) the response provided; and
 - (d) any corrective action undertaken.

The register shall be made available to the relevant Council or road controlling authority on request.

PART I — MONITORING AND REVIEW

I1 Traffic monitoring — first trigger

- (380) Within 12 months following occupation of the 200th dwelling, turning-movement traffic surveys shall be undertaken at:
- (a) the Grandview Road access; and
 - (b) the Brymer Road / Grandview Road / Newcastle Road intersection.

Where the SH23 connection is operational at the time of monitoring, the survey shall also include the SH23 access.

I2 Traffic monitoring — second trigger

- (381) Within 12 months following occupation of the 600th dwelling, turning-movement surveys shall be undertaken at:
- (a) the Grandview Road access;
 - (b) the SH23 access; and
 - (c) the Brymer Road / Grandview Road / Newcastle Road intersection.

I3 Review

- (382) The monitoring results required by Conditions I1 and I2 shall be provided to the relevant road controlling authorities and compared against the development trip-generation and distribution assumptions contained in the approved ITA. Where observed development-generated traffic volumes materially exceed the assumptions relied upon in the ITA, the Consent Holder shall, in consultation with the relevant road controlling authorities:
- (a) investigate the reasons for the difference;
 - (b) assess whether any remaining transport staging trigger requires reconsideration; and
 - (c) identify any reasonably necessary response within the development to manage an identified adverse transport effect.

PART J — VESTING AND COMPLETION

J1 Transport assets to vest

- (383) Roads, footpaths, cycleways, lighting and other transport assets proposed to vest in a road controlling authority shall be:
- (a) constructed in accordance with the approved engineering plans;
 - (b) appropriately tested and commissioned;
 - (c) recorded in as-built documentation; and
 - (d) maintained for the applicable defects liability period,
 - (e) to the satisfaction of the relevant road controlling authority.

5.11 Retaining Walls – Sub-Staged Construction

- (384) Retaining walls within each sub-stage of the development must be constructed in the locations generally shown on the MAVEN plan [insert plan reference].
- (385) The retaining walls required within each sub-stage must be designed and constructed:
- (a) in general accordance with the approved plans and information forming part of this consent;
 - (b) in general accordance with the recommendations and requirements of the approved geotechnical report [insert geotechnical report reference]; and
 - (c) together with any associated fences, barriers, drainage, foundations, erosion protection and other ancillary works necessary to ensure the retaining walls are structurally stable, safe and appropriately integrated with the adjoining finished ground levels.
- (386) Retaining walls and associated fences may be constructed on a sub-stage basis, provided that all retaining works necessary to support the landform, roads, lots, accessways or other works within that sub-stage are completed before those areas are brought into use or relied upon for subsequent construction.
- (387) Where a retaining wall straddles or supports more than one sub-stage, the Consent Holder must ensure that the portion required to safely support the relevant sub-stage is completed before works within that sub-stage are completed.

- (388) Any material departure from the location, height, form or engineering design of a retaining wall shown on the approved plans must be supported by confirmation from a suitably qualified and experienced geotechnical and/or structural engineer that the amended design remains consistent with the intent of the approved geotechnical assessment and does not result in any additional adverse effects beyond those authorised by this consent.

5.12 33 kV Powerline Undergrounding

33 kV Powerline – Stage 2

- (389) Prior to the occupation of any dwelling within Stage 2 of the development, either:
- (a) the section of the existing 33 kV overhead powerline traversing Stage 2 shall be relocated underground and commissioned in accordance with the Maven Engineering Plans, Ref. XXX, and the requirements of WEL Networks; or
 - (b) where the 33 kV powerline has not been relocated underground, a 24 m wide corridor, extending no less than 12 m either side of the powerline, shall be retained and protected. The Masterplan and relevant subdivision scheme plan shall be updated to identify the corridor, and an appropriate easement or other legal mechanism shall be established to ensure that no buildings are constructed within the corridor until the relevant section of the 33 kV powerline has been relocated underground and commissioned.
- (390) Following the undergrounding and commissioning of the relevant section of the 33 kV powerline, the redundant overhead powerline infrastructure within Stage 2 shall be removed, except for any infrastructure required to facilitate the transition between the underground and remaining overhead network.
- (391) Where the alternative in clause (1)(b) is relied upon, the corridor and associated restrictions may be removed once the relevant section of the 33 kV powerline has been relocated underground and commissioned in accordance with the requirements of WEL Networks.

5.13 Enabling Works

- (392) Notwithstanding any other condition of this consent, the Consent Holder may undertake Enabling Works prior to the commencement of the main earthworks, civil works or construction works authorised by this consent.
- (393) For the purposes of this consent, Enabling Works means preliminary works necessary to investigate, access, secure, prepare or establish the Site for subsequent earthworks and construction and may include:
- (a) site investigations, surveying, monitoring, testing, sampling and geotechnical investigations, including installation of monitoring equipment;
 - (b) establishment of site access, temporary construction accesses, haul roads, construction compounds, site offices, laydown areas, contractor facilities, temporary fencing, gates, hoardings and site security;
 - (c) installation, relocation, protection or removal of existing services and utilities, including temporary utility connections;

- (d) vegetation clearance, including removal of individual trees, hedges, shelterbelts and other vegetation, where otherwise authorised by this consent;
 - (e) demolition and removal of existing buildings, structures, fences, hardstand areas and redundant infrastructure;
 - (f) establishment of erosion and sediment control measures, clean-water diversions, stabilised construction entrances and other environmental controls required in advance of bulk earthworks;
 - (g) minor earthworks associated with the activities identified above, including localised stripping, excavation, filling, grading and formation;
 - (h) establishment of temporary drainage and dewatering measures;
 - (i) archaeological investigations and any works required to implement archaeological, ecological or contamination-related protocols applicable to the Site; and
 - (j) any other preliminary or preparatory activity of a similar nature that does not comprise bulk earthworks or substantive civil construction associated with a development stage.
- (394) For the avoidance of doubt, the undertaking of Enabling Works shall not constitute commencement of bulk earthworks, civil construction or a development stage for the purposes of these conditions and shall not trigger any condition requiring the preparation, submission, certification or implementation of a Management Plan, Stage Development Plan, detailed engineering plan or other pre-commencement requirement that applies to the main earthworks or construction works, unless that condition expressly states that it applies to Enabling Works.
- (395) Enabling Works may therefore be undertaken in advance of certification of the Construction Management Plan, Earthworks Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Dust Management Plan, or any other management plan required by these conditions for the subsequent earthworks or construction phase.
- (396) Notwithstanding Conditions 377 and 378, all Enabling Works shall:
- (a) comply with any condition of this consent that expressly applies to Enabling Works;
 - (b) be undertaken in accordance with all applicable permitted activity standards or any separate resource consent or statutory authorisation required for those works;
 - (c) incorporate erosion, sediment, dust, noise and traffic management measures appropriate to the nature, scale and duration of the Enabling Works being undertaken; and
 - (d) not prevent or compromise the subsequent implementation of any certified Management Plan, engineering design, staging requirement or other condition of this consent.

Advice Note: The purpose of this condition is to enable preliminary establishment and preparatory works to commence without triggering the management plan certification and general earthworks requirements that are intended to apply to the subsequent bulk earthworks, civil construction and staged development of the Site.

1.0 WDC Subdivision Consent

1.1 Conditions Set Overview

Subdivision consent for the fee-simple subdivision of the Brymer site into 799 residential lots (including 8 large lot residential lots) in 13 stages (Stages 1 to 12 and Stage 1A), together with two commercial lots, two apartment lots, public parks, recreation reserves, stormwater reserves, roads, and associated infrastructure, at 584 Whatawhata Road / Brymer Road / O'Brien Road, Hamilton / Templeview.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- **Part C – WDC Subdivision Consent**
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
ARI	Annual Recurrence Interval
ASSMP	Acid Sulphate Soils Management Plan
AWM	Asset and Work Manager
B&A	Barker & Associates Limited
BFL	Brymer Farms Limited
BPMP	Buffer Planting Management Plan
CAR	Corridor Access Request
CMP	Construction Management Plan
CommMP	Communications Management Plan
CPEng	Chartered Professional Engineer
CSMP	Contaminated Soils Management Plan
CTMP	Construction Traffic Management Plan
EMP	Earthworks Management Plan
ESCMP	Erosion and Sediment Control Management Plan
FENZ	Fire and Emergency New Zealand
FTAA	Fast-track Approvals Act 2024
GEMP	Geotechnical Effects Management Plan
HAIL	Hazardous Activities and Industries List
HCC	Hamilton City Council
IAWAI	IAWAI - Flowing Waters
ICMP	Integrated Catchment Management Plan

IDA	Infrastructure Delivery Agreement between BFL and IAWAI
JOAL	Jointly Owned Access Lot
LandMP	Landscape Maintenance Plan
LINZ	Land Information New Zealand
Maven	Maven Associates Limited
NES:CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
PDA	Private Developer Agreement between BFL and Relevant Stakeholders
RITS	Regional Infrastructure Technical Specifications 2025
RMA	Resource Management Act 1991
Site	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete
SMP	Stormwater Management Plan
SQEP	Suitably Qualified and Experienced Person/Professional
WDC	Waikato District Council
WRC	Waikato Regional Council
WWPS	Wastewater Pump Station

2.2 Consent Particulars Table

Resource Consent: LCXX	
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Fifteen (15) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited

	Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.
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2.3 General Conditions - All Stages

Compliance with Application

- (1) The proposal must proceed in general accordance with the information and plans submitted with the application, and all supporting information, except where otherwise required by the resource consent conditions. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this resource consent and any certified Management Plans must be kept on Site at all times that the works authorised by this consent are being undertaken and must be produced without unreasonable delay upon request from a WDC officer or agent.
- (3) Brymer Farms Limited (BFL) is responsible for all contracted operations relating to the exercise of this consent and must ensure that contractors are made aware of the conditions of this consent and comply with those conditions.
- (4) No Management Plans or detailed design/engineering plans will be accepted for certification/approval by WDC until BFL has supplied an electronic file containing all application documents, indexed and referenced, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version.

Fees & Charges

- (5) BFL shall pay to WDC any administrative charge fixed in accordance with Section 36 of the Resource Management Act, including the actual and reasonable costs incurred by WDC arising from supervision and monitoring of this consent.

Consent Lapse

- (6) This consent shall lapse fifteen (15) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

Review

- (7) WDC may, once per year, serve notice on BFL under Section 128(1) of the RMA of its intention to review the conditions of this consent where:
 - (a) a material adverse effect not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project is materially larger than indicated in the AEE.

Costs associated with any review of conditions will be recovered from BFL in accordance with the provisions of Section 36 of the RMA.

Condition Precedent – Private Developer Agreement

- (8) Prior to the issue of the Section 224(c) certificate pursuant to this consent, a Private Developer Agreement (PDA), in a form and on terms satisfactory to WDC in all respects, must have been entered into between BFL, WDC and IAWAI, which includes provision for the following:

- (a) agreement on the land to vest in WDC as part of the development, including agreement as to the size, purpose and value of such land;
- (b) agreement on the quantum of development and financial contributions payable to WDC, less any offset on account of the value of land to vest in WDC;
- (c) the quantum and timing of payments to WDC; and
- (d) provision of securities as required by WDC, in its sole discretion, securing the performance of BFL's obligations under the PDA, which may include a statutory land charge, caveat or encumbrance on land forming part of the development.

The PDA must be duly executed and all required securities registered in accordance with the PDA.

Pre-Start Requirements

- (9) The Section 224(c) RMA certificate will not be issued by WDC pursuant to this consent until BFL has supplied an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named as follows: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.
- (10) BFL must appoint a single Site Manager prior to commencement of any works and notify WDC in writing of that person's name and contact details. Should the Site Manager change during the term of this consent, BFL must immediately give written notice to WDC of the new Site Manager's name and mobile phone number.
- (11) Prior to the commencement of any works on Site, BFL must hold a pre-start meeting on Site, scheduled not less than five (5) working days before commencement. The meeting must include representatives of the relevant contractor(s) and all relevant technical specialists required on Site during works (for example, engineers and ecologist).

Communications Plan

- (12) Prior to the commencement of construction, BFL must prepare a Communications Plan and submit it to WDC at least twenty (20) working days prior to the start of construction. The Communications Plan must include: contact details of the Project Liaison Person; a list of stakeholders; details of communication activities proposed; details of the complaint management process; details of consultation requirements; and the process for ongoing review and amendment.

Complaints Management

- (13) A record of any complaints received in respect of the Construction Works must be maintained during construction. The record must include: name, phone number and address of the complainant; nature of the complaint; date, time and location of the alleged event; weather conditions; measures taken to respond; outcome of the investigation; and a record of the response provided to the complainant. The record of complaints must be made available to WDC upon request.

Management Plans

- (14) The following Management Plans apply to the works authorised by this consent. The Management Plans are prepared, submitted and certified in accordance with the Management Plan conditions of the WDC Land Use Consent (Part B) and, where the plan is required by a WRC consent, in accordance with the WRC Land Disturbance Consent (Part D). A single plan may be prepared to satisfy both consents provided it meets the requirements of each.

Management Plan	Abbreviation
Construction Management Plan	CMP
Communications Management Plan	CommMP
Earthworks Management Plan	EMP
Contaminated Soils Management Plan	CSMP
Erosion and Sediment Control Management Plan	ESCMP
Construction Traffic Management Plan	CTMP
Geotechnical Effects Management Plan	GEMP
Stormwater Management Plan	SMP
Acid Sulphate Soils Management Plan	ASSMP

Advice note: A separate set of certified Management Plans, or a stage-specific addendum to a certified Management Plan, is required for each stage or sub-stage of the subdivision.

Contaminated Land

- (15) All earthworks and soil disturbance activities within areas of identified HAIL land or acid sulphate soil risk must be carried out in accordance with:
- (a) a certified Contaminated Soils Management Plan (CSMP), prepared by a SQEP in land contamination with reference to the Detailed Site Investigation prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825-R01-V1.0, Rev 1.0, 6 November 2025); and
 - (b) a certified Acid Sulphate Soils Management Plan (ASSMP), prepared by a SQEP in land contamination in general accordance with the Acid Sulphate Soil Management Plan prepared by SLR Consulting New Zealand for CMW Geosciences Ltd (SLR Project No. 810.031825.00001, Rev 1.0, 5 August 2026).

The certified CSMP and ASSMP must be submitted to WDC at least ten (10) working days prior to the commencement of any soil disturbance or remedial works on Site. The substantive certification requirements for the CSMP and ASSMP are set out in the conditions of the WDC Land Use Consent (Contaminated Land / NES:CS) (Part A) and must be read in conjunction with those conditions.

Certification of Management Plans

- (16) BFL must ensure that all Management Plans are prepared by a Suitably Qualified and Experienced Person (SQEP). BFL must submit all Management Plans to WDC for certification at least twenty (20) working days prior to work commencing for each stage, except where otherwise specified in these conditions.

Advice note: To assist WDC with the certification process, BFL is encouraged to provide three (3) weeks' notice prior to each Management Plan being submitted for certification.

- (17) Management Plans may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the development. When a Management Plan is provided in part or for a stage it must satisfy all certification requirements. Management Plans submitted to WDC must clearly show the linkage with Management Plans for adjacent stages and any interrelated activities or other Management Plans.

- (18) The certification process for Management Plans must be confined to confirming that each Management Plan:

- (a) gives effect to its objective(s);
- (b) addresses the consent condition requirements;
- (c) contains the required information; and
- (d) is generally consistent with the application documents.

Within twenty (20) working days of receiving a Management Plan for certification, WDC must notify BFL whether the Management Plan is certified or, if not, the reasons why and the matters that must be addressed.

- (19) BFL must implement all certified Management Plans for the duration of the works.
- (20) Any changes and/or updates to a certified Management Plan must be made in writing and submitted to WDC for certification. While a Management Plan is being changed/updated, construction activity must cease unless WDC provides written confirmation that the activity may continue.

Advice note: This condition does not relate to any operational aspect of a Management Plan.

2.4 Staging

- (21) Subdivision will be undertaken in stages, subject to each stage:
- (a) occurring sequentially (this does not preclude stages being subdivided concurrently);
 - (b) complying with all relevant conditions of this resource consent;
 - (c) being in general accordance with the plans, drawings and information submitted with the application; and
 - (d) being able to be serviced in accordance with the conditions of this consent without restricting future development of later stages.

- (22) Where variations to stages are proposed, or required by these conditions of consent, BFL must submit amended staging plans to WDC for review and approval prior to implementation.

- (23) The staging is as follows:

Stage 1: 122 lots.

Stage 1A (Large Lot Residential): 8 lots.

Stage 2: 60 lots.

Stage 3: 37 lots.

Stage 4: 77 lots.

Stage 5: 53 lots.

Stage 6: 58 lots.

Stage 7: 138 lots.

Stage 8: 38 lots.

Stage 9: 48 lots.

Stage 10: 84 lots.

Stage 11: 32 lots.

Stage 12: 44 lots.

Lot numbers exclude infrastructure lots and lots to vest as reserve or road. The total residential yield across all stages is 799 lots.

Advice note: Each stage must include associated three-waters and roading infrastructure. Staging is as shown on the Maven Scheme Plan.

2.4.1 Water Supply

- (24) Water supply infrastructure for each stage of the Development must be provided in general accordance with the approved engineering plans and must comply with:

- (a) the Regional Infrastructure Technical Specifications (RITS);
- (b) the WDC Development Manual; and
- (c) SNZPAS 4509:2008 (NZ Fire Service Fire Fighting Water Supply Code of Practice).

- (25) Prior to lodging engineering plans for each of Stages 3–12 (or any sub-stages thereof), BFL must submit a report to WDC confirming:

- (a) whether actual water demand is consistent with the water supply modelling assessment submitted with the application; and
- (b) whether upgrades are required to the wider public water network to meet RITS and WDC Development Manual standards.

If upgrades are required, all costs must be met by BFL and must be detailed in the engineering plans lodged for that stage.

- (26) Installed water supply reticulation serving each stage must be pressure tested and sterilised in accordance with Appendix C of NZS 4404:2010. Written proof of pressure testing and sterilisation must be provided to WDC prior to the issue of the Section 224(c) certificate for that stage.

Firefighting Supply

- (27) The minimum firefighting water supply classification for all residential areas of the Site is FW2, requiring:
- (a) a primary water flow of 12.5 litres/sec within a radial distance of 135m;
 - (b) an additional secondary flow of 12.5 litres/sec within a radial distance of 270m;
 - (c) the required flow to be capable of achievement from a maximum of two hydrants operating simultaneously; and
 - (d) a minimum running pressure of 100 kPa.

The minimum firefighting water supply classification for the commercial/mixed-use neighbourhood centre area of the Site is FW3. The specific flow and pressure requirements for FW3 must be confirmed with WDC and FENZ prior to detailed design and must be reflected in the engineering plans submitted for approval.

Strategic Water Supply Infrastructure

- (28) The Development must be serviced generally in accordance with the approved Water Supply Servicing Strategy and the MAVEN Water Supply Plans (Revision XXX), unless otherwise agreed in writing by IAWAI. BFL may utilise the existing public water supply network for the staged servicing of the Development in accordance with these conditions and any Water Supply Infrastructure Delivery Agreement entered into with IAWAI.

Stage 1 Water Supply – Up to 118 Residential Lots

- (29) Prior to the issue of the Section 224(c) certificate for Stage 1, BFL must construct all water supply reticulation and infrastructure necessary to service Stage 1 (comprising up to 118 residential lots), including:
- (a) connection to the existing 150 mm uPVC watermain within Ayrshire Drive;
 - (b) construction of the proposed 180 mm OD watermain through Stage 1 to Road 8;
 - (c) all associated reticulation required to service Stage 1;
 - (d) transfer of the existing Harrowgate connections to the new water supply network; and
 - (e) decommissioning of the redundant watermain,
 - (f) generally in accordance with the MAVEN Water Supply Plans (Revision XXX).

Stages 2–3 Water Supply – Up to 215 Residential Lots in Total

- (30) To service Stages 2 and 3, up to a cumulative total of 215 residential lots within the Development, BFL must:
- (a) connect to the existing 200 mm uPVC watermain within Grandview Road;
 - (b) construct a 225 mm OD PE100 watermain along proposed Road 8;
 - (c) connect the 225 mm OD PE100 watermain to the Stage 1 180 mm OD watermain; and

- (d) construct all associated reticulation necessary to establish a looped water supply network,
 - (e) generally in accordance with the MAVEN Water Supply Plans (Revision XXX).
- (31) Prior to the issue of the Section 224(c) certificate for each of Stages 2 and 3, BFL must construct all water supply reticulation and infrastructure necessary to service the relevant stage in accordance with the approved engineering design. The connections to Ayrshire Drive and Grandview Road may provide the interim potable water supply to the Development pending construction and commissioning of the strategic reservoir and associated infrastructure required by these conditions.

215-Lot Strategic Infrastructure Trigger

- (32) Upon the Development reaching a cumulative total of 215 residential lots, BFL must trigger delivery of the strategic water supply infrastructure comprising:
- (a) a potable water reservoir with a minimum operational storage capacity of 6 megalitres;
 - (b) a 560 mm OD bulk feeder extending from Brymer Road to the proposed reservoir site south of 127 Brymer Road;
 - (c) a 315 mm OD strategic watermain extending through the Development toward State Highway 23;
 - (d) associated valves, telemetry, control systems and ancillary infrastructure; and
 - (e) all other infrastructure reasonably necessary to integrate and commission the reservoir as part of the public water supply network,
 - (f) generally in accordance with the approved Water Supply Servicing Strategy and MAVEN Water Supply Plans (Revision XXX).

For the purposes of this condition, “trigger delivery” means that BFL must commence the design, consenting, procurement and construction programme necessary to deliver the strategic infrastructure in accordance with the Water Supply Infrastructure Delivery Agreement required by Condition 35.

Stages 4–12 Water Supply

- (33) The balance of the Development, comprising Stages 4 to 12, must be serviced through the staged extension of the approved water supply network together with delivery of the strategic reservoir and associated infrastructure required by Condition 32. The strategic works must include the 315 mm OD strategic watermain extending through the Development toward State Highway 23. The watermain must be capped at State Highway 23 to facilitate a future connection to the wider public water supply network.
- (34) For the avoidance of doubt, subdivision and development within Stages 4 to 12 may continue to be serviced from the existing public water supply network through the approved staged connections while the strategic reservoir is being delivered, provided that:
- (a) the public water supply network continues to operate within engineering and operational limits acceptable to IAWAI;

- (b) BFL continues to comply with the Water Supply Infrastructure Delivery Agreement required by Condition 35;
- (c) the security required by Condition 36 remains in place; and
- (d) the strategic infrastructure is delivered within the timeframe specified by Condition 34.

Strategic Reservoir – Delivery and Completion

- (35) BFL must design, fund, construct and commission the strategic potable water reservoir and associated strategic water supply infrastructure identified in Condition 32. The reservoir and associated infrastructure must:
 - (a) be designed and constructed in accordance with applicable IAWAI engineering standards and requirements;
 - (b) connect to the public water supply network at Brymer Road in accordance with the approved engineering design;
 - (c) include all works necessary for testing, commissioning and integration into the public water supply network;
 - (d) be vested in IAWAI at no cost to IAWAI; and
 - (e) be fully commissioned, accepted by IAWAI and available for operation no later than ten (10) years after the date the Fast-track Approval comes into effect, unless otherwise agreed in writing by IAWAI.

For the avoidance of doubt, the 215-lot threshold in Condition 32 is the trigger for commencement of the strategic infrastructure delivery programme and does not constitute a prohibition on the construction or certification of residential lots beyond 215 lots, subject to compliance with Conditions 33–36.

Water Supply Infrastructure Delivery Agreement

- (36) Prior to giving effect to the first subdivision stage, BFL and IAWAI must enter into a legally binding Water Supply Infrastructure Delivery Agreement providing for the delivery of the strategic reservoir and associated infrastructure required by Conditions 32–34. The Water Supply Infrastructure Delivery Agreement must include, as a minimum:
 - (a) final design requirements and the location and extent of the strategic water supply works;
 - (b) construction standards;
 - (c) the timing and staging of design, consenting, procurement and construction;
 - (d) commissioning requirements and vesting arrangements;
 - (e) ownership of assets during construction and asset transfer procedures;
 - (f) allocation of construction, administration and associated costs;
 - (g) delivery milestones sufficient to demonstrate reasonable progress toward completion within the ten-year period specified by Condition 34;
 - (h) reporting requirements, where reasonably required by IAWAI;

- (i) arrangements relating to the Brymer surface water take; and
- (j) any reasonable operational requirements necessary to protect the integrity and performance of the public water supply network.

The Water Supply Infrastructure Delivery Agreement may be amended by written agreement between BFL and IAWAI without requiring an amendment to these consent conditions, provided that any amendment remains consistent with the outcomes required by these conditions.

Security for Delivery

- (37) Prior to the Development exceeding 215 residential lots, or such later stage as agreed in writing by IAWAI, BFL must provide financial security acceptable to IAWAI to secure completion of the strategic reservoir and associated infrastructure required by Conditions 32–34. The form and value of the security must be agreed between the parties and may include a bond, bank guarantee, parent company guarantee, staged security, or any other equivalent financial security acceptable to IAWAI. The security must remain in place until the strategic reservoir and associated infrastructure have been commissioned, accepted and vested in IAWAI, or until otherwise agreed in writing by IAWAI.

Interim Water Supply

- (38) Until the strategic reservoir has been commissioned and integrated into the public water supply network, potable water for the Development may be supplied from the existing reticulated public water supply network through the approved staged connections, including through Ayrshire Drive and Grandview Road, and any alternative connection approved in writing by IAWAI. Continued use of the existing public water supply network must be subject to the network continuing to operate within engineering and operational limits acceptable to IAWAI.

Brymer Surface Water Take

- (39) BFL may continue to exercise the Brymer surface water take resource consent for the purposes of supporting the potable water supply arrangements for the Development until the strategic reservoir has been commissioned and integrated into the public water supply network. Upon commissioning of the strategic reservoir, BFL must transfer to IAWAI, or its nominated successor, all rights, infrastructure and interests necessary to give effect to the Brymer surface water take in accordance with the relevant resource consent, the Water Supply Infrastructure Delivery Agreement, and all applicable statutory requirements.

Future Network Security

- (40) BFL's obligation is to deliver the strategic water supply infrastructure in accordance with these conditions and the Water Supply Infrastructure Delivery Agreement. Development may continue provided that:
 - (a) the 215-lot delivery trigger in Condition 32 has been complied with;
 - (b) BFL continues to meet the delivery milestones contained in the Water Supply Infrastructure Delivery Agreement;
 - (c) the security required by Condition 36 remains in place;

- (d) the strategic infrastructure is fully commissioned within the timeframe specified by Condition 34; and
- (e) the existing public water supply network continues to operate within engineering and operational limits acceptable to IAWAI.

2.4.2 Wastewater

- (41) Wastewater infrastructure for each stage of the Development must be provided in general accordance with the approved Wastewater Servicing Strategy (Maven Associates Limited, Revision [X]) and must comply with:
 - (a) the Regional Infrastructure Technical Specifications (RITS);
 - (b) the WDC Development Manual; and
 - (c) any relevant infrastructure servicing agreement with Hamilton City Council (HCC) and/or WDC.

Wastewater Pump Stations

- (42) Any new wastewater pump stations must be:
 - (a) provided with emergency storage with a minimum nine (9) hours storage based on average daily flow prior to emergency overflow, in accordance with RITS;
 - (b) provided with a rider main connection for wash-down water supply from the adjacent water main;
 - (c) elevated from the ground with lid levels a minimum of 150mm above adjacent ground levels; and
 - (d) provided with electrical and telemetry equipment confirmed with WDC, with alarm and operational data control systems installed by BFL (or by WDC at BFL's cost).
- (43) Prior to the issue of the Section 224(c) certificate for Stage 1, BFL must construct and commission all wastewater reticulation and infrastructure necessary to service Stage 1 (comprising up to 118 residential lots), including:
 - (a) Wastewater Pump Station A (WWPS A), sized to service the ultimate yield from Stage 1 and to provide for future capacity from Stages 2 and 3;
 - (b) a 150mm OD rising main from WWPS A to the Grandview Wastewater Pump Station;
 - (c) all associated gravity reticulation; and
 - (d) connection to the existing Grandview Wastewater Pump Station (SP5098), which must be upgraded by HCC as a condition of its network extension approval, generally in accordance with the MAVEN Wastewater Plans [Revision XXX].
- (44) Prior to the issue of the Section 224(c) certificate for Stage 2, BFL must construct and commission the wastewater infrastructure necessary to service Stages 2 and 3, including:
 - (a) Wastewater Pump Station B (WWPS B), sized to service the ultimate yield from Stages 2 and 3 and designed to connect to the Western Interceptor in lieu of the temporary Grandview connection once the Western Interceptor is commissioned;

- (b) a 180mm OD rising main from WWPS B to the Grandview Wastewater Pump Station; and
 - (c) all associated gravity reticulation for Stages 2 and 3, generally in accordance with the MAVEN Wastewater Plans [Revision XXX].
- (45) Within five (5) years of the date on which the Fast-track Approval comes into effect, BFL must commence construction of a strategic gravity wastewater connection from the Development to the Western Interceptor wastewater main, unless IAWAI agrees in writing to a later commencement date. The Western Interceptor connection must:
- (a) be designed and constructed in accordance with applicable IAWAI engineering standards;
 - (b) comprise a 375mm OD gravity wastewater main (or equivalent sizing confirmed through detailed hydraulic design in consultation with IAWAI);
 - (c) be capable of servicing the ultimate yield from all stages of the Development;
 - (d) be vested in IAWAI at no cost to IAWAI; and
 - (e) be fully commissioned, accepted by IAWAI and available for operation no later than ten (10) years after the date the Fast-track Approval comes into effect, unless otherwise agreed in writing by IAWAI.
- (46) The balance of the Development (Stages 4–12) must be serviced through the staged extension of the approved wastewater reticulation network and delivery of the strategic Western Interceptor connection required by Condition 44, including:
- (a) Wastewater Pump Station D (WWPS D) and the associated 225mm OD rising main to WWPS B, sized to service the ultimate yield from Stages 4–12 and to provide for connection to the strategic Western Interceptor; and
 - (b) all associated gravity reticulation for Stages 4–12.
- (47) Until the Western Interceptor connection is commissioned and operational, the Development may be serviced on an interim basis through the interim Grandview wastewater connection, provided that at all times:
- (a) the relevant stage is capable of being adequately serviced in accordance with the approved engineering design;
 - (b) the receiving public wastewater network has sufficient available capacity;
 - (c) the required emergency storage has been provided;
 - (d) BFL continues to comply with the Infrastructure Delivery Agreement; and
 - (e) BFL continues to make progress toward delivery of the Western Interceptor connection in accordance with Conditions 44 and 45.

Once the Western Interceptor connection is commissioned and operational and is no longer required for the approved wastewater servicing solution, BFL must decommission the interim Grandview connection in accordance with the approved engineering design and applicable IAWAI requirements.

- (48) BFL acknowledges that the strategic wastewater infrastructure forms part of the wider public wastewater network and is intended to provide a long-term wastewater servicing solution that may provide benefits extending beyond the Development. BFL's obligation is to deliver the strategic wastewater infrastructure in accordance with these conditions and the Infrastructure Delivery Agreement rather than by reference to a fixed maximum dwelling or lot threshold. Development may continue to be staged pending completion of the strategic Western Interceptor connection where:
- (a) the relevant stage is capable of being adequately serviced in accordance with the approved engineering design;
 - (b) the receiving public wastewater network continues to have sufficient available capacity;
 - (c) construction of the strategic Western Interceptor connection has commenced within the timeframe required by Condition 44;
 - (d) BFL continues to comply with the applicable delivery milestones contained in the Infrastructure Delivery Agreement;
 - (e) any security required by Condition 50 remains in place; and
 - (f) the public wastewater network continues to operate within acceptable engineering and operational limits.
- (49) Notwithstanding Conditions 40 to 47, the strategic wastewater infrastructure required by these conditions may comprise an alternative combination of gravity wastewater mains, rising mains, wastewater pump stations, storage or flow attenuation facilities, conveyance infrastructure, treatment upgrades, or other wastewater servicing infrastructure or solutions agreed in writing between BFL and IAWAI. Any alternative solution agreed under this condition must:
- (a) achieve an equivalent or better level of service and network performance than the strategic solution contemplated by the approved Wastewater Servicing Strategy;
 - (b) be capable of adequately servicing the Development;
 - (c) maintain the integrity and performance of the public wastewater network;
 - (d) satisfy applicable IAWAI engineering standards and requirements; and
 - (e) be incorporated into the Infrastructure Delivery Agreement where relevant.

An alternative strategic wastewater solution agreed in writing under this condition does not require an amendment to these consent conditions.

- (50) Prior to giving effect to the first subdivision stage, BFL and IAWAI must enter into a legally binding Infrastructure Delivery Agreement (IDA) providing for the staged delivery of the wastewater infrastructure required by these conditions, including the strategic Western Interceptor connection. The IDA must include, as a minimum:
- (a) final design requirements and the location and extent of the strategic wastewater works;
 - (b) construction standards;
 - (c) the timing and staging of design, consenting, procurement and construction;

- (d) commissioning requirements and vesting arrangements;
- (e) asset transfer procedures and ownership of assets during construction;
- (f) allocation of construction, administration and associated costs;
- (g) delivery milestones sufficient to demonstrate reasonable progress toward commencement of construction of the Western Interceptor within the five-year period required by Condition 44;
- (h) requirements relating to the staged construction, upgrade and commissioning of WWPS A, WWPS B and WWPS D;
- (i) requirements relating to the interim use and ultimate decommissioning of the Grandview wastewater connection;
- (j) reporting requirements, where reasonably required by IAWAI;
- (k) the timing, form and value of the security required by Condition 50; and
- (l) any reasonable operational requirements necessary to protect the integrity and performance of the public wastewater network.

The IDA may be amended by written agreement between BFL and IAWAI without requiring an amendment to these consent conditions, provided any amendment remains consistent with the outcomes required by these conditions.

- (51) By the date specified in the Infrastructure Delivery Agreement, BFL must provide security acceptable to IAWAI to secure delivery of the strategic wastewater infrastructure required by Conditions 44 and 45. The form and value of the security must be agreed between the parties and may include a bond, bank guarantee, parent company guarantee, staged security, or any other equivalent financial security acceptable to IAWAI. The security may be staged, reduced or released as components of the strategic wastewater infrastructure are completed, commissioned and vested in IAWAI in accordance with the IDA.
- (52) Where reasonably required by IAWAI, BFL must undertake wastewater network monitoring and provide the results to IAWAI to demonstrate that wastewater discharges from the Development remain within the design assumptions of the approved Wastewater Servicing Strategy and that the receiving public wastewater network continues to operate within acceptable limits. Any monitoring programme must be proportionate to the scale of the Development and may be amended by written agreement between the parties without requiring an amendment to these conditions.
- (53) Prior to the occupation of any dwelling within a stage, BFL must provide WDC with written confirmation from HCC (or the relevant wastewater infrastructure provider) that the reticulated wastewater system serving that stage has been completed and approved as compliant with all applicable standards.

2.4.3 Stormwater

Engineering Design

- (54) The development must be serviced in general accordance with the approved Stormwater Servicing Strategy, the approved engineering plans (Maven, Revision [X]), the approved

Erosion and Sediment Control Plan, and these conditions, unless otherwise agreed in writing by the relevant road controlling authority, stormwater asset owner or IAWAI.

- (55) Prior to the commencement of any bulk earthworks or stormwater infrastructure works, detailed engineering drawings and specifications for all stormwater infrastructure must be submitted to, and approved by, the stormwater asset owner / IAWAI. The engineering design must demonstrate compliance with:
 - (a) the WDC / IAWAI Infrastructure Technical Specifications (or equivalent approved standard);
 - (b) the approved Integrated Catchment Management Plan (ICMP);
 - (c) the approved Stormwater Servicing Strategy;
 - (d) the relevant WRC requirements; and
 - (e) these conditions.
- (56) All hydrological and hydraulic modelling must use the latest Ministry for the Environment climate change guidance and rainfall intensity adjustments current at the time of detailed design.
- (57) Stormwater infrastructure must be designed taking into account:
 - (a) peat and soft ground conditions;
 - (b) settlement;
 - (c) groundwater interaction;
 - (d) constructability;
 - (e) long-term structural performance; and
 - (f) maintenance access.
- (58) A geotechnical report confirming the suitability of the proposed stormwater design must accompany the detailed engineering plans. The report may be submitted in stages or as a single report prior to certification under Section 224(c) of the RMA.

Stormwater Quantity

- (59) The stormwater management system must be designed so that post-development peak discharge rates do not exceed 80 percent of the equivalent pre-development peak discharge rates, unless otherwise agreed in writing by the stormwater asset owner / IAWAI.
- (60) Prior to approval of the detailed engineering design, BFL must assess all downstream culverts, bridges, waterways and existing stormwater infrastructure potentially affected by the development. The assessment must identify:
 - (a) existing capacity;
 - (b) predicted post-development performance; and
 - (c) any required mitigation works.
- (61) Where the approved modelling identifies a residual increase in downstream adverse effects that cannot reasonably be mitigated on Site, BFL must provide an agreed financial contribution towards downstream mitigation works. The methodology for determining

that contribution must be agreed with the stormwater asset owner prior to construction commencing.

Water Quality

- (62) Stormwater treatment devices must achieve the contaminant removal standards required by the applicable ICMP and the IAWAI / WDC Infrastructure Technical Specifications.
- (63) Where rain gardens are used, each device must have a minimum treatment surface area of 20m², unless otherwise approved in writing by the stormwater asset owner / IAWAI.

Stormwater Ponds

- (64) Prior to the issue of the Section 224(c) certificate for each relevant stage, BFL must construct all stormwater ponds required to service that stage. The ponds must include:
 - (a) permanent pond levels;
 - (b) forebays;
 - (c) outlet control structures;
 - (d) emergency spillways;
 - (e) maintenance access;
 - (f) safety benches;
 - (g) planting;
 - (h) erosion protection;
 - (i) associated pipework; and
 - (j) a defined associated sub-catchment.
- (65) Where practicable, stormwater treatment must use centralised stormwater ponds in preference to multiple dispersed treatment devices.

Erosion and Sediment Control

- (66) Prior to the commencement of earthworks, erosion and sediment control measures must be installed in accordance with the approved Erosion and Sediment Control Plan. Those measures must remain operational until the contributing catchments are permanently stabilised.
- (67) BFL must demonstrate that post-development discharge velocities associated with the 2-year ARI event will not increase downstream erosion risk, and that post-development runoff volumes for the 2-year ARI event are no greater than pre-development runoff volumes. Where adverse effects are identified, additional mitigation must be incorporated into the stormwater design.

Construction Certification

- (68) All stormwater infrastructure must be inspected during construction by a Chartered Professional Engineer (CPEng) experienced in stormwater infrastructure.
- (69) Prior to vesting, BFL must provide:
 - (a) PS3 Construction Observation;

- (b) PS4 Construction Review;
- (c) as-built drawings;
- (d) asset data;
- (e) survey information; and
- (f) maintenance manuals where applicable.

Monitoring and Maintenance

- (70) BFL must monitor all stormwater ponds and treatment devices during the defects liability period. Monitoring must include:
 - (a) sediment accumulation;
 - (b) outlet performance;
 - (c) erosion;
 - (d) vegetation establishment;
 - (e) pond water levels; and
 - (f) structural integrity.
- (71) Any defects identified during the defects liability period must be remedied by BFL prior to vesting.
- (72) All stormwater ponds must be planted in accordance with the approved landscape plans. Any plants that fail within two (2) years of planting must be replaced.
- (73) BFL must maintain all stormwater infrastructure until vesting. Maintenance must include sediment removal, mowing, weed control, litter removal, outlet maintenance, and replacement planting.

Vesting and Asset Information

- (74) Prior to the issue of the Section 224(c) certificate (or equivalent certification under the FTAA) for each stage, all stormwater assets required to service that stage must be completed, tested, commissioned, accepted by the stormwater asset owner, and vested in the stormwater asset owner free of encumbrances. No Section 224(c) certificate will be issued for any stage unless all stormwater infrastructure necessary to service that stage has been completed and is fully operational.
- (75) Prior to vesting, BFL must provide:
 - (a) GIS asset information;
 - (b) CCTV records where applicable;
 - (c) operation and maintenance manuals;
 - (d) maintenance schedules;
 - (e) warranties;
 - (f) survey data;
 - (g) electronic CAD files; and

- (h) as-built drawings.

Advice note: The stormwater asset owner may approve minor amendments to the stormwater design where those amendments achieve equivalent or improved engineering, environmental and operational outcomes and do not materially increase adverse environmental effects.

2.5 Enabling Works

- (76) Notwithstanding any other condition of this consent, the Consent Holder may undertake Enabling Works prior to the commencement of the main earthworks, civil works or construction works authorised by this consent.
- (77) For the purposes of this consent, Enabling Works means preliminary works necessary to investigate, access, secure, prepare or establish the Site for subsequent earthworks and construction and may include:
- (a) site investigations, surveying, monitoring, testing, sampling and geotechnical investigations, including installation of monitoring equipment;
 - (b) establishment of site access, temporary construction accesses, haul roads, construction compounds, site offices, laydown areas, contractor facilities, temporary fencing, gates, hoardings and site security;
 - (c) installation, relocation, protection or removal of existing services and utilities, including temporary utility connections;
 - (d) vegetation clearance, including removal of individual trees, hedges, shelterbelts and other vegetation, where otherwise authorised by this consent;
 - (e) demolition and removal of existing buildings, structures, fences, hardstand areas and redundant infrastructure;
 - (f) establishment of erosion and sediment control measures, clean-water diversions, stabilised construction entrances and other environmental controls required in advance of bulk earthworks;
 - (g) minor earthworks associated with the activities identified above, including localised stripping, excavation, filling, grading and formation;
 - (h) establishment of temporary drainage and dewatering measures;
 - (i) archaeological investigations and any works required to implement archaeological, ecological or contamination-related protocols applicable to the Site; and
 - (j) any other preliminary or preparatory activity of a similar nature that does not comprise bulk earthworks or substantive civil construction associated with a development stage.
- (78) For the avoidance of doubt, the undertaking of Enabling Works shall not constitute commencement of bulk earthworks, civil construction or a development stage for the purposes of these conditions and shall not trigger any condition requiring the preparation, submission, certification or implementation of a Management Plan, Stage Development Plan, detailed engineering plan or other pre-commencement requirement that applies to the main earthworks or construction works, unless that condition expressly states that it applies to Enabling Works.

- (79) Enabling Works may therefore be undertaken in advance of certification of the Construction Management Plan, Earthworks Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Dust Management Plan, or any other management plan required by these conditions for the subsequent earthworks or construction phase.
- (80) Notwithstanding Conditions 377 and 378, all Enabling Works shall:
- (a) comply with any condition of this consent that expressly applies to Enabling Works;
 - (b) be undertaken in accordance with all applicable permitted activity standards or any separate resource consent or statutory authorisation required for those works;
 - (c) incorporate erosion, sediment, dust, noise and traffic management measures appropriate to the nature, scale and duration of the Enabling Works being undertaken; and
 - (d) not prevent or compromise the subsequent implementation of any certified Management Plan, engineering design, staging requirement or other condition of this consent.

Advice Note: The purpose of this condition is to enable preliminary establishment and preparatory works to commence without triggering the management plan certification and general earthworks requirements that are intended to apply to the subsequent bulk earthworks, civil construction and staged development of the Site.

2.6 Vehicle Crossings

- (81) The location and configuration of vehicle crossings serving individual residential lots shall be in general accordance with the approved Maven Scheme Plans, Ref. XXX.
- (82) The vehicle crossings shown on the approved Maven Scheme Plans are authorised by this consent, including their location and connection to the adjoining road network, and no further resource consent shall be required in respect of the location of those vehicle crossings, subject to compliance with this condition.
- (83) Notwithstanding Condition 80, the location of an individual vehicle crossing may be adjusted from the location shown on the approved Maven Scheme Plans where necessary to respond to the final dwelling typology, building footprint, garage or parking location, services, landscaping, or detailed design confirmed through the building consent and detailed design process, provided that:
- (a) the crossing remains associated with and provides access to the same allotment;
 - (b) the revised location does not materially alter the safe and efficient operation of the adjoining road or intersection;
 - (c) the revised location does not create a conflict with any required pedestrian or cycling facility, street tree, stormwater device or other infrastructure that cannot be appropriately resolved through detailed design; and
 - (d) any engineering approval required from the relevant road controlling authority for the physical construction of the crossing is obtained.

- (84) For the avoidance of doubt, minor or consequential adjustments to the location or configuration of a vehicle crossing made in accordance with clause (3) are considered to be in general accordance with the approved Maven Scheme Plans and do not require a variation to this resource consent or a separate resource consent for the vehicle crossing.

Advice Note: The vehicle crossing locations shown on the approved Maven Scheme Plans establish the consented access arrangement for each lot. The purpose of the “general accordance” provision is to provide sufficient flexibility to finalise the precise crossing position once the dwelling typology, building footprint and garage or parking arrangement for the relevant lot are confirmed, while retaining the overall access pattern authorised by this consent.

2.7 Section 223 Requirements – All Stages

- (85) A Construction Traffic Management Plan (CTMP) and Corridor Access Request (CAR) must be submitted for certification as part of the CMP prepared for the WDC Land Use Consent (Part B). The CTMP must include all elements set out in the CTMP condition of Part B of this consent.
- (86) A detailed design Road Safety Audit must be completed in accordance with the Waka Kotahi NZ Transport Agency Road Safety Audit Procedures (May 2013) for all new public roads within the subdivision, prior to construction commencing. A post-construction Road Safety Audit must also be completed following construction, with any concerns identified addressed within timeframes agreed with WDC.
- (87) Prior to requesting approval under Section 223 of the RMA, BFL must provide to WDC a written statement from a Licensed Cadastral Surveyor, stating:
- (a) whether all services to a lot (including any pipes, cables, pumps and ancillary equipment) are located entirely within the lot to which those services relate; or
 - (b) where a service to a lot requires rights over an adjacent lot or other land in order to transport or connect the service to that lot, the Land Transfer Plan shows the nature and location of any easement to be created for those services, including that due allowance has been made to ensure services are constructed within the relevant easement area and that services do not interfere with the construction of any dwelling or other improvement on the servient land.
- (88) The statement provided in accordance with Condition 77 must be accompanied by all evidence reasonably required by WDC to verify the nature and location of the services and the rights of each lot to connect services through other land.
- (89) BFL must submit a survey plan for certification by WDC. The survey plan must be in general accordance with the approved subdivision scheme plans for each stage or sub-stage and show all lots to vest in WDC (including roads and reserves) and all easements and amalgamation conditions required by this consent.
- (90) The survey plan must be accompanied by engineering plans approved as part of the WDC Land Use Consent showing (but not limited to):
- (a) the provision of reticulated three-waters infrastructure;

- (b) the provision of individual water, wastewater, power, fibre and telecommunications connections onto lots to be created by the stage;
- (c) the provision of stormwater devices and connections for all roadways and public areas;
- (d) the location and design of vehicle crossings onto lots to be created by the stage;
- (e) the design and dimensions, formation, and construction details for all public roads, including car parking, loading bays, manoeuvring areas, pedestrian and cycle paths, and road markings and signage; and
- (f) the provision of overland flow paths.

Land to Vest in WDC

- (91) Where a stage or sub-stage includes land to be vested, the survey plan must show all lots proposed to vest. Land to vest includes:
 - (a) all public road lots, to be vested in WDC as Legal Road. BFL must meet all costs associated with vesting. Legal Road must be vested in WDC free of charge;
 - (b) all Local Purpose Reserve lots (stormwater, wastewater, or other purposes), to be vested in WDC as Local Purpose Reserves for the relevant purpose. BFL must meet all costs associated with vesting. Local Purpose (Stormwater) and Local Purpose (Wastewater) Reserves must be vested in WDC free of charge;
 - (c) no esplanade reserve or esplanade strip is required in connection with this subdivision, and none is to be vested; and
 - (d) the Recreation Reserve (Central Park) lot, to be vested in WDC in accordance with Condition 118 and the terms of the PDA. The purchase price for the Recreation Reserve is to be addressed in the PDA.

2.7.1 Amalgamation Conditions

- (92) The survey plan for each stage must show any amalgamation conditions required by WDC to the extent required to consolidate titles in accordance with the approved staging plan. Where a stage or sub-stage includes a Jointly Owned Access Lot (JOAL), the amalgamation condition must confirm that the JOAL is held in equal undivided shares by the owners of all lots it serves as tenants in common, and individual Records of Title are to be issued accordingly.

2.7.2 Easement Conditions

- (93) Where a stage or sub-stage includes an easement, the survey plan must show the easement with appropriate easement details in a schedule.
- (94) The surveying and definition of easements and the preparation and registration of all easement documents must be completed by, and at the cost of, BFL. Easement documents in favour of WDC must be prepared by WDC. Easements must be:
 - (a) at least 1.5m either side of any wastewater or stormwater pipe invert where the pipe is less than 4m deep; and

- (b) at least 3m either side of any wastewater or stormwater pipe invert where the pipe is more than 4m deep.
- (95) All easements as described and submitted in accordance with each survey plan must be duly granted or reserved.
- (96) A fencing covenant, as defined in Section 2 of the Fencing Act 1978, protecting WDC from liability to contribute towards any work and/or cost on the fence along the common boundary, must be registered on the Record of Title of all lots adjoining Local Purpose Reserves to be vested in WDC. BFL must supply a solicitor's undertaking that all required land covenants will be registered with LINZ.

2.8 Section 224(c) Requirements – All Stages

- (97) Prior to the issue of the Section 224(c) certificate for any stage or sub-stage, BFL must comply with all of the following:

Engineering

- (98) Provide confirmation from a SQEP that all lots have:
 - (a) legal and physical access to a road;
 - (b) connections to all reticulated network utilities (water, wastewater, stormwater, power, fibre and telecommunications); and
 - (c) overland stormwater flow paths to a WDC-approved system.

All assets must be CCTV inspected (with log sheets) in accordance with the RITS and the NZ Pipe Inspection Manual. A SQEP report detailing each pipeline surveyed, highlighting defects and suggested remedies, must be submitted to WDC. Any defects attributed to the consented activities must be repaired at BFL's expense.
- (99) Comply with all conditions of this consent relevant to that stage, including the relevant conditions of the WDC Land Use Consent (Part B).
- (100) Provide confirmation from WDC that all necessary works to ensure there is available servicing capacity to facilitate development have been completed to the extent required for that stage.
- (101) Submit to WDC comprehensive as-built plans of finished contours and all urban services in accordance with RITS, for certification as to consistency with the approved engineering plans. As-built information must include:
 - (a) finished surface contours (.TIF, .AC or .FLT files);
 - (b) separate A3 as-built plans in PDF format for each service;
 - (c) separate Points and Lines .SHP files for each service (six .SHP files in total) supplied as complete shapefile datasets including .SHP, .SHX, .DBF and .PRJ files;
 - (d) completed Excel spreadsheets from Appendix 1C of RITS; and
 - (e) all service nodes with NZTM2000 x/y coordinates ($\pm 0.1\text{m}$) and NZVD2016 z coordinates ($\pm 0.01\text{m}$).

- (102) Submit to WDC comprehensive Asset and Work Manager (AWM) information, prepared by an AWM SQEP, of all urban services which clearly indicate the location of services. The information must be submitted in a spreadsheet format acceptable to WDC.
- (103) Provide WDC with all relevant RITS forms and checklists, including the “Contractor’s Certificate on Completion of Land Development – Subdivision” and “Certification upon Completion of Land Development – Subdivision” on WDC’s template, covering all infrastructure to be vested in WDC.
- (104) Provide WDC with the relevant RITS form in Appendix 2A: Schedule 2A (NZS 4404:2010) “Statement of Professional Opinion on Suitability of Land for Building Consent”.
- (105) Address, reinstate and repair all damage caused by construction activities to at least pre-construction standard, including footpaths, stormwater kerb and channel, road carriageway formation, berm, and urban services. These costs must be met by BFL.
- (106) Provide confirmation from utility providers that works have been satisfactorily undertaken.
- (107) Provide a Geotechnical Completion Report from a SQEP confirming that all lots in the stage are stable and suitable for development.

Independent Geotechnical Peer Review

- (108) Prior to the commencement of construction for each development stage, BFL must appoint an Independent Chartered Professional Geotechnical Engineer (Peer Reviewer), acceptable to WDC, to undertake an independent review of the geotechnical design, construction methodology and implementation. The Peer Reviewer must be independent of the Project Geotechnical Engineer, contractor and earthworks supervisor, and must have demonstrable experience in the investigation, design and construction of developments involving peat, highly compressible soils and staged preload construction.
- (109) Prior to construction of each development stage, the Peer Reviewer must undertake an independent review of the geotechnical design documentation and provide written confirmation to WDC that the proposed methodology is consistent with accepted geotechnical engineering practice, appropriately manages the identified geotechnical hazards, and is capable of achieving the required long-term performance outcomes for buildings, infrastructure and assets intended to vest in WDC. The review must include, as a minimum:
 - (a) the Stage-Specific Geotechnical Design Report;
 - (b) the Geotechnical Effects Management Plan (GEMP);
 - (c) the Geotechnical Works Specification;
 - (d) the Settlement Monitoring Plan;
 - (e) preload and surcharge design;
 - (f) stormwater pond and wetland geotechnical design;
 - (g) retaining wall, foundation and basement design (where applicable);
 - (h) pavement and subgrade recommendations; and
 - (i) any material amendment to the approved geotechnical documentation.

- (110) Throughout construction, BFL must provide the Peer Reviewer with all relevant monitoring and verification information to enable independent assessment of the geotechnical performance of the development. Where the Peer Reviewer determines that the approved design objectives or performance criteria are unlikely to be achieved, remedial measures must be prepared by the Project Geotechnical Engineer, reviewed by the Peer Reviewer and implemented prior to continuation of the relevant works.

Monitoring information must include, as applicable:

- (a) settlement monitoring records;
 - (b) groundwater monitoring results;
 - (c) preload and surcharge performance data;
 - (d) earthworks quality assurance testing;
 - (e) geotechnical verification testing;
 - (f) construction records;
 - (g) non-conformance reports; and
 - (h) records of corrective actions.
- (111) The following activities must not proceed until the Project Geotechnical Engineer and the Peer Reviewer have jointly confirmed in writing that the relevant geotechnical performance criteria have been achieved:
- (a) removal of preload or surcharge material;
 - (b) commencement of permanent pavement construction;
 - (c) commencement of permanent building construction where settlement criteria are critical;
 - (d) commissioning of stormwater ponds, wetlands and retaining structures;
 - (e) installation of permanent gravity infrastructure where ongoing settlement may affect performance; and
 - (f) completion of geotechnical works for the relevant development stage.
- (112) Any material amendment to the approved geotechnical design, Geotechnical Effects Management Plan, Settlement Monitoring Plan or preload methodology must be certified by the Project Geotechnical Engineer and independently reviewed by the Peer Reviewer prior to implementation. The review must confirm that the amendment will continue to achieve the required performance standards and does not introduce unacceptable residual geotechnical risk.
- (113) Prior to the acceptance of infrastructure intended to vest in WDC, the Peer Reviewer must provide a Peer Review Completion Statement to WDC confirming that:
- (a) the geotechnical works have been completed generally in accordance with the approved design documentation;
 - (b) settlement monitoring demonstrates compliance with the adopted design criteria;
 - (c) residual geotechnical risks have been identified and appropriately managed;

- (d) the Geotechnical Completion Report accurately reflects the works undertaken;
 - (e) any ongoing monitoring requirements have been identified; and
 - (f) the infrastructure is suitable, from a geotechnical perspective, for its intended design life.
- (114) Where post-construction settlement monitoring is required, the Peer Reviewer must review and endorse the proposed monitoring programme before the relevant infrastructure is accepted by WDC.

The monitoring programme must identify:

- (a) monitoring locations;
- (b) monitoring frequency;
- (c) trigger levels requiring investigation or remedial action;
- (d) reporting requirements;
- (e) responsibility for monitoring and reporting; and
- (f) the criteria for completion of the monitoring programme.

Monitoring must continue until the Peer Reviewer confirms that the adopted long-term geotechnical performance criteria have been achieved.

Road Naming

- (115) Provide and install road naming signs in accordance with WDC standards for all public and private roads serving six or more lots within the subdivision. Names must be as approved by WDC.

Landscaping

- (116) Implement all hard and soft landscape works within stormwater reserves, public parks, public roads, and accessways in general accordance with the landscape plans approved under the WDC Land Use Consent.
- (117) Provide the certified Landscape Maintenance Plan for all planting and landscaping to be established within all reserves, public parks, and public roads approved as part of the WDC Land Use Consent.
- (118) Provide as-built plans of completed landscape works (hard and soft) within all reserves, public parks, and public roads in .CAD (NZTM2000) and .PDF format in general accordance with WDC's Development Engineering as-built requirements. Plans must include:
- (a) asset names;
 - (b) all finished hard and soft landscape asset locations and type, with square metres of planting annotated;
 - (c) all underground services and drainage; and
 - (d) all paint colours, pavers, and concrete types.

2.8.1 Maintenance and Bonds

Infrastructure

- (119) BFL must maintain all civil assets (excluding stormwater infrastructure) for a period of twelve (12) months following the date of vesting in WDC. Prior to vesting, BFL must enter into a refundable maintenance bond, calculated at 150% of 2.5% of the assessed value of the assets to be vested. The bond document must be drafted by WDC at BFL's expense.
- (120) BFL must maintain the stormwater infrastructure (including any nature-based solutions) for a period of five (5) years following the date of vesting in WDC. Prior to vesting, BFL must enter into a refundable maintenance bond, calculated at 150% of 2.5% of the assessed value of the stormwater assets to be vested.

Landscaping

- (121) Where any landscape works required by the certified landscape plans have not been completed at the time of Section 224(c) certification, BFL must provide WDC with an uncompleted works bond at 1.5 times the contracted rate of any outstanding works. The bond document must be drafted by WDC at BFL's expense.
- (122) BFL must provide WDC with a refundable maintenance bond for landscaping works for a period of two (2) years from:
 - (a) the date of issue of the Section 224(c) certificate where all required landscaping works are completed prior to 224(c); or
 - (b) the date of release of any landscaping works bond where a separate landscaping works bond was provided at 224(c).

The bond value must be calculated at 150% of 2.5% of the assessed value of the landscaping assets.

Buffer Planting

- (123) Where buffer planting is required by the certified Buffer Planting Management Plan (BPMP), BFL must implement the buffer planting in general accordance with the certified BPMP, including the species, grades, densities and maintenance requirements specified therein. Buffer planting must be implemented during the first planting season (April to September) following the completion of each construction stage that adjoins a Site boundary where buffer planting is required. Prior to the issue of the Section 224(c) certificate for any such stage or sub-stage, BFL must provide WDC with:
 - (a) confirmation from a suitably qualified landscape professional that the required buffer planting has been implemented in general accordance with the certified BPMP; or
 - (b) a landscaping works bond calculated in accordance with Condition 110, pending completion of the buffer planting after the Section 224(c) certificate.
- (124) Where buffer planting is required by the WDC Land Use Consent, BFL must maintain the buffer planting for a period of three (3) years following planting. A refundable maintenance bond must be entered into for a period of six (6) years from the date of planting, calculated at 150% of 2.5% of the assessed value of the buffer planting. The bond document must be drafted by WDC at BFL's expense.

2.8.2 33 kV Powerline Undergrounding – Stage 2

Detailed Design

- (125) Prior to the commencement of subdivision works within Stage 2 that may affect the existing 33 kV powerline, the Consent Holder shall provide Council with written confirmation from WEL Networks that the detailed design for undergrounding the 33 kV powerline traversing Stage 2 has been approved. The works shall be generally in accordance with the Maven Engineering Plans, Ref. XXX.
- (126) The undergrounding works shall provide for the replacement of the existing overhead 33 kV power cables between WEL Networks power poles 547378 and 547735, as identified on the Maven Engineering Plans.

Construction and Commissioning

- (127) The approved undergrounding works shall be undertaken by suitably qualified and experienced contractors in accordance with the requirements of WEL Networks and shall include all cables, ducts, jointing, terminations, earthing, transition infrastructure and associated works necessary to provide an operational underground 33 kV connection.

Protection During Works

- (128) Until the underground 33 kV connection has been commissioned and the affected overhead line has been de-energised, all earthworks and construction activities within the vicinity of the existing 33 kV infrastructure shall be undertaken in accordance with applicable WEL Networks requirements and electrical safe-distance requirements.

Completion and Certification

- (129) Prior to the issue of a certificate pursuant to section 224(c) of the Resource Management Act 1991 for Stage 2, the Consent Holder shall provide Council with written confirmation from WEL Networks that:
 - (a) the underground 33 kV connection has been completed, tested and commissioned to the satisfaction of WEL Networks;
 - (b) the underground infrastructure has been accepted by WEL Networks;
 - (c) following commissioning of the underground connection, the existing 33 kV overhead power cables between WEL Networks power poles 547378 and 547735 have been removed; and
 - (d) WEL Networks power poles 547376 to 547378 and associated redundant infrastructure have been removed, except for any infrastructure required by WEL Networks for the transition between the underground and overhead network.

As-Built Information

- (130) Prior to section 224(c) certification for Stage 2, as-built information identifying the final alignment and relevant components of the underground 33 kV infrastructure shall be provided to Council and WEL Networks in accordance with their respective requirements.

2.8.3 Development and Financial Contributions

- (131) BFL must pay to WDC in full, in cleared and available funds:
 - (a) financial contributions pursuant to Section 108 of the RMA and the applicable Waikato District Plan;

- (b) development contributions in accordance with the relevant WDC/HCC Development Contributions Policy that applies at the time of payment; and
- (c) contributions in accordance with the PDA.

2.8.4 Consent Notices

- (132) All Consent Notices to be registered under the conditions of this resource consent must be prepared by WDC and the preparation and registration of Consent Notices must be completed by, and at the cost of, BFL. Where Consent Notices refer to design plans or technical information, WDC's document number should be included in the wording of the Consent Notice for ease of reference.
- (133) BFL must provide proposed wording to WDC for approval to address the following matters to be contained in Consent Notices when seeking the Section 224(c) certificate for each Stage:
 - (a) A Consent Notice on the Records of Title of all lots that require on-site stormwater management devices as determined by the certified SMP, generally worded as follows: "That, at the time of building construction, an on-site stormwater management device be installed and thereafter maintained in perpetuity in accordance with the On-lot Devices Management Plan forming part of the WRC stormwater consent."
 - (b) A Consent Notice on the Records of Title of all lots that require compliance with the development controls set out in the WDC Land Use Consent, generally worded as: "That all residential development must comply with the development controls set out in Consent [reference] on an ongoing basis (where those controls are relevant to the lot)."
 - (c) A Consent Notice on the Records of Title of each Stage 1A large lot residential (lifestyle) lot, recording the ongoing requirements in accordance with Condition 140 of this consent.
 - (d) A Consent Notice on the Records of Title of boundary lots subject to buffer planting maintenance obligations in accordance with the certified BPMP. The wording of the Consent Notice is to be agreed with WDC prior to lodgement.

Advice note: Wording for all Consent Notices is indicative only and must be agreed with WDC prior to lodgement.

- (134) Consent Notices required by Condition 116 must be registered on the relevant Records of Title prior to the issue of the Section 224(c) certificate for the relevant stage.

Advice note: Consent to cancel any existing Consent Notices, covenants and easements on the current Records of Title will need to be obtained prior to lodgement where applicable. Refer to the Day 0 subdivision conditions (Part C0) regarding any cancellations required in connection with that consent.

- (135) The consent holder shall prepare and register a consent notice pursuant to section 221 of the Resource Management Act 1991 against the Records of Title for Lots 780, 781, 782 and 211 of the Brymer Farms development.

The consent notice shall record that the owners and all future owners and occupiers of those lots:

- (a) acknowledge the presence and lawful operation of the wastewater pump station adjacent to or in the vicinity of those lots;
- (b) acknowledge that the normal operation, maintenance, repair, upgrade and emergency operation of the wastewater pump station may result in noise, odour, vibration and visual effects; and
- (c) shall not make or support any complaint, submission, objection, application or other proceeding under the Resource Management Act 1991 or the Health Act 1956 in respect of noise, odour, vibration or visual effects arising from the lawful operation, maintenance, repair, upgrade or emergency operation of the wastewater pump station, where the pump station is operating in accordance with all applicable resource consents, designations and statutory requirements.

2.9 Recreation Reserve (Central Park) Vesting

- (136) The Consent Holder must vest the central park, comprising approximately [X]m² and shown as Lot [X] on the approved MAVEN plan [MAVEN Ref. XXX], in [Hamilton City Council] as recreation reserve / land in lieu of reserve [as applicable].

The Consent Holder is responsible for all costs associated with the survey, formation, development and vesting of the central park.

The central park must vest free of interests and encumbrances except for any easements, infrastructure or other interests expressly approved by the Council as part of the detailed design of the park.

Central Park Detailed Design

- (137) Prior to commencement of physical works within the central park, the Consent Holder must submit detailed landscape and engineering plans for the park to the Council for certification that they are generally consistent with:

- (a) the approved B&A Landscape Plans;
- (b) the approved Ecological Plans / Ecological Restoration Plans;
- (c) the approved MAVEN plan [MAVEN Ref. XXX]..

The detailed plans must include, as a minimum:

- (a) finished landform and levels;
- (b) the alignment, width, surface treatment and construction details of pedestrian and cycle paths;
- (c) wetland extent, profiles and planting;
- (d) specimen tree, shrub, groundcover and other landscape planting;
- (e) grassed and informal recreation areas;
- (f) park furniture;
- (g) signage and wayfinding, where required;
- (h) fencing, bollards and vehicle-control measures, where required;

- (i) drainage and associated infrastructure; and
- (j) maintenance and establishment requirements.

North–South Walking and Cycling Connection

- (138) The Consent Holder must construct a continuous north–south walking and cycling connection through the central park in general accordance with the approved MAVEN plan [MAVEN Ref. XXX] and the approved B&A Landscape Plans.

The walking and cycling connection must:

- (a) provide a continuous and legible connection between the northern and southern boundaries of the central park and connect with the adjoining pedestrian and cycle network;
- (b) be designed and constructed to accommodate shared pedestrian and cycle use;
- (c) incorporate appropriate gradients, crossfalls, drainage and surface treatment to provide an all-weather route;
- (d) provide safe and convenient connections to adjoining streets, paths, open spaces and residential areas; and
- (e) be integrated with the wetland, landscape planting and other recreational functions of the central park.

Wetlands and Ecological Planting

- (139) All wetlands and associated ecological planting within the central park must be established in general accordance with the approved:

- (a) Ecological Plans / Ecological Restoration Plans; and
- (b) B&A Landscape Plans..

The planting must include the species, plant grades, densities and spatial distribution specified on the approved plans, together with any associated establishment, weed control and maintenance requirements.

All wetland and ecological planting must be undertaken during an appropriate planting season unless otherwise approved by the project ecologist or landscape architect.

Park Landscaping

- (140) Prior to vesting of the central park, the Consent Holder must complete the park landscaping in general accordance with the certified detailed landscape plans required by Condition 119.

The works must include, as applicable:

- (a) formation and grassing of open-space and informal recreation areas;
- (b) specimen tree planting;
- (c) shrub, groundcover, riparian, wetland and ecological planting;
- (d) construction of the north–south walking and cycling connection;
- (e) connections to adjoining pedestrian and cycle paths;

- (f) fencing, bollards and vehicle-control measures; and
- (g) all other landscape works shown on the certified plans.

Park Furniture

- (141) The Consent Holder must provide and install park furniture within the central park in general accordance with the approved B&A Landscape Plans and the detailed landscape plans certified under Condition 119.

Park furniture must include, as applicable:

- (a) seating and benches;
- (b) picnic tables;
- (c) rubbish and recycling bins;
- (d) cycle stands;
- (e) bollards;
- (f) wayfinding and park signage; and
- (g) any other park furniture identified on the approved plans.

All park furniture must be durable, suitable for installation within a public open-space environment and installed in accordance with the manufacturer's specifications and applicable Council requirements.

Practical Completion

- (142) Following completion of the central park works and prior to vesting, the Consent Holder must request a practical completion inspection by the Council.

Prior to practical completion being confirmed, the Consent Holder must demonstrate that:

- (a) the park has been constructed and landscaped in general accordance with the certified detailed plans and the conditions of this consent;
- (b) the north-south walking and cycling connection has been completed and is available for use;
- (c) all required wetland, ecological and landscape planting has been completed;
- (d) all required park furniture, fencing, bollards and signage has been installed;
- (e) the park is free from construction materials, debris and temporary works, except where required for ongoing landscape establishment;
- (f) all grassed areas have been established to an appropriate standard;
- (g) all paths and other park infrastructure are safe and fit for their intended purpose; and
- (h) as-built plans and other completion documentation reasonably required by the Council have been provided.

Defects Liability and Landscape Establishment Period

- (143) The Consent Holder is responsible for the maintenance of all landscaping, ecological planting, paths, park furniture and other assets within the central park for a period of 24

months commencing from the date that practical completion is confirmed by the Council (Defects Liability and Landscape Establishment Period).

During this period, the Consent Holder must:

- (a) maintain all planting in a healthy and vigorous condition;
- (b) undertake watering, weed control, pest plant control, mulching, pruning and other maintenance necessary to ensure successful establishment;
- (c) replace any dead, dying, diseased or otherwise unsuccessful plants with plants of the same species and an equivalent grade, unless an alternative is approved by the Council;
- (d) maintain the wetlands and associated ecological planting in accordance with the approved ecological and landscape plans;
- (e) maintain grassed areas and undertake any necessary reinstatement;
- (f) repair any defects in the walking and cycling paths, drainage infrastructure, park furniture, fencing, bollards, signage and other park assets resulting from defective materials or workmanship; and
- (g) keep the park in a safe, tidy and serviceable condition.

Any replacement planting required during the Defects Liability and Landscape Establishment Period must be undertaken during the next appropriate planting season.

Final Inspection and Acceptance

- (144) At the conclusion of the 24-month Defects Liability and Landscape Establishment Period, the Consent Holder must request a final inspection of the central park by the Council.

Prior to final acceptance, the Consent Holder must:

- (a) rectify any outstanding defects identified during the final inspection;
- (b) replace any dead, dying or unsuccessful planting;
- (c) demonstrate that the wetland and ecological planting has established in general accordance with the approved Ecological Plans and B&A Landscape Plans;
- (d) demonstrate that the north–south walking and cycling connection and all park furniture and other park assets are in a safe and serviceable condition; and
- (e) provide any updated as-built information and maintenance records reasonably required by the Council.

The Consent Holder's obligations under the Defects Liability and Landscape Establishment Period will cease following written confirmation from the Council that the central park assets and landscaping have achieved final acceptance.

2.10 Stage 1A Large Lot Residential Lots – Lots 1–8

General Servicing and Development Requirements

- (145) Notwithstanding any other servicing condition of this consent, Condition 87(b) applies to proposed Lots 1–8 within Stage 1A in respect of stormwater, power, fibre and

telecommunications connections only. Proposed Lots 1–8 are not required to be provided with connections to a reticulated public wastewater or water supply network as part of the subdivision authorised by this consent.

- (146) In lieu of reticulated public water and wastewater connections, potable water supply and wastewater collection, treatment and disposal for proposed Lots 1–8 must be provided on-site in accordance with the requirements of these conditions.
- (147) Prior to certification under section 224(c) of the Resource Management Act 1991 for Stage 1A, the Consent Holder must demonstrate that each of proposed Lots 1–8 is capable of accommodating:
 - (a) an on-site wastewater treatment and disposal system appropriate for the anticipated residential use of the lot; and
 - (b) an on-site water collection, storage, treatment and supply system, including rainwater collection and storage sufficient to provide for the anticipated potable and non-potable water requirements of the dwelling, subject to any separate requirements for firefighting water supply.

Building Platform and Residential Design

- (148) Any dwelling and associated residential development constructed on proposed Lots 1–8 must be located generally within the respective House Pad Development Footprint identified on the approved Maven Scheme Plans, Ref. [XXX], and must be designed and constructed in accordance with the Brymer Farms Residential Design Guide, Ref. [XXX].
- (149) The precise location, footprint and configuration of a dwelling within the House Pad Development Footprint may be refined through the detailed architectural and building consent design process.
- (150) Minor adjustments to the House Pad Development Footprint identified on the approved Maven Scheme Plans may be made where demonstrated to be appropriate having regard to matters including:
 - (a) final dwelling typology and architectural design;
 - (b) final survey and finished ground levels;
 - (c) geotechnical requirements;
 - (d) servicing requirements;
 - (e) ecological requirements;
 - (f) vehicle access; or
 - (g) other detailed engineering or design matters,
 - (h) provided that the resulting development remains in accordance with the Brymer Farms Residential Design Guide and does not result in a materially different built-form or interface outcome from that authorised by this consent.

Potable Water Supply

- (151) Each of proposed Lots 1–8 must provide an independent on-lot water supply, with roof-collected rainwater harvesting and storage forming the primary source of water supply for any dwelling.
- (152) The rainwater collection, storage and treatment system must be designed, installed, operated and maintained to provide a water supply appropriate for the residential use of the lot and must incorporate any filtration, treatment or other measures necessary to comply with applicable statutory, building and drinking-water requirements in force at the time of development.
- (153) Sufficient rainwater storage must be provided to service the anticipated residential demand of the lot, including potable and non-potable water requirements and any applicable firefighting water supply requirements.
- (154) The detailed design, sizing, location and capacity of the on-site water supply system may be determined at the time of future development and/or building consent for the relevant lot.

On-Site Wastewater

- (155) Each of proposed Lots 1–8 must provide for the on-site collection, treatment and disposal of domestic wastewater.
- (156) Wastewater disposal must be undertaken by way of an on-lot drip-line land application system, generally within the wastewater disposal areas identified on the approved Maven Scheme Plans, Ref. [XXX], or in another suitable location within the lot where demonstrated to be appropriate through site-specific wastewater design.
- (157) Prior to construction and/or occupation of a dwelling on each lot, the on-site wastewater treatment and land application system must be designed by a suitably qualified and experienced person having regard to:
 - (a) the proposed dwelling and anticipated wastewater loading;
 - (b) soil and ground conditions;
 - (c) site topography;
 - (d) the available land application area;
 - (e) any required reserve disposal area; and
 - (f) any other applicable statutory, building, health or infrastructure requirements in force at the time of development.
- (158) The detailed design, location, capacity and any necessary approvals for the wastewater treatment and disposal system may be determined at the time of future development and/or building consent for the relevant lot.
- (159) The wastewater treatment and disposal system must be installed, operated and maintained in accordance with the approved design and manufacturer's requirements.

Natural Wetlands

- (160) Where a natural wetland identified on Ecological Solutions Plans, Ref. [XXX], occurs within a proposed Stage 1A lot, the surveyed extent of that natural wetland must be protected from residential development in perpetuity.

- (161) No dwelling, residential building or associated building platform may be located within 10 metres of the surveyed natural wetland boundary identified on Ecological Solutions Plans, Ref. [XXX].
- (162) Activities within or immediately adjoining an identified natural wetland must be undertaken in accordance with the relevant recommendations and mitigation measures contained in Ecological Solutions [report/plan reference XXX].

2.10.1 Stage 1A Consent Notices

- (163) Prior to certification under section 224(c) of the Resource Management Act 1991 for Stage 1A, the Consent Holder must register a consent notice pursuant to section 221 of the Resource Management Act 1991 on the Record of Title for each of proposed Lots 1–8 recording, where applicable:
 - (a) the requirement for residential development to be located generally within the House Pad Development Footprint shown on the approved Maven Scheme Plans, Ref. [XXX];
 - (b) the requirement for development to be undertaken in accordance with the Brymer Farms Residential Design Guide, Ref. [XXX];
 - (c) the requirement to provide and maintain an on-lot rainwater collection, storage, treatment and water supply system;
 - (d) the requirement to provide and maintain an on-site wastewater treatment and drip-line land application system;
 - (e) responsibility of the owner for the design, consenting, installation, operation, maintenance, repair and replacement of all on-site wastewater and water supply infrastructure serving the lot; and
 - (f) where applicable, protection of any identified natural wetland and the associated 10 metre building setback.
- (164) The consent notice required by Condition 147 must identify the approved House Pad Development Footprint applicable to the lot, as shown on the approved Maven Scheme Plans, Ref. [XXX].
- (165) The consent notice required by Condition 147 must have attached to it, or otherwise incorporate by reference, the approved Brymer Farms Residential Design Guide, Ref. [XXX], applicable to development of the lot.
- (166) The consent notice required by Condition 147 must record that any dwelling and associated residential development on the lot must be located generally within the House Pad Development Footprint shown on the approved Maven Scheme Plans, Ref. [XXX], and must be designed and constructed in accordance with the Brymer Farms Residential Design Guide..
- (167) The precise location, footprint and configuration of a dwelling may be refined through the detailed architectural and building consent design process, provided that the resulting development remains generally within the approved House Pad Development Footprint and is in accordance with the Brymer Farms Residential Design Guide.
- (168) Minor adjustments to the House Pad Development Footprint may be made where necessary to respond to final dwelling typology and architectural design, final survey,

finished ground levels, geotechnical requirements, servicing, ecological requirements, vehicle access or other detailed design matters, provided that the resulting development remains in accordance with the Brymer Farms Residential Design Guide and does not result in a materially different built-form or interface outcome from that authorised by this consent.

Consent Notice – On-Site Water Supply

- (169) The consent notice required by Condition 147 must record that the lot has been created on the basis that it is not required to be provided with a connection to a reticulated public water supply network.
- (170) The consent notice must record that any dwelling on the lot must provide an on-site water collection, storage, treatment and supply system, with rainwater collected from roof areas retained on the lot and utilised as the primary source of water supply for the dwelling.
- (171) The on-site water supply system must include appropriate storage, treatment and associated infrastructure necessary to provide a suitable potable and non-potable water supply and any applicable firefighting water supply.
- (172) The detailed design, sizing and location of the on-site water supply system may be confirmed as part of the future development and/or building consent process and must comply with all applicable statutory, building, health and infrastructure requirements in force at that time.

Consent Notice – On-Site Wastewater

- (173) The consent notice required by Condition 147 must record that the lot has been created on the basis that it is not required to be provided with a connection to a reticulated public wastewater network.
- (174) The consent notice must record that any dwelling or other development requiring wastewater servicing on the lot must provide an on-site wastewater treatment and disposal system designed and installed in accordance with the requirements applicable at the time of development.
- (175) Wastewater disposal must be undertaken by way of an on-lot drip-line land application system, generally within the wastewater disposal area identified on the approved Maven Scheme Plans, Ref. [XXX], or in another suitable location within the lot where demonstrated to be appropriate through site-specific wastewater design.
- (176) The detailed wastewater design must demonstrate that wastewater can be appropriately treated and disposed of within the lot, including provision for any required disposal and reserve areas.
- (177) The detailed design, sizing and location of the on-site wastewater treatment and disposal system may be confirmed as part of the future development and/or building consent process and must comply with all applicable statutory, building, health and infrastructure requirements in force at that time.

Consent Notice – Ownership and Maintenance

- (178) The consent notice required by Condition 147 must record that the owner of the lot is responsible for the design, consenting, installation, operation, maintenance, repair and replacement of all on-site wastewater and water supply infrastructure serving the lot.
- (179) The consent notice must record that the creation and certification of the lot does not represent confirmation that a reticulated public wastewater or water supply connection has been provided or is available, and that any future connection to a reticulated network is subject to the approval and requirements of the relevant infrastructure provider.

Consent Notice – Natural Wetland Protection

- (180) Where a natural wetland occurs within the relevant lot, the consent notice required by Condition 147 must record that the surveyed extent of the natural wetland identified on Ecological Solutions Plans, Ref. [XXX], must be protected from residential development in perpetuity.
- (181) Where Condition 164 applies, the consent notice must record that no dwelling, residential building or associated building platform may be located within 10 metres of the surveyed natural wetland boundary identified on Ecological Solutions Plans, Ref. [XXX].
- (182) Where Condition 164 applies, the consent notice must record that activities within or immediately adjoining the identified natural wetland must be undertaken in accordance with the relevant recommendations and mitigation measures contained in Ecological Solutions [report/plan reference XXX].

Advice Note: The House Pad Development Footprints identify the anticipated areas for residential development but are not intended to prescribe the precise footprint or final location of a dwelling. Final dwelling typology, footprint and architectural design may be confirmed through the detailed design and building consent process, subject to compliance with these conditions and the Residential Design Guidelines.

1.0 WDC Day 0 Subdivision Consent

1.1 Conditions Set Overview

Subdivision consent to undertake an initial (Day 0) subdivision of the Site to create development superlots for the Brymer Residential Development, facilitate the vesting of esplanade reserves and streambed, and establish the title structure required prior to commencement of the staged residential subdivision, at 584 Whatawhata Road / Brymer Road / O'Brien Road / State Highway 23, Hamilton / Temple View.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- **Part C0 – WDC Day 0 Subdivision Consent**
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Full Term
BFL	Brymer Farms Limited
IAWAI	IAWAI - Flowing Waters
NES:CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
PDA	Private Developer Agreement
RMA	Resource Management Act 1991
SQEP	Suitably Qualified and Experienced Person/Professional
WDC	Waikato District Council
WRC	Waikato Regional Council
Council(s)	Waikato District Council & Hamilton City Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Five (5) years from the date of commencement unless it has been given effect to, surrendered, or cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The subdivision must be carried out in general accordance with the application for resource consent, including any reports, plans, and further information provided by Brymer Farms Limited (BFL), and in accordance with the following conditions of consent.

Where there is any apparent conflict between the application documents and consent conditions, the consent conditions will prevail.

- (2) BFL must retain the services of a SQEP to oversee the design and construction of any infrastructure required for the development. This person must be responsible for ensuring adherence to approved construction plans, quality systems, and project completion requirements. Prior to any design and development, BFL must advise WDC of the name and contact details of the representative.
- (3) This consent will lapse five years from the date of commencement unless it has been given effect to, surrendered, or cancelled at an earlier date.

2.4 Fees & Charges

- (4) BFL must pay to WDC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

Advice note: The Section 224(c) RMA Certificate will not be issued until all fees relating to that development/subdivision stage are paid.

2.5 Condition Precedent

- (5) The Section 224(c) certificate will not be issued by WDC pursuant to this consent until:
 - (a) BFL has supplied an electronic file containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked ‘superseded’ with reference to the final version; and
 - (b) A PDA, in a form and on terms satisfactory to WDC in all respects, has been entered into with WDC and IAWAI, which includes provision for the following:
 - (i) agreement on the land to vest in WDC as part of the development, including agreement as to the size, purpose and value of such land;
 - (ii) agreement on the quantum of development and financial contributions payable to WDC less any offset on account of the value of land to vest in WDC;
 - (iii) the quantum and timing of payments to WDC; and
 - (iv) provision of securities as required by WDC, in its sole discretion, securing the performance of BFL’s obligations under the PDA.

The PDA must be duly executed and all required securities registered in accordance with the PDA.

2.6 Day 0 Subdivision Conditions

- (6) Prior to the certification of the survey plan pursuant to Section 223 of the RMA and the issue of a certificate pursuant to Section 224(c) of the RMA, BFL must:

- (a) submit a Day 0 survey plan which generally accords with the approved scheme plan submitted with the application;
- (b) provide confirmation from a SQEP that all water, power, and telecommunications supplies that cross the boundaries of lots created by the Day 0 subdivision have been severed or are protected by easements;
- (c) provide confirmation from a SQEP that any buildings or structures on lots created by the Day 0 subdivision meet the minimum setback distances from the boundaries in compliance with the development standards for the underlying zone as set out in the Operative Waikato District Plan.

2.7 Section 223 Survey Plan

- (7) BFL must submit a survey plan in general accordance with the subdivision scheme plan submitted with the application. The survey plan must show all easements and amalgamation conditions required by this consent.

2.8 Easements

- (8) The Day 0 survey plan must reflect the Day 0 easement schedule and provide for all easements required for access, infrastructure, and watercourse management purposes, including any easements required for WRC access to managed drains on or adjacent to the Site.
- (9) That the schedule of easements as described and submitted in accordance with the Day 0 survey plan be duly granted or reserved.
- (10) Easements for wastewater and stormwater infrastructure must be a minimum width of:
 - (a) [TBC] metres either side of the pipe invert where the pipe is less than 4 metres deep; and
 - (b) [TBC] metres either side of the pipe invert where the pipe is more than 4 metres deep.

2.9 Amalgamation Conditions

- (11) The Day 0 survey plan must show the amalgamation conditions required by WDC, to the extent required to consolidate the existing titles into the appropriate development superlots. The Day 0 subdivision is anticipated to create six (6) to seven (7) superlots, together with the easements required to service those lots. [Insert specific amalgamation conditions, superlot numbers, and easement schedule]

2.10 Esplanade Reserve / Streambed

- (12) No esplanade reserve or esplanade strip is required to be set aside or vested as part of the Day 0 subdivision.

2.11 Un-serviced Lots – Water, Wastewater and Stormwater

- (13) Notwithstanding any other servicing condition of this consent, Lots [XX] are not required to be provided with connections to the reticulated public water supply or wastewater networks as part of the subdivision authorised by this consent.

- (14) Prior to certification under section 224(c) of the Resource Management Act 1991 for the relevant stage, the Consent Holder shall demonstrate that Lots [XX] are capable of being appropriately managed for stormwater purposes. The final stormwater solution for each lot may comprise an on-site system, connection to the wider development stormwater network, or a combination of measures, and shall be determined through detailed design having regard to the intended future use and development of the lot and the approved Stormwater Management Plan.

Advice Note: Lots [XX] are intentionally created as un-serviced lots. The absence of water and wastewater connections at the time of subdivision does not prevent the issue of a section 224(c) certificate for those lots, provided the requirements of this condition have been satisfied.

2.12 Consent Notice

- (15) The Consent Holder shall register a consent notice pursuant to section 221 of the Resource Management Act 1991 on the Records of Title for Lots [insert Lot references], in the following form:

Water Supply, Wastewater and Stormwater Servicing

- (16) At the time of subdivision, this lot was not provided with a connection to a reticulated water supply or wastewater network. Any water supply and/or wastewater servicing required for the future use or development of this lot shall be designed, consented and installed by, and entirely at the cost of, the then owner of the lot, unless otherwise agreed with the relevant water and/or wastewater infrastructure provider.
- (17) Stormwater servicing for the lot is subject to detailed design. At the time of future development of the lot, the owner shall provide an appropriate stormwater management solution in accordance with the approved Stormwater Management Plan applying to the Brymer development, the requirements of the relevant stormwater authority, and any applicable resource consent requirements.
- (18) For the avoidance of doubt, the creation of the lot does not represent confirmation that water supply, wastewater or stormwater infrastructure is available or has been provided to service any future development of the lot. Any infrastructure, connections, approvals or upgrades required to enable future development shall be the responsibility of the then owner, unless otherwise agreed in writing with the relevant infrastructure authority.

Advice note: The Day 0 subdivision must receive Section 224(c) certification before the staged residential subdivision (Part C – Consent LCXX – WDC Subdivision Consent) can commence. The conditions set out in Part C apply to all subsequent stages.

2.13 Section 224(c) Certification

- (19) The application for a certificate under Section 224(c) of the RMA must be accompanied by certification from a suitably qualified surveyor or engineer confirming that all conditions of this subdivision consent have been complied with.

1.0 Part D – WRC Land Disturbance Consent

1.1 Conditions Set Overview

Regional consent for land disturbance (earthworks) exceeding 1,000m³ and importation of cleanfill in connection with the Brymer Residential Development at 584 Whatawhata Road / Brymer Road / O'Brien Road, Hamilton / Templeview, pursuant to Waikato Regional Plan Rule 5.1.4.15.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- **Part D – WRC Land Disturbance Consent**
- Part E – WRC Water Permit (Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
AEP	Annual Exceedance Probability
ARI	Average Recurrence Interval
ASSMP	Acid Sulphate Soils Management Plan
BFL	Brymer Farms Limited
BioMP	Biosecurity Management Plan
CIA	Cultural Impact Assessment
CMP	Construction Management Plan
CSMP	Contaminated Soils Management Plan
DMP	Dust Management Plan
EMP	Earthworks Management Plan
ESCMP	Erosion and Sediment Control Management Plan
ESCP	Erosion and Sediment Control Plan
FIMP	Flocculation Implementation Management Plan
FMP	Fish Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HSMP	Hazardous Substances Management Plan
NZS	New Zealand Standard
RMA	Resource Management Act 1991
SMP	Stormwater Management Plan
SQEP	Suitably Qualified and Experienced Person/Professional

VMP	Vegetation Management Plan
WOWP	Wetland Offset Works Management Plan
WRC	Waikato Regional Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The proposal must proceed in general accordance with the information and plans submitted with the application, and all supporting information, except where otherwise required by the resource consent conditions. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this resource consent shall be kept on Site at all times that the works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a WRC officer or agent.
- (3) Brymer Farms Limited shall be responsible for all contracted operations relating to the exercise of this resource consent and must ensure contractors are made aware of the conditions of this consent and ensure compliance with those conditions.

2.4 Management Plans

- (4) The following Management Plans are required to be prepared and certified under the WRC Land Disturbance Consent:

Management Plan	Abbreviation
Earthworks Management Plan	EMP
Erosion and Sediment Control Management Plan	ESCMP
Flocculation Implementation Management Plan	FIMP
Acid Sulphate Soils Management Plan	ASSMP
Fish Management Plan	FMP
Stormwater Management Plan	SMP

Vegetation Management Plan	VMP
Wetland Offset Works Management Plan	WOWP

Advice note: The EMP and SMP are also required by the WDC Land Use Consent (Part B). A single plan may be prepared to satisfy both consents, provided it meets the requirements of each.

- (5) Any changes and/or updates to a certified Management Plan must be made in writing and submitted to WRC for certification. While a Management Plan is being changed or updated, the relevant construction activity must cease unless WRC provides written confirmation that the activity may continue.

2.5 Fees & Charges

- (6) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.6 Consent Lapse

- (7) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

2.7 Condition Precedent

- (8) This consent must not be exercised until Brymer Farms Limited has supplied to WRC an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.8 Review

- (9) WRC may during July each year from commencement of construction until two (2) years after construction has completed, serve notice on Brymer Farms Limited under Section 128(1) of the RMA to review the conditions of this consent where:
- (a) a material adverse effect which was not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project are materially larger than what was indicated in the AEE.

Costs associated with any review of conditions will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.9 Pre-Start Requirements

- (10) Brymer Farms Limited must appoint a representative prior to commencement of any works, who shall be WRC's principal contact person for matters relating to this consent.

WRC must be informed of the representative's name and contact details prior to this consent being exercised. Should that person change during the term of this consent, Brymer Farms Limited must immediately inform WRC and provide written notice of the new representative's name and contact details.

- (11) Brymer Farms Limited must inform WRC in writing, at least ten (10) working days prior to commencement of any works, of the start date of the works authorised by this resource consent.
- (12) Prior to the commencement of any construction works, Brymer Farms Limited must hold a pre-start meeting with WRC, scheduled not less than ten (10) working days before the anticipated commencement of works. The meeting must outline the strategy, sequence and approach to construction and confirm the approach to management plans. At least ten (10) working days prior to the meeting, Brymer Farms Limited must invite WRC compliance monitoring officer(s) and engineers, the site representative, the contractor, and representatives from Ngāati Māahanga.

2.10 Staged Pre-Start Notifications

- (13) At least ten (10) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must provide to WRC:
 - (a) an invitation to attend a pre-start meeting for that stage;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned date, staging, and duration of construction works for that stage.

2.11 Communications Plan

- (14) Prior to the start of construction, Brymer Farms Limited must prepare a Communications Plan and submit it to WRC's Monitoring and Enforcement Team at least twenty (20) working days prior to the start of construction. The Communications Plan must include:
 - (a) contact details of the Project Liaison Person;
 - (b) a list of stakeholders;
 - (c) details of communication activities undertaken and proposed;
 - (d) details of the complaint management process;
 - (e) details of consultation requirements; and
 - (f) the process for ongoing review and amendment.

2.12 Complaints Management

- (15) A record of any complaints received in respect of the Construction Works shall be maintained during construction. The record shall include:
 - (a) name, phone number and address of the complainant;
 - (b) nature of the complaint;
 - (c) date, time and location of the alleged event;

- (d) weather conditions;
- (e) other activities that may have contributed;
- (f) measures taken to respond;
- (g) outcome of the investigation; and
- (h) a record of the response provided to the complainant.

The record shall be made available to WRC upon request.

Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.13 Mana Whenua

- (16) Prior to the commencement of any construction works, Brymer Farms Limited must invite Ngāati Māahanga to discuss the implementation of the recommendations within the Cultural Impact Assessment (CIA) and to confirm the approach to cultural monitoring of earthworks, dewatering, and any works near waterways or wetlands.
- (17) The outcomes of engagement with Ngāati Māahanga regarding the CIA recommendations must be reported to WRC prior to construction commencing.
- (18) At least twenty (20) working days prior to the commencement of each stage of earthworks, Brymer Farms Limited must give written notice to Ngāati Māahanga to enable them to:
 - (a) clarify the accidental discovery protocol with the contractor;
 - (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (c) arrange for inspection of the area before and during construction works, should they so desire.

At least ten (10) working days prior to the commencement of each stage of earthworks, Brymer Farms Limited must invite Ngāati Māahanga to:

- (a) attend the pre-start meeting for that stage;
 - (b) provide a karakia prior to commencement of site works;
 - (c) undertake a cultural induction for key site personnel; and
 - (d) monitor earthworks for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngāati Māahanga is provided with all bulk earthworks timetabling.
- (19) The activity shall not disturb any archaeological site or waahi tapu as identified in any district plan or by Heritage New Zealand except where Heritage New Zealand approval has been obtained.
- (20) Brymer Farms Limited must ensure that the exercise of this resource consent does not disturb any sites of archaeological value or of cultural significance to Tangata Whenua. In the event of any archaeological artefacts being discovered, works must immediately cease

in the vicinity of the discovery, and WRC, HNZPT, and representatives of Ngāati Māahanga must be notified within 24 hours. Works may recommence on the written approval of WRC after considering: Tangata Whenua interests and values; protocols agreed upon by Tangata Whenua and Brymer Farms Limited; Brymer Farms Limited's interests; any HNZPT authorisations; and any archaeological or scientific evidence.

- (21) If during construction activities any koiwi (skeletal remains) or similar material are uncovered, works must cease within a 100m radius of the discovery immediately, and Brymer Farms Limited must notify the New Zealand Police, Ngāati Māahanga, HNZPT, and WRC's Consents Team Leader. Works shall not recommence until authorised.

2.14 Management Plans – General

- (22) Brymer Farms Limited must carry out all construction activities in accordance with a certified Construction Management Plan (CMP). The objective of the CMP is to outline the approach to managing construction works to ensure impacts have been appropriately identified, managed and minimised. As a minimum, the CMP must include:
- (a) details of the site manager, including 24-hour contact details;
 - (b) the proposed start date of construction works;
 - (c) a schedule of each construction work phase, commencement date and expected duration;
 - (d) the location of notice board(s) on the Site that are readily visible from a public place;
 - (e) procedures for ensuring owners/occupiers in the vicinity are given ten (10) working days prior notice of commencement;
 - (f) measures to prevent weed invasion due to machinery, topsoil and fill brought on to Site;
 - (g) details of how all earthmoving machinery, pumps and generators shall be operated to prevent spillages;
 - (h) any other details of the intended works programme; and
 - (i) construction hours, being: Monday to Friday 7:30am to 6:00pm; Saturday 8:30am to 2:00pm; no construction works are permitted on Sundays or public holidays, except with the prior written approval of WRC.
- (23) At least twenty (20) working days prior to the commencement of any construction works, Brymer Farms Limited must submit a Construction Management Plan (CMP) to WRC for certification.
- (24) As part of the CMP, Brymer Farms Limited must also submit an Earthworks Management Plan (EMP) for WRC certification. The objective of the EMP is to set out the earthworks stages and appropriate management methods. The EMP must be updated as required to meet the objective. The EMP must include, as a minimum:
- (a) a response to any relevant conditions of this consent;
 - (b) the staging and sequence of earthworks by catchment area, including commencement dates and expected duration of major cut and fill operations;

- (c) a schedule of construction stages and a description of works, including site plans and expected duration; and
 - (d) the process for ongoing review and amendment of the EMP to maintain its effectiveness.
- (25) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the Site in accordance with WRC's 'KEEP IT CLEAN' guidelines (June 2013).
- (26) All earthmoving machinery, pumps and generators shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented. Refuelling and lubrication activities shall be carried out away from any surface water.

Dust Management Plan (DMP)

- (27) At least twenty (20) working days prior to the commencement of any construction work, Brymer Farms Limited must submit a Dust Management Plan (DMP) to WRC for certification.
- (28) The DMP must include, as a minimum:
- (a) use of chemical dust suppressants if previous methods fail;
 - (b) on-site practices to minimise all dust and particulate emissions;
 - (c) measures to ensure exposed areas have sufficient soil moisture levels at all times;
 - (d) staff available on-call at all times to operate the water application system; and
 - (e) a requirement that if a written request is made by WRC, Brymer Farms Limited shall carry out sealing of any problematic dust-generating surfaces within a reasonably practicable timeframe.
- (29) The objectives of the DMP are to:
- (a) ensure discharges of dust do not cause offensive or objectionable effects at any location beyond the boundary of the Site; and
 - (b) ensure dust management generally complies with the recommendations of the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016).

Biosecurity Management Plan

- (30) A Biosecurity Management Plan (BioMP) must be submitted for certification as part of the CMP. The objective of the BioMP is to reduce the risk of a biosecurity incursion during earthworks to the greatest extent practicable. The BioMP must include: identification of relevant pests and diseases of concern; methods used to minimise biosecurity risks; monitoring and surveillance methods; incursion response procedures; and biosecurity requirements including equipment, staff training, and reporting.

Hazardous Substances Management Plan

- (31) A Hazardous Substances Management Plan (HSMP) must be submitted for certification as part of the CMP. The objective of the HSMP is to manage the presence of hazardous substances on Site during the construction phase. The HSMP must include: a list of all hazardous substances to be stored on Site; measures to prevent contaminant spills; and

the response procedures in the event of a spill, including containment and disposal requirements.

Acid Sulphate Soils Management Plan (ASSMP)

- (32) As part of the CMP, Brymer Farms Limited must submit an Acid Sulphate Soils Management Plan (ASSMP) for WRC certification. The objective of the ASSMP is to safely manage any discovery of acid sulphate soils during construction works. The ASSMP must be updated as required to meet the objective and must include a response to any relevant conditions of this consent and the ongoing review and amendment process.
- (33) The ASSMP must, at a minimum:
 - (a) set out procedures to treat and/or manage acid sulphate soils excavated from the Site;
 - (b) set out procedures to treat and/or manage the risk of discharges of impacted water;
 - (c) set out procedures to manage any potential impacts from actual acid sulphate soils that will remain in-situ; and
 - (d) set a standard for re-use of treated soils on Site.

Contaminated Soils Management Plan (CSMP)

- (34) As part of the CMP, Brymer Farms Limited must submit a Contaminated Soils Management Plan (CSMP) for WRC certification. The objective of the CSMP is to identify how soil disturbance on the Site must be managed to avoid hazards to human health. The CSMP must include: map(s) showing likely areas of contamination/concern; a testing regime reflecting site investigation findings; measures to prevent or restrict exposure to contaminated soils; methods to remediate contaminated soils; measures to safely manage the removal of any soil exceeding NES:CS limits; and the ongoing review and amendment process.
- (35) Each calendar month, Brymer Farms Limited must undertake routine monitoring and maintain records of the source, type and volume of all cleanfill imported to Site. These records must be made available to WRC upon request.
- (36) Brymer Farms Limited must ensure that any importation of cleanfill from off-site meets the definition of cleanfill as defined by the Waikato Regional Plan. Cleanfill deposition shall exclude: combustible, putrescible or degradable components; materials likely to create leachate; products derived from hazardous waste treatment; medical and veterinary waste, asbestos, or radioactive substances; and soils contaminated with hazardous substances or pathogens.

Fish Management Plan (FMP)

- (37) Prior to any instream works or modification of watercourses within the site, Brymer Farms Limited must submit a Fish Management Plan (FMP), prepared by a suitably qualified freshwater ecologist, to Waikato Regional Council for certification.
- (38) Where no fish are identified within a reach in accordance with the certified FMP, instream works within that reach may proceed without further fish management requirements.
- (39) All instream works and modification of watercourses within the site shall be undertaken in accordance with the certified FMP.

Erosion and Sediment Control Plan (ESCP)

- (40) At least twenty (20) working days prior to the commencement of any construction work, Brymer Farms Limited must submit an Erosion and Sediment Control Plan (ESCP) to WRC for certification.
- (41) The erosion and sediment control measures shall be based upon and incorporate all relevant principles and practices from:
 - (a) WRC document 'Erosion and Sediment Control – Guidelines for Soil Disturbing Activities' (Technical Report No. 2009/02); and
 - (b) Section F2.0 (Coagulant and flocculant treatment) of the Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (Guideline document 2016/005).
- (42) The ESCP must include:
 - (a) details of all principles, procedures and practices;
 - (b) design criteria and dimensions of all key structures;
 - (c) a site plan identifying waterways, extent of soil disturbance, no-go areas, cut and fill areas, topsoil stockpiles, all key ESC structures, boundaries of catchments contributing to all stormwater impoundment structures, and locations of all specific points of discharge;
 - (d) a construction timetable;
 - (e) a timetable for progressive rehabilitation;
 - (f) maintenance, monitoring and reporting procedures;
 - (g) rainfall response and contingency measures; and
 - (h) identification and contact details of personnel responsible for operation and maintenance of all key ESC structures.
- (43) The objective of the ESCP is to:
 - (a) ensure erosion and sediment control is designed, constructed and operated in accordance with WRC Erosion and Sediment Control Guidelines for Soil Disturbing Activities (Technical Report 2009/02); and
 - (b) minimise sediment discharge from the Site to the greatest extent practicable.

Vegetation Management Plan (VMP)

- (44) Brymer Farms Limited must submit a VMP to WRC for certification. The objective of the VMP is to manage the removal of existing vegetation and establish appropriate planting and revegetation across the Site. The VMP must be updated as required to meet the objective. The VMP must include, but is not limited to:
 - (a) a response to any relevant conditions of this consent;
 - (b) an inventory of vegetation proposed for removal;
 - (c) proposed planting species, locations, sizes and timing;
 - (d) maintenance and monitoring requirements; and

- (e) the process for ongoing review and amendment of the VMP to maintain its effectiveness.

Wetland Offset Works Management Plan (WOWP)

- (45) Brymer Farms Limited must submit a WOWP to WRC for certification. The objective of the WOWP is to ensure that any loss of natural inland wetland habitat is appropriately offset to achieve no net loss. The WOWP must be updated as required to meet the objective. The WOWP must include, but is not limited to:
 - (a) a response to any relevant conditions of this consent;
 - (b) the location, extent and rationale for wetland offset works;
 - (c) planting species, methodology and timing;
 - (d) monitoring, reporting and adaptive management requirements; and

Flocculation Implementation Management Plan (FIMP)

- (46) Prior to commencement of each stage of earthworks, Brymer Farms Limited must undertake flocculent bench testing to determine the reactivity of soils to chemical treatment. Where soils positively react to testing, a Flocculation Implementation Management Plan (FIMP) must be submitted for certification as part of the CMP. The FIMP must include:
 - (a) specific design details for the flocculation system;
 - (b) monitoring, maintenance and record keeping details;
 - (c) details of optimum dosage;
 - (d) results of any initial flocculation trial;
 - (e) a spill contingency plan;
 - (f) contact details of persons responsible for operation and maintenance; and
 - (g) an ongoing review and amendment process.
- (h) the process for ongoing review and amendment of the WOWP to maintain its effectiveness.

2.15 Earthworks

- (47) Earthworks must be supervised by a SQEP in accordance with NZS4431:1989. In supervising the works, the SQEP must ensure that they are constructed and completed in accordance with the approved earthworks plans.

2.15.1 Winter Works

- (48) The Consent Holder must not undertake earthworks or associated construction works during the winter period, being 1 May to 30 September inclusive, unless Winter Works have first been approved in writing by the Waikato Regional Council.
- (49) Any request to undertake earthworks or associated construction works during the period 1 May to 30 September inclusive must be submitted in writing to the Waikato Regional Council and must include:

- (a) details of the nature, location, area and duration of the proposed Winter Works;
- (b) the proposed programme and staging of the Winter Works; and
- (c) any amendments to the certified Erosion and Sediment Control Management Plan (ESCMP) necessary to demonstrate how erosion and sediment effects will be appropriately managed during the Winter Works period.

Advice Note: In considering a request for Winter Works, the Waikato Regional Council may have regard to matters including: (1) the nature of the Site and the soil disturbance works proposed; (2) the quality, capacity and performance of the existing and proposed erosion and sediment controls; (3) the compliance history and environmental performance of the Site and operator; (4) seasonal and local soil, groundwater and weather conditions; (5) the sensitivity of the receiving environment; and (6) any other relevant matter.

- (50) Unless Winter Works have been approved by the Waikato Regional Council, the Consent Holder must ensure that all areas of the Site affected by earthworks are appropriately stabilised by 30 April of each year.

For the purposes of this condition, stabilisation must comprise appropriate vegetative and/or structural measures, which may include pavement, metalling, hydroseeding, revegetation and mulching, sufficient to minimise erosion of exposed soil to the greatest practicable extent.

- (51) Where Winter Works have been approved, the Consent Holder must cease earthworks when rainfall and/or groundwater conditions raise the water table to a level at which the sediment retention ponds or other primary sediment control devices are unable to discharge and operate effectively.

The rainfall, groundwater or other operational trigger for cessation and recommencement of Winter Works must be specified in the certified ESCMP.

- (52) Winter Works must not recommence following a cessation under the preceding condition until a Suitably Qualified and Experienced Person has confirmed that:

- (a) the relevant erosion and sediment control measures are fully operational;
- (b) ground and groundwater conditions are suitable for the proposed works;
- (c) there is sufficient available capacity within sediment retention and treatment devices; and
- (d) recommencement will not result in an increased risk of sediment discharge to the receiving environment.

A record of that assessment must be retained by the Consent Holder and provided to the Waikato Regional Council on request.

- (53) Stockpiles must be located at least 30 metres from any Site boundary. If stockpile material contains silt or is erosion-prone, Brymer Farms Limited must place topsoil overtop of the stockpile before stabilisation. If a stockpile is to be stored for longer than one (1) week, Brymer Farms Limited must seal, mulch and stabilise it to minimise potential erosion and sedimentation.

- (54) All acid sulphate soils shall be tested and treated in accordance with the ASSMP before being deposited into fill areas on Site, or at a landfill authorised to receive them in the event the acid sulphate soils do not meet the definition of cleanfill.
- (55) All construction entranceways to the Site shall be stabilised with aggregate or similar non-erosive cover. The Site shall be stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished. Brymer Farms Limited must monitor and maintain the Site until vegetation is established to such an extent that it prevents erosion and sediment from entering any watercourse.

2.15.2 Erosion & Sediment Control – Standards and Monitoring

- (56) All sediment-laden run-off from the Site must be treated by sediment retention structures. These structures must be fully operational before bulk earthworks commence and must be maintained to perform at least 80% of their full operational capacity. All clean water run-off from stabilised surfaces must be diverted away from earthworks areas via a stabilised diversion system. All temporary watercourse diversion systems must be designed and installed to convey flows from contributing catchment areas up to the 5% AEP (20-year ARI) rainfall event without overtopping, incorporating adequate protection against erosion.
- (57) The concentration of suspended solids in the Ohote Stream, or any other water body (including modified watercourses and farm drains), must not exceed a total suspended solids (TSS) concentration of 80 g/m³ as a result of the exercise of this consent, after reasonable mixing. Where suspended solids in the receiving water body unaffected by the activity exceeds 80 g/m³, there must be no increase in suspended solids concentrations as a result of activities authorised by this consent.
- (58) Brymer Farms Limited must ensure that the pH of any discharge from a sediment retention pond flocculated in accordance with a technically certified FIMP shall not be less than 5.5 or greater than 8.5 pH units.
- (59) Brymer Farms Limited must ensure that the soluble aluminium concentration of any discharge from a sediment retention pond flocculated in accordance with a technically certified FIMP shall not exceed 0.2 grams per cubic metre.
- (60) Where soils positively react to chemical treatment, a flocculation treatment system must be maintained as a contingency throughout the duration of earthworks and must be implemented at the request of the WRC monitoring officer in accordance with the FIMP.
- (61) Brymer Farms Limited must ensure that all erosion and sediment controls are inspected a minimum of once per week, and are inspected and confirmed in good working order:
 - (a) prior to any forecast rainfall likely to exceed 20mm in 24 hours or 15mm per hour; and
 - (b) within 24 hours after occurrence of rainfall that may have impaired the function or performance of the controls.

Brymer Farms Limited must maintain records of all monitoring detailing: date, time and results; controls that required maintenance; time maintenance was undertaken; and type of maintenance carried out. These records must be provided to WRC on request.

- (62) Brymer Farms Limited must carry out monitoring and maintenance of erosion and sediment controls and must maintain records detailing: the date, time and results of monitoring; the controls that required maintenance; the time when maintenance was undertaken; and the type of maintenance carried out. These records shall be provided to WRC on request.
- (63) Brymer Farms Limited must take samples of discharges from all sediment retention ponds on the Site at a minimum of once per calendar month, and after all rainfall events greater than 20 millimetres in the preceding 24 hours (excepting times when there are no discharges), within four hours of becoming aware of such a rainfall event. Within one (1) working day of taking samples, Brymer Farms Limited must have those samples analysed for suspended solids and turbidity and, where flocculants are being used, pH and soluble aluminium. The results of the analysis must be forwarded to WRC within seven (7) days of the analysis.
- (64) Brymer Farms Limited must put in place measures to avoid, after reasonable mixing, any of the following effects in the receiving waters: the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; any conspicuous change in colour or visual clarity; any emission of objectionable odour; the rendering of fresh water unsuitable for consumption by farm animals; any significant adverse effects on aquatic life.
- (65) Brymer Farms Limited must put in place measures to avoid: adverse scour, erosion and sediment deposition on land, property, and the beds of downstream water bodies; adverse flooding of land, property and downstream water bodies; and adverse effects on aquatic ecosystems.
- (66) Brymer Farms Limited must maintain a stabilised construction entrance at the Site entrance point(s) and must manage all traffic leaving the Site to prevent the tracking of sediment onto public roads. In the event that any persistent sediment tracking is identified, Brymer Farms Limited must install an appropriate wheel wash facility to prevent any ongoing sediment tracking.
- (67) Brymer Farms Limited must revegetate or re-grass all areas of bare earth as soon as practicably possible and within three (3) calendar months following the completion of earthworks (per individual stage/basin construction). If this cannot be achieved, Brymer Farms Limited must temporarily cover the area with a suitable surface to protect against soil erosion.
- (68) Prior to commencement of each stage of earthworks, Brymer Farms Limited must submit to WRC a certificate signed by a SQEP confirming that the erosion and sediment controls have been constructed in accordance with the ESCP. The certification must be submitted within five (5) working days of completion of construction of those measures.
- (69) Prior to the commencement of construction works, Brymer Farms Limited must undertake flocculent bench testing to determine the reactivity of soils to chemical treatment within those areas of the Site where runoff is proposed to be treated by sediment retention ponds and decanting earth bunds.
- (70) The erosion and sediment controls specified in the approved ESCP shall not be disestablished without the prior written approval of WRC, acting in a technical certification capacity.

2.16 Groundwater (Bore Works)

- (71) Dewatering bores must be constructed and maintained so that each well will not cause cross-contamination between hydraulic units (aquifers). Bores must be completed and sealed such that leakage of water or contaminants to or from the ground surface is prevented. Materials used for bore construction must be of such quality and strength to enable bores to be completed without casing or seal leakage during construction or subsequent operation.
- (72) Upon completion of a bore, wastes introduced to the bore during drilling and construction must be removed.
- (73) WRC must be notified of the anticipated date of drilling commencing if the bores are not to be drilled within three (3) months of this consent being granted.
- (74) A log for each bore drilled must be forwarded to WRC within two (2) months of drilling being completed. Each log must show:
 - (a) the location of the bore (indicated on a site diagram);
 - (b) date of completion;
 - (c) duration of drilling;
 - (d) depth and diameter of the bore;
 - (e) the method of drilling;
 - (f) full construction details;
 - (g) the subsurface geology; and
 - (h) full results of any tests (e.g. bore yield, temperature, water quality) undertaken on the drilled bore.
- (75) Abandoned or obsolete bores must be identified and decommissioned to prevent contamination. Brymer Farms Limited must notify WRC in writing within twenty (20) working days of any bore being decommissioned, including details of the decommissioning process and the company that undertook the works.

2.17 Dust & Noise

- (76) All earthworks and cleanfill activities carried out on Site shall be conducted and managed to ensure that all dust and particulate emissions are kept to a practical minimum to the extent that there are no dust discharges beyond the boundary of the Site that cause an objectionable effect. Brymer Farms Limited must maintain soil moisture of exposed areas at sufficient levels under prevailing wind conditions to prevent dust from remaining airborne beyond the site boundary.

2.18 Enabling Works

- (77) Notwithstanding any other condition of this consent, the Consent Holder may undertake Enabling Works prior to the commencement of the main earthworks, civil works or construction works authorised by this consent.

- (78) For the purposes of this consent, Enabling Works means preliminary works necessary to investigate, access, secure, prepare or establish the Site for subsequent earthworks and construction and may include:
- (a) site investigations, surveying, monitoring, testing, sampling and geotechnical investigations, including installation of monitoring equipment;
 - (b) establishment of site access, temporary construction accesses, haul roads, construction compounds, site offices, laydown areas, contractor facilities, temporary fencing, gates, hoardings and site security;
 - (c) installation, relocation, protection or removal of existing services and utilities, including temporary utility connections;
 - (d) vegetation clearance, including removal of individual trees, hedges, shelterbelts and other vegetation, where otherwise authorised by this consent;
 - (e) demolition and removal of existing buildings, structures, fences, hardstand areas and redundant infrastructure;
 - (f) establishment of erosion and sediment control measures, clean-water diversions, stabilised construction entrances and other environmental controls required in advance of bulk earthworks;
 - (g) minor earthworks associated with the activities identified above, including localised stripping, excavation, filling, grading and formation;
 - (h) establishment of temporary drainage and dewatering measures;
 - (i) archaeological investigations and any works required to implement archaeological, ecological or contamination-related protocols applicable to the Site; and
 - (j) any other preliminary or preparatory activity of a similar nature that does not comprise bulk earthworks or substantive civil construction associated with a development stage.
- (79) For the avoidance of doubt, the undertaking of Enabling Works shall not constitute commencement of bulk earthworks, civil construction or a development stage for the purposes of these conditions and shall not trigger any condition requiring the preparation, submission, certification or implementation of a Management Plan, Stage Development Plan, detailed engineering plan or other pre-commencement requirement that applies to the main earthworks or construction works, unless that condition expressly states that it applies to Enabling Works.
- (80) Enabling Works may therefore be undertaken in advance of certification of the Construction Management Plan, Earthworks Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Dust Management Plan, or any other management plan required by these conditions for the subsequent earthworks or construction phase.
- (81) Notwithstanding Conditions 78 and 79, all Enabling Works shall:
- (a) comply with any condition of this consent that expressly applies to Enabling Works;
 - (b) be undertaken in accordance with all applicable permitted activity standards or any separate resource consent or statutory authorisation required for those works;

- (c) incorporate erosion, sediment, dust, noise and traffic management measures appropriate to the nature, scale and duration of the Enabling Works being undertaken; and
- (d) not prevent or compromise the subsequent implementation of any certified Management Plan, engineering design, staging requirement or other condition of this consent.

Advice Note: The purpose of this condition is to enable preliminary establishment and preparatory works to commence without triggering the management plan certification and general earthworks requirements that are intended to apply to the subsequent bulk earthworks, civil construction and staged development of the Site.

2.18.1 Culvert Construction and Fish Passage

- (82) The Consent Holder shall ensure that:
 - (e) construction works associated with each individual culvert are completed within 3 months of commencement of works at that culvert location;
 - (f) fish passage is maintained during the construction, removal and replacement of culverts, including through temporary measures where necessary; and
 - (g) all permanent culverts are designed, installed and maintained so as not to impede the passage of fish, consistent with the requirements of the Freshwater Fisheries Regulations 1983.

2.19 Importation and Placement of Cleanfill

- (83) The Consent Holder shall ensure that all material imported onto the site for the purpose of filling comprises cleanfill, as defined in the Waikato Regional Plan.
- (84) No material that does not meet the definition of cleanfill shall be imported or placed as part of the works authorised by this consent.

Advice Note: The importation and placement of material that does not meet the definition of cleanfill may require separate resource consent(s) from Waikato Regional Council.

Maximum quantity

- (85) The total volume of cleanfill imported and placed on the site pursuant to this consent shall not exceed 900,000 m³ over the duration of the consent.
- (86) The volume of cleanfill imported to the site shall not exceed [TBC] m³ in any 12-month period, unless otherwise approved through a change to the conditions of this consent.

Cleanfill records

- (87) The Consent Holder shall maintain records of all cleanfill imported to the site. As a minimum, the records shall include:
 - (a) the date the material was received;
 - (b) the source location of the material;
 - (c) a description of the nature and composition of the material;

- (d) the approximate volume of material received; and
 - (e) where relevant, any investigation, assessment or testing undertaken to demonstrate that the material meets the definition of cleanfill in the Waikato Regional Plan.
- (88) The records required by this condition shall be retained for the duration of this consent and shall be provided to the Waikato Regional Council upon request.

Acceptance of imported material

- (89) Prior to accepting imported material, the Consent Holder shall undertake a visual inspection and make reasonable enquiries regarding the source and previous use of the material to confirm that it is suitable for acceptance as cleanfill.
- (90) Where the source, appearance, odour, composition or previous use of the material gives reasonable cause to suspect that the material may contain contaminants or otherwise not meet the definition of cleanfill, the material shall:
- (a) not be placed within the fill area; and
 - (b) either be removed from the site or quarantined in a manner that prevents the discharge of contaminants pending confirmation of its suitability.
- (91) Where necessary, confirmation of suitability shall be supported by appropriate investigation and/or laboratory testing undertaken by a suitably qualified and experienced practitioner.

Annual reporting

- (92) By [date] each year, or upon request by the Waikato Regional Council, the Consent Holder shall provide the Council with a summary of cleanfill imported during the preceding 12-month period.
- The summary shall include:
- (a) the total volume of cleanfill imported during that period;
 - (b) the cumulative volume imported under this consent;
 - (c) the principal source or sources of the material; and
 - (d) details of any loads rejected or quarantined because the material was suspected or found not to meet the definition of cleanfill.

Placement and stability

- (93) Imported cleanfill shall be placed, compacted, contoured and stabilised in a manner that:
- (a) maintains the long-term stability of the filled land;
 - (b) does not cause or exacerbate instability or erosion;
 - (c) does not obstruct or adversely alter overland flow paths;
 - (d) does not increase the risk of flooding on neighbouring properties; and
 - (e) enables the completed surface to be permanently stabilised in accordance with the erosion and sediment control requirements of this consent.

1.0 Part E – WRC Water Permit (Diversion of Catchment Tributaries)

1.1 Conditions Set Overview

Water permit to divert catchment tributaries in connection with the Brymer Residential Development at 584 Whatawhata Road / Brymer Road, Hamilton / Temple View, pursuant to the Waikato Regional Plan.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part C0 – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- **Part E – WRC Water Permit (Catchment Tributaries)**
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
ASSMP	Acid Sulphate Soils Management Plan
BFL	Brymer Farms Limited
DOC	Department of Conservation
FMP	Fish Management Plan
GEMP	Groundwater Environmental Monitoring Plan
GMCP	Groundwater Monitoring and Contingency Plan
HNZPT	Heritage New Zealand Pouhere Taonga
RMA	Resource Management Act 1991
SQEP	Suitably Qualified Experienced Person/Professional
TARP	Trigger Action Response Plan
WRC	Waikato Regional Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The proposal must proceed in general accordance with the information and plans submitted with the application, and all supporting information, except where otherwise required by the conditions. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this resource consent and any certified management plans shall be kept on Site at all times that works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.

2.4 Management Plans

- (3) The following Management Plans are required to be prepared and certified under this consent:

Management Plan	Abbreviation
Fish Management Plan	FMP
Groundwater Monitoring and Contingency Plan	GMCP

Advice note: The FMP is also required by the WRC Land Disturbance Consent (Part D). A single plan may be prepared to satisfy both consents, provided it meets the requirements of each.

- (4) Any changes and/or updates to a certified Management Plan must be made in writing and submitted to WRC for certification. While a Management Plan is being changed or updated, the relevant construction activity must cease unless WRC provides written confirmation that the activity may continue.

2.5 Fees & Charges

- (5) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.6 Consent Lapse

- (6) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

2.7 Condition Precedent

- (7) This consent must not be exercised until Brymer Farms Limited has supplied to WRC an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.8 Review

- (8) WRC may, once per year, serve notice on Brymer Farms Limited under Section 128(1) of the RMA of its intention to review the conditions of this consent where:
- (a) a material adverse effect not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project is materially larger than indicated in the AEE.

Costs will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.9 Pre-Start Requirements

- (9) Brymer Farms Limited must appoint a representative prior to commencement of any works authorised by this consent, who shall be WRC's principal contact person for matters relating to this consent. WRC must be informed of the representative's name and contact details prior to this consent being exercised. Should that person change during the term of this consent, Brymer Farms Limited must immediately inform WRC and provide written notice of the new representative's name and contact details.
- (10) Prior to the commencement of any construction works involving the diversion of catchment tributaries, Brymer Farms Limited must hold a pre-start meeting with WRC, scheduled not less than ten (10) working days before the anticipated commencement of works. The meeting must outline the strategy, sequence and approach to construction and confirm the approach to management plans and must include representatives from WRC compliance monitoring officers and engineers, the site representative, and the contractor.

2.10 Staged Pre-Start Notifications

- (11) At least ten (10) working days prior to the commencement of each stage of construction works involving the diversion of catchment tributaries or related drainage works, Brymer Farms Limited must provide to WRC:
- (a) an invitation to attend a pre-start meeting for that stage;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned date, staging, and duration of construction works for that stage.

2.11 Mana Whenua

- (12) At least twenty (20) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must give written notice to Ngāati Māahanga to enable them to:
- (a) clarify the accidental discovery protocol with the contractor;
 - (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (c) arrange for inspection of the area before and during construction works, should they so desire.

At least ten (10) working days prior to the commencement of each stage, Brymer Farms Limited must invite Ngāati Māahanga to:

- (a) attend the pre-start meeting for that stage;
- (b) provide a karakia prior to commencement of site works;
- (c) undertake a cultural induction for key site personnel; and
- (d) monitor construction works for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngāati Māahanga is provided with all construction timetabling.

2.12 Complaints Management

- (13) A record of any complaints received in respect of the Construction Works must be maintained during construction, including: name, phone number and address of the complainant; nature of the complaint; date, time and location; weather conditions; measures taken to respond; outcome; and a record of the response provided to the complainant. The record must be made available to WRC upon request.

Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.13 Accidental Discovery Protocol

- (14) In the event that any archaeological sites, remains, artefacts, taonga or koiwi are unearthed, uncovered or otherwise discovered during works, Brymer Farms Limited must:

- (a) cease works immediately in all parts of the Site affected by the discovery;
- (b) advise Ngāati Māahanga and WRC within one (1) working day of the discovery;
- (c) arrange for a suitably qualified archaeologist to attend the Site to confirm whether the material is archaeological in nature or involves koiwi;
- (d) contact the New Zealand Police and HNZPT as appropriate; and
- (e) not recommence works in the parts of the Site affected by the discovery until all necessary statutory authorisations or consents have been obtained.

2.14 Fish Management Plan (FMP)

- (15) At least twenty (20) working days prior to the commencement of any works involving isolation or diversion of catchment tributaries, Brymer Farms Limited must submit a Fish Management Plan (FMP) to WRC for certification. The FMP must include: fish capture and relocation methodology; fish passage design; watercourse isolation procedures; and reporting to WRC within twenty (20) working days of completion.
- (16) The FMP must provide for all fish management requirements throughout the works and must include:
 - (a) evidence of DOC engagement;
 - (b) description of known fish communities potentially impacted in and around the catchment tributaries;
 - (c) protocols to isolate and protect all watercourses and drains beyond the Site from works (surface water diversion, groundwater drawdown, earthworks/sediment, physical disturbance);
 - (d) a construction methodology for watercourse/drain diversion and dewatering including fish capture and relocation;
 - (e) methods to avoid dewatering fish habitat and, where unavoidable, capture and relocate fish;
 - (f) protocols for capture and transfer of indigenous fish (timing, weather conditions, fishing effort, release points);
 - (g) a best-practice indigenous fish relocation methodology;
 - (h) a SQEP on Site during dewatering;
 - (i) fish passage protocols through new culverts and structures; and
 - (j) recording and reporting of numbers, diversity and size of fish removed.
- (17) Prior to the commencement of any works within or adjacent to catchment tributaries, Brymer Farms Limited must isolate the work area from the watercourse. A SQEP must undertake fish capture and relocation in accordance with the certified FMP. All fish captured must be relocated to suitable habitat upstream or away from the works in accordance with the FMP.

2.15 Groundwater Monitoring and Contingency Plan (GMCP)

- (18) Before construction, a groundwater and surface water benchmarking investigation must be completed to determine the natural water conditions on the Site.
- (19) Brymer Farms Limited must submit all required baseline monitoring data to WRC, as collected and recorded in accordance with the GMCP and associated TARP, prior to commencement of any dewatering activities.
- (20) Brymer Farms Limited must provide the results of the GMCP and GEMP groundwater, surface water and settlement monitoring and the respective TARP monitoring to WRC on a fortnightly basis. The results must be presented in a format which shows the monitoring results compared against trigger levels, along with a summary analysis of any data trends and forecasts.
- (21) In the event that a Green, Amber or Red alert level is triggered, Brymer Farms Limited must carry out the trigger level response actions as detailed in the certified GMCP, TARP and these conditions.
- (22) In the event that a GMCP or GEMP TARP alarm level is triggered, Brymer Farms Limited must notify WRC in writing within 48 hours of this event.

During Construction – Watercourse Diversion Works

- (23) During any diversions or installation of in-stream structures in catchment tributaries, Brymer Farms Limited must take all practicable steps to minimise sedimentation and increased turbidity of the watercourse, including:
 - (a) completing all works in the minimum time practicable;
 - (b) undertaking works in dry weather and low flow conditions as far as practicable;
 - (c) avoiding placement of construction material or excavated material in the flowing channel;
 - (d) separating construction activities from flowing water;
 - (e) installing and maintaining appropriate ESC measures; and
 - (f) rapidly and progressively stabilising all disturbed areas.
- (24) All engineering/detailed design plans for permanent in-stream infrastructure must be submitted to WRC for review and approval at least twenty (20) working days prior to construction commencing. Brymer Farms Limited must retain a SQEP to oversee construction of any permanent in-stream infrastructure, with their name and contact details nominated on all engineering plans.
- (25) All dewatering and associated activities must be supervised by a SQEP and the site engineer at all times.
- (26) Brymer Farms Limited must implement a water measuring system to quantify the volume of water taken on a continuous daily basis prior to works commencing that relate to the taking of water. The water measuring system must have a reliable calibration to flow and be maintained to an accuracy of +/- 5%. Prior to commencing to take groundwater, evidence of the water measuring system's calibration to an accuracy of +/- 5% must be provided to WRC.

- (27) During construction, Brymer Farms Limited must maintain a continuous daily record of water taken for dewatering purposes. The record must state:
 - (a) the groundwater take location;
 - (b) the date on which the water was taken;
 - (c) the total daily volume of water abstracted (m³);
 - (d) zero values when no water is being taken;
 - (e) the total number of pumping hours per day; and
 - (f) the maximum dewatering depth level.
- (28) The expected drawdown levels that inform the TARP must consider the influence of background levels, including seasonal groundwater fluctuations at the time of monitoring.
- (29) During construction, monthly monitoring of groundwater and surface water must be completed to measure any potential impacts to water from acid sulphate soils on the Site.
- (30) Brymer Farms Limited must monitor surface water for up to three (3) months following construction unless the monitoring site is showing an ongoing response. If a monitoring site is showing a response, Brymer Farms Limited must commence an additional three (3) months of monitoring and update the GMCP, recommending a long-term monitoring plan.
- (31) Where no groundwater level response is observed, the groundwater monitoring sites will be reviewed by a SQEP in groundwater hydrogeology three (3) months after the construction phase ceases. A monitoring site may be removed through a variation to the GMCP if monitoring of that site is no longer required.
- (32) Additional calibration of the water measuring system must be undertaken by Brymer Farms Limited at the written request of WRC. Evidence documenting each calibration must be forwarded to WRC by Brymer Farms Limited within one (1) month of the calibration being completed.
- (33) Brymer Farms Limited must monitor temporary dewatering monitoring sites during the pumped period and for a week following cessation of pumping.
- (34) During construction, field screening of excavated soils must be completed to identify actual acid sulphate soils. Any actual acid sulphate soils identified during field screening must be managed in accordance with the ASSMP. Lab samples must be analysed at a rate of 10% of the field samples to ensure the field samples are accurate.

2.16 Machinery Hygiene

- (35) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the Site to ensure that all seed and/or plant matter has been removed and documented in accordance with WRC's 'KEEP IT CLEAN – Machinery hygiene guidelines and logbook to prevent the spread of pests and weeds' (June 2013).

2.17 As-Built

- (36) Brymer Farms Limited must retain a SQEP to prepare and sign As-built Certification Statements which certify that all permanent in-stream infrastructure has been constructed

in accordance with the approved detailed designs. The approved As-built Certification Statements must be submitted to WRC within ninety (90) working days of completion of the construction works.

1.0 Part F – WRC Groundwater Diversion and Discharge

1.1 Conditions Set Overview

Resource consent for the diversion and discharge of groundwater (dewatering) in connection with the Brymer Residential Development at 584 Whatawhata Road / Brymer Road, Hamilton / Temple View, pursuant to Waikato Regional Plan Rules 3.6.4.9, 3.6.4.12 and 3.6.4.14.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Catchment Tributaries)
- **Part F – WRC Groundwater Diversion and Discharge**
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
BFL	Brymer Farms Limited
DWMP	Dewatering Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
RMA	Resource Management Act 1991
SQEP	Suitably Qualified Experienced Person/Professional
TSS	Total Suspended Solids
WRC	Waikato Regional Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The proposal must proceed in general accordance with the information and plans submitted with the application, and all supporting information, except where otherwise required by the conditions. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this resource consent and any certified management plans shall be kept on Site at all times that the works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.

2.4 Management Plans

- (3) The following Management Plans are required to be prepared and certified under this consent:

Management Plan	Abbreviation
Dewatering Management Plan	DWMP

Advice note: The DWMP must be prepared in coordination with the requirements of the WRC Water Permit (Temporary Groundwater Take for Construction Dewatering) (Part G). A single plan may be prepared to satisfy both consents, provided it meets the requirements of each.

- (4) Any changes and/or updates to a certified Management Plan must be made in writing and submitted to WRC for certification. While a Management Plan is being changed or updated, the relevant construction activity must cease unless WRC provides written confirmation that the activity may continue.

2.5 Fees & Charges

- (5) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.6 Consent Lapse

- (6) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

2.7 Condition Precedent

- (7) This consent must not be exercised until Brymer Farms Limited has supplied to WRC an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.8 Review

- (8) WRC may during July each year from commencement of construction until two (2) years after construction has been completed, serve notice on Brymer Farms Limited under Section 128(1) of the RMA to review the conditions of this consent where:
- (a) a material adverse effect not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project are materially larger than indicated in the AEE.

Costs will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.9 Pre-Start Requirements

- (9) Brymer Farms Limited must appoint a representative prior to commencement of any works authorised by this consent, who shall be WRC's principal contact person for matters relating to this consent. WRC must be informed of the representative's name and contact details prior to this consent being exercised.
- (10) Prior to the commencement of any dewatering activities, Brymer Farms Limited must hold a pre-start meeting with WRC, scheduled not less than ten (10) working days before the anticipated commencement of dewatering. The meeting must confirm the approach to dewatering management, groundwater monitoring and the Dewatering Management Plan (DWMP), and must include representatives from WRC compliance monitoring officers and engineers, the site representative, the contractor, and representatives from Ngāati Māhanga.

2.10 Staged Pre-Start Notifications

- (11) At least ten (10) working days prior to the commencement of each stage of dewatering or construction works, Brymer Farms Limited must provide to WRC:
- (a) an invitation to attend a pre-start meeting for that stage;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned date, staging, and duration of works for that stage.

2.11 Mana Whenua

- (12) At least twenty (20) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must give written notice to Ngāati Māahanga to enable them to:
- (a) clarify the accidental discovery protocol with the contractor;
 - (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (c) arrange for inspection of the area before and during construction works, should they so desire.

At least ten (10) working days prior to the commencement of each stage, Brymer Farms Limited must invite Ngāati Māahanga to:

- (a) attend the pre-start meeting for that stage;
- (b) provide a karakia prior to commencement of site works;
- (c) undertake a cultural induction for key site personnel; and
- (d) monitor construction works for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngāati Māahanga is provided with all construction timetabling.

2.12 Communications Plan

- (13) Prior to the start of construction, Brymer Farms Limited must prepare a Communications Plan and submit it to WRC's Monitoring and Enforcement Team at least twenty (20) working days prior to the start of construction. The Communications Plan must include: contact details of the Project Liaison Person; a list of stakeholders; details of communication activities; details of the complaint management process; and the process for ongoing review and amendment.

2.13 Complaints Management

- (14) A record of any complaints received in respect of the Construction Works must be maintained during construction, including: name, phone number and address of the complainant; nature of the complaint; date, time and location; weather conditions; measures taken to respond; outcome; and a record of the response provided to the complainant. The record must be made available to WRC upon request.

Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.14 Accidental Discovery Protocol

- (15) In the event that any archaeological sites, remains, artefacts, taonga or koiwi are unearthed, uncovered or otherwise discovered during works, Brymer Farms Limited must:
- (a) cease works immediately in all parts of the Site affected by the discovery;
 - (b) advise Ngāati Māahanga and WRC within one (1) working day of the discovery;
 - (c) arrange for a suitably qualified archaeologist to attend the Site to confirm whether the material is archaeological in nature or involves koiwi;
 - (d) contact the New Zealand Police and HNZPT as appropriate; and
 - (e) not recommence works in the parts of the Site affected by the discovery until all necessary statutory authorisations or consents have been obtained.

2.15 Dewatering Management Plan (DWMP)

- (16) A Dewatering Management Plan (DWMP) must be submitted for WRC certification at least twenty (20) working days prior to works commencing. The objective of the DWMP is to monitor the effects of dewatering on groundwater and to manage any unacceptable effects that may arise. The DWMP must include:
- (a) maximum allowable dewatering pumping capacity and duration for each dewatering location;
 - (b) maximum allowable reduction in groundwater level at each location;
 - (c) monitoring requirements for structures within 50m of proposed dewatering (considering importance and vulnerability to settlement);
 - (d) treatment requirements for discharge of dewatered groundwater (minimum removal of suspended sediment, pH monitoring with contingency measures);
 - (e) appropriate monitoring and reporting requirements; and
 - (f) the ongoing review and amendment process.

2.16 During Construction

- (17) During construction, Brymer Farms Limited must maintain a continuous daily record of dewatering and dust suppression activities. The record must state:
- (a) the groundwater take location;
 - (b) the date on which the water was taken;
 - (c) the total daily volume of water abstracted (m³);
 - (d) zero values when no water is being taken;
 - (e) the total number of pumping hours per day; and

(f) the maximum dewatering depth level.

All dewatering and associated activities must be supervised by SQEPs and the site engineer.

- (18) All earthmoving machinery, pumps and generators shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented. Refuelling and lubrication activities shall be carried out away from any surface water.
- (19) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the Site to ensure that all seed and/or plant matter has been removed and documented in accordance with WRC's 'KEEP IT CLEAN – Machinery hygiene guidelines and logbook' to prevent the spread of pests and weeds' (June 2013).
- (20) The concentration of suspended solids in any receiving drain, modified watercourse or land surface to which dewatered groundwater is discharged must not exceed a total suspended solids (TSS) concentration of 80 grams per cubic metre as a result of the exercise of this consent, after reasonable mixing. The pH of any dewatering discharge must not fall below 5.5 or exceed 8.5 pH units.

2.17 Groundwater, Surface Water and Wetland Monitoring

Catchment-Based Monitoring

- (21) Monitoring required by Conditions 20 to 25 shall be undertaken having regard to the staged development of the site and on a catchment-by-catchment basis, generally in accordance with the catchment boundaries identified in WGA Figure 29: Existing Wetland Catchment Boundaries.

Monitoring within each catchment shall be undertaken for the period during which earthworks, dewatering and infrastructure construction activities have the potential to affect groundwater, surface water or existing wetlands within that catchment.

Groundwater Monitoring

- (22) The Consent Holder shall continue monitoring groundwater levels within the existing on-site piezometers relevant to each catchment during earthworks and infrastructure construction within that catchment.

Groundwater levels shall be recorded using automated level loggers at intervals of no greater than 15 minutes. Monitoring data shall be downloaded and reviewed at least once every three months while relevant construction activities are occurring.

Groundwater monitoring within a catchment may cease following completion of the relevant earthworks, dewatering and infrastructure works where a suitably qualified and experienced groundwater specialist confirms that further monitoring is not required.

Targeted Construction Monitoring

- (23) Where recommended by the project geotechnical engineer or groundwater specialist, targeted groundwater monitoring shall be undertaken during construction activities involving significant temporary groundwater drawdown, including dewatering associated with wastewater infrastructure and stormwater wetland construction.

The location, frequency and duration of targeted monitoring shall be determined by the suitably qualified and experienced person having regard to:

- (a) the catchment and stage in which the works are occurring;
- (b) the nature, location and duration of the works;
- (c) the magnitude and duration of proposed dewatering; and
- (d) the potential for settlement or other groundwater-related effects.

Where monitoring identifies effects materially greater than those anticipated in the WGA Groundwater Assessment [Ref./Date], appropriate mitigation measures shall be implemented on the advice of the relevant specialist.

Surface Water Monitoring

- (24) During construction activities involving groundwater dewatering or the discharge of abstracted groundwater, visual inspections shall be undertaken of the receiving drains and/or stream reaches within the relevant catchment as part of routine environmental monitoring.

Where erosion, scour, flooding, conspicuous sediment discharge or other adverse effects attributable to the dewatering or discharge are observed, the discharge shall be modified or temporarily ceased and appropriate mitigation measures implemented.

No ongoing surface water flow or level monitoring is required within a catchment following completion of the relevant construction activities.

Wetland Monitoring

- (25) Wetland monitoring shall be undertaken by a suitably qualified and experienced ecologist on a catchment-by-catchment basis, generally in accordance with the catchment boundaries shown on WGA Figure 29: Existing Wetland Catchment Boundaries.

The monitoring shall be sufficient to:

- (a) confirm that development activities are not resulting in unanticipated degradation of existing wetlands within the relevant catchment;
- (b) monitor the establishment and ongoing performance of any constructed natural wetlands; and
- (c) identify and implement appropriate remedial or mitigation measures where adverse effects attributable to the development are identified.

The timing and duration of wetland monitoring within each catchment may reflect the staging and timing of development within that catchment.

Reporting to Waikato Regional Council

- (26) Monitoring records required by Conditions 20 to 25 shall be retained by the Consent Holder and made available to the Waikato Regional Council (WRC) upon request.

A summary of monitoring undertaken within each catchment shall be provided to WRC following completion of the relevant earthworks and infrastructure construction within that catchment, or at another time agreed in writing with WRC.

Monitoring and reporting may be incorporated into other ecological, geotechnical, groundwater or environmental reporting required for the development to avoid unnecessary duplication.

1.0 Part G – WRC Water Permit (Temporary Groundwater Take)

1.1 Conditions Set Overview

Water permit pursuant to Section 14 of the RMA to temporarily take groundwater for construction dewatering purposes in connection with the construction of the wastewater pump station(s), trenched services and associated excavations for the Brymer Residential Development at 584 Whatawhata Road / Brymer Road, Hamilton / Temple View.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- **Part G – WRC Water Permit (Temporary Groundwater Take)**
- Part H – WRC Stormwater Diversion and Discharge

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
BFL	Brymer Farms Limited
DWMP	Dewatering Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
RMA	Resource Management Act 1991
SQEP	Suitably Qualified Experienced Person/Professional
TARP	Trigger Action Response Plan
WGA	Waikato Groundwater Associates (project groundwater specialists)
WRC	Waikato Regional Council
WWPS	Wastewater Pump Station

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The activity must be carried out in general accordance with the information and plans submitted by Brymer Farms Limited in support of the consent application, except where otherwise required by the conditions of this permit. Where there is any discrepancy between the application documents and the conditions, the conditions shall prevail.
- (2) A copy of this water permit and any certified Management Plans shall be kept on Site at all times that the works authorised by this permit are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.
- (3) Brymer Farms Limited must advise WRC in writing at least five (5) working days prior to the commencement of any dewatering on Site, so that monitoring of the conditions of this permit can be undertaken.
- (4) Brymer Farms Limited shall be responsible for all contracted operations relating to the exercise of this permit and must ensure contractors are made aware of the conditions of this permit and comply with them.

2.4 Management Plans

- (5) The following Management Plans are required to be prepared and certified under this consent:

Management Plan	Abbreviation
Dewatering Management Plan	DWMP

Advice note: The DWMP is also required by the WRC Groundwater Diversion and Discharge Consent (Part F). A single plan may be prepared to satisfy both consents, provided it meets the requirements of each.

2.5 Fees & Charges

- (6) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.6 Consent Lapse and Expiry

- (7) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
- (8) This permit expires when construction activities cease on the Site for more than one (1) year.

2.7 Review

- (9) WRC may during July each year, from commencement of construction until two (2) years after construction has been completed, serve notice on Brymer Farms Limited under Section 128(1) of the RMA to review the conditions of this permit where:
 - (a) a material adverse effect not identified in the AEE has arisen; or
 - (b) the magnitude of adverse effects from the Project are materially larger than indicated in the AEE.

Costs will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.8 Condition Precedent

- (10) This permit must not be exercised until Brymer Farms Limited has supplied an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.9 Pre-Start Requirements

- (11) Brymer Farms Limited must appoint a representative prior to commencement of any works authorised by this permit, who shall be WRC's principal contact person for matters relating to this permit. WRC must be informed of the representative's name and contact details prior to this permit being exercised.
- (12) Prior to the commencement of any dewatering activities, Brymer Farms Limited must hold a pre-start meeting with WRC, scheduled not less than ten (10) working days before the anticipated commencement of dewatering. The meeting must confirm the approach to dewatering, groundwater monitoring and the DWMP, and must include representatives from WRC compliance monitoring officers and engineers, the site representative, the contractor, and representatives from Ngāati Māhanga.

2.10 Staged Pre-Start Notifications

- (13) At least ten (10) working days prior to the commencement of dewatering at each wastewater pump station and each stage of pipeline dewatering, Brymer Farms Limited must provide to WRC:
- (a) an invitation to attend a pre-start meeting for those works;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned commencement date and expected duration of dewatering works.

2.11 Mana Whenua

- (14) At least twenty (20) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must give written notice to Ngāati Māahanga to enable them to:
- (a) clarify the accidental discovery protocol with the contractor;
 - (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (c) arrange for inspection of the area before and during construction works, should they so desire.

At least ten (10) working days prior to the commencement of each stage, Brymer Farms Limited must invite Ngāati Māahanga to:

- (a) attend the pre-start meeting;
- (b) provide a karakia prior to commencement of site works;
- (c) undertake a cultural induction for key site personnel; and
- (d) monitor construction works for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngāati Māahanga is provided with all construction timetabling.

2.12 Dewatering Management Plan (DWMP)

- (15) A DWMP must be prepared by a SQEP and submitted to WRC for certification at least twenty (20) working days prior to any dewatering commencing. The objective of the DWMP is to monitor the effects of dewatering on groundwater and to manage any unacceptable effects that may arise during dewatering. The DWMP must be updated as required to meet the objective. The DWMP must include, but is not limited to:
- (a) the maximum allowable dewatering pumping capacity and duration for each dewatering location, noting that dewatering at each location (including each wastewater pump station excavation and each trench) must only occur for the time required to complete the construction works at that location;
 - (b) the maximum allowable reduction in groundwater level at each dewatering location;
 - (c) the maximum rate and volume of groundwater to be taken at each dewatering location (for wastewater pump station dewatering, as limited by Condition 31);

- (d) monitoring of effects on groundwater levels adjacent to structures within 50m of the locations of proposed dewatering, taking into account the importance of the structure and its vulnerability to damage by settlement arising from lowering of groundwater levels in its vicinity;
 - (e) treatment requirements for the discharge of dewatered groundwater, at a minimum providing for the removal of suspended sediment, and monitoring of pH with associated contingency measures should the pH fall outside an acceptable range;
 - (f) trigger levels and response actions for groundwater drawdown and settlement, having regard to background levels including seasonal groundwater fluctuations;
 - (g) monitoring and reporting requirements; and
 - (h) the process for ongoing review and amendment of the DWMP to maintain its effectiveness.
- (16) The certification process for the DWMP must be confined to confirming that the DWMP:
- (a) gives effect to its objective;
 - (b) addresses the consent condition requirements;
 - (c) contains the required information; and
 - (d) is generally consistent with the application documents.

Within twenty (20) working days of receiving the DWMP for certification, WRC must notify Brymer Farms Limited whether the DWMP is certified or, if not, the reasons why and the matters that must be addressed for certification to occur.

- (17) Brymer Farms Limited must implement the certified DWMP for the duration of the works. The DWMP may be submitted in parts or in stages to address particular dewatering locations or to reflect the staged implementation of the development, provided each part satisfies all certification requirements.
- (18) Any changes and/or updates to the certified DWMP must be made in writing and submitted to WRC for certification. While the DWMP is being changed or updated, dewatering must cease unless WRC provides written confirmation that the activity may continue.

2.13 During Construction

- (19) All dewatering and associated activities must be supervised by a SQEP and the site engineer at all times.
- (20) Brymer Farms Limited must install groundwater monitoring sites in accordance with the certified DWMP prior to the commencement of dewatering at each location.
- (21) Brymer Farms Limited must implement a water measuring system to quantify the volume of water taken on a continuous daily basis prior to the commencement of any take. The water measuring system must have a reliable calibration to flow and be maintained to an accuracy of +/- 5%. Evidence of the calibration must be provided to WRC prior to the commencement of the take, and additional calibration must be undertaken at the written

request of WRC, with evidence forwarded to WRC within one (1) month of the calibration being completed.

- (22) During construction, Brymer Farms Limited must maintain a continuous daily record of water taken for dewatering purposes. The record must state:
 - (a) the groundwater take location;
 - (b) the date on which the water was taken;
 - (c) the total daily volume of water abstracted (m³);
 - (d) zero values when no water is being taken;
 - (e) the total number of pumping hours per day; and
 - (f) the maximum dewatering depth level.
- (23) Brymer Farms Limited must monitor temporary dewatering monitoring sites during the pumped period and for one (1) week following the cessation of pumping at each location.
- (24) In the event that a trigger level set out in the certified DWMP is reached or exceeded, Brymer Farms Limited must implement the response actions set out in the DWMP and notify WRC in writing within 48 hours.

2.14 Complaints Management

- (25) A record of any complaints received in respect of the activities authorised by this permit must be maintained during construction, including: name, phone number and address of the complainant; nature of the complaint; date, time and location; weather conditions; measures taken to respond; outcome; and a record of the response provided to the complainant. The record must be made available to WRC upon request.
- (26) Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.15 Machinery Hygiene

- (27) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the Site to ensure that all seed and/or plant matter has been removed and documented in accordance with WRC's 'KEEP IT CLEAN – Machinery hygiene guidelines and logbook to prevent the spread of pests and weeds' (June 2013).

2.16 Accidental Discovery Protocol

- (28) In the event that any archaeological sites, remains, artefacts, taonga or koiwi are unearthed, uncovered or otherwise discovered during works, Brymer Farms Limited must:
 - (a) cease works immediately in all parts of the Site affected by the discovery;
 - (b) advise Ngāati Māahanga and WRC within one (1) working day of the discovery;
 - (c) arrange for a suitably qualified archaeologist to attend the Site to confirm whether the material is archaeological in nature or involves koiwi;

- (d) contact the New Zealand Police and HNZPT as appropriate; and
- (e) not recommence works in the parts of the Site affected by the discovery until all necessary statutory authorisations or consents have been obtained.

2.17 Completion

- (29) Within twenty (20) working days of the completion of dewatering at each wastewater pump station excavation, Brymer Farms Limited must provide WRC with a summary report prepared by a SQEP recording the volumes taken, the groundwater level responses recorded at each monitoring site, any exceedance of trigger levels and the response actions undertaken.

2.18 Wastewater Pump Station Dewatering

Staging and General Requirements

- (30) The construction and associated temporary dewatering of Wastewater Pump Stations (WWPS) A, B and D shall be undertaken generally in accordance with the staging and locations shown on the Maven Scheme Plan Ref. XXX, and the methodology and assumptions contained in the WGA [Groundwater Assessment Ref. XXX].

For the avoidance of doubt, the wastewater pump stations may be constructed and commissioned separately in accordance with the staging of the development shown on the Maven Scheme Plan.

Dewatering Rates

- (31) Temporary groundwater abstraction associated with construction of each WWPS shall be limited to that necessary to enable construction and shall not exceed the following rates, which incorporate a 15% contingency above the rates assessed by WGA:

Pump Station	WGA Modelled Rate	Maximum Dewatering Rate
WWPS A	8.8 L/s	10.1 L/s
WWPS B	10.3 L/s	11.8 L/s
WWPS D	4.8 L/s	5.5 L/s

Active dewatering shall cease as soon as practicable following completion and sealing of the relevant below-ground pump station structure.

Pre-Construction Information

- (32) At least 5 working days prior to commencing dewatering at each WWPS, the Consent Holder shall provide Council with written notification of the proposed works. The notification shall include, as a minimum:
 - (a) identification of the WWPS to which the works relate;
 - (b) the anticipated commencement date and duration of dewatering;
 - (c) the proposed dewatering methodology and approximate abstraction rate;

- (d) the proposed method and location for management or discharge of abstracted groundwater; and
- (e) contact details for the person responsible for managing the dewatering works.

The information may be provided by email, construction management documentation, contractor methodology, or other suitable written means.

Management of Dewatering Water

- (33) Groundwater abstracted during construction shall be managed so as to avoid erosion, scour, flooding, sediment discharge or other adverse effects on the receiving environment.

Where abstracted groundwater is discharged to the local drainage network or a surface water body, appropriate measures shall be implemented to ensure that the discharge does not result in conspicuous changes in visual clarity or deposition of sediment in the receiving waterbody.

Records and Post-Construction Reporting

- (34) The Consent Holder shall maintain records of the approximate abstraction rate and duration of dewatering undertaken at each WWPS.

Within 20 working days following completion of dewatering at each WWPS, or within such alternative timeframe agreed in writing with Council, the Consent Holder shall provide Council with a brief completion report confirming:

- (a) the dates and duration of dewatering;
- (b) the approximate maximum abstraction rate;
- (c) the method and location of discharge or disposal of abstracted groundwater;
- (d) whether any adverse effects attributable to dewatering were observed; and
- (e) any measures implemented in response to those effects.

The completion report may comprise a letter, email, contractor record, engineering completion documentation, or other suitable written record containing the information required above.

Unexpected Effects

- (35) Where dewatering results in observable adverse effects materially greater than those anticipated in the WGA assessment, including effects on nearby buildings, wetlands or surface water bodies, the Consent Holder shall reduce or cease dewatering as necessary and seek advice from a suitably qualified and experienced groundwater specialist.

Dewatering may recommence once any necessary measures recommended by that specialist have been implemented.

2.19 Wastewater Pipeline Dewatering

General Requirements

- (36) Temporary groundwater dewatering associated with construction of the wastewater pipeline network shall be undertaken generally in accordance with the wastewater network alignment and levels shown on the Maven Engineering Drawings C500-1 to C500-

15 Rev B and C520-0 to C520-28 Rev A, or any subsequent revisions approved by Council, and the methodology and assumptions contained in the WGA [Groundwater Assessment Ref. XXX].

The wastewater pipelines may be constructed progressively in accordance with the staging of the development shown on the Maven Scheme Plan Ref. XXX.

Dewatering Methodology

- (37) Where wastewater pipeline trenches extend below the groundwater table, temporary dewatering may be undertaken to maintain suitable conditions for pipeline installation and backfilling.

Dewatering shall be limited to the extent and duration reasonably necessary to construct each section of pipeline. Pipeline construction shall, as far as practicable, be undertaken progressively in discrete sections to minimise the extent and duration of groundwater drawdown.

Pre-Construction Information

- (38) At least 5 working days prior to commencing dewatering associated with wastewater pipeline construction within each stage of the development, the Consent Holder shall provide Council with written notification of the proposed works.

The notification shall identify:

- (a) the stage and general pipeline section(s) to which the dewatering relates;
- (b) the anticipated commencement date and approximate duration of dewatering;
- (c) the proposed dewatering methodology; and
- (d) the proposed method and general location for discharge or management of abstracted groundwater.

The above information may be provided by email, construction management documentation, contractor methodology, or other suitable written means.

Management of Abstracted Groundwater

- (39) Groundwater abstracted during pipeline construction shall, where practicable, be returned to the local drainage network or receiving surface water system to maintain the local water balance.

Any discharge shall be managed so as to avoid erosion, scour, flooding, sediment discharge or other adverse effects on the receiving environment. Appropriate treatment measures shall be implemented where necessary to prevent the discharge of sediment-laden water to a waterbody.

Records and Completion Reporting

- (40) The Consent Holder shall maintain records sufficient to identify the general location and duration of dewatering undertaken during wastewater pipeline construction.

Within 20 working days following completion of wastewater pipeline dewatering within each stage, or within such alternative timeframe agreed in writing with Council, the Consent Holder shall provide Council with a brief written record confirming:

- (a) the pipeline sections where dewatering was undertaken;
- (b) the approximate duration of dewatering;
- (c) the method and general location of discharge or disposal of abstracted groundwater;
and
- (d) whether any adverse effects attributable to dewatering were observed and, if so, the measures implemented in response.

Reporting may be incorporated into other construction or engineering completion documentation provided to Council.

Unexpected Effects

- (41) Where dewatering results in observable adverse effects materially greater than those anticipated in the WGA assessment, including effects on nearby buildings, wetlands or surface water bodies, the Consent Holder shall modify or temporarily cease the relevant dewatering activity as necessary and seek advice from a suitably qualified and experienced groundwater specialist.

Dewatering may recommence once any necessary measures recommended by that specialist have been implemented.

1.0 Part H – WRC Stormwater Diversion and Discharge

1.1 Conditions Set Overview

Resource consent for the permanent diversion and discharge of stormwater from the Brymer Residential Development to the environment, at 584 Whatawhata Road / Brymer Road, Hamilton / Temple View, pursuant to Waikato Regional Plan Rules 3.5.11.8 and 3.5.10.2.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- **Part H – WRC Stormwater Diversion and Discharge**
- Part I – WRC NES-FM Wetlands Consent

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
AEP	Annual Exceedance Probability
BFL	Brymer Farms Limited
HNZPT	Heritage New Zealand Pouhere Taonga
NTU	Nephelometric Turbidity Units
RMA	Resource Management Act 1991
SMP	Stormwater Management Plan
SQEP	Suitably Qualified Experienced Person/Professional
TSS	Total Suspended Solids
USEPA	United States Environmental Protection Agency
WRC	Waikato Regional Council

2.2 Consent Particulars Table

Resource Consent:	LCXX
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) Management Plans may be submitted in parts or in stages. When submitted in part or for a stage, they shall be submitted at least twenty (20) working days prior to commencement of construction works for that part or stage unless otherwise specified.
- (2) A copy of this resource consent and any certified management plans shall be kept on Site at all times that the works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.

2.4 Management Plans

- (3) The following Management Plans are required to be prepared and certified under this consent:

Management Plan	Abbreviation
Stormwater Management Plan	SMP

Advice note: The SMP is also required by the WDC Land Use Consent (Part B) and the WRC Land Disturbance Consent (Part D). A single plan may be prepared to satisfy all consents, provided it meets the requirements of each.

- (4) Any changes and/or updates to a certified Management Plan must be made in writing and submitted to WRC for certification. While a Management Plan is being changed or updated, the relevant construction activity must cease unless WRC provides written confirmation that the activity may continue.

2.5 Fees & Charges

- (5) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

2.6 Consent Lapse

- (6) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

2.7 Condition Precedent

- (7) No Management Plans or detailed design or engineering plans will be accepted for certification or approval by WRC until Brymer Farms Limited has supplied to WRC an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.8 Review

- (8) WRC may at any time in July each year from the commencement of construction until two (2) years after construction is completed, and thereafter every five (5) years, serve notice on Brymer Farms Limited under Section 128(1) of the RMA to review the conditions of this consent where:

- (a) a material adverse effect which was not identified in the AEE has arisen; or
- (b) the magnitude of adverse effects from the Project are materially larger than what was indicated in the AEE.

Costs associated with any review of conditions will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.9 Pre-Start Requirements

- (9) Brymer Farms Limited must appoint a representative prior to commencement of any works authorised by this consent, who shall be WRC's principal contact person for matters relating to this consent. WRC must be informed of the representative's name and contact details prior to this consent being exercised.
- (10) Prior to the commencement of any construction works, Brymer Farms Limited must hold a pre-start meeting with WRC, scheduled not less than ten (10) working days before the anticipated commencement of works. The meeting must confirm the approach to stormwater management and must include representatives from WRC compliance monitoring officers and engineers, the site representative, and the contractor.

2.10 Staged Pre-Start Notifications

- (11) At least ten (10) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must provide to WRC:
- (a) an invitation to attend a pre-start meeting for that stage;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned date, staging, and duration of construction works for that stage.

2.11 Mana Whenua

- (12) At least twenty (20) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must give written notice to Ngāati Māahanga to enable them to:

- (a) clarify the accidental discovery protocol with the contractor;
- (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
- (c) arrange for inspection of the area before and during construction works, should they so desire.

At least ten (10) working days prior to the commencement of each stage, Brymer Farms Limited must invite Ngāati Māahanga to:

- (a) attend the pre-start meeting for that stage;
- (b) provide a karakia prior to commencement of site works;
- (c) undertake a cultural induction for key site personnel; and
- (d) monitor construction works for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngāati Māahanga is provided with all construction timetabling.

2.12 Complaints Management

- (13) A record of any complaints received in respect of works authorised by this consent must be maintained during construction. The record must include: the name, phone number and address of the complainant; the nature of the complaint; the date, time and location of the alleged event; weather conditions; measures taken to respond; the outcome of the investigation; and a record of the response provided to the complainant. The record must be made available to WRC upon request.

Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.13 Accidental Discovery Protocol

- (14) In the event that any archaeological sites, remains, artefacts, taonga or koiwi are unearthed, uncovered or otherwise discovered during works, Brymer Farms Limited must:

- (a) cease works immediately in all parts of the Site affected by the discovery;
- (b) advise Ngāati Māahanga and WRC within one (1) working day of the discovery;
- (c) arrange for a suitably qualified archaeologist to attend the Site to confirm whether the material is archaeological in nature or involves koiwi;
- (d) contact the New Zealand Police and HNZPT as appropriate; and

- (e) not recommence works in the parts of the Site affected by the discovery until all necessary statutory authorisations or consents have been obtained.

2.14 Machinery Hygiene

- (15) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the Site to ensure that all seed and/or plant matter has been removed and documented in accordance with WRC's 'KEEP IT CLEAN – Machinery hygiene guidelines and logbook to prevent the spread of pests and weeds' (June 2013).

2.15 Stormwater Standards and Compliance

- (16) Brymer Farms Limited must put in place measures and manage the downstream stormwater network to avoid the discharge of any substance that is likely to cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials in downstream water bodies.
- (17) Brymer Farms Limited must put in place measures to avoid:
 - (a) adverse scour, erosion and sediment deposition on land, property, and the beds of downstream water bodies;
 - (b) adverse flooding of land, property and downstream water bodies; and
 - (c) adverse effects on aquatic ecosystems.
- (18) Brymer Farms Limited must not undertake any changes to the stormwater system which would fundamentally alter the stormwater quality or quantity characteristics of the stormwater discharge activities authorised by this resource consent.
- (19) The concentration of suspended solids in any water body receiving stormwater discharge from the Site shall not exceed 80 grams per cubic metre suspended solids concentration as a result of the exercise of this resource consent, after reasonable mixing.
- (20) Brymer Farms Limited must manage the stormwater network to avoid operational stormwater discharges that, after reasonable mixing, cause any of the following in the receiving environment:
 - (a) dissolved oxygen levels to fall below 80% of saturation;
 - (b) pH to fall below 6 or exceed 9;
 - (c) undesirable biological growths;
 - (d) water temperature to change by more than 3°C or to exceed 23°C;
 - (e) increases in suspended solids concentrations by more than 10% or 80 grams per cubic metre (whichever is the lesser); or
 - (f) ammoniacal nitrogen concentrations to exceed 0.88 grams of nitrogen per cubic metre.
- (21) Brymer Farms Limited must put in place measures to avoid hazardous substances in concentrations that are likely to adversely affect aquatic life, or the suitability of water for human consumption after treatment. Where a question arises as to whether the concentration of any particular hazardous substance is causing these effects, it must be

determined through the application of the United States Environmental Protection Agency National Recommended Water Quality Criteria – Criteria Maximum Concentration (USEPA, 2009), or any other technical publication technically certified in advance by WRC.

- (22) Brymer Farms Limited shall be responsible for any erosion protection or control works, and associated maintenance, that become necessary to preserve the integrity and stability of all watercourses, structures, land and property as a result of the exercise of this consent.
- (23) As soon as practicable, and no later than two (2) working days after becoming aware of any adverse effects on the receiving environment (including conspicuous films/foams, colour change, odour, effects on aquatic life, flooding, scour or erosion), Brymer Farms Limited must submit a report to WRC addressing:
 - (a) a description of the adverse effects;
 - (b) the cause of the adverse effects;
 - (c) any measures taken to remedy or mitigate the adverse effects and their outcome;
 - (d) whether further measures are necessary and reasonably practicable; and
 - (e) if no measures have been taken, a description of reasonably practicable remediation measures and a recommendation as to whether those measures are necessary.
- (24) The 50 NTU turbidity trigger level will be reviewed annually to confirm the correlation between turbidity and a TSS level of 80 grams per cubic metre remains appropriate.

2.16 Stormwater Management Plan (SMP)

- (25) Brymer Farms Limited must manage the quality and quantity of stormwater runoff in accordance with a certified Stormwater Management Plan (SMP). The objective of the SMP is to manage the quality and quantity of stormwater runoff to minimise adverse effects on the receiving environment, including operational and monitoring requirements. The SMP must be submitted to WRC for certification at least twenty (20) working days prior to construction commencing and must be updated as required. The SMP must include, as a minimum:
 - (a) a response to any relevant conditions of this consent;
 - (b) the detailed design parameters of the stormwater network, confirming attenuation requirements for the 1%, 10%, and 50% AEP events, including extended detention, retention of initial abstraction volume, and water quality treatment;
 - (c) a best practicable option approach to stormwater management having regard to elevated groundwater conditions across the Site;
 - (d) a demonstration that the stormwater network will cause no adverse downstream flood or erosion effects for all relevant design events;
 - (e) operation and maintenance procedures for the stormwater network, including all treatment devices, stormwater wetlands, forebays, artificial wetlands, and inlet and outlet structures, and the frequency of inspections and maintenance;
 - (f) monitoring methods for the stormwater network and the receiving environment;
 - (g) details of the persons responsible for overseeing the SMP; and

- (h) the process for ongoing review and amendment of the SMP to maintain its effectiveness.
- (26) The certification process for the SMP must be confined to confirming that the SMP:
 - (a) gives effect to its objective;
 - (b) addresses the consent condition requirements;
 - (c) contains the required information; and
 - (d) is generally consistent with the application documents.

Within twenty (20) working days of receiving the SMP for certification, WRC must notify Brymer Farms Limited whether the SMP is certified or, if not, the reasons why and the matters that must be addressed for certification to occur.

2.17 Operation and Maintenance

- (27) Brymer Farms Limited must be responsible for the design, structural integrity, and maintenance of the stormwater management system, including all piped reticulation networks, treatment and attenuation devices, stormwater wetlands, forebays, artificial wetlands, and inlet and outlet structures, and must operate and maintain the stormwater system to avoid and/or mitigate adverse effects of stormwater discharges on the receiving environment.
- (28) Brymer Farms Limited must undertake routine inspections of the stormwater network and its management devices and must ensure that these are operated and maintained to function as designed at all times.

2.18 Post-Construction As-Built Certification

- (29) Brymer Farms Limited must retain a SQEP to prepare and sign As-built Certification Statements certifying that all stormwater infrastructure, stormwater basins, artificial wetlands, forebays, and treatment devices have been constructed in accordance with the certified detailed designs. The approved As-built Certification Statements must be submitted to WRC within ninety (90) working days of completion of the construction works.

1.0 Part I - WRC NES-FM Wetlands Consent

1.1 Conditions Set Overview

Land use consent pursuant to section 9 of the Resource Management Act 1991 (RMA) and under the National Environmental Standards for Freshwater 2020 for earthworks within a natural inland wetland causing drainage, and clearance within a natural inland wetland or within a 10 metre setback of a natural inland wetland, in association with the Brymer Residential Development at 584 Whatawhata Road / Brymer Road / O'Brien Road / State Highway 23, Hamilton / Temple View.

This consent must be read in conjunction with:

- Part A – WDC Land Use Consent (Contaminated Land / NES:CS)
- Part B – WDC Land Use Consent
- Part C – WDC Subdivision Consent
- Part CO – WDC Day 0 Subdivision Consent
- Part D – WRC Land Disturbance Consent
- Part E – WRC Water Permit (Diversion of Catchment Tributaries)
- Part F – WRC Groundwater Diversion and Discharge
- Part G – WRC Water Permit (Temporary Groundwater Take)
- Part H – WRC Stormwater Diversion and Discharge
- **Part I – WRC NES-FM Wetlands Consent**

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2.1 Abbreviations and Definitions

In these conditions, unless the context otherwise requires, the following abbreviations have the meanings set out below:

ADP	Accidental Discovery Protocol
AEE	Assessment of Environmental Effects
AEP	Annual Exceedance Probability
ARI	Average Recurrence Interval
BCM	Biodiversity Compensation Model
BFL	Brymer Farms Limited
CIA	Cultural Impact Assessment
DOC	Department of Conservation
ESCP	Erosion and Sediment Control Plan
FIMP	Flocculation Implementation Management Plan
FMP	Fish Management Plan
GMCP	Groundwater Monitoring and Contingency Management Plan (including a Trigger Action Response Plan)
HNZPT	Heritage New Zealand Pouhere Taonga
NES-FM	National Environmental Standards for Freshwater 2020
NZS	New Zealand Standard
RMA	Resource Management Act 1991
SQEP	Suitably Qualified Experienced Person/Professional
TARP	Trigger Action Response Plan
WRC	Waikato Regional Council
WOWP	Wetland Offset Works Management Plan

2.2 Consent Particulars Table

Resource Consent:	[AUTH#] — WRC NES-FM Wetlands Consent
Grants to:	Brymer Farms Limited
Commencement date:	[Insert commencement date]
Lapse date:	Ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
Location:	The land subject to this resource consent, being Lot 3 Deposited Plan 385271, Lot 1 Deposited Plan South Auckland 87291, Lot 22 Deposited Plan South Auckland 79526, Part Lot 2 Deposited Plan 18355, and Allotment 365 Parish of Pukete.

2.3 General Conditions

- (1) The activities authorised must proceed in general accordance with the information and plans submitted by Brymer Farms Limited in support of [AUTH#] as listed in Table 1 (Schedule 1 – Register of Specialist Documentation) and received by the EPA, and subject to the following conditions. In the event of a conflict between the documents in Table 1 and the conditions of this resource consent, the conditions shall prevail.

Advice note: This resource consent is one of a suite of resource and land use consents for the Brymer Residential Development that operate in an integrated manner and must be read and implemented together.

- (2) Brymer Farms Limited must be responsible for all contracted operations relating to the exercise of this resource consent and must ensure contractors are made aware of the conditions of this consent and their requirement to comply with those conditions.
- (3) A copy of this resource consent and any certified management plans must be kept onsite at all times that the works authorised by this resource consent are being undertaken and must be produced without unreasonable delay upon request from a servant or agent of a consent authority.

Advice note: Pursuant to Section 332 of the RMA, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

- (4) Any reference in these conditions to a New Zealand Standard includes any later New Zealand standard that amends or replaces it.

2.4 Fees & Charges

- (5) Brymer Farms Limited must pay to WRC any administrative charge fixed in accordance with Section 36 of the RMA, or any charge prescribed in accordance with regulations made under Section 360 of the RMA.

Advice note: The reasonable costs incurred by WRC arising from supervision and monitoring of this consent will be charged to Brymer Farms Limited.

2.5 Consent Lapse

- (6) This consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

Advice note: This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (Sections 134 to 137 of the RMA).

2.6 Condition Precedent

- (7) This consent must not be exercised until Brymer Farms Limited has supplied to WRC an electronic file(s) containing all application documents, indexed and referenced to enable easy access, with each document allocated a unique document number and named in accordance with the following convention: Unique Document Number – Document Title – Author – Document date – Document Version. Documents that have been superseded must be marked 'superseded' with reference to the final version.

2.7 Review

- (8) WRC may during July each year from commencement of construction until two (2) years after construction has completed serve notice on Brymer Farms Limited under Section 128(1) of the RMA to review the conditions of this consent where:

- (a) a material adverse effect which was not identified in the AEE has arisen; or
- (b) the magnitude of adverse effects from the project are materially larger than what was indicated in the AEE.

Costs associated with any review of conditions of this consent will be recovered from Brymer Farms Limited in accordance with the provisions of Section 36 of the RMA.

2.8 Pre-Start Requirements

- (9) Brymer Farms Limited must appoint a representative prior to commencement of any works authorised by this resource consent, who shall be WRC's principal contact person in regard to matters relating to this consent. Brymer Farms Limited must inform WRC of the representative's name and contact details prior to this consent being exercised. Should that person change during the term of this resource consent, Brymer Farms Limited must immediately inform WRC and provide written notice of the new representative's name and contact details.

Advice note: This resource consent does not give any right of access over private or public property. Arrangements for access must be made between Brymer Farms Limited and the property owner.

- (10) Prior to the commencement of activities authorised by this consent on the Site, Brymer Farms Limited must hold a pre-start meeting that:
- (a) is scheduled not less than ten (10) working days (or such other timeframe that is agreed in writing between Brymer Farms Limited and WRC) before the anticipated commencement of works;

- (b) outlines the strategy, sequence and approach to construction works affecting wetlands and watercourses;
- (c) confirms the approach to management plans and what is relevant per delivery stage(s); and
- (d) is attended by the site representative, the contractor, and any other relevant party representing Brymer Farms Limited, including Brymer Farms Limited's Ecologist, who will introduce and explain the relevant ecological management plans, implementation and purpose.

At least ten (10) working days prior to the meeting, Brymer Farms Limited must invite the following parties to the pre-start meeting: WRC compliance monitoring officer(s) and engineers; and Ngaati Maahanga.

2.9 Staged Pre-Start Notifications

- (11) At least ten (10) working days prior to the commencement of each stage of construction works affecting wetlands or watercourses, Brymer Farms Limited must provide to WRC:
 - (a) an invitation to attend a pre-start meeting for that stage;
 - (b) the name and contact details of the Site Manager and contractor; and
 - (c) the planned date, staging, and duration of construction works for that stage.

2.10 Permanent Structures

- (12) All engineering and detailed design plans for permanent in-stream infrastructure (culverts, outlet structures, and any other structures within or over watercourses or wetlands) must be submitted to WRC for review and approval at least twenty (20) working days prior to construction commencing. Detailed design must demonstrate that all structures are safe, fit for purpose, and appropriate for long-term performance.
- (13) Brymer Farms Limited must be responsible for the design, structural integrity, and maintenance of all culverts and outlet structures. Following construction, no alterations must be made to the structures (other than to meet the requirements of this resource consent) without first submitting detailed design drawings and report(s) to WRC for approval.
- (14) The design and installation of all in-stream structures must be in accordance with the New Zealand Fish Passage Guidelines for Structures up to 4 metres (Franklin et al. 2018) and must ensure that fish passage for expected native fish species is at least maintained.
- (15) Brymer Farms Limited must retain the services of a SQEP to oversee the construction of any permanent in-stream infrastructure. This person must be responsible for ensuring adherence to approved construction plans, quality systems, and project completion requirements. The name and contact details of this person must be nominated on all engineering plans and associated documents when submitted to WRC.
- (16) Brymer Farms Limited must retain a SQEP to prepare and sign As-built Certification Statements certifying that all permanent in-stream infrastructure has been constructed in accordance with the certified detailed designs required by Condition 12. The approved As-

built Certification Statements must be submitted to WRC within ninety (90) working days of completion of the construction works.

2.11 Communications Plan

- (17) Prior to the start of construction, Brymer Farms Limited must prepare a Communications Plan and submit it to WRC's Monitoring and Enforcement Team at least twenty (20) working days prior to the start of construction. The Communications Plan must include:
- (a) contact details of the Project Liaison Person appointed for the duration of construction as the main and readily accessible point of contact for persons interested in or affected by construction works;
 - (b) a list of stakeholders who will be communicated with;
 - (c) a list of previously contacted landowners and a website link to the Order in Council for the Project;
 - (d) details of communication activities already undertaken and proposed;
 - (e) details of communications materials to be used;
 - (f) details of the complaint management process, including who is responsible for responding, how responses will be provided, and the timeframes within which responses will be provided;
 - (g) details of consultation requirements set out in other conditions where relevant; and
 - (h) the process for ongoing review and amendment of the Communications Plan to maintain its currency.

2.12 Complaints Management

- (18) A record of any complaints received in respect of the works authorised by this consent must be maintained during construction. The record must include:
- (a) date, time and type of complaint, including details of the incident;
 - (b) name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);
 - (c) location from which the complaint arose;
 - (d) weather conditions at the time of the complaint, including wind direction where relevant;
 - (e) the likely cause of the complaint;
 - (f) any other activities in the area unrelated to the Project that may have contributed to the complaint;
 - (g) any corrective action undertaken in response to the complaint; and
 - (h) future actions proposed to avoid reoccurrence.

The record must be made available to WRC upon request.

Brymer Farms Limited must notify WRC of any complaint received within two (2) working days of receipt. Within five (5) working days of receiving a complaint, Brymer Farms Limited must advise WRC and the complainant of the outcome of the investigation and all measures taken, or proposed to be taken, in response to the complaint.

2.13 Mana Whenua

- (19) At least twenty (20) working days prior to the commencement of each stage of construction works, Brymer Farms Limited must give written notice to Ngaati Maahanga to enable them to:
 - (a) clarify the accidental discovery protocol with the contractor;
 - (b) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (c) arrange for inspection of the area before and during construction works, should they so desire.
- (20) At least ten (10) working days prior to the commencement of each stage, Brymer Farms Limited must invite Ngaati Maahanga to:
 - (a) attend the pre-start meeting for that stage;
 - (b) provide a karakia prior to commencement of site works;
 - (c) undertake a cultural induction for key site personnel; and monitor construction works for that stage. If the invitation to monitor is accepted, Brymer Farms Limited must ensure that Ngaati Maahanga is provided with all construction timetabling.

2.13.1 Cultural Impact Assessment (CIA)

- (21) The Project (including all works) must be undertaken in accordance with the following, to reflect and implement the recommendations in the CIA:
 - (a) a partnership Kawenata that records a commitment to establishing a collaborative, interactive, positive, and balanced relationship exercising good faith, co-operation and flexibility and responsiveness between Brymer Farms Limited and Mana Whenua entities must be confirmed and signed within twelve (12) months of this consent commencing;
 - (b) 'Whakapapa' and the cultural story / narrative of the Project area will be supported by the use of cultural indigenous place-making throughout the Project, to be developed and agreed with Mana Whenua; and
 - (c) Brymer Farms Limited must actively pursue opportunities to incorporate Mana Whenua business / commercial, social and educational enterprises within the Project, where possible.
- (22) Prior to the commencement of any construction works, Brymer Farms Limited must invite Ngaati Maahanga to discuss the implementation of the recommendations within the CIA and to confirm the approach to cultural monitoring of earthworks, dewatering, and any works near waterways or wetlands.

- (23) The outcomes of the engagement described in Condition 21 must be reported to WRC prior to construction commencing.

2.13.2 Discovery of Archaeological Finds or Culturally Significant Finds

- (24) Brymer Farms Limited must give at least twenty (20) working days written notice of the date that the construction contractor intends to commence earthworks or construction works to:
- (a) Ngaati Maahanga to enable them to:
 - (i) clarify with the contractor the location of culturally significant sites and the procedures that will be observed;
 - (ii) provide the names and contact details of their representatives to be contacted for cultural advice and guidance in the event of a discovery; and
 - (iii) arrange for the inspection of the earthworks in the vicinity of identified areas, should they so desire.
 - (b) the project archaeologist (if required), to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of construction.
- (25) Ten (10) working days prior to the commencement of construction works (or such other timeframe agreed in writing), Brymer Farms Limited must provide WRC with written evidence that Archaeological Authorities under HNZPT have been obtained from Heritage New Zealand if required. Alternatively, Brymer Farms Limited must provide evidence that Archaeological Authorities are not necessary.
- (26) The following ADP is only applicable to works where a HNZPT archaeological authority is not in place. In the event that any archaeological sites, remains, artefacts, taonga (Māori artefacts) or kōiwi are unearthed, dislodged, uncovered or otherwise found or discovered during the earthworks, Brymer Farms Limited must implement an ADP which must consist of the following actions:
- (a) cease works immediately in all parts of the project site affected by the discovery;
 - (b) advise Ngaati Maahanga, the project archaeologist and WRC within 24 hours of the discovery;
 - (c) arrange for the project archaeologist to attend site to confirm if the material is archaeological in nature or involves kōiwi;
 - (d) contact the NZ Police, Coroner and Heritage New Zealand as appropriate;
 - (e) undertake specific preservation measures to address any discovery that includes water-logged or wet archaeological materials; and
 - (f) not recommence works in the parts of the project site affected by the discovery until all necessary statutory authorisations or consents have been obtained.

Where kōiwi (human skeletal remains) are discovered, Brymer Farms Limited must additionally cease all works within a 100-metre radius of the discovery immediately and notify the New Zealand Police, Ngaati Maahanga, Heritage New Zealand Pouhere Taonga,

and WRC. Works within that radius must not recommence until authorised by the relevant authorities.

2.14 Management Plans

- (27) Conditions 27 to 32 apply to all Management Plans required to be prepared in accordance with this consent.
- (28) The certification process for Management Plans required by the conditions of this consent must be confined to confirming that the Plans give effect to their objectives, consent condition requirements, and contain the required information.
- (29) Management Plans may be submitted in parts or in stages to address particular activities or to reflect a staged implementation of the Project. When a Management Plan is provided in part or for a stage it must be submitted at least twenty (20) working days prior to commencement of construction works for that part or stage unless otherwise specified in the conditions.
- (30) Within twenty (20) working days of receiving a Management Plan that is required by these conditions to be provided for certification, WRC must notify Brymer Farms Limited whether the Management Plan is certified or, if not, the reasons why certification has not been provided and the matters that must be addressed before this can occur.
- (31) At all times during construction, Brymer Farms Limited must ensure that a copy of the latest version of all Management Plans is kept on site and all key personnel are made aware of their contents.
- (32) Brymer Farms Limited must implement all certified Management Plans for the duration of the works to which the Plan relates.
- (33) Any changes and/or updates to a certified Management Plan must be made in accordance with the methodology and approved procedures in the Plan and submitted to WRC for certification in accordance with Conditions 27 to 31. No change must have effect until certified by WRC.

Erosion and Sediment Control Plan (ESCP)

- (34) At least twenty (20) working days prior to the commencement of any construction work in relation to this resource consent (or such other timeframe that is agreed in writing between Brymer Farms Limited and WRC), Brymer Farms Limited must submit an ESCP to WRC for certification.
- (35) The objective of the ESCP is to:
 - (a) ensure that erosion and sediment control is designed, constructed and operated in accordance with the Waikato Regional Council Erosion & Sediment Control Guidelines for Soil Disturbing Activities (TR902); and
 - (b) minimise sediment discharge from the site to the greatest extent practicable and ensure all earthworks are undertaken consistently with conditions of this consent.
- (36) The erosion and sediment control measures to be included in the ESCP must as a minimum be based upon and incorporate all the relevant principles and practices from:

- (a) the WRC document 'Erosion and Sediment Control — Guidelines for Soil Disturbing Activities' (Technical Report No. 2009/02, dated January 2009) or any subsequent revision; and
 - (b) Section F2.0 (Coagulant and flocculant treatment) of Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (Guideline document 2016/005), June 2016 or any subsequent revision.
- (37) The ESCP must include, as a minimum:
- (a) details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control, including flocculation if required;
 - (b) the design criteria and dimensions of all key erosion and sediment control structures;
 - (c) a site plan identifying:
 - (i) the locations of waterways and natural inland wetlands;
 - (ii) the extent of soil disturbance and vegetation removal;
 - (iii) any "no go" and/or buffer areas to be maintained undisturbed adjacent to watercourses and wetlands;
 - (iv) areas of cut and fill;
 - (v) locations of topsoil stockpiles;
 - (vi) all key erosion and sediment control structures;
 - (vii) the boundaries and area of catchments contributing to all stormwater impoundment structures;
 - (viii) the locations of all specific points of discharge; and
 - (ix) the location and details of stream stabilisation works in areas of damming, diversion or clearing;
 - (d) a construction timetable for erosion and sediment control works and bulk earthworks proposed;
 - (e) a timetable and nature of progressive site rehabilitation and revegetation proposed;
 - (f) measures to prevent weed invasion due to machinery, topsoil and fill brought on to site;
 - (g) maintenance, monitoring and reporting procedures;
 - (h) rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or failure of any key ESC structures;
 - (i) procedures and timing for review and/or amendment of erosion and sediment control measures; and
 - (j) identification and contact details of personnel responsible for operation and maintenance of all key erosion and sediment control structures.
- (38) Prior to bulk earthworks commencing in any stage of development, Brymer Farms Limited must submit to WRC a certificate signed by a SQEP to certify that the erosion and sediment

controls have been constructed in accordance with the ESCP. The certification must be submitted within five (5) working days of completion of construction of those measures.

- (39) All earthmoving machinery, pumps and generators must be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance.
- (40) Brymer Farms Limited must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to the site in accordance with WRC's 'KEEP IT CLEAN' guidelines (June 2013).

Ecological Implementation Plan

- (41) At least twenty (20) working days prior to the commencement of any construction works in relation to each stage or area of the Site affecting wetlands or watercourses (or such other timeframe agreed in writing), Brymer Farms Limited must submit the following to WRC for certification:
 - (a) a plan showing the areas of land for ecological mitigation / offsetting to be undertaken for the particular stage to meet the requirements of the WOWP;
 - (b) a planting and maintenance methodology;
 - (c) confirmation from the owner of that land that Brymer Farms Limited has lawful authority to undertake the work and retain it;
 - (d) a stream design plan for any permanently flowing low flow channels, marginal floodplain and stormwater treatment wetlands;
 - (e) a temporary stream diversion plan that demonstrates the extent of any diversion, the methodology to divert and reconnect affected watercourses including the provision of fish passage;
 - (f) Brymer Farms Limited must retain SQEPs to complete and finalise the detailed design of relevant culverts, in-stream infrastructure, embankments and check dams;
 - (g) fish passage / exclusion design for all new in-stream infrastructure including proposed culverts and any proposed check dams;
 - (h) a description of measures to prevent weed invasion due to machinery, topsoil and fill brought on to site; and
 - (i) a description of measures to be implemented to monitor and control weeds and pest mammals within the area of works.

Fish Management Plan (FMP)

- (42) At least twenty (20) working days prior to the commencement of any construction works in relation to the project site (or such other timeframe agreed in writing), Brymer Farms Limited must submit an FMP to WRC for certification.

Advice note: To assist WRC with the certification process, Brymer Farms Limited is encouraged to provide WRC with three (3) weeks' notice prior to each Management Plan being submitted for certification.

The main objectives of the FMP are to:

- (43) ensure best practice indigenous fish relocation from affected watercourses as practicably possible, requiring the following as a minimum:
 - (a) netting nodes to consist of 1 fyke net and 2 minnow traps;
 - (b) netting nodes to be set on average 10 metres apart;
 - (c) once 3 nights of netting have reduced the catch to a maximum average of <1 fish per trap per night, the standard is deemed to have been achieved; and
 - (d) a SQEP must be on site during the dewatering and mucking out of watercourses to capture and relocate any remaining indigenous fish and to humanely euthanise any pest fish;
 - (e) ensure that pest fish within the project area are caught and humanely euthanised;
 - (f) avoid, remedy or mitigate the unplanned dewatering of areas of fish habitat and, where such dewatering occurs, undertake fish capture and relocation;
 - (g) minimise disturbance of fish from project works in watercourses, drains and other surface water features immediately surrounding the project site;
 - (h) minimise the impact of works within watercourses, drain realignments and infilling works;
 - (i) describe in detail a staged approach for relocating fish (Stage 1: Pre-Works, Stage 2: Dewatering, Stage 3: Excavation); and
 - (j) ensure fish relocations are carried out by experienced freshwater ecologists.
- (44) The FMP must provide for all fish management requirements throughout the works and must be updated as required to meet its objectives. The FMP must include, as a minimum:
 - (a) a response to any relevant conditions of this consent;
 - (b) evidence that engagement with the Department of Conservation (DOC) has occurred, including evidence that any concerns raised by DOC have been addressed, or reasons why they have not been addressed;
 - (c) a brief description of the known fish community within and around the affected watercourses and wetlands, including reference to catchment-specific fish communities;
 - (d) protocols and methods to ensure that all watercourses / drains and other surface water features beyond the subject site are fully isolated and protected from the works;
 - (e) a construction methodology which includes a works schedule for undertaking mitigation;
 - (f) protocols and methods for the capture and transfer of indigenous fish, including the timing, required weather conditions, extent of fishing effort and release points;
 - (g) protocols and methods to address any unexpected discoveries of fish during the works;
 - (h) protocols and methods to either provide or preclude fish passage (as appropriate) through the design of new culverts and temporary diversion channels;

- (i) protocols and methods for recording and reporting to WRC the numbers, diversity and size range of all fish removed from wetlands;
- (j) measures to ensure that captured fish do not re-enter the active stage of works throughout the duration of the works;
- (k) requirements for permits and certificates to handle native fish from the relevant authorities;
- (l) defined roles and responsibilities for all those involved and the details of who will be responsible for overseeing the FMP;
- (m) notification and reporting procedures;
- (n) the process for the ongoing review and amendment of the FMP to maintain its effectiveness; and
- (o) protocols to enable the opportunity for Mātauranga input from Ngaati Maahanga specifically in relation to fish capture and relocation where requested.

Advice note: When implementing these conditions, Brymer Farms Limited is advised to consult with DOC and the Ministry of Primary Industries to determine if fish handling and/or relocation permits are required.

Groundwater Monitoring and Contingency Management Plan (GMCP)

- (45) At least twenty (20) working days prior to the commencement of any construction works in relation to the project site (or such other timeframe agreed in writing), Brymer Farms Limited must submit a GMCP (including a TARP) to WRC for certification.
- (46) The main objectives of the GMCP are to:
 - (a) confirm whether the actual groundwater drawdown from the project is consistent with the drawdown effects predicted in the relevant hydrogeological assessment, and identify and implement the necessary steps to remedy or mitigate groundwater drawdown if the predicted effects are exceeded;
 - (b) achieve (a) by:
 - (i) monitoring the effects of the consented groundwater takes and diversions on any affected watercourses and wetlands; and
 - (ii) setting reasonable groundwater and surface water baseline levels (consistent with the TARP) to ensure monitoring can establish alert and alarm levels to ensure dewatering levels are suitably managed to avoid adverse groundwater effects on the environment during construction works; and
 - (c) remedy or mitigate potential adverse effects if and to the extent that groundwater drawdown is greater than predicted, by identifying and reporting on the following within 20 working days of an exceedance being identified and implementing the relevant steps within the recommended timeframes:
 - (i) where increased groundwater drawdown is occurring;
 - (ii) likely causes of the increased groundwater drawdown;
 - (iii) likely effects of the increased groundwater drawdown; and

(iv) options for avoiding, remedying and/or mitigating effects.

- (47) The GMCP must provide for all groundwater monitoring and contingency requirements throughout the exercise of this resource consent and include, as a minimum:
- (a) a location plan showing the location of existing and proposed new temporary dewatering, surface water and groundwater monitoring sites, the location of the known fish community, and calculated groundwater drawdown contours;
 - (b) a specific discharge quality monitoring programme, including treatment methods if necessary;
 - (c) defined roles, responsibilities and details of who will be responsible for overseeing the GMCP;
 - (d) monitoring of rainfall on-site, as required to establish the response of groundwater to rainfall;
 - (e) notification and reporting procedures relevant to WRC; and
 - (f) a requirement that a control site be established outside of the drawdown zone.

Wetland Offset Works Management Plan (WOWP)

- (48) At least twenty (20) working days prior to the commencement of any construction works in relation to the project site (or such other timeframe agreed in writing), Brymer Farms Limited must submit a WOWP to WRC for certification.
- (49) Brymer Farms Limited must achieve the following ecological mitigation / offsetting outcomes for Type 1 and 2 wetlands across the entire project:
- (a) [X] hectares of wetland to be created;
 - (b) [X] hectares of wetland to be restored;
 - (c) [X] hectares of wetland buffer; and
 - (d) [X] hectares of weed and animal pest control.
- (50) The outcomes in Condition 74(a)–(d) may be staged over either the duration of the project or [X] years, whichever is the lesser, provided that the area of wetland created, restored, buffered or controlled for pests in each 12 month period ending 30 June is equivalent to at least the area necessary to be provided for the amount of wetland removed in the previous 12 month period ending 30 June, as calculated in accordance with the Biodiversity Compensation Model (BCM).
- (51) Brymer Farms Limited must implement offsetting of Group 3 wetlands where monitoring of those wetlands indicates:
- (a) change in vegetation quantity or quality as revealed by ‘wetland record sheets’ using the Clarkson et al. 2003 method; or
 - (b) a drop in groundwater (attributable to the construction or operation of the project) of >0.25m when measured within a four-week period after a period of settled weather and groundwater drawdown immediately around the wetland exceeds the drawdown predicted in the relevant hydrogeological assessment.

- (52) Brymer Farms Limited must undertake additional pro rata ecological mitigation / offsetting to address the potential effects on Group 3 wetlands, in the event and to the extent that this is required:
 - (a) up to [X] hectares of wetland to be created;
 - (b) up to [X] hectares of wetland to be restored;
 - (c) up to [X] hectares of wetland buffer; and
 - (d) up to [X] hectares of weed and animal pest control.
- (53) Implementation of the WOWP must commence as soon as practicable, and no later than 12 months, after certification.
- (54) The WOWP must as a minimum:
 - (a) set out methodologies and processes that will be used to achieve net gain of biodiversity and extent in accordance with the Biodiversity Compensation Model (BCM) or equivalent methodology agreed with WRC;
 - (b) include sufficient detail to demonstrate how the extent of wetland loss relating to Group 1 and Group 2 wetlands will be appropriately offset, the timeframe within which that will be achieved, and that the ecological values being achieved through the offset are similar or better than those being lost;
 - (c) provide overarching principles for the selection of offsetting sites;
 - (d) identify potential wetland restoration sites [to be confirmed with the project ecologist];
 - (e) detail the methods that will be used to protect restored areas and the native vegetation within those areas, including legal protections (e.g. covenants, public ownership and management, consent notice(s) or similar), stock exclusion / fencing and weed and pest control;
 - (f) include a monitoring and maintenance plan for a period of five (5) years from the completion of each respective offset works to ensure:
 - (i) plant densities and 90% survival rate are maintained and ecological offsetting is achieved;
 - (ii) any replacement planting occurs in the following planting season;
 - (iii) the anticipated ecological gains specified in the WOWP are achieved;
 - (iv) monitoring is undertaken at intervals consistent with the ecological gains specified in the WOWP; and
 - (v) if monitoring identifies that ecological gains are not achieved then further measures must be implemented to either ensure that those gains are realised at that site, or further work is undertaken to provide net gain of ecological function;
 - (g) outline Brymer Farms Limited's ongoing reporting requirements in respect of wetland offsetting. As a minimum, Brymer Farms Limited must report annually by 31 October each year and the report must contain:
 - (i) details of the wetland offset works undertaken in the last 12 months;

- (ii) details of wetland offset works to be undertaken in the next 12 months; and
- (iii) analysis and assessment of the ecological gains made in the last 12 months and progress towards achieving the objective of the WOWP.

2.15 Managing In-stream Works

- (55) During any diversions or installation of in-stream structures, Brymer Farms Limited must take all practicable steps to minimise sedimentation and increased turbidity of the stream during and following completion of the works, including:
 - (a) completing all works in the minimum time practicable;
 - (b) undertaking works in dry weather and low flow conditions, as far as practicable;
 - (c) avoiding placement of construction material or excavated material in the flowing channel, except as required for the construction of the diversion and the installation of in-stream structures;
 - (d) separating construction activities from flowing water;
 - (e) installing and maintaining appropriate erosion control and sediment control measures; and
 - (f) rapidly and progressively stabilising all disturbed areas.

2.16 During Construction

- (56) Earthworks must be supervised by a SQEP in accordance with NZS4431:1989. In supervising the works, the SQEP must ensure that they are constructed and completed in accordance with the approved earthworks plans.

2.16.1 Erosion and Sediment Control

- (57) Brymer Farms Limited must be responsible for any erosion protection or control works, and associated maintenance, that become necessary to preserve the integrity and stability of all watercourses including their margins and banks, structures, land and property as a result of the exercise of this consent.
- (58) Brymer Farms Limited must ensure that all sediment laden run-off from the site is treated by sediment retention structures. These structures must be fully operational before bulk earthworks commence and must be maintained to perform at least at 80% of their full operational capacity.
- (59) Brymer Farms Limited must ensure that all clean water run-off from stabilised surfaces is diverted away from the earthworks area via a stabilised diversion system.
- (60) Brymer Farms Limited must ensure that all temporary watercourse diversion systems are designed and installed to convey flows from contributing catchment areas up to the 5% AEP rainfall event (20-year ARI rainfall event) without overtopping and must also ensure that these systems incorporate adequate protection against erosion.
- (61) Brymer Farms Limited must ensure that all erosion and sediment controls are inspected and in good working order prior to, and immediately after, rain events, and are maintained such that optimal sediment capture efficiency is achieved at all times.

2.16.2 Flocculation

- (62) Prior to the commencement of construction works, Brymer Farms Limited must undertake flocculent bench testing to determine the reactivity of soils to chemical treatment within those areas of the site where runoff is proposed to be treated by sediment retention ponds and decanting earth bunds.
- (63) Where soils positively react to chemical treatment, the implementation of a flocculation treatment system must be maintained as a contingency throughout the duration of earthworks and must be implemented at the request of the WRC monitoring officer.
- (64) Ten (10) working days prior to the commissioning of the flocculation treatment system (or such other timeframe agreed in writing), Brymer Farms Limited must provide WRC with a FIMP. The objective of the FIMP is to manage flocculation used as part of the erosion and sediment control practices to avoid or minimise adverse effects in the environment caused by the use of chemical flocculants.
- (65) The FIMP must include, as a minimum:
 - (a) specific design details for the flocculation system;
 - (b) monitoring, maintenance (including post-storm) and record keeping details;
 - (c) details of optimum dosage (including assumptions);
 - (d) results of any initial flocculation trial;
 - (e) a spill contingency plan; and
 - (f) contact details of persons responsible for the operation and maintenance of the flocculation treatment system.

2.16.3 Monitoring of Erosion and Sediment Controls

- (66) Brymer Farms Limited must ensure that the erosion and sediment controls at the site are inspected a minimum of once per week and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls.
- (67) Brymer Farms Limited must carry out monitoring and maintenance of erosion and sediment controls and must maintain records detailing:
 - (a) the date, time and results of the monitoring undertaken;
 - (b) the erosion and sediment controls that required maintenance;
 - (c) the time when the maintenance was undertaken; and
 - (d) the type of maintenance carried out.

These records must be provided to WRC on request.

2.16.4 Stockpiles

- (68) If the stockpile material contains silt or is erosion prone, Brymer Farms Limited must place topsoil overtop of the stockpile before stabilisation.

- (69) If a stockpile is to be stored for longer than one (1) week, Brymer Farms Limited must seal, mulch and stabilise the stockpile to minimise potential erosion and sedimentation. Controls must remain until stockpiles are removed or used on site.

2.16.5 Stabilisation / Rehabilitation

- (70) Brymer Farms Limited must stabilise the site against erosion as soon as practicable and in a progressive manner as earthworks are finished over various areas (catchments) of the Site. Brymer Farms Limited must monitor and maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any watercourse.
- (71) Brymer Farms Limited must revegetate or re-grass all areas of bare earth as soon as practicably possible and within three (3) calendar months following the completion of earthworks (per individual stage of construction). If this cannot be achieved, Brymer Farms Limited must temporarily cover the area with a surface suitable to protect against soil erosion.

2.16.6 Geotechnical

- (72) The construction of permanent earth bunds, retaining walls (if any are required), and the placement and compaction of fill material must be supervised by a SQEP, ensuring construction is completed in accordance with the relevant geotechnical assessment report and relevant engineering code of practice.

2.16.7 Discharges

- (73) The concentration of suspended solids in any other water body (including modified watercourses and farm drains), must not exceed 80 grams per cubic metre suspended solids concentration as a result of the exercise of this resource consent, after reasonable mixing. This standard must apply except where the suspended solids concentration in the named water body, unaffected by the activity, is greater than the standard specified.

2.16.8 Monitoring of Earthworks Discharges

- (74) During construction works affecting wetlands and associated watercourses, and until vegetation is established to such an extent that it prevents silt laden runoff from entering any watercourse, Brymer Farms Limited must install, operate, maintain and monitor an automated inline continuous turbidity monitoring system at the following locations:

- (a) Identified upstream monitoring location; and
- (b) at the downstream end of the active works area.

The automated system will trigger an alarm when turbidity exceeding 50 NTU is recorded. If the alarm is triggered, Brymer Farms Limited must investigate within 2 hours the source of the excess turbidity and identify and implement actions to ensure turbidity is reduced below the trigger level.

- (75) If requested in writing by WRC, Brymer Farms Limited must take samples of the discharges from all sediment retention ponds on the site a minimum of once per month and after all rainfall events greater than 20 millimetres in the preceding 24 hours, excepting times when there are no discharges.

- (76) Within one (1) working day of taking any samples required, Brymer Farms Limited must have those samples analysed for suspended solids and turbidity and, if flocculants are being used, pH and soluble aluminium. The results of the analysis must be forwarded to WRC within seven (7) days of analysis.
- (77) Brymer Farms Limited must ensure that the soluble aluminium concentration of any discharge from a sediment retention pond flocculated in accordance with a technically certified FIMP does not exceed 0.2 grams per cubic metre.
- (78) Brymer Farms Limited must ensure that the pH of any discharge from a sediment retention pond flocculated in accordance with a technically certified FIMP is not less than 5.5 or greater than 8.5 pH units.

2.16.9 Winter Works

- (79) Brymer Farms Limited must not carry out any construction works during the winter period from 1 May to 30 September inclusive in any year that this consent is current unless a request for Winter Works in accordance with Condition 66 is approved in writing by WRC.
- (80) Brymer Farms Limited must ensure that the site is appropriately stabilised by 30 April of each year unless otherwise approved by WRC.
- (81) Requests to undertake construction works during the period 1 May to 30 September inclusive must be submitted in writing to WRC and must be in the form of amendments to the certified ESCP.

2.16.10 Culvert Construction and Fish Passage

- (82) The Consent Holder shall ensure that:
 - (c) construction works associated with each individual culvert are completed within 3 months of commencement of works at that culvert location;
 - (d) fish passage is maintained during the construction, removal and replacement of culverts, including through temporary measures where necessary; and
 - (e) all permanent culverts are designed, installed and maintained so as not to impede the passage of fish, consistent with the requirements of the Freshwater Fisheries Regulations 1983.

2.17 Group 3 Wetland Offsetting

- (83) At least 3 months prior to construction works commencing, natural wetlands identified within the extent of the hydrological drawdown and described as 'Group 3 wetlands' must be surveyed by a SQEP to determine the extent and values of each wetland present within the project area. The survey data must be presented to WRC prior to any construction works commencing in order to reliably inform any future potential offset calculations.

Monitoring of Group 3 wetland extent and condition must occur within the same month each year after a period of settled weather to most accurately compare changes between years. Monitoring must occur over the life of the construction works and must account for seasonal variations in weather patterns.

- (84) In the event that wetlands show any adverse effects related to declining water level (i.e. lowered water table, replacement of wetland plants with dry land species, reduction in wetland size or condition over two monitoring seasons) at the end of the monitoring period, appropriate offsetting and/or compensation must be implemented in accordance with the WOWP certified under Condition 73.
- (85) Wetland creation and enhancement as required to meet the outcomes set out in the BCM model will be confirmed and actioned through the implementation of an updated WOWP for each offset site prepared in accordance with Condition 79.

Conditions Attachment 1: Residential Development Controls

All dwellings and associated buildings constructed on residential lots must comply with the following development controls outlined in Tables DC1 & DC2:

Table DC1 — Terrace Lots

Control	Rear-Loaded Terrace Housing	Front-Loaded Terrace Housing
Density	Build the number of units as per approved masterplan and subdivision scheme plan. Rear-loaded terrace housing is approved on Lots 608–612, 617–620, 640–650, 652–666, 671–681, 683–690, 693–698, 701–706, 707–711 and 714–719, in accordance with the approved subdivision scheme plan.	Build the number of units as per approved masterplan and subdivision scheme plan. Front-loaded terrace housing is approved on Lots 246–251, 417–422, 428–431, 439–443, 581–586 and 592–598, in accordance with the approved subdivision scheme plan.
Building coverage (maximum)	60% of lot area	50% of lot area
Maximum impermeable surface	70%	70%
Landscaped area (minimum)	20%	20%
Landscaping forward of building line (minimum)	30% of area forward of front building line	40% of area forward of front building line
Front setback (minimum)	1m from transport corridor	1.5m from transport corridor
All other setbacks (minimum)	1m side for end unit of the terrace building 0m rear to rear lane	1m side for end unit of the terrace building 1m rear
Garage/vehicle access	Rear lane access only — no front vehicle crossing permitted	- Maximum one (1) double-width vehicle crossing per two residential units - Single crossings: 3.0–3.5m wide - Shared double crossings: 5.5–6.0m wide, centred on the boundary between units
Height (maximum)	11m or 3 storeys	11m or 3 storeys

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	+1m where $\geq 50\%$ of roof pitch is 15° or more	+1m where $\geq 50\%$ of roof pitch is 15° or more
Height in relation to boundary	4m + 60° Does not apply to transport corridors, rear lanes, or internal boundaries within a site	4m + 60° Does not apply to transport corridors, or internal boundaries within a site
Public interface and passive surveillance	- Pedestrian access from transport corridor to front door of each unit required - Each dwelling shall provide minimum 20% glazing OR a minimum window dimension of 1.5m, facing the transport corridor - Windows must not be obstructed by accessory building or fence greater than 1.5m in height - Corner sites: requirement applies only to the frontage from which pedestrian access is provided	- Pedestrian access from transport corridor to front door of each unit required - Each dwelling shall provide minimum 20% glazing OR a minimum window dimension of 1.5m, facing the transport corridor - Windows must not be obstructed by accessory building or fence greater than 1.5m in height - Corner sites: requirement applies only to the frontage from which pedestrian access is provided
Separation and privacy	- Minimum 2m setback between residential buildings (except attached) - Windows must be offset by 1.5m where different buildings are within 3m of one another - Offset not required at ground floor where buildings are separated by a solid fence of at least 1.8m	- Minimum 2m setback between residential buildings (except attached) - Windows must be offset by 1.5m where different buildings are within 3m of one another - Offset not required at ground floor where buildings are separated by a solid fence of at least 1.8m
Outdoor living area	Minimum 12m² with 1.8m minimum dimension	Minimum 12m² with 1.8m minimum dimension
Outlook space	- Principal living room: minimum 3m depth $\times$ 3m width (measured from the midpoint of the largest window) - All other habitable rooms: minimum 1m $\times$ 1m - Must not be obstructed by buildings or fences - Retaining walls must not infringe the required outlook space	- Principal living room: minimum 3m depth $\times$ 3m width (measured from the midpoint of the largest window) - All other habitable rooms: minimum 1m $\times$ 1m - Must not be obstructed by buildings or fences - Retaining walls must not infringe the required outlook space
Service area	- Minimum 1.4m² bin storage (accessible from rear lane without passing through the unit) - Dryer provision required - Screened from public view	- Minimum 5m² per unit (may be provided across two areas; at least 1.4m² for bin storage) - Minimum 1.5m dimension - Clothes drying provision must be accessible from each unit - Screened from public view
Bicycle parking	Where no dedicated garage is provided, a secure enclosed bicycle storage enclosure must be provided.	Where no dedicated garage is provided, a secure enclosed bicycle parking enclosure must be provided.

Fences/walls – transport corridor and reserve boundaries	Transport corridor/front yard boundary: Maximum 1.2m; may be increased to 1.5m where outdoor living area adjoins, provided ≥50% of the portion above 1.2m is visually permeable	Transport corridor/front yard boundary: - Maximum 1.2m; may be increased to 1.5m where outdoor living area adjoins, provided ≥50% of the portion above 1.2m is visually permeable Reserve boundary: - Maximum 1.5m; may be increased to 1.8m, provided ≥50% of the portion above 1.5m is visually permeable
Fences/walls – other boundaries	- Rear lane: maximum 1.5m (may be increased to 1.8m, provided ≥50% of the portion above 1.5m is visually permeable) - All other boundaries: maximum 1.8m	All other boundaries: maximum 1.8m

Table DC2 - Duplex, Single and Split-Level Lots

Control	Duplex & Single-Dwelling Lots	Split-Level Lots
Density	Maximum one (1) single dwelling per lot	Maximum one (1) single dwelling per lot The following lots are approved with split-level dwelling: Lots 107 – 110, 111 – 118, 372 – 374, 389 – 399, 401 – 414.
Building coverage (maximum)	50% of lot area, except for Large Lot Residential Lots 123 – 130, the maximum building coverage is 20% of the net site area	50% of lot area
Maximum impermeable surface	70%	70%
Landscaped area (minimum)	20%, except for Lot 123 – 130, the minimum landscaped area is 35%.	20%
Landscaping forward of building line (minimum)	50% of area forward of front building line	50% of area forward of front building line
Front setback (minimum)	1.5m, except of the following: A minimum 5m setback from SH23/Whatawhata Road is also applicable for Lots 379, 380, 386, 387, 487 – 493.	1.5m
All other setbacks (minimum)	1m side & rear	1m side & rear

	except one side yard can be reduced to 0m where: • The setback from the opposite side yard on the site is at least 2m; and • Legal provision is made for access and maintenance; and • Neighbours' consent is obtained, or it is a common/party wall For Lots 43–51, 52–62, 63–72, 73–82, 83–92, 93–106, 734–744, 745–755, the minimum setback from the rear retaining wall is 4m. For Lots 365–368, 368–379, 464–472, 473–475, 494–503, 541–553, 566–571, 621–629, 756–761, the minimum setback from the rear boundary is 3m. For Lots 123 – 130, the minimum setback from all boundaries is 3m.	except one side yard can be reduced to 0m where: • The setback from the opposite side yard on the site is at least 2m; and • Legal provision is made for access and maintenance; and • Neighbours' consent is obtained, or • It is a common/party wall For Lots 372 – 374 the minimum setback from the rear boundary is 3m.
Garage/vehicle access	Duplex: • Maximum one (1) double-width crossing per two units • Single-width crossings: 3.0–3.5m wide • Double-width crossings: 5.5–6.0m wide, centred on the boundary between units Single dwelling: • One crossing per lot	• One vehicle crossing per lot • Single-width crossings: 3.0–3.5m wide • Double-width crossings: 5.5–6.0m wide
Height (maximum)	• 10m / 2 storeys, except for Lots 123 – 130, the maximum building height is 7.5m. • +1m where $\geq 50\%$ of roof pitch is 15° or more	• 10m (no 2-storey cap) • +1m where $\geq 50\%$ of roof pitch is 15° or more
Height in relation to boundary	• Side boundaries: $4m + 60^\circ$ • All other boundaries: $4m + 45^\circ$ • Except for Lots 123 – 130, the HIRB for all rear and side boundaries is $2m + 45^\circ$ • Does not apply to transport corridors, rear lanes, or internal boundaries within a site.	• Side boundaries: $4m + 60^\circ$ • All other boundaries: $4m + 45^\circ$ • Does not apply to transport corridors, rear lanes, or internal boundaries within a site

Public interface and passive surveillance	• Pedestrian access from transport corridor to front door of each unit required • Each dwelling shall provide minimum 20% glazing AND a minimum window dimension of 1.5m, facing the transport corridor • Windows must not be obstructed by accessory building or fence greater than 1.5m in height • Corner sites: requirement applies only to the frontage from which pedestrian access is provided	• Pedestrian access from transport corridor to front door of each unit required • Each dwelling shall provide minimum 20% glazing AND a minimum window dimension of 1.5m, facing the transport corridor • Windows must not be obstructed by accessory building or fence greater than 1.5m in height • Corner sites: requirement applies only to the frontage from which pedestrian access is provided
Separation and privacy	• Minimum 2m setback between residential buildings (except attached) • Windows must be offset by 1.5m where different buildings are within 3m of one another • Offset not required at ground floor where buildings are separated by a solid fence of at least 1.8m	• Minimum 2m setback between residential buildings (except attached) • Windows must be offset by 1.5m where different buildings are within 3m of one another • Offset not required at ground floor where buildings are separated by a solid fence of at least 1.8m
Outdoor living area	• Minimum 20m² with 3m minimum dimension	• Minimum 20m² with 3m minimum dimension
Outlook space	• Principal living room: minimum 4m depth × 3m width (measured from the midpoint of the largest window) • All other habitable rooms: minimum 1m × 1m • Must not be obstructed by buildings or fences • Retaining walls must not infringe the required outlook space	• Principal living room: minimum 4m depth × 3m width (measured from the midpoint of the largest window) • All other habitable rooms: minimum 1m × 1m • Must not be obstructed by buildings or fences • Retaining walls must not infringe the required outlook space
Visual Screen Tree Planting	A 3m wide visual screen tree planting to be provided for Lots 365–368, 368–379, 464–472, 473–475, 494–503, 541–553, 566–571, 621–629, 756–761, along the rear boundary.	A 3m wide visual screen tree planting to be provided for Lots 372 – 374, along the rear boundary.
Service area	• Minimum 5m² per unit (may be provided across two areas; at least 1.4m² for bin storage) • Minimum 1.5m dimension • Clothes drying provision must be accessible from each unit • Screened from public view	• Minimum 5m² per unit (may be provided across two areas; at least 1.4m² for bin storage) • Minimum 1.5m dimension • Clothes drying provision must be accessible from each unit • Bin storage may be located in the front yard where screened by a fence of at least 1.8m • Screened from public view

Bicycle parking	Where no dedicated garage is provided, a secure enclosed bicycle parking enclosure must be provided.	Where no dedicated garage is provided, a secure enclosed bicycle parking enclosure must be provided.
Fences/walls – transport corridor and reserve boundaries	Transport corridor/front yard boundary: - Maximum 1.2m; may be increased to 1.5m where outdoor living area adjoins, provided ≥50% of the portion above 1.2m is visually permeable Reserve boundary: - Maximum 1.5m; may be increased to 1.8m, provided ≥50% of the portion above 1.5m is visually permeable	Transport corridor/front yard boundary: Maximum 1.2m; may be increased to 1.5m where outdoor living area adjoins, provided ≥50% of the portion above 1.2m is visually permeable
Fences/walls – other boundaries	All other boundaries: maximum 1.8m, except for 43–51, 52–62, 63–72, 73–82, 83–92, 93–106, 734–744, 745–755, the maximum height for the rear fences on top of the retaining wall is 1.5m with min 50% is visually permeable.	All other boundaries: maximum 1.8m