

**Resource Consent:** AUTH147564.11.0

**Grants to:** Matamata Development Limited

**Commencement date:** 21 April 2026

**Lapse Date:** Five (5) years after commencement date

**Expiry date:** 21 April 2026 (35 years)

**Location:** Station Road, Matamata (Lot 1 Deposited Plan South Auckland 65488, Part Lot 1 and Lot 2 Deposited Plan 21055, Lots 4 and 5 Deposited Plan 384886, Lot 204 Deposited Plan 535395 and Lots 25 and 106 Deposited Plan 393306, Lot 3 Deposited Plan South Auckland 14362)

**The activity:**

Land use consent (pursuant to section 13 of the Resource Management Act 1991 (RMA) and under the National Environmental Standards for Freshwater 2025) to place structures in waterways to develop 430 residential dwellings, a neighbourhood centre, and ancillary infrastructure.

**And is subject to the following conditions:**

**General conditions**

1. The activity must be carried out in general accordance with the application for resource consent, including any reports, plans, and further information (listed in Appendix [1]) provided by the Consent Holder, 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. For the purposes of this consent, any reference to 'Site' means land legally described as Lot 1 Deposited Plan South Auckland 65488, Part Lot 1 and Lot 2 Deposited Plan 21055, Lots 4 and 5 Deposited Plan 384886, Lot 204 Deposited Plan 535395 and Lots 25 and 106 Deposited Plan 393306, Lot 3 Deposited Plan South Auckland 14362 prior to any further subdivision of the land.
3. The Consent Holder must advise the Waikato Regional Council (the Council) in writing, at least five (5) working days prior to the exercise of this consent, so that monitoring of the conditions of this consent can be undertaken.
4. A copy of this land use consent and any certified Management Plans (MP) must be kept on Site at all times the works authorised by this consent are being undertaken and must be produced without unreasonable delay upon request from the Council.
5. The Consent Holder must pay to the Council 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: This includes the reasonable costs incurred by the Council arising from supervision and monitoring of this consent, e.g. routine inspection of the Site by Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the Site, and review and assessment of compliance with the conditions of consents.*

6. The Council may serve notice on the Consent Holder under Section 128(1) of the RMA of its intentions to

review the conditions of this consent over any chosen one-month period within a calendar year where:

- a. A material adverse effect which was not identified in the AEE (and supporting material for the resource consent application) has arisen; or
- b. The magnitude of adverse effects from the project are materially larger than what was indicated in the AEE (and supporting material for the resource consent application).

### Condition precedent

7. This resource consent must not be exercised until:
  - a. The Consent Holder has supplied an electronic file(s) containing all documents referred to in Appendix 1, indexed and referenced to enable easy access, to the satisfaction of the Council as to compliance with the following standards:
    - i. Each document must be allocated a unique document number.
    - ii. The file containing the document must be named in accordance with the following convention: *Unique Document Number-Document Title-Author-Document Date-Document Version.*
    - iii. Documents that have been superseded must be marked “superseded” with reference to the final version.

### Permanent structures

8. All engineering/detailed design plans for permanent in-stream infrastructure (dam, culverts etc) must be submitted to the Council for review and approval at least twenty (20) working days prior to construction commencing, including detailed design on the greenway dam which must meet all relevant requirements, including the Ministry of the Environment’s Dam Safety Guidelines, and demonstrate that the dam is safe, fit for purpose, and appropriate for long-term performance.

*Advice note: Although building consent is not required under the Building Act 2004 for the dam, written acceptance of the structure’s design is required from the Matamata-Piako District Council (as the future asset owner) prior to construction.*

9. The Consent Holder must be responsible for the design, structural integrity, and maintenance of the structures and dam / outlet. 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 the Council for approval.
10. The Consent Holder 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, structures, land and property as a result of the exercise of this consent. If/where erosion protection or control works become necessary, the Consent Holder must undertake these works after liaising with the affected parties.

*Advice Note: Separate resource consents may be required to undertake erosion protection or control works. The Consent Holder is advised to obtain all such consents at its sole expense, prior to any works being undertaken.*

11. The design and installation of the dam / outlet must be in accordance with 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.
12. The Consent Holder must retain the services of a suitably qualified and experienced person (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 the Council.
13. The Consent Holder must retain a SQEP to prepare and sign As-built Certification Statements which certify that the greenway and all permanent in-stream infrastructure have been constructed in accordance with the certified detailed designs as required by Condition [8]. The approved As-built Certification Statements must be submitted to the Council within ninety (90) working days of completion of the construction works.

### Fish Management Plan (FMP)

14. A FMP must be prepared by a SQEP. The Consent Holder must submit the FMP to the Council for certification at least twenty (20) working days prior to work commencing.

*Advice note: To assist the Council with the certification process, the Consent Holder is encouraged to provide the Council with three (3) weeks' notice prior to the FMP being submitted for certification.*

15. The objective of the FMP is to provide for all management requirements throughout the works. The FMP must be updated as required to meet the objective. The FMP must include, but is not limited to:
  - a. A response to any relevant conditions of 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 provide reasons why they have not been addressed.
  - c. A brief description of the known fish communities potentially impacted by the consented activity within and around the Waitoa River Catchment.
  - 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, including (but not limited to):
    - i. Surface water diversion and groundwater drawdown effects.
    - ii. Earthworks, sediment and other types of contaminant discharges.
    - iii. Physical disturbance of any nature (such as from site access, vehicles and works machinery).
  - e. A construction methodology which includes a works schedule for undertaking mitigation in respect of the proposed watercourse/drain diversion and dewatering (such as fish capture and relocation).
  - f. Methods to avoid, remedy or mitigate the planned dewatering of areas of fish habitat and, where the dewatering cannot be avoided, undertake fish capture and relocation.
  - g. Protocols and methods for the capture and transfer of indigenous fish, including the timing, required weather conditions, extent of fishing effort and release points.

- h. A methodology for best practice indigenous fish relocation by requiring the following:
- i. Netting nodes to consist of one (1) fyke net and two (2) minnow traps.
  - ii. Netting nodes to be set on average 10m apart.
  - iii. Once three (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.
  - iv. A SQEP be on site during the dewatering and mucking out of watercourses to capture and relocate as many remaining indigenous fish as possible and to humanely euthanised any pest fish.
  - v. Details around the process for relocation of fish species.
- i. A detailed description of the staged approach for relocating fish i.e. Stage 1 – pre-works fish relocations, Stage 2 – dewatering fish relocations, Stage 3 – excavation and relocations.
  - j. Ensure fish relocations are carried out by SQEP who are responsible for implementing all aspects of the FMP including the installation and maintenance of temporary exclusion nets along the drain.
  - k. Protocols and methods to either provide or preclude fish passage (appropriate) through the design of temporary diversion channels and new in-stream infrastructure culverts.
  - l. Protocols and methods for recording and reporting to Council, the numbers, diversity and size range of all fish removed from watercourse (recovered or accidentally injured or killed).
  - m. Measures to ensure that captured fish do not re-enter the active works area for the duration of the works.
  - n. Requirements for permits and certificates to handle native fish from the relevant authorities.
  - o. Defined roles and responsibilities for all those involved (Consent Holder, contractor, ecologist) and the details of who must be responsible for overseeing the FMP.
  - p. Notification and reporting procedures.
  - q. The process for the ongoing review and amendment of the FMP to maintain its effectiveness.

*Advice note: When implementing these conditions, the Consent Holder is advised to consult with the DOC and the Ministry of Primary Industries to determine if fish handling and/or relocation permits are required from these authorities.*

#### **Certification of the FMP**

16. The certification process for the MP must be confined to confirming that the MP:
- a. Give effect to their objective/s (including any updated objective/s determined as part of a review provided for in Condition [6]).
  - b. Address the consent condition requirements.
  - c. Contain the required information.
  - d. Are generally consistent with the application documents listed in Appendix [1].

17. Within twenty (20) working days of receiving the MP for certification, the Council must notify the Consent Holder whether the MP is certified or if not, the reasons why certification has not been provided and the matters that must be addressed for certification to occur.

*Advice note: Certification of complex MPs (e.g. the SMP) is expected to take longer than 20 working days and may be an iterative process to satisfy the Council that Condition [16] has been met.*

18. The Consent Holder must implement the certified MPs for the duration of the works.
19. MPs may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the development. When a MP is provided in part or for a stage it must satisfy all certification requirements, including submission to the Council for certification. MPs submitted to the Council must clearly show the linkage with MPs for adjacent stages and any interrelated activities or other MPs.
20. Any changes and/or updates to a certified MP must be made in writing and submitted to the Council for certification in accordance with Condition [17].
21. While a MP is being changed/updated, a construction activity must cease unless the Council provides written confirmation that the activity may continue.

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

## Construction conditions

### **Pre- Start Requirements**

22. The Consent Holder must appoint a Site Manager prior to commencement of any works who must be the Council's principal contact person regarding matters relating to this consent. The Consent Holder must inform the Council of the representative's name and how they can be contacted prior to this consent being exercised. Should this person(s) change during the term of this resource consent, the Consent Holder must immediately give written notice to the Council of the new representative's name and mobile phone number.
23. The following pre-start requirements must take place for each stage of development:
  - a. With respect to cultural finds, the Consent Holder must, at least twenty (20) working days prior to commencement of each stage of earthworks (identified in the EMP), give written notice to:
    - i. Representatives from Ngāti Hauā, Ngāti Hinerangi, and Raukawa to enable them to:
      - A. Clarify with the contractor the accidental discovery protocol (set out in Condition [24]).
      - B. Provide the names and contact details of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the project.
      - C. Arrange for the inspection/s (should they so desire) of the area (before and during construction works).
    - ii. The Project Archaeologist (if required) of the planned works and the site representatives and contractors details.

- b. At least ten (10) working days prior to commencement of construction on Site, the Consent Holder must provide to the Council:
  - i. An invitation to attend a pre-start meeting.
  - ii. The name and contact details of the Site Manager and contractor.
  - iii. The planned date, staging, and duration of construction.
- c. The Consent Holder must, at least ten (10) working days prior to the commencement of construction, invite a representative(s) of Ngāti Hinetangi, Raukawa, and Ngāti Hauā to:
  - i. Attend the pre-start meeting.
  - ii. Provide a karakia prior to the commencement of Site works.
  - iii. Undertake a cultural induction for key Site personnel.
  - iv. Monitor earthworks. If the invitation to monitor earthworks is accepted, the Consent Holder must ensure that the monitoring office is provided with all bulk earthworks timetabling.
- d. Prior to the commencement of activities on Site, the Consent Holder must hold a pre-start meeting that:
  - i. Is located on the subject Site.
  - ii. Is scheduled not less than five (5) working days prior to the commencement of activities.
  - iii. Includes:
    - A. Representatives of the contractor/s who must undertake operations on Site.
    - B. All technical specialists who need to be present on Site during the works to manage/monitor work (e.g. engineer/s, ecologist etc).

***Accidental Discovery Protocol (ADP)***

24. In the event that any archaeological Sites, remains, artefacts, taonga (Maaori artefacts) or kōiwi are unearthed, dislodged, uncovered or otherwise found or discovered during the earthworks (‘the discovery’), the Consent Holder must implement an ADP which must consist of the following actions:
- a. Cease works immediately in all parts of the Site affected by the discovery.
  - b. Advise Ngāti Hinetangi, Raukawa, Ngāti Hauā, and Waikato-Tainui and Council within one (1) day of the discovery.
  - c. Arrange for a SQEP archaeologist to attend Site to confirm if the material is archaeological in nature or involves kōiwi.
  - d. Contact the NZ Police, Coroner and HNZPH as appropriate.
  - e. Undertake specific preservation measures to address any discovery that includes water-logged or wet archaeological materials.
  - 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.

### **Complaints**

25. If any complaints are received by the Consent Holder regarding the works authorised by this consent, the Consent Holder must record the following details in a Complaints Log:
  - a. Date, time and type of complaint, including details of the incident, e.g. duration, any effects noted.
  - b. Name, address and contact phone number of the complainant (if provided).
  - c. Location from which the complaint arose.
  - d. The weather conditions and wind direction at the time of any dust or noise complaint.
  - e. The likely cause of the complaint.
  - f. Any (corrective) action undertaken by the Consent Holder in response to the complaint.
  - g. Future actions proposed as a result of the complaint so as to avoid recurrence.
26. The Consent Holder must notify the Council of any complaint received that relates to the activities authorised by this resource consent as soon as reasonably practicable and no longer than two (2) working days after receiving the complaint.
27. The Consent Holder must respond to any complaint as soon as is reasonably practicable and, within five (5) working days, advise the Council and the complainant of the outcome of the Consent Holder's investigation and all measures taken, or proposed to be taken, to respond to the complaint.

### **Managing in-stream works**

28. During any diversions or installation of in-stream structures, the Consent Holder 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.
  - f. Rapidly and progressively stabilising all disturbed areas.
29. All machinery used to complete the works must 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 must be carried out away from any surface water such that any spillage can be contained and does not enter any surface water.
30. The Consent Holder 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 the Council document titled '*KEEP IT CLEAN – Machinery hygiene guidelines and logbook to prevent the spread of pests and weeds*' (June 2013)

**SUPERSEDED**

**APPENDIX 1**

Document	Author	Date	Document Version
AEE – Volume 5: Residential & Greenway	Barker and Associates	15/07/2025	A
Greenway Design Memo	Maven Associates	23/09/2025	-
Ashbourne Development Ecological Impact Assessment	Ecological Solutions Environmental Consultants	July 2025	-
Ashbourne Ecological Management Plan	Ecological Solutions Environmental Consultants	November 2025	Final v1
<b>C151 EW Oxbow Wetland 2</b>			
C151-1 – Proposed Plan with Ecology Shown	Maven Waikato Limited	10/2025	D
C152 – Proposed Channel Plan with Ecology Shown	Maven Waikato Limited	10/2025	B
C152-1 – Proposed Channel Armouring Details	Maven Waikato Limited	12/2025	B
C152-2 – Proposed Wingwall Outlet Details	Maven Waikato Limited	12/2025	A

**SUPERSEDED**