Attachment 2

Hawke's Bay Regional Council Consultation

Attachment 2

Attachment 2 – HBRC Emails

[redacted]

From: [redacted]
Sent: Friday, 27 February 2026 9:19 am
To: [redacted]
Cc: [redacted]
Subject: Re: Brookvale Green Fast Track - Substantive Application - Preliminary Meeting with Hawkes Bay RC

Hi [redacted]

thanks for all the feedback. Would be good to understand the context in which the HRBC would be interested in the Economic Assessment particularly that nothing was raised during the referral process, based on the current applications we are watching it would normally be the panel its self and the relevant district council that would be interested in the economic assessment.

Be good to have clarity on the necessity for this at a number of levels not least time and cost.

Best

[redacted]

From: [redacted]
Date: Thursday, 26 February 2026 at 3:34 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Fast Track - Substantive Application - Preliminary Meeting with Hawkes Bay RC

Hi [redacted]

Thanks for reaching out for early discussions re Brookvale Green and I've made a couple small amendments (in red) to the minutes attached.
Touching on the economics assessment, upon further consideration this may be of interest to our Policy to so have made a change to the minutes to that effect, apologies for not raising this yesterday. As part of the engineering assessment may be worthwhile having the NPS for Natural Hazards in mind, particularly including assessment for climate change (policy 6).

We mentioned we'd follow up on a few items, see below:

Contact details for those additional parties we mentioned it may be worthwhile touching base with to check alignment from a regional transport and cycleway perspective:

- Transport - [redacted] (Manager Transport) [redacted] (Senior Advisor Transport Strategy and Policy) [redacted]
- Cycleways - [redacted] (Cycle Network Coordinator) [redacted]

Regarding my email from 19/11/2025 about Authorisation AUTH-129909-01, I've attached a couple documents (one will follow in a separate email due to size) saved on file for that application that may be of assistance for understanding the context there – particularly the potential for connection (and

potential contamination pathway) between the stream and the aquifer. And it doesn't appear as though the Geotech report in the referral application much about this. Some of the findings from the Havelock North drinking water inquiry may be of assistance to consider for avoiding contamination of groundwater – especially for any stream realignment works.

As mentioned, we're keen to work through draft conditions with you so that, if approvals were granted, they consistent with conditions our compliance team would usually expect to see and so that the HBRC conditions are separate from HDC conditions – I recognise this wasn't mentioned in our meeting but is something that would be particularly helpful. If you've had a good look through the Arataki decision, you'll see authorisations were split between the council's so that it was clear as to which authorisations (and conditions) applied to which council.
Both of these matters have potential to cause headaches in the post consent/physical works stage, so avoiding issues there is ideal for everyone!

[redacted]. As discussed, we can give an indication of cost at the time when feedback is sought.
[redacted]

For now, we'll wait to hear from you regarding technical documents for feedback and if anything pops up in the meantime we'll let you know.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
Enhancing Our Environment Together | Te Whakapakari Tahi I Tō Tātau Taiao

From: [redacted]
Sent: Wednesday, 25 February 2026 5:16 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Fast Track - Substantive Application - Preliminary Meeting with Hawkes Bay RC

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Hi [redacted]

Thanks again for your time this afternoon and the continued constructive approach to the Brookvale Green fast track.

Attached are my draft notes from today. If I have missed anything or they require any amendments, please feel free to track changes. Once confirmed I will finalise and circulate as a final minutes for the catch up.

In the meantime, can you please let us know who we will need to talk to in the transport team re public transport opportunities? Furthermore if there is any other information or details you think we should know, don't hesitate to get in touch.

Ngā mihi | Kind regards,

[redacted]
Partner
[redacted]
barker.co.nz

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-----Original Appointment-----
From: [redacted]
Sent: Wednesday, 4 February 2026 4:02 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green Fast Track - Substantive Application - Preliminary Meeting with Hawkes Bay RC
When: Wednesday, 25 February 2026 1:00 pm-2:00 pm (UTC+12:00) Auckland, Wellington.
Where: Microsoft Teams Meeting

Hi [redacted]

Thanks for your time on the phone earlier.

This meeting is for a high-level kick off for the substantive application, focusing on identifying key issues and opportunities and plotting out some further touch points (in March / April) once more detailed information and assessment becomes available.

Cheers,
[redacted]

Microsoft Teams meeting

Join:

https://teams.microsoft.com/meet/44652731730826?p=kdGu3S8MrhpEsKlegS

Meeting ID: 446 527 317 308 26

Passcode: Rn3Hq7V9

Need help? | System reference

[redacted]

From: [redacted]
Sent: Wednesday, 22 April 2026 1:15 pm
To: [redacted]
Subject: FW: Brookvale Green Fast Track - Substantive Application - Preliminary Meeting with Hawkes Bay RC
Attachments: Meeting with HBRC staff 20260225 - Minutes - HBRC Feedback .pdf; LU170156C and others - 20170427 - [redacted] Review.pdf

Ngā mihi | Kind regards,

[redacted]
Partner
[redacted]

B&A
Urban & Environmental

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Partner
[redacted]

barker.co.nz

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Join:

https://teams.microsoft.com/meet/44652731730826?p=kdGu3S8MrhpEsKlegS

Meeting ID: 446 527 317 308 26

Passcode: Rn3Hq7V9

LWP Ltd
145c Colombo Street
Christchurch 8023
[redacted]

Hawke's Bay Regional Council
Private Bag 6006
Napier

Attention: Paul Barrett

Project Ref: HB072
27 April 2017 Te Mata Mushrooms.doc

Te Mata Mushrooms, Brookvale Road, Havelock North

Te Mata Mushrooms Limited (TMM) has lodged an application with Hawke's Bay Regional Council (HBRC) for consents associated with works in the bed of two streams that flow through a property situated at 174-178 Brookvale Road, Havelock North. The application seeks retrospective authorisation for various works including minor diversions, installation of culverts as well as works in the bed of the streams (including diversion of the channel of the northern stream) undertaken over recent years as part of a programme to improve drainage and practical utility of the site.

The application is supported by an assessment of environmental effects (AEE) prepared by Cheal Consultants Limited, dated April 2017.

1. Background

The TMM site is located east of Brookvale Road, approximately 200 metres north-east of Arataki Road and is utilised for a range of activities associated with the cultivation of mushrooms. The site is drained by two surface waterways which flow in a north-westerly direction across into the downstream section of Mangateretere Stream via a culvert under Brookvale Road. These waterways are characterised as ephemeral, typically containing significant volumes of flowing water only in response to significant rainfall events.

The northern stream (referred to in the AEE as Water Body A) is characterised by an incised channel with grassy banks which runs along the northern boundary of the TMM site. This stream contains only pools of standing water for a majority of the year, although it is understood it receives discharge from spring along the base of the elevated alluvial terrace to the south which flows (albeit at a relatively low rate) during the winter and spring. The southern stream (referred to a Water Body B) is best characterised as a drain which has been formalised along an alignment passing through the centre of the site. This channel does not appear as deeply incised as the northern stream.

Three water supply bores forming the Hastings District Council Brookvale Road Borefield are located along the margins of Brookvale Road. These bores draw water from the Te Mata Aquifer and were historically utilised as the primary source for potable water supply for the Havelock North township. In October 2015, indicator bacteria were detected in BV3, the production bore situated along the western margin of Brookvale Road approximately 225 m north of the entrance to the TMM property. While the potential source for this contamination was being investigated BV3 was decommissioned and the two remaining bores (BV1 and BV2) located further north along Brookvale Road were utilised as the primary water source for Havelock North. In August 2016, significant contamination of BV1 (and possibly BV2) resulted in a major outbreak of gastroenteritis in the Havelock North population.

Investigation of the potential source(s) of contamination in BV3 identified a range of potential sources for the contamination detected. Among these, the potential for works in the bed of the northern stream crossing the TMM property to have altered the connectivity between the stream and aquifer allowing preferential entry of contaminated stormwater into the aquifer is specifically identified in the Tonkin and Taylor (2016)[1] report. However, this pathway was considered by the Science Caucus reporting to the *Government Inquiry into Havelock North Drinking Water* as 'very unlikely' to be associated with the August 2016 contamination event.

The following provides an assessment of activities described in the AEE in terms of the potential for adverse effects on groundwater quality.

2. Environmental setting

2.1 General hydrogeological setting

The Heretaunga Plains comprise a sequence of alluvial sediments deposited by the Tutaekuri, Ngaruroro and Tukituki rivers over the late Quaternary Perion (last 250,000 years) which form highly permeable aquifers. These permeable layers are interspersed with finer-grained marine and estuarine sediments deposited during periods when sea levels were appreciably higher than the present day. In places, these fine grained sediments separate the gravel aquifers forming aquitards which can impede vertical groundwater flow. In general, aquifers on the Heretaunga Plain transition from unconfined in the west to relatively well confined in the east reflecting the presence of thicker and more laterally continuous aquitards near the present-day coast.

The Brookvale Road water supply bores are situated within the Te Mata groundwater zone near the eastern margin of the Heretaunga Plains, encompassing the area between the Tukituki River to the east and the Karamu Stream to the west extending north of Te Mata Road as far north as Pilcher Road. The alluvial deposits are characterised as coarse, open framework gravels which are highly permeable

[1] Tonkin and Taylor, 2016; *Contamination Investigation - Brookvale Bore 3, Havelock North*. Report Prepared for Hastings District Council, December 2016.

and which form high yielding aquifers. Phreatos (2008)[2] suggested that the area east of Napier Road is the geological transition zone between gravel deposits associated with the Ngaruroro River and younger Tukituki River deposits. More recent work by GNS[3] indicates the Brookvale Road area is located within fan gravels of the Tukituki River which extend north to Whakatu and cover an area of approximately 20 km2, interfingering with and overlain by Holocene marine sediments

The alluvial sediments are interspersed with finer-grained sediments (silts and clays) of marine or estuarine origin. These sediments form a semi-continuous layer of variable thickness (3 to 15 metres) which overlie the alluvial deposits across the wider Te Mata groundwater zone. Bore logs also indicate a series of aquifer/aquitard sequences at depth, although significant spatial heterogeneity is noted in the occurrence and thickness of individual water-bearing and aquitard layers.

Geological cross sections in the vicinity of Brookvale Road[4] indicate the surficial aquitard overlies a layer of water-bearing gravel up to 30 metres thick in places. As illustrated in **Figure 1** below, cross sections show:

- The thickness of the surficial silty clay (aquitard) layer in the Brookvale Road area is limited. Bore logs in the TMM/Brookvale Road area typically indicate between 1 and 3 metres of fine-grained sediments overlying the alluvial deposits. The silty clay layer is observed to thicken in all directions away from the Brookvale Road area (i.e. so the surficial aquitard sediments are thinnest in the vicinity of Brookvale Road);
- The extent to which local streams have incised into the surficial silty clay aquitard. The cross section shows a limited thickness (<0.5m) of aquitard sediments overlying the water-bearing alluvial sediments in the bed of the TMM north stream (Water Body 1). Due to the limited thickness of the remaining aquitard materials, the potential exists for relatively direct hydraulic connection between surface waterways and the underlying aquifer.

[2] Phreatos (2008). Napier Road Bore: Evaluation of Proposed Increase in Abstraction (Desk Study). Report prepared for Hastings District Council

[3] Lee, J.M., Begg, J.G., Tschritter, C., 2014; *A 3D geological model of the greater Heretaunga/Ahuriri Groundwater Management Zone*, Hawkes Bay. GNS Science Consultancy Report.

[4] e.g. East Coast Environmental and Associates Ltd (2002, revised 2003), Tonkin and Taylor (2016)

Such interaction between surface water and groundwater has been extensively documented in the Mangateretere Stream in investigations undertaken for the Havelock North Drinking Water Enquiry and may also occur in the TMM north stream.

- To the west of Brookvale Road the main water-bearing gravel layer is bifurcated by a layer of silt and clay up to 20 metres thick. This deeper aquitard appears to thin to the east of Brookvale Road and pinch out east of the TMM site. This aquitard forms a localised parting in the main aquifer which may (at least in part) separate shallow groundwater under the TMM site from the screened interval in the nearest HDC supply well (BV3)

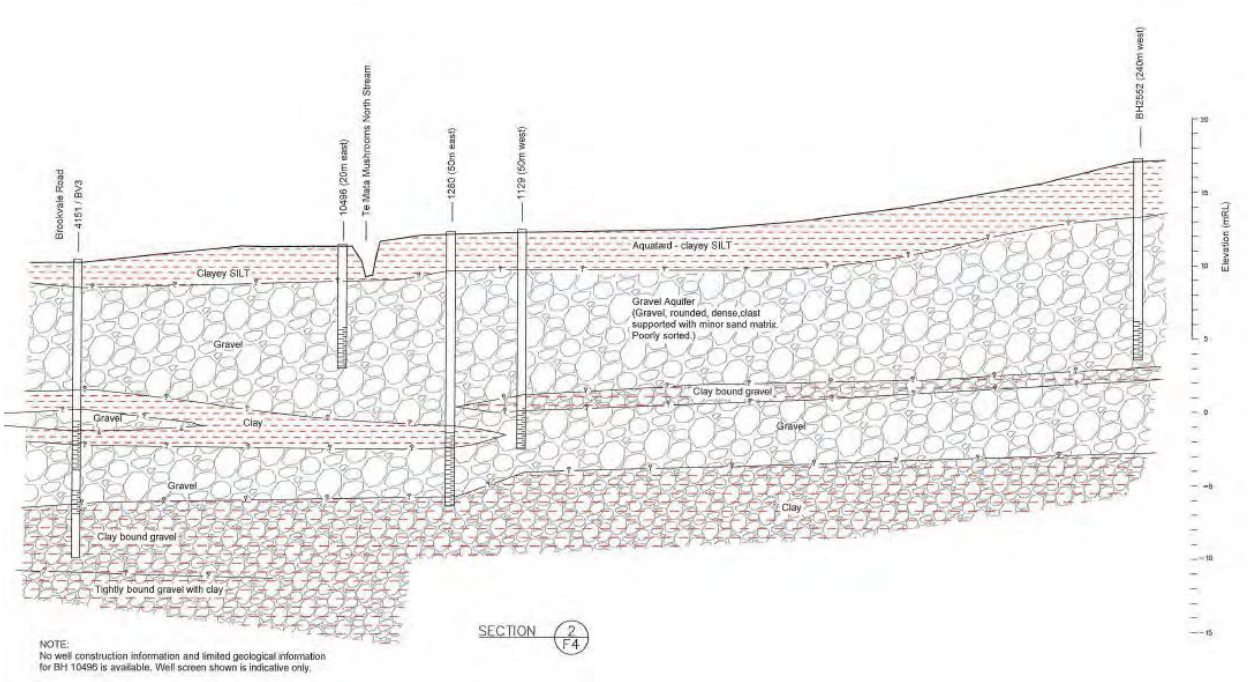


Figure 1. North to South geological cross section in the Brookvale Road Area (Tonkin and Taylor, 2016)

2.1.1 Groundwater Levels

Data presented by HBRC (2001)[5] show a majority of wells in the Te Mata groundwater zone are characterised as flowing artesian (i.e. the water level in a bore rises above the overlying land surface)

[5] HBRC, 2001: *Groundwater Development Te Mata Area Near Havelock North*. HBRC Environmental Management Group Internal Report EMI 0107, July 2001.

or non-flowing artesian (i.e. the water level in a bore rises above the top of the water-bearing gravels but does not extend above the land surface). Bores classified as water table (i.e. where the groundwater level occurs within the water-bearing gravels) are largely restricted to the areas south-east of Brookvale Road, towards the Tukituki River.

Static groundwater levels (i.e. when pumping is not occurring) in the vicinity of the Brookvale Road borefield generally occur around 2 metres below ground level. However, due to topographical variation, the static head rises above ground level and bores become artesian particularly to the north-west, a short distance away.

As illustrated in **Figure 2**, shallow groundwater levels in the vicinity of the TMM site exhibit a semi-regular seasonal variation with maximum levels typically observed during the winter months and minimum levels occurring in late summer. This pattern is interpreted to reflect the combined effects of recharge (predominantly occurring during winter and spring) and abstraction (peaking during the summer months).

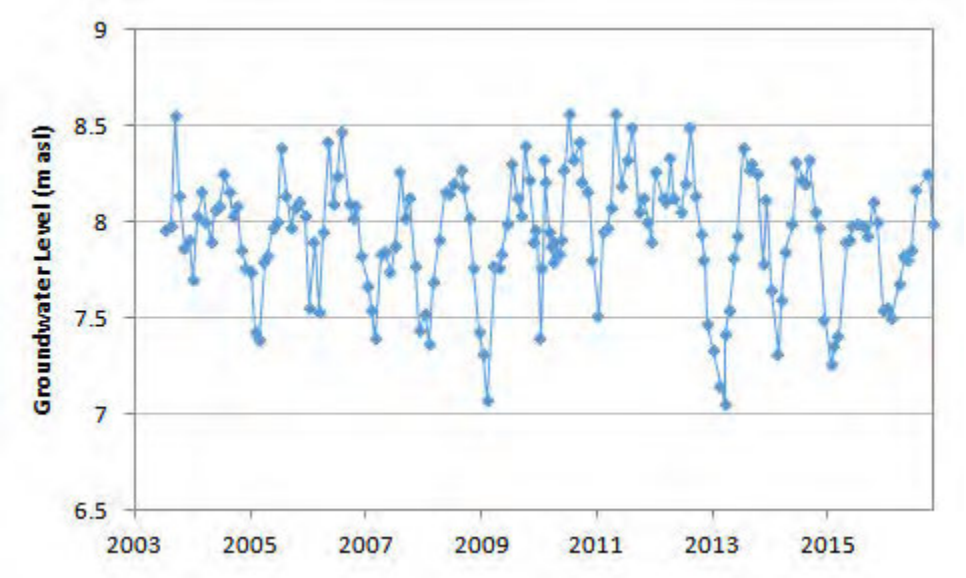


Figure 2. Groundwater level in well no. 10496 Te Mata groundwater zone, 2003 to 2016

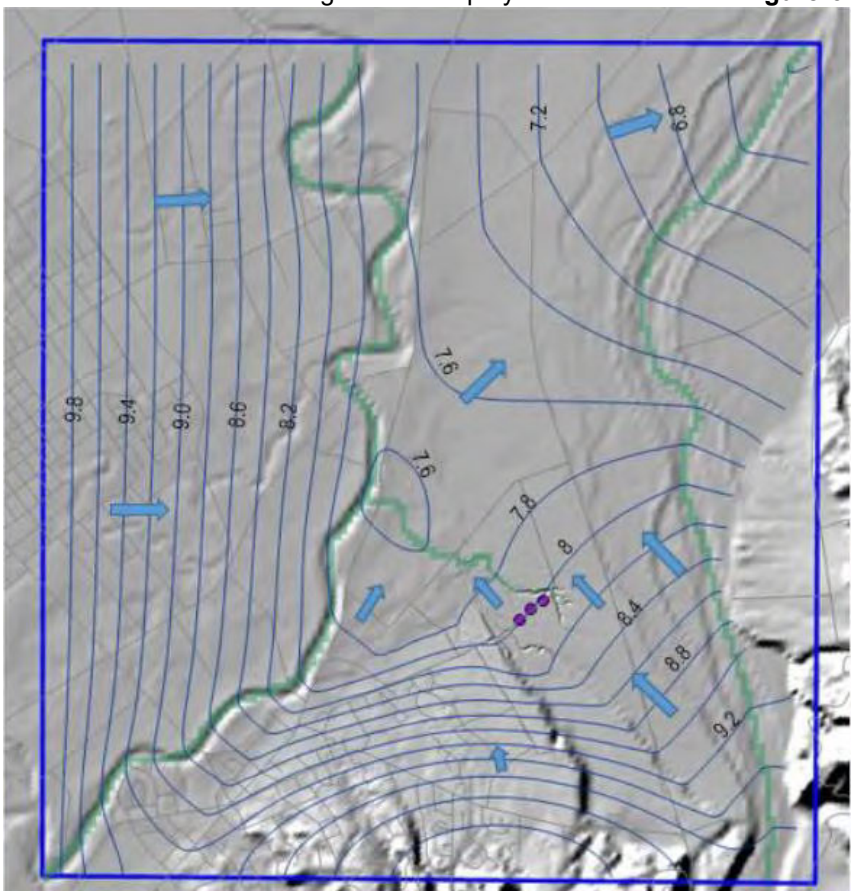
2.1.2 Groundwater Flow Direction

Some uncertainties exist regarding the direction of groundwater flow in the Brookvale Road area. Carryer Geoscience (1999)[6] suggest that there is a divergence in flows from the Brookvale site to the

[6] Carryer GeoSciences Limited, 1999: *Report on the results of a pump test carried out on the Brookvale Road no. 3 well*. Project no.99/311. Report prepared for HDC May 1999.

northeast and southwest, approximately parallel to Brookvale Road, consistent with the piezometric contours calculated by Dravid and Brown (1997)[7]. However, Applied Geoscience (2001)[8] suggested groundwater flow occurs in a north-west direction, parallel to Mangateretere Stream. ECE (2002) also suggest a north-westerly groundwater flow direction, with the Tukituki River likely to recharge the top two aquifer layers.

Possibly the best illustration of groundwater flow direction is provided in the evidence of Dr Mark Gyopari to the Havelock North Drinking Water Enquiry[9]. As illustrated in **Figure 3** below, these data



[7] Dravid P. N. and Brown L. J, (1997). *Heretaunga Plains Groundwater Study: Volume 1-Findings*. Lower Hutt: Hawkes Bay Regional Council and Nuclear Sciences Ltd.

[8] Applied GeoSciences (2001). Groundwater monitoring report, Assessment of Environmental Effects. Report No. 942/1827 prepared for Hastings District Council.

[9] https://www.dia.govt.nz/diawebsite.nsf/Files/Havelock-North-Drinking-Water-Briefs-of-Evidence/$file/Brief-of-Evidence-of-Mark-Gyopari-22-12-16.pdf

show groundwater flow in a north-western direction in the Brookvale Road area, swinging to a north-easterly orientation north of Thompson Road. This suggests the TMM property is likely to be up-gradient of the HDC Brookvale Road BV3 supply bore.

Figure 3. Piezometric contours in the Brookvale Road area (location of HDC Brookvale Road bore shown as purple circles) from Gyopari 2016

2.1.3 Groundwater/surface water interaction

Potential groundwater/surface water interaction in the Brookvale Road area is best characterised in the Mangateretere Stream catchment.

The Mangateretere Stream flows from south-east to north-west and crosses Brookvale Road approximately 500 metres north-east of the entrance to the TMM property, where it swings to a more westerly alignment and ultimately drains into the Karamu Stream. South of Brookvale Road the Mangateretere Stream is ephemeral, except for a large pond immediately upstream of Brookvale Road bridge which contains standing water when the Brookvale Road bores are not pumping. Immediately downstream of Brookvale Road, the Mangateretere Stream gains appreciable flow across a short reach reflecting significant inflows from the surrounding groundwater resource.

Flow gains in the downstream section of the Mangateretere Stream are inferred to occur where the stream bed is sufficiently incised into the upper aquitard sediments to allow large volumes of water to discharge from the aquifer to the surface environment. The direct nature of the hydraulic connection between Mangateretere Stream and the adjacent aquifer is demonstrated by observed variations in stream flow in response to varying rates of pumping from the Brookvale Road bores reported by numerous investigations (e.g. Applied GeoSciences Ltd (2001), East Coast Environmental (2003)).

Upstream of Brookvale Road, a dye tracer test conducted in January 2017 showed a rapid connection between water in the ponded section of Mangateretere Stream and the HDC Brookvale Road BV1 supply bore. Results of this testing indicate a significant degree of hydraulic connection between the Mangateretere Stream and the surrounding aquifer through the bed of the stream where the surface confining layer materials are thin (or absent).

Limited information is available to characterise the nature and degree of interaction between the TMM north stream and the unconfined aquifer. However, based on the nature of groundwater/surface water

observed in the Mangateretere Stream catchment, it would appear reasonable to assume that similar interaction will occur where the bed of the stream is sufficiently incised into the silty clay aquitard materials (either via natural in-stream processes or as a result of recent earthworks).

3. Description of works undertaken

Section 3 of the AEE provides a description of works undertaken on the TMM site which include:

- Straightening and clearance of drainage channels
- Minor diversion of water into formed channels
- Installation of culverts
- Re-alignment of the northern stream to remove a large channel meander

3.1 Effects of earthworks on the TMM north stream (Water Body A)

Appendix 1 of the AEE outlines investigations undertaken by Lattey Group to ascertain if the channel straightening works undertaken in the northern stream are likely to have altered the hydraulic connection between the stream and underlying aquifer. Investigations undertaken include a streambed walkover, installation of a shallow geological investigation bore adjacent to the re-aligned stream channel and a review of geological logs from the surrounding area. Key observations include:

- Silty clay was typically observed in the banks of the stream. This unit appears laterally continuous and forms a low permeability layer overlying the highly permeable alluvium hosting the Te Mata Aquifer.
- A small lens of gravel observed in the upper portion of the silty clay deposits in the stream bank (referenced as Outcrop 2) was interpreted to represent a historical stream channel obliquely crossing the current channel alignment
- The geological investigation bore installed immediately adjacent to the stream channel indicated the surficial sitly and clay layer extended to a depth of approximately 2.61 m below ground level. Below the silt layer a 0.1 m thick layer of claybound gravels represented the transition to underlying alluvial sediments
- Extrapolation of the geology observed in the investigation bore suggests the presence of approximately 0.26 metres of silty clay overlying alluvium in the base of the re-aligned channel
- At least 0.2 metres of silty clay underlies the stream bed downstream of the re-aligned channel section. Silty clay is observed in the base of the re-aligned channel over most of its length

- Some gravel was observed in upstream end of the re-aligned channel. This was interpreted as possibly reflecting intersection of the claybound gravel layer at the base of the silt deposits (Appendix 2, Photograph 3)
- The bore log from well 1280, located adjacent to the original channel meander, recorded 1 metre of silt overlying alluvium. This observation (with unknown accuracy) suggests the base of the original channel is likely to have occurred near or below the base of the silty clay layer[10].

Overall, the Latty Group report concludes that given the limited thickness of silty clay and a lack of obvious barriers to hydraulic connectivity underlying the original stream bed, it is unlikely that relocating the stream from the original meander would significantly increase connectivity between the stream and aquifer.

Tonkin and Taylor (2016) report on a geophysical survey undertaken by Scan Tech in September 2016 across the potential capture zone of BV3 using ground penetrating radar (GPR) and electromagnetic (EM) methods. Results of this survey showed an area of significantly lower electrical conductivity in the vicinity of the TMM north stream re-alignment. However, no strong correlation could be established between the EM results and geotechnical data, so it was not possible to make any definitive conclusions regarding the significance of the electrical conductivity anomaly.

Overall, based on the information provided, it does seem that realignment of the TMM north stream is unlikely to have resulted in a major change in the nature and extent of the hydraulic connection between the stream and underlying aquifer. Certainly, the invert of the stream bed has not changed significantly, so the distance between the stream base and the top of the underlying aquifer will have remained similar to that in the original channel. Any potential effects are therefore likely to reflect localised differences in subsurface geology (i.e. the relative depth of the base of the surficial confining layer between the original and new channel alignment) and changes in the nature of the streambed substrate.

3.2 Effect of earthworks on TMM southern stream (Water Body B)

The type and nature of earthworks undertaken in the TMM southern stream is outlined in Section 3 of the AEE. However, no specific assessment of the revised channel form (particularly with regard to the base of the surficial aquitard layer) is provided.

4. Potential Effects on the Environment

Earthworks in the bed of the TMM north stream received considerable attention during the Havelock North Drinking Water Enquiry. This attention primarily focussed wider issues associated with the

[10] Unable to be determined from physical inspection given the meander is infilled

detection of indicator bacteria in the HDC BV3 supply bore in September 2015, rather than as a specific source or pathway for the August 2016 gastroenteritis outbreak.

In particular, the up-gradient location and proximity to BV3 were identified as increasing the microbial contaminants associated with the September 2015 detection of indicator bacteria in BV3 to have originated in the vicinity of the TMM property. Earthworks undertaken in the TMM north stream were interpreted as providing a potential pathway for contaminant movement into the aquifer that did not exist prior (Tonkin and Taylor, 2016). Contaminant fate and transport calculations presented in Tonkin and Taylor (2016) show that it is possible that E Coli concentrations near the maximum observed in the north stream to have resulted in the transport of indicator bacteria to BV3 at the concentrations detected in September 2015.

In addition, the occurrence of elevated levels of indicator bacteria in a HBRC SOE monitoring bore (10496) located adjacent to the re-aligned section of the TMM north stream in late 2015/early 2016 were identified as possibly reflecting contamination of the aquifer itself, rather than reflecting poor wellhead protection (Tonkin and Taylor, 2016). However, it is noted that recent samples from this bore (including those collected subsequent to periods of flow in the TMM north stream) have not identified the presence of indicator bacteria.

Overall, on the basis of available information, it is not possible to reliably determine if works undertaken in the TMM north stream have resulted in a sufficient change in hydraulic connectivity between the stream and underlying aquifer to adversely impact on groundwater quality in down-gradient receptors (particularly BV3).

It is noted that even prior to the works being undertaken, the thickness of silty clay aquitard sediments underlying the stream bed is likely to have been limited, potentially allowing some interaction with the underlying aquifer. Based on the geological assessment provided in the AEE, it does not appear that the works undertaken have significantly altered the thickness of low permeability sediments underlying the stream bed.

Given the original stream channel has been infilled it is not possible to undertake a direct comparison with the new stream channel. However, it is suggested that a possible means of identifying any significant change in connectivity would be to request the applicant undertake a series of double-ring infiltrometer measurements longitudinally down the north stream channel (Water Body A). Any significant change in vertical permeability across the re-aligned section of the channel would be indicative of an appreciable change in the hydraulic connectivity with the underlying aquifer (and hence the risk to down-gradient groundwater quality).

Similarly, it is suggested the Council seek further information from the applicant regarding the form and nature of the south stream (Water Body B). In particular it would be useful to:

- quantify the depth of the channel with respect to the base of the silty clay surficial aquitard (based on an assumed nominal thickness from nearby bore logs)

- identify areas in the channel where standing water is observed (indicating vertical infiltration rates are low)
- undertake infiltrometer measurements in areas where no standing water occurs

In addition, it would be useful for the applicant to provide further information regarding the re-routing of flows from the spring into Water Body A. In particular, it would be useful to know over what period the spring typically discharges and over what length of the stream bed flow occurs (when rainfall is limited).

It is understood that HDC are planning to undertake a dye tracer test to determine hydraulic connectivity between the TMM north stream and BV3. While this may provide useful information to characterise the movement of shallow groundwater under the TMM toward the screened interval in BV3, such investigation will not necessarily resolve potential changes in stream/aquifer connectivity as a result of the earthworks undertaken. As noted through recent investigations undertaken on BV1/BV2, what appear to be significant changes in water quality risk are not always associated with obvious changes in the physical environment.

4.1 Response to questions posed

Is there any potential risk that changing the flow patterns (removing flow from the drains etc of Water Body B, adding flow to Water Body A) could change the nature of groundwater quality and/or flow, and affect the Brookvale 3 bore?

The major factor potentially influencing down-gradient groundwater quality is the nature of the hydraulic connection between the north stream (Water Body A) and the underlying aquifer. If the nature or extent of this connection has been altered by the earthworks undertaken, then diversion of additional water into the north stream could potentially increase groundwater quality risk. It is suggested that further information is sought from the applicant to better quantify the nature of the diversion and the extent to which resulting flows travel down the north stream (i.e. to ascertain if infiltration occurs through the 'natural' stream bed)

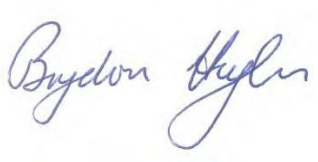
Anecdotally, I have been told that Water Body A loses flow to the ground east (upstream) of where the realignment occurred. Would this indicate that the stream is in connection with groundwater anyway, despite the work done by the applicant?

As above, evidence indicating the north stream naturally loses flow to groundwater would help characterise the likely nature of stream/aquifer interaction along the un-modified channel.

Would the drains/streams etc essentially blind up over time as sediment builds up on their beds? Water Body B seems to often have water in it, and is pretty flat and slow flowing. Would it be useful to know what its substrate consisted of, and how its water levels react to Brookvale 3 pumping?

Build-up of fine sediment on the stream bed may reduce the hydraulic connection with the underlying aquifer. However, in the case of the southern stream (Water Body B) it may be the depth of the stream channel (and consequently thickness of underlying aquitard sediments) which has a greater influence on losses from the stream to groundwater. I have suggested that the applicant provides further information to help characterise the depth of the stream bed (i.e. how much of the surficial aquitard is likely to occur under the base of the stream), areas where water naturally ponds (i.e. where vertical infiltration is already limited) and undertakes infiltrometer tests to characterise potential infiltration relative to those in the northern stream (Water Body A).

Yours Sincerely



Brydon Hughes
Hydrogeologist

[redacted]

From: [redacted]
Sent: Wednesday, 29 April 2026 5:31 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - Section 30 letter

Thanks and noted on the 10WD commencing from receipt of confirmation of consent matters.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A
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From: [redacted]
Sent: Wednesday, 29 April 2026 5:06 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - Section 30 letter

Thanks [redacted], that sounds good and an opportunity to discuss any changes that may have occurred since our last caught up with [redacted] about the project.
Given the we won't have all the information to inform our obligations under s30 until confirmation is provided, we'll endeavour make sure our response is provided within the required 10wd from when confirmation is received.

That's one we're not entirely sure about just yet so will be good to discuss it come Thursday!

Cheers,
[redacted]

HAWKES BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz

From: [redacted]
Sent: Wednesday, 29 April 2026 4:52 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - Section 30 letter

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Hi [redacted],

Yes no problem. I will wait to send this through once we have had our catch up meeting next Thursday as I wanted to include consent matters as an agenda point for discussion.

I will also add to the agenda the existing discharge consents for Te Mata Mushrooms and how we handle that as part of the application. I figure this may also be part of your s30 letter response.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Wednesday, 29 April 2026 4:40 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - Section 30 letter

Hi[redacted]

Thanks for your s30 notice. Could you please confirm the activities that will or are anticipated to be applied for as part of this approval?
Confirmation of what the proposed activities will be is essential for enabling us to fulfil our s30 obligations, and will also help us to be as accurate as possible.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
Enhancing Our Environment Together | Te Whakapakari Tahi I Tō Tātau Taiao

From: [redacted]
Sent: Wednesday, 29 April 2026 11:58 am
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - Section 30 letter

You don't often get email from [redacted] Learn why this is important

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Hi [redacted],

Please find attached a letter notifying Hawke's Bay Regional Council of the approvals sought under the RMA for the Brookvale Green Fast-track Project, in accordance with section 30 of the Fast-track Approvals Act 2024.

As per usual process, could you please confirm in writing whether there are any existing resource consents in the relevant sections of the RMA that apply, or confirm that there are no existing resource consents of this kind.

Ngā mihi,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

[redacted]

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Kerikeri, Whangārei, Warkworth, **Auckland**, Hamilton, Cambridge, Tauranga, Napier, Wellington, Christchurch, Queenstown, Wānaka

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Barker & Associates
Auckland

PO Box 1986, Shortland Street, Auckland 1140
Level 4, Old South British Building, 3-13 Shortland Street, Auckland

29 April 2026

Hawkes Bay Regional Council
Attn: [redacted]
Via email: [redacted]

Tēnā koe [redacted]

Brookvale Green Fast Track Project – Substantive Application

Notification to Hawkes Bay Regional Council of Approvals Sought under the Resource Management Act 1991 and Section 30 of the Fast-Track Approvals Act 2024

As you will be aware, Vermont Street Partners No. 4 Limited ('VSP') is intending to lodge an application for approvals under the Fast-Track Approvals Act 2024 ('FTAA') for Brookvale Green, which is a referred project under the FTAA.

The project involves a comprehensive residential development located at 174 – 176 Brookvale Road, Havelock North. The legal descriptions of the titles are:

- Lot 1 Deposited Plan 16311– 8.9 ha (RT: HBJ1/56)
- Lot 2 Deposited Plan 16311 – 9.4 ha (RT: HBJ1/57)
- Lot 2 Deposited Plan 7771 and Lot 2 Deposited Plan 529421 – 2.9487 ha (RT: 858136)
- Lot 16 DP 3449 Corner site
- Lot 1 DP 529421 (ROW)
- Lot 3-4 DP 481968

Please refer to **Attachment 1** site plan for the titles in context.

Sections 30(1) – 30(2) of the FTAA states that the person authorised to lodge an application for a referred project under the FTAA must notify the regional council, if its application will seek an approval described in section 42(4)(A) (resource consent) of the FTAA.

This letter is to notify Hawkes Bay Regional Council that VSP's application will seek approvals for activities that would otherwise be granted resource consent under sections 9, 11, 13, 14 and 15 of the Resource Management Act 1991 (RMA).

Section 30(3) of the FTAA requires the district council that receives the notice to advise the authorised person by written notice within 10 working days, of any existing resource consents to which sections 124C(1)(c) or 165ZI of the RMA would apply if the approval were to be applied for as a resource consent under that Act, or confirm there are no existing resource consents of this kind.

On this basis, can Hawkes Bay Regional Council please confirm whether there are any existing resource consents to which sections 124C(1)(c) or 165ZI of the RMA would apply, or confirm that there are no existing resource consents of this kind.

Yours sincerely | Nāku noa, nā

Barker & Associates Limited

[redacted]

Senior Associate

[redacted]

Attachment 1: Site Plan



[redacted]

From: [redacted]
Sent: Friday, 8 May 2026 4:19 pm
To: [redacted]
Cc: [redacted]

Subject: RE: Brookvale Green FT - HBRC Update Meeting
Attachments: 2026 - 5 - 07 - Meeting with HBRC Officers - Minutes.docx

Afternoon team,

Please find attached minutes from our meeting yesterday afternoon. Please let me know if any clarifications need to be made. Apologies for the length of them. Trying to record as much as I can in here for the benefit of the Panel.

Dropbox link is not quite ready. I will have this sorted for Monday.

Have a great weekend, and thanks again for your time yesterday.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Monday, 4 May 2026 1:58 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting

Afternoon [redacted]

Please find attached agenda for Thursday's meeting. If [redacted] or one of your civil engineers is able to attend, I think this would be helpful to cover some of the more technical aspects of the project.

I have attached the proposed stormwater and cut/fill plans and the concept masterplan for review ahead of the discussion.

Please note that [redacted] and [redacted] will attend the meeting in person. Both myself and [redacted] will be online.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Wednesday, 29 April 2026 3:05 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting

Hi [redacted]

Thanks for the call, was good catching up with you.
Yes, please send through an agenda – Initially it may just be [redacted] and I attending but after seeing the agenda we may rope in others from our team (if available) as you may get more out of the meeting.
Otherwise, if there are any other experts that you think would be beneficial to include, please let me know and I can see if they're available to attend.

Use the Arataki condition set since we've worked with it recently – let's not reinvent the wheel if we can avoid it!

Kind regards,
[redacted]

HAWKES BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Tuesday, 28 April 2026 10:54 am

To: [redacted]
Cc: [redacted]
Subject: Brookvale Green FT - HBRC Update Meeting

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Hi [redacted]

Nice to talk to you just now. As mentioned, I'm assisting [redacted] with the Brookvale Green project following my move to B&A.

We would like to arrange a meeting with your team to update you on the latest masterplan and close out various matters as we work towards lodgement. We are meeting with HDC on Thursday 7th May at 10:30am. We could meet **HBRC anytime between 1:30-5pm** that afternoon. Please let me know what time works for your team. I can send through an agenda by Monday and a copy of the latest plan ahead of time.

Also, as discussed, it would be good if you confirm **what condition set** to use as a base for the regional consenting component of the substantive application. I am happy to use the Arataki FT conditions if this is the preference.

Kind regards,
[redacted]
Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,
Shortland Street, Auckland 1140
Level 4, Old South British Building,
3-13 Shortland Street, Auckland

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BULK SUBGRADE WORKS (SURFACE EX-SG COMPARISON WITH SURFACE PR-SG)

CUT VOLUME		69,000 m³
FILL VOLUME		95,000 m³
NET FILL		26,000 m³
TOPSOIL STRIPPED (200mm OVER EW AREA)	=	48,000 m³
EARTHWORKS CUT/FILL SHOWN ON PLAN = EX-GL COMPARISON WITH PR-GL		
EARTHWORKS AREA	=	23.9 Ha

NOTE: NO ALLOWANCE FOR SERVICES TRENCHES, VOLUMES ARE UNFACTORED AND IN SITU

DRAFT FOR REVIEW

NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH HASTINGS DISTRICT COUNCIL STANDARDS.
2. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE ALL SERVICES THAT MAY BE AFFECTED BY THEIR OPERATIONS.
3. THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT HEALTH AND SAFETY REQUIREMENTS.
4. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY APPROVAL FROM UTILITY OPERATORS BEFORE COMMENCING WORK UNDER OR NEAR THEIR SERVICES.
5. SEDIMENT CONTROL SHALL BE INSTALLED AND OPERATIONAL BEFORE EARTHWORKS START ONSITE IN ACCORDANCE WITH COUNCIL STANDARDS.
6. CONTRACTOR SHALL PROVIDE ASBUILT OF WORKING SEDIMENT CONTROL DEVICES AND CONFIRMATION OF POND/DECENT VOLUMES TO ENGINEER.
7. SEDIMENT CONTROL TO COMPLY WITH THE COUNCIL STANDARDS.

LEGEND

- EX BDY
- PROP BDY
- PROP EXTENT WORK

Cut/Fill Table

Number #	Minimum Elevation	Maximum Elevation	Color
1	-6.000	-5.000	
2	-5.000	-4.000	
3	-4.000	-3.000	
4	-3.000	-2.000	
5	-2.000	-1.000	
6	-1.000	0.000	
7	0.000	1.000	
8	1.000	2.000	
9	2.000	3.000	
10	3.000	4.000	
11	4.000	5.000	

Rev	Description	By	Date
A	FOR FAST TRACK REFERRAL	BB	08/2025

	By	Date
Survey	TECH SP	02/2025
Design	RH	02/2026
Drawn	RH	02/2026
Checked	BB	02/2026

Maven Associates
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www.maven.co.nz
5 Owens Road, Epsom
Auckland 1023

Project

BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET
PARTNERS NO. 4 LIMITED

Title

PROPOSED
CUT / FILL
PLAN

Project no.	135041		
Scale	1:2500 @ A3		
Cad file	135041-C220 CUT FILL.DWG		
Drawing no.	C220	Rev	A

DATE: 4/26 FILE PATH: F:\MAVEN\PROJECTS\135041 BROOKVALE\DWG\135041-C220 CUT FILL.DWG

Brookvale Green

Updated Masterplan

Block	Area (m²)	Approximate Average lot size (m²)	Yield (approx.)
1	4,186	500	8
2	4,911	500	9
3	1,451	350	4
4	1,594	200	8
5	1,559	200	8
6	7,045	500	13
7	1,449	350	4
8	1,624	200	7
9	12,435	500	23
10	1,716	200	8
11	10,440	500	20
12	12,416	700	18
13	15,786	800	17
14	10,200	600	17
15	2,758	700	4
16	3,263	800	4
17	1,688	800	2
18	2,621	800	3
19	2,510	800	3
20	5,038	600	8
21	2,572	600	4
22	3,700	500	7
23	2,358	600	4
		Yield (lots)	203



Figure 1 Yield Test & Updated Masterplan

Brookvale Green

DRAFT Staging Plan

Stage 1:

- 62 lots
- 1 - 2 x stormwater devices
- Realignment of Northern Stream
- Wastewater Pump Station

Stage 2:

- 43 lots

Stage 3:

- 16 lots
- 1 x stormwater device

Stage 4:

- 44 lots
- 1 x stormwater device

Stage 5:

- 38 Lots

Scale 1:5,000 @ A3



Figure 1 Yield Test & Updated Masterplan

PR CULVERT
EX BOX CULVERT
IL8.00
EX CULVERT
IL7.70
BROOKVALE RD
PR DETENTION BASIN D
LOT 16 DP 3449
LOT 21 DP 3449
IL9.85
PR WETLAND A
EXISTING STREAM DIVERSION
LOT 2 DP 540945
LOT 1 DP 27388
EXISTING STREAMS
TO REMAIN
PR RAINGARDEN B
PR RAINGARDEN C
ARATAKI RD
TE HEIPORA PL
SECTION 105 TE MATA SETT
LOT 1 DP 16136
LOT 1 DP 13626
LOT 1 DP 27387
ROAD 1
ROAD 2
ROAD 3
ROAD 4
ROAD 5
ROAD 7
ROAD 8
ROAD 10
1000
1001
1002
1003
1004
501
502
503
504
505
600

FOR INFORMATION

NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH HASTINGS COUNCIL STANDARDS.
2. COORDINATES IN TERMS OF NZ GEODETIC DATUM HAWKES BAY 2000
3. LEVELS IN TERMS OF THE NEW ZEALAND VERTICAL DATUM 2016
4. ORIGIN OF LEVELS = IT IV SO1837SOURCED FROM THE LINZ DIGITAL GEODETIC DATABASE.
5. BOUNDARIES ARE SUBJECT TO FINAL SURVEY.
6. LEGAL DESCRIPTION : LOT 1 & 2 DP 16311 , LOT 2 DP 7771, LOT 2 DP 529421

LEGEND

- EX BDY ABUTTAL
- PROP BDY
- EX STORMWATER
- PR STORMWATER
- EX/PROP SWMH
- PROP SWCP SINGLE
- PROP SWCP DOUBLE
- PR LOT CONNECTION
- PR PUBLIC SW
- PERMANENT STREAMS
- PR DETENTION BASIN
- PR WW RISING MAIN
- EX WASTEWATER
- PROP WASTEWATER
- EX/PROP WWMH

Rev	Description	By	Date
A	FOR FAST TRACK REFERRAL	RH	04/2026

	By	Date
Survey	TECH SP	02/2025
Design	RH	02/2026
Drawn	RH	02/2026
Checked	BB	04/2026

Maven Associates
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5 Owens Road, Epsom
Auckland 1023

Project
BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET
PARTNERS NO. 4 LIMITED

Title
PROPOSED
STORMWATER DRAINAGE
CONCEPT PLAN

Project no.	135041		
Scale	1:2500 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400	Rev	A

DATE: 06/05 FILEPATH: P:\MAVEN\PROJECTS\135041 BROOKVALE EDVC\135041-C400.DWG

REFER TO C400-6

REFER TO C400-1

REFER TO C400-2

REFER TO C400-4

REFER TO C400-3

REFER TO C400-5

LOT 16 DP 3449

LOT 21 DP 3449

LOT 2 DP 340945

LOT 1 DP 27388

SECTION 105 TE MATA SETT

LOT 1 DP 16128

LOT 1 DP 13626

LOT 1 DP 27387

BROOKVALE RD

WHITTAKER PL

ARATAKI RD

GROOBY PL

TE HEIPORA PL

MEISSNER RD

ROAD 1

ROAD 2

ROAD 3

ROAD 4

ROAD 5

ROAD 6

ROAD 7

ROAD 8

ROAD 9

ROAD 10

N

NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH HASTINGS COUNCIL STANDARDS.
2. COORDINATES IN TERMS OF NZ GEODETIC DATUM HAWKES BAY 2000. LEVELS IN TERMS OF THE NEW ZEALAND VERTICAL DATUM 2016.
4. ORIGIN OF LEVELS = IT IV SO1837SOURCED FROM THE LINZ DIGITAL GEODETIC DATABASE.
5. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE ALL SERVICES THAT MAY BE AFFECTED BY THEIR OPERATIONS.
6. PIPE BEDDING: 0 - 10% GRANULAR BEDDING,10 - 20% WEAK CONCRETE BEDDING.GREATER THAN 20% WEAK CONCRETE BEDDING (7MPA PLUS ANTI SCOUR BLOCKS AT 6M CRS).
7. EACH CONNECTION SHALL BE MARKED BY A 50MMX50MM TREATED PINE STAKE EXTENDING 600MM ABOVE GROUND LEVEL WITH THE TOP PAINTED. THIS MARKER POST SHALL BE PLACED ALONGSIDE A TIMBER MARKER INSTALLED AT THE TIME OF PIPELAYING AND EXTENDING FROM THE CONNECTION TO 150MM BELOW FINISHED GROUND LEVEL. CONNECTIONS SHALL BE ACCURATELY INDICATED ON "AS BUILT" PLANS.
8. APPROVED HARDFILL IS TO BE USED IN BACKFILLING OF ALL ROAD CROSSINGS AND VEHICLE CROSSINGS TO COUNCIL STANDARDS.
9. HEAVY DUTY MANHOLE LIDS AND FRAMES TO BE USED IN TRAFFICKED AREAS.
10. ALL MANHOLES ARE TO BE 1050MMØ PRECAST CONCRETE UNLESS SHOWN OTHERWISE.
11. ALL CATCHPIT LEADS SHALL HAVE MIN COVER 0.75M.
12. ALL LINES TO BE ABANDONED SHALL BE SEALED AT EACH END. TIMING OF ALL SEALING TO BE COORDINATED WITH COUNCIL STAFF.
13. ALL LOT CONNECTION TO BE MIN 100mm uPVC SN16 UNLESS SHOWN OTHERWISE.

LEGEND

- EX BDY ABUTTAL
- PROP BDY
- EX STORMWATER
- PR STORMWATER
- EX/PROP SWMH
- PROP SWCP SINGLE
- PROP SWCP DOUBLE
- PR LOT CONNECTION
- PR PUBLIC SW
- PERMANENT STREAMS
- PR DETENTION BASIN
- PR WW RISING MAIN
- EX WASTEWATER
- PROP WASTEWATER
- EX/PROP WWMH

Rev	Description	By	Date
A	FOR FAST TRACK REFERRAL	RH	04/2026

	By	Date
Survey	TECH SP	02/2025
Design	RH	02/2026
Drawn	RH	02/2026
Checked	BB	04/2026

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info@maven.co.nz
www.maven.co.nz
5 Owens Road, Epsom
Auckland 1023

Project

BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET
PARTNERS NO. 4 LIMITED

Title

PROPOSED
STORMWATER DRAINAGE
OVERVIEW PLAN

Project no.	135041		
Scale	1:3000 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400-0	Rev	A

FOR INFORMATION

DATE: 6/26 FILE PATH: P:\MAVEN\PROJECTS\135041 BROOKVALE\CIVIL\135041-C400.DWG

N

EX. OUTLET 1
EX. OUTLET 19-1
EX. INLET 1
NEW CULVERT UNDER BROOKVALE ROAD
EX. OUTLET 19-2
EX BOX CULVERT IL8.00
MH 16-2
MH 16-1
EX. OUTLET 2
EX. OUTLET 2A
INLET 20-1
OUTLET 17-1
MH 13-2
MH 13-3
EX. INLET 2A
EX. INLET 2
MH 14-2
OUTLET 17-2
MH 14-3
INLET 20-2
MH 13-4
OUTLET 14-1
EX CULVERT IL7.70
DETENTION BASIN D
MH 13-5
ROAD 1
MH 14-4
188
187
186
185
184
183
182
181
180
189
190
191
192
MH 13-6
IL9.85
OUTLET 10-1
MH 10-2
WETLAND A
1000
MH 1-5
OUTLET 1-1
MH 1-2
MH 1-4
MH 1-3
MH 2-2
MH 2-1
600
MH 9-1
MH 2-10
MH 2-9
MH 2-8
MH 2-7
MH 2-11
ROAD 2
ROAD 3
10.00
12.50
15.00
LOT 16 DP 3449
LOT 2 DP 540945

FOR INFORMATION

NOTES

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- PROP BDY
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- PR STORMWATER
- EX/PROP SWMH
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- PROP SWCP DOUBLE
- PR LOT CONNECTION
- PR PUBLIC SW
- PERMANENT STREAMS
- PR DETENTION BASIN
- PR WW RISING MAIN
- EX WASTEWATER
- PROP WASTEWATER
- EX/PROP WWMH

Rev	Description	By	Date
A	DRAFT	RH	02/2026

	By	Date
Survey	TECH SP	02/2025
Design	RH	02/2026
Drawn	RH	02/2026
Checked	BB	04/2026

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Auckland 1023

Project
BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET PARTNERS NO. 4 LIMITED

Title
PROPOSED STORMWATER DRAINAGE CONCEPT PLAN

Project no.	135041		
Scale	1:1000 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400-1	Rev	A

DATE: 4/05/ FILE PATH: P:\MAVEN\PROJECTS\135041 BROOKVALE\DWG\SHEET-C400.DWG



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Auckland 1023

Project

BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET PARTNERS NO. 4 LIMITED

Title

PROPOSED STORMWATER DRAINAGE CONCEPT PLAN

Project no.	135041		
Scale	1:1000 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400-2	Rev	A

DATE: 16/05 FILEPATH: P:\MAVEN\PROJECTS\2041 BROOKVALE\DWG\135041-C400.DWG

N

MH 2-7
MH 2-2
MH 1-3
MH 2-1
MH 2-6
OUTLET 18-1
INLET 18-2
OUTLET 11-1
MH 3-5
MH 3-6
MH 2-5
MH 2-4
MH 2-3
MH 11-2
MH 2-12
MH 8-1
MH 8-2
MH 8-3
MH 8-4
MH 8-5
RAIN GARDEN B
ROAD 1
ROAD 2
ROAD 3
ROAD 4
ROAD 5
600
1002
1003
1004
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10.00
12.50
15.00
17.50
20.00
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SECTION 105 TE MATA SETT
LOT 1 DP 16136

FOR INFORMATION

NOTES

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Project
BROOKVALE GREEN
HAVELOCK NORTH
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Title
PROPOSED STORMWATER DRAINAGE CONCEPT PLAN

Project no.	135041
Scale	1:1000 @ A3
Cad file	135041-C400.DWG
Drawing no.	C400-3 Rev A

DATE 4/26 FILEPATH: F:\MAVEN\PROJECTS\135041 BROOKVALE\WORK\135041-C400.DWG



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	By	Date
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Design	RH	02/2026
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Project

BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET
PARTNERS NO. 4 LIMITED

Title

PROPOSED
STORMWATER DRAINAGE
CONCEPT PLAN

Project no.	135041
Scale	1:1000 @ A3
Cad file	135041-C400.DWG
Drawing no.	C400-4 Rev A

DATE: 6/08 FILE PATH: P:\MAVEN\PROJECTS\135041 BROOKVALE\DWG\135041-C400.DWG



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Project

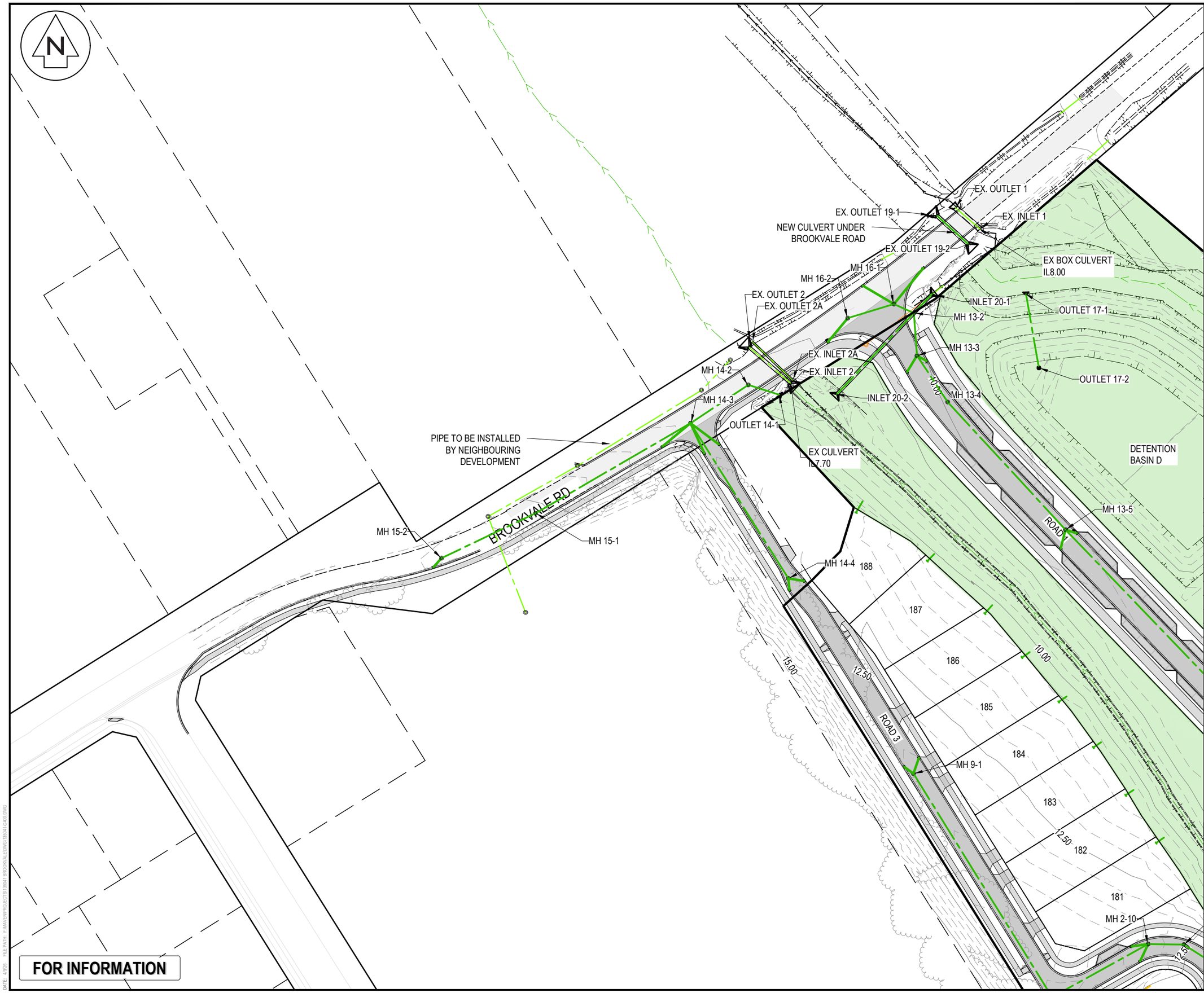
BROOKVALE GREEN
HAVELOCK NORTH
FOR
VERMONT STREET
PARTNERS NO. 4 LIMITED

Title

PROPOSED STORMWATER DRAINAGE CONCEPT PLAN

Project no.	135041		
Scale	1:1000 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400-5	Rev	A

DATE 4/26 FILE PATH F:\MAVEN\PROJECTS\135041 BROOKVALE\DWG\135041-C400.DWG



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PROPOSED
STORMWATER DRAINAGE
CONCEPT PLAN

Project no.	135041		
Scale	1:1000 @ A3		
Cad file	135041-C400.DWG		
Drawing no.	C400-6	Rev	A

DATE 4/9/25 FILE PATH P:\MAVEN\PROJECTS\135041 BROOKVALE\DWG\135041-C400.DWG

[redacted]

From: [redacted]
Sent: Tuesday, 12 May 2026 12:37 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - Expert report OneDrive link for HBRC

Hi [redacted]

Thanks for your emails this morning. Appreciate you following up with HDC on the ecology assessment review and confirming their scope. This sounds like a sensible approach.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A
Urban & Environmental

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barker.co.nz

This email and any attachments are confidential. They may contain privileged information or copyright material. If you are not an intended recipient, please do not read, copy, use or disclose the contents without authorisation and we request you delete it and contact us at once by return email.

From: [redacted]
Sent: Tuesday, 12 May 2026 10:10 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - Expert report OneDrive link for HBRC

Hi again,

Have heard back from HDC re ecologists, their ecologist will look at the reserve land owned by HDC (Lot 3 DP 481968), including the stand of gum trees that extend across multiple properties, including VSP. And confirmed their ecologist will not be providing input on HBRC matters – being freshwater ecology, water quality, and wetlands.

Kind regards,
[redacted]

HAWKES BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz

From: [redacted]
Sent: Tuesday, 12 May 2026 9:23 am
To: [redacted]
Cc: [redacted]
Subject: Re: Brookvale Green FT - Expert report OneDrive link for HBRC

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Hi [redacted],

many thanks for the heads up on [redacted] Just keep me informed.

Best

[redacted]

From: [redacted]
Date: Tuesday, 12 May 2026 at 9:20 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - Expert report OneDrive link for HBRC

Hi [redacted]

Have received the link and downloaded the documents. Regarding the files that are to be provided later this week, can you please let me know as these are included.

We'll get the team onto looking at these docs for feedback and as mentioned we'll [redacted] to the pre-app code APP-131359.
As previously requested in an earlier meeting – the pre-app feedback costs incurred on [redacted] projects has roughly been [redacted] This is indicative only and actual costs may vary.

I'm waiting to hear back from HDC regarding ecology expert's inputs, as discussed to reduce duplication of experts.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
Enhancing Our Environment Together | Te Whakapakari Tahi I Tō Tātau Taiao

---

From: [redacted]
Sent: Monday, 11 May 2026 4:28 pm

To: [redacted]
Cc: [redacted]
Subject: Brookvale Green FT - Expert report OneDrive link for HBRC

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Hi [redacted]

As discussed last Thursday, please find enclosed link to a OneDrive file Brookvale Green FT - Draft Expert Reports_May 2026 with several advanced draft technical reports included for Brookvale Green FT project. These are provided on a without prejudice basis for review and feedback ahead of lodgement in June. The file at this stage includes:

Discipline	Company	Draft Provided
Urban Design Assessment	Barker & Associates	Closer to lodgement
Urban Design Masterplan / Drawings	Barker & Associates	Yes (part)
Landscaping Drawings	LA4	Later this week
Landscape & Visual Assessment	LA4	Later this week
Ecology	Wild Ecology	Yes
Fauna Management Plan	Stantec	Yes
Civil Drawings	Maven Associates	Later this week
Civil Report (Incl. management plans)	Maven Associates	Yes
Stormwater	Maven Associates	Yes
Transport	East Cape Consulting	Yes
Acoustic	Styles Group	Next week
Reverse Sensitivity Assessment	Fruition	Later this week
Economics	Insight Economics	Later this week
Survey	Maven Associates	Yes
Geotech	Hawkes Bay Geotech	Yes
Contamination	EAM NZ Limited	Later this week
Hydrology	Land Water People	Yes
Soil and Resource Report	[redacted]	Yes
Cultural Impact Assessment	[redacted] - Waitapu Marae	Yes

As discussed, we are keen to get feedback from your team by Friday 29th May. I am chasing the final reports and hope to have these uploaded to the file in the next couple of days, but the main ones are in here.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,

[redacted]

From: [redacted]
Sent: Wednesday, 13 May 2026 3:40 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting - 13052026 - APP-131359

Great thanks for that clarification.

Ngā mihi
[redacted]

[redacted]
Team Leader Consents
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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Let us know how we're doing, give your feedback here.
This communication, including any attachments, is confidential.

From: [redacted]
Sent: Wednesday, 13 May 2026 3:34 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting - 13052026 - APP-131359

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Hi [redacted]

Thanks for the clarifications. I have updated and finalised the minutes as attached.

In terms of the policy position we are seeking, I am interested in the key position points you provided as part of the referral application, particularly around reverse sensitivity considerations. I am not sure whether the information provided as part of our draft technical report issued this week changes HBRC's position on any of the points previously raised.

Further to this, the Panel appeared particularly interested in understanding the HDC and HBRC position on these matters through Minute 3 to the Arataki application:
https://www.fasttrack.govt.nz/__data/assets/pdf_file/0025/15865/Minute-3-Request-for-further-information-Reverse-Sensitivity.pdf
We are using this application as a guide to help ensure we provide the necessary information to the Panel as part of the application itself, rather than through the RFIs to try an avoid time issues during the tight timeframes once lodged.

Thanks,

[redacted]
Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Wednesday, 13 May 2026 3:18 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting - 13052026 - APP-131359

Kia ora [redacted]

Thanks for the below, some minor notes attached on the minutes.

Can I please confirm at s6.4 of the minutes, what information regarding urban growth policy you're seeking from us over and above what was provided for the referral application? Reverse sensitivity / conflicting land use is fine to cover off, and we can pull something together for that.

Ngā mihi
[redacted]

[redacted]
Team Leader Consents
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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Let us know how we're doing, give your feedback here.
This communication, including any attachments, is confidential.

From: [redacted]
Sent: Friday, 8 May 2026 4:19 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting

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Afternoon team,

Please find attached minutes from our meeting yesterday afternoon. Please let me know if any clarifications need to be made. Apologies for the length of them. Trying to record as much as I can in here for the benefit of the Panel.

Dropbox link is not quite ready. I will have this sorted for Monday.

Have a great weekend, and thanks again for your time yesterday.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
029 412 5420
JoanneS@barker.co.nz

Urban & Environmental

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From: [redacted]
Sent: Monday, 4 May 2026 1:58 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting

Afternoon [redacted]

Please find attached agenda for Thursday's meeting. If J[redacted] or one of your civil engineers is able to attend, I think this would be helpful to cover some of the more technical aspects of the project.

I have attached the proposed stormwater and cut/fill plans and the concept masterplan for review ahead of the discussion.

Please note that [redacted] will attend the meeting in person. Both myself and [redacted] will be online.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Wednesday, 29 April 2026 3:05 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - HBRC Update Meeting

Hi [redacted]

Thanks for the call, was good catching up with you.
Yes, please send through an agenda – Initially it may just be [redacted] and I attending but after seeing the agenda we may rope in others from our team (if available) as you may get more out of the meeting.
Otherwise, if there are any other experts that you think would be beneficial to include, please let me know and I can see if they're available to attend.

Use the Arataki condition set since we've worked with it recently – let's not reinvent the wheel if we can avoid it!

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Tuesday, 28 April 2026 10:54 am
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green FT - HBRC Update Meeting

You don't often get email from [redacted] Learn why this is important

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Hi [redacted]

Nice to talk to you just now. As mentioned, I'm assisting [redacted] with the Brookvale Green project following my move to B&A.

We would like to arrange a meeting with your team to update you on the latest masterplan and close out various matters as we work towards lodgement. We are meeting with HDC on Thursday 7th May at 10:30am. We could meet **HBRC anytime between 1:30-5pm** that afternoon. Please let me know what time works for your team. I can send through an agenda by Monday and a copy of the latest plan ahead of time.

Also, as discussed, it would be good if you confirm **what condition set** to use as a base for the regional consenting component of the substantive application. I am happy to use the Arataki FT conditions if this is the preference.

Kind regards,

[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,
Shortland Street, Auckland 1140
Level 4, Old South British Building,
3-13 Shortland Street, Auckland

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Kerikeri, Whangārei, Warkworth,
Auckland, Hamilton, Cambridge,
Tauranga, Napier, Wellington,
Christchurch, Queenstown, Wānaka

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[redacted]

From: [redacted]
Sent: Wednesday, 20 May 2026 7:40 am
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - Updated SW Report

Good morning all,

Please see below link to the updated SW report for review. Eagle eyes may have noticed we had some unresolved ponding on the northern side of the Shaggy Range property which Maven have now been able to resolve.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Tuesday, 19 May 2026 9:01 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - Updated SW Report

Hi [redacted]

Please find attached the updated draft Flood Modelling Report in the OneDrive link:

Brookvale Green - Flood Modelling Report Draft 260519 BOUND

Report has been updated to reflect the changes in design which have managed to remove the previous minor effect/ponding in 104 Arataki.

Additional mapping and appendices are also included and updated, with some minor revisions to some of the information/assessment contained within.

It is still draft issue, and should be treated as such, minor tweaks to design are still ongoing at time of issue.

Cheers,

[redacted]
PRINCIPAL

MAVEN ASSOCIATES LIMITED
[redacted]
www.maven.co.nz
Level 1, 5 Owens Road, Epsom

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[redacted]

From: [redacted]
Sent: Thursday, 21 May 2026 5:12 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment
Attachments: AUTH-130167-01.pdf; Brookvale Green - RRMP Rules Assessment - BB Feedback.docx

Hi [redacted]

Thanks for your email and there's some good questions in there, my comments attached.

Regarding water takes there are a few "unexpired" consents (now extended until the end of 2027), which might give you some more flexibility (than compared to applying for a new water take consent in the already over-allocated catchment) but note that as it currently sits, it is unlikely the full volume of any of those consents would be able to be used (as it is based on actual and reasonable use during the 2010-2020 window). I have listed the authorisations in the attached comments.
As you mentioned, these consents are held by Brookvale Limited and Brookvale Land Limited. Therefore, a transfer would be required to bring these into your client's ownership before making an application to change for their intended use.

Unless applying for a water take renewal as part of this process, you'd likely be revisiting a consenting process relatively soon given the expiration date of these consents has been extended until the end of 2027, a renewal consent would be required (to obtain RMA s124(1) rights) in a little over a year away anyway.
If you're thinking of applying to renew water take consents as part of this proposal, you may also want to think about the use of the water after the construction period has finished to protect that water right (i.e. if it your client was wanting to try sell these rights later) because, despite whatever the intended use is after construction, this may be outside the scope of the FTAA project.
Therefore, I wonder whether a renewal/change to water rights might be better off being applied for separately to this substantive process to enable a broader scope. Otherwise, water trucks may be the most straight forward approach.

If a transfer of existing consent(s) were unable to be obtained and a new water take application were to be applied for then the complexities and time delay of FTAA s30(3)(a), s30(5) & (6), would apply.

I recognise the above might take a bit of digesting so I'll wait for you to confirm the approach regarding water as this will be important for the s30 notice.
But feel free to give me a bell if needed to clarify the above.

On another note, in an earlier discussion you'd asked about:

- An example of conditions relating to us of flocculants/chemical treatment, please see attached example.
- Site is within the Karamu and Tributaries drainage scheme area.
- Regarding the drainage scheme areas – unfortunately no, these aren't available on our public GIS maps (unlike I thought they were). However, we may be able to give out the shape flies for them if that were of use for the future, you'd need to reach out to Engineering.Enquiries@hbrc.govt.nz

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Tuesday, 19 May 2026 8:40 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - RRMP Draft Assessment

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Hi [redacted]

As discussed at our meeting last Friday, please find attached working draft rules assessment for Brookvale Green. We would appreciate it if you could please review our assessment of the RRMP for completeness and advise whether you have any differing interpretations. We have left a few comments in the document to either clarify our own thinking, or seek further clarification from yourself.

As mentioned today, we are also trying to work through the use of the existing water bore. Our engineers were hoping to use the bore for water take during construction to dampen down the site over the approximately five-year development period, or until mains water becomes available.

I appreciate the existing water takes applying to the site are for specific authorised uses, and it appears only one consented take remains active until December 2027 in association with the former mushroom farm, although now transferred to Brookvale Land Limited. You also mentioned there may be applications in progress to extend some of the expired water takes, although we are both unclear whether that is currently the case. We also discussed whether there may be an existing permitted threshold under the RRMP that we could rely on, potentially 5m^3 per day, as a means of supplying water for the site. Other options obviously include trucking water to the site and/or impounding water within the sediment ponds and applying for a temporary surface water take.

If there is a permitted threshold available under the RRMP, that would likely be the most practical pathway forward. If you are able to confirm the applicable rule framework, including any insight on the TANK interpretation changes, we would greatly appreciate it, as our own assessment has left us somewhat unclear. Otherwise, based on our discussion regarding the likely difficulty of obtaining approval for a new take, we may need to explore an alternative approach.

I look forward to hearing from you.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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3-13 Shortland Street, Auckland

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HAWKE'S BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

RESOURCE CONSENT

Discharge Permit

In accordance with the provisions of the Resource Management Act 1991 (RMA), and subject to the attached conditions, the Hawke's Bay Regional Council (the Council) grants a resource consent for a controlled activity to:

Napier City Council
Private Bag 6010
Napier 4142

To discharge dewatering (drainage) water to water (the Awatoto Drain).

LOCATION

Address of site:	55 Waitangi Road, Napier
Legal description:	Lot 1 DP 21301 & Lot 2 DP 25683
Map reference (NZTM):	1936722 E – 5615395 N

CONSENT DURATION

This consent is granted for a period expiring on 31st May 2033.

LAPSING OF CONSENT

This consent shall lapse in accordance with section 125 of the RMA on 21st December 2028, if it is not exercised before that date.



Sophia Edmead
Team Leader Consents
POLICY AND REGULATION GROUP
Under authority delegated by Hawke's Bay Regional Council
21st December 2023

Conditions

General Conditions

1. All works and structures relating to this consent shall be designed and constructed to conform to the best engineering practices and at all times maintained to a safe and serviceable standard.

2. The consent holder shall undertake all operations in accordance with any drawings, specifications, statements of intent and other information supplied as part of the application for this resource consent, including, but not limited to:

   a) Application Form A
   b) Application Form B
   c) Assessment of Environmental Effects titled "*Resource Consent Application for the Discharge of Drainage Water*" prepared by Strategy and dated 18 October, Referenced: 21144 AP2.

   In the event that there is conflict between the information supplied with the application and any consent condition(s), the condition(s) shall prevail.

Conditions applying prior to commencement of Discharge from each Cell

3. No later than ten (10) working days prior to commencement of the dewatering activity of each relevant cell(s) on site, the consent holder shall provide Council (Manager Compliance) for certification, a Construction Management Plan (CMP) detailing, but not limited to:

   a) Details of the sequence of works;
   b) Methodology of construction of the relevant cell(s) in line with best practice;
   c) Location of discharge;
   d) Method for discharge outlet into the Awatoto Drain including any necessary erosion and scour protection details;
   e) Final design plans of the relevant cell(s);
   f) The total area of the relevant cell(s) that drainage water is to be discharged from;
   g) Details of how subsurface drainage will be managed after dewatering of each relevant cell(s) has ceased; and
   h) Details of remediation of the Awatoto Drain to it's previous state after the cease of the dewatering activity.

   Advice Note:

   - *With respect to Condition 3, Council will with certify, or refuse to certify the CMP within 7 working days of receipt based on the parameters contained in Condition 3.*
   - *Should Council withhold to certify the CMP, Council will then advise the consent holder in writing, outlining the reasons why certification is withheld, within 7 working days of the receipt.*
   - *Provided that the information requirements, based on the parameters contained in Condition 3, are addressed by the CMP certification will not be withheld.*
   - *If after 10 working days from Council receiving the CMP for certification Council has not responded to confirm the acceptance or withholding of certification of the CMP, the CMP shall be assumed to be certified.*
   - *If during the exercise of the activity the consent an amendment or change is required to be made to the CMP, the consent holder submit the CMP for re-certification.*

4. No later than ten (10) working days prior to the commencement of the dewatering activity of each relevant cell(s), the consent holder shall provide to Council (Manager Compliance) for certification, an Erosion and Sediment Control Plan (ESCP) detailing where relevant, but not limited to:

a) Measures that will be in place to limit sediment and stormwater from entering the excavation area during the discharge activity, in accordance with the *Hawke's Bay Regional Council Waterway Guidelines: Erosion and Sediment Control* (April 2009);
b) Clean water diversions to avoid additional overland flows of stormwater from entering the excavation area(s);
c) Maintenance and inspection regime for temporary and permanent sediment and stormwater controls;
d) Details of appropriate decommissioning of any erosion and sediment control structures.
e) A site plan confirming the location items a) – c) above; and
f) Spill Management Plan.

Advice Note: *Item e) may need to be updated if in the instance flocculants are used to treat the discharge.*

Advice Note:

- *With respect to Condition 4, Council will with certify, or refuse to certify the ESCP within 7 working days of receipt based on the parameters contained in Condition 4.*
- *Should Council withhold to certify the ESCP, Council will then advise the consent holder in writing, outlining the reasons why certification is withheld, within 7 working days of the receipt.*
- *Provided that the information requirements, based on the parameters contained in Condition 4, are addressed by the ESCP certification will not be withheld.*
- *If after 10 working days from Council receiving the ESCP for certification Council has not responded to confirm the acceptance or withholding of certification of the ESCP, the ESCP shall be assumed to be certified.*
- *If during the exercise of the activity the consent an amendment or change is required to be made to the ESCP, the consent holder submit the ESCP for re-certification.*

5. No later than two (2) working days prior to commencement of dewatering of each cell, the consent holder shall appoint a suitably qualified and experienced construction expert, who shall be Council's principal contact person in regard to matters related to AUTH-130167-01 and advise Council (Manager Compliance) who this is and provide their contact details.

6. No less than two (2) working days prior to the commencement of dewatering of each cell, the consent holder shall advise Council (Manager Compliance) of their intent to commence the discharge of the relevant cell(s).

7. Prior to the discharge of any cell(s) commencing, all relevant ESCP measures of the certified ESCP shall be in place and in good working order.

Conditions applying during the discharge from each cell

8. The consent holder shall ensure all works are undertaken in accordance with the CMP and ESCP certified by and in accordance with Conditions 3 and 4. Any requirements of the CMP or ESCP shall be maintained through the entire duration of the discharge of each cell.

Advice Note: *Due to the duration and potential for extended periods between construction of each cell, ESCP measures may be removed during the period after the construction of a cell is finished and before construction of another cell begins.*

9. The rate of discharge shall not exceed **8 litres per second**.

10. Unless confirmed otherwise in writing from Council (Manager Compliance), the discharge shall cease to occur when the water level of the Awatoto Drain is at or above 10.2 m based on Hawke's Bay Local Authority Datum 1972.

Advice Note: *10.2 m based on Hawke's Bay Local Authority Datum, has a sea level of 10.0 m. This equates to NZ Vertical Datum 2016 of 0.0 m.*

11. Should the weather forecast indicate heavy rainfall or an unforecasted heavy rain event were to occur, all pumping to the Awatoto Drain shall cease so that the water level within the Awatoto Drain does not exceed that as specified in Condition 10.

12. The discharge shall be from an excavation that does not exceed the area(s) referred to in Condition 3(f).

13. The discharge of drainage water from each cell shall be for a maximum duration of 10 weeks.

14. The discharge shall not cause any erosion or scour of the Awatoto Drain.

15. Prior to discharge from the treatment device (Siltmate SM50), the drainage water shall achieve a minimum of 100 mm clarity prior to discharge from the property boundary of the site (see Advice note 1).

16. All drainage water shall be treated via the SiltMate SM50 treatment device prior to discharge into Awatoto Drain. No drainage water shall be discharged without prior treatment.

17. The consent holder shall undertake two visual inspections each day that a discharge occurs to ensure the discharge quality set out in Condition 14 is achieved. The visual inspections shall occur at the following intervals:

    a) Prior to the first discharge each day; and
    b) Once again not less than four (4) hours after the first visual inspection.

    The consent holder shall keep records of the quality of every visual inspection and shall provide a copy of the records to Council (Manager Compliance) upon request.

18. Removal of suspended sediment from the drainage water prior to discharge shall occur by employing the use of a Siltmate SM50 device and, if required, flocculants.

19. No less than ten (10) working days prior to the commissioning of any chemical treatment of dewatering, a Chemical Treatment Plan (CTP) shall be provided to Council (Manager Compliance) for certification and shall include, but not be limited to, the following information:

    a) Bench testing requirements to determine the optimal dosing rates of treatment chemicals;
    b) Specific design details of the flocculation system;
    c) Details of optimum dosage (including assumptions);
    d) Monitoring, maintenance (including post-storm) and contingency programme (including a record sheet);
    e) Results of the initial flocculation trial;
    f) Procedure for the storage of chemicals onsite and transportation of chemicals; and
    g) A spill contingency plan.

    Advice Note: *In the instance(s) where the use of flocculants is necessary, the SMP required by Condition 4 should be updated immediately to include any measures to appropriately address the chemicals used for under Condition 19, and the updated SMP be provided to Council as soon as reasonably practicable.*

    Advice Note: *It is recommended that preparation of a Chemical Treatment Plan (CTP) be undertaken as soon as possible, and if possible, prior to commencement of the dewatering activity of each relevant cell to avoid delay while certifications and updates to the SMP occur.*

20. Where Council is unable to certify the CTP on the basis the information requirements of Condition 19 have not been met, the consent holder shall submit a revised CTP for certification. The revised CTP shall be submitted following the procedure set out in Condition 19.

Advice Note:

- *With respect to Condition 19, Council will with certify, or refuse to certify the CTP within 7 working days of receipt based on the parameters contained in Condition 19.*
- *Should Council withhold to certify the CTP, Council will then advise the consent holder in writing, outlining the reasons why certification is withheld, within 7 working days of the receipt.*
- *Provided that the information requirements, based on the parameters contained in Condition 19, are addressed by the CTP certification will not be withheld.*
- *If after 10 working days from Council receiving the CTP for certification Council has not responded to confirm the acceptance or withholding of certification of the CTP, the CTP shall be assumed to be certified.*
- *If during the exercise of the activity the consent an amendment or change is required to be made to the CTP, the consent holder submit the CTP for re-certification.*

21. The certified CTP shall be kept onsite and adhered to at all times during the discharge and may be amended as appropriate. Any amendments shall be:

a) For the purpose of improving the efficiency or effectiveness of the measures outlines in the CTP;
b) Consistent with the conditions of this resource consent;
c) Prepared by an appropriately qualified person; and
d) Submitted to and certified in writing by Council (Manager Compliance) prior to any amendment being implemented.

22. The discharge shall cease immediately upon any identification of contamination within the dewatering water and shall remain stopped (at the consent holder's expense) until a solution is agreed to in writing between the consent holder and Council (Manager Compliance).

23. There shall be no adverse flooding effects on any property owned or occupied by another person, as a result of the drainage activity.

24. The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.

25. The activity shall not adversely affect any wetland.

26. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing.

Condition applying after the discharge from each cell is finished

27. No more than two (2) working days after the completion of dewatering of each cell, the consent holder shall notify Council (Manager Compliance) that dewatering of the relevant cell(s) is complete.

28. Any erosion and sediment control structures shall be decommissioned in accordance with the certified Erosion and Sediment Control Plan required by Condition 4.

Miscellaneous Conditions

29. In the event of any archaeological site or waahi tapu being uncovered during the exercise of this consent, activities in the vicinity of the discovery shall cease. The consent holder shall contact the Council (Manager Compliance) to obtain contact details of the relevant tangata whenua. The consent holder shall then consult with the relevant local hapu or marae and the Heritage New Zealand Pouhere Taonga and shall not recommence works in the area of the discovery until the relevant Heritage New

Zealand Pouhere Taonga and tangata whenua approvals to damage, destroy or modify such sites have been obtained.

30. If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Napier City Council (A1 Bore), Meeanee School (Meeanee Hall and School Bore) and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

Advice note: Such an event might include for example a chemical spill to groundwater. The Napier City Council can be contacted on 06 835 7579. The Meeanee School can be contacted on 06 844 2073. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.

31. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:

a) To deal with any adverse effect on the environment that may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue.

b) To require the adoption of the best practicable option to remove or reduce any effects on the environment.

c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate or inadequate.

d) To ensure that the consented activity is managed in a manner that is consistent with the provisions of an operative plan.

ADVICE NOTES

1. The HBRC recognises that some resource users prefer to measure clarity, rather than concentrations of suspended solids or turbidity. While there is not a direct relationship between suspended solids and clarity that can be applied across the region, the HBRC is happy to work with any such resource users to establish allowable changes in clarity corresponding to the suspended solids limits where this is required.

2. All information required by the conditions of this consents can be emailed to ComplianceReturns@hbrc.govt.nz

REASONS FOR DECISION

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the requirements of any relevant NPS, Regulations, NES regulations and with all relevant plans and policies.

MONITORING NOTE

Routine monitoring

Routine monitoring inspections may be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine monitoring

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

Section 17(1) of the RMA states:

> *Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with*
>
> *a) any of sections 10, 10A, 10B, and 20A; or*
>
> *b) a national environmental standard, a rule, a resource consent, or a designation.*

Consent Impact Monitoring

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

DEBT RECOVERY

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

CONSENT HISTORY

Authorisation No.	Date	Event	Relevant Rule	Relevant Plan
AUTH-130167-01	21/12/2023	Consent initially granted	33	Regional Resource Management Plan

[redacted]

From: [redacted]
Sent: Friday, 22 May 2026 8:17 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Public Transport Feedback

Hi [redacted]

Thanks for forwarding through this feedback from your team.

[redacted] – FYI feedback from HBRC transport. Just a couple of clarifications to be made to your report.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A Urban & Environmental

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From: [redacted]
Sent: Thursday, 21 May 2026 6:00 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green Public Transport Feedback

Hi [redacted],

Once all feedback from our team is returned to me, I aim to compile our input in a memo to tidy things up and circulate to you. However, I'm conscious that it was asked for our feedback to be sent through once available. Therefore, feedback from our transport team regarding the draft transport assessment is as follows:

> *Does it have any matter that the stated bus service frequency isn't technically correct? – Page 8*
>
> *What should be said is: Route 1 extends into the Havelock North area, alternating route direction after traveling through the Village Centre between Arataki/Brookvale/Russell Robertson Roads to the east and Iona/Middle Road to the west. Stops are located in close proximity to the site, including a stop at 45 Arataki Road. As a result of the alternating routing, services on Arataki Road operate approximately*

every 40 minutes during peak periods and hourly during off-peak periods on weekdays. Saturday and Sunday services are also provided, although at reduced frequencies compared with weekdays.

For good public transport access, it is strongly recommended that the applicant secure a direct connection west to Arataki Road via adjoining land. Can HDC facilitate this agreement? – Page 27

On Page 28 the writer states "The Hawke's Bay Regional Public Transport Plan 2025-2035 identifies a target of providing access to public transport within 400m walking distance for approximately 70% of residents within the Napier[1]Hastings urban area. This target does not specifically apply to Havelock North." We would disagree with this as the 2025 RPTP includes Havelock North as part of the Hastings Urban Area, as much as Flaxmere is of Hastings and Taradale is of Napier.

The above access to Arataki Road via a pedestrian way (presumably via the Arataki Project development) is therefore important to helping achieve the RPTP goals.

With regards construction of the accessway, and speed control devices at the corner of the entrance to the subdivision and Brookvale Road, as described on Page 24 and 25, location of bus stop bays near the entrance to the development should be included in construction design, even if in the short term these are used as car parks.

Kind regards,

[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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[redacted]

From: [redacted]
Sent: Friday, 22 May 2026 7:50 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment

Hi [redacted]

Further to my email below and apologies for the drip feed of information, the consent holder has already applied for a renewal of the following water takes: AUTH-128143-01, AUTH-128144-01, AUTH-128145-01 & AUTH-128146-01 (combined). Renewal application reference: APP-127296.
This application is still being processed as no decision has been issued for that replacement yet, it is likely waiting for an eventual environment court decision on the TANK plan change.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Thursday, 21 May 2026 5:12 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment

Hi [redacted]

Thanks for your email and there's some good questions in there, my comments attached.

Regarding water takes there are a few "unexpired" consents (now extended until the end of 2027), which might give you some more flexibility (than compared to applying for a new water take consent in the already over-allocated catchment) but note that as it currently sits, it is unlikely the full volume of any of those consents would be able to be used (as it is based on actual and reasonable use during the 2010-2020 window). I have listed the authorisations in the attached comments.
As you mentioned, these consents are held by Brookvale Limited and Brookvale Land Limited. Therefore, a transfer would be required to bring these into your client's ownership before making an application to change for their intended use.

Unless applying for a water take renewal as part of this process, you'd likely be revisiting a consenting process relatively soon given the expiration date of these consents has been extended until the end of 2027, a renewal consent would be required (to obtain RMA s124(1) rights) in a little over a year away anyway.
If you're thinking of applying to renew water take consents as part of this proposal, you may also want to think about the use of the water after the construction period has finished to protect that water right (i.e. if it your client was wanting to try sell these rights later) because, despite whatever the intended use is after construction, this may be outside the scope of the FTAA project.

Therefore, I wonder whether a renewal/change to water rights might be better off being applied for separately to this substantive process to enable a broader scope. Otherwise, water trucks may be the most straight forward approach.

If a transfer of existing consent(s) were unable to be obtained and a new water take application were to be applied for then the complexities and time delay of FTAA s30(3)(a), s30(5) & (6), would apply.

I recognise the above might take a bit of digesting so I'll wait for you to confirm the approach regarding water as this will be important for the s30 notice.
But feel free to give me a bell if needed to clarify the above.

On another note, in an earlier discussion you'd asked about:

- An example of conditions relating to us of flocculants/chemical treatment, please see attached example.
- Site is within the Karamu and Tributaries drainage scheme area.
- Regarding the drainage scheme areas – unfortunately no, these aren't available on our public GIS maps (unlike I thought they were). However, we may be able to give out the shape flies for them if that were of use for the future, you'd need to reach out to [redacted]

Kind regards,
[redacted]

From: [redacted]
Sent: Tuesday, 19 May 2026 8:40 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - RRMP Draft Assessment

Caution: This email is from outside of Hawke's Bay Regional Council.
Do not click links or open attachments unless you are certain the content is safe. If this email claims to be from a HBRC staff member, do not click on any links or attachments and contact the ServiceDesk immediately.

Hi [redacted]

As discussed at our meeting last Friday, please find attached working draft rules assessment for Brookvale Green. We would appreciate it if you could please review our assessment of the RRMP for completeness and advise whether you have any differing interpretations. We have left a few comments in the document to either clarify our own thinking, or seek further clarification from yourself.

As mentioned today, we are also trying to work through the use of the existing water bore. Our engineers were hoping to use the bore for water take during construction to dampen down the site over the approximately five-year development period, or until mains water becomes available.

I appreciate the existing water takes applying to the site are for specific authorised uses, and it appears only one consented take remains active until December 2027 in association with the former mushroom farm, although now transferred to Brookvale Land Limited. You also mentioned there may be applications in progress to extend some of the expired water takes, although we are both unclear whether that is currently the case. We also discussed whether there may be an existing permitted threshold under the RRMP that we could rely on, potentially 5m^3 per day, as a means of supplying

water for the site. Other options obviously include trucking water to the site and/or impounding water within the sediment ponds and applying for a temporary surface water take.

If there is a permitted threshold available under the RRMP, that would likely be the most practical pathway forward. If you are able to confirm the applicable rule framework, including any insight on the TANK interpretation changes, we would greatly appreciate it, as our own assessment has left us somewhat unclear. Otherwise, based on our discussion regarding the likely difficulty of obtaining approval for a new take, we may need to explore an alternative approach.

I look forward to hearing from you.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,
Shortland Street, Auckland 1140
Level 4, Old South British Building,
3-13 Shortland Street, Auckland

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Kerikeri, Whangārei, Warkworth,
Auckland, Hamilton, Cambridge,
Tauranga, Napier, Wellington,
Christchurch, Queenstown, Wānaka

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[redacted]

From: [redacted]
Sent: Monday, 25 May 2026 9:38 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green FT - Expert report OneDrive link for HBRC

Good morning [redacted]

For completeness, we have updated the OneDrive link to include the Fruition reverse sensitivity report, Styles acoustic assessment, Insight economics report, EAM contamination report, LA4 landscape draft drawings, and the updated Maven Flood assessment (same as the one I forwarded through last week).

Brookvale Green FT - Draft Expert Reports_May 2026

Discipline	Company	Draft Provided
Urban Design Assessment	Barker & Associates	Closer to lodgement
Urban Design Masterplan / Drawings	Barker & Associates	Yes (in part)
Landscaping Drawings	LA4	Yes
Landscape & Visual Assessment	LA4	Edits underway
Ecology	Wild Ecology	Yes
Fauna Management Plan	Stantec	Yes
Civil Drawings	Maven Associates	Yes
Civil Report (incl. management plans)	Maven Associates	Yes
Stormwater	Maven Associates	Yes
Transport	East Cape Consulting	Yes
Acoustic	Styles Group	Yes
Reverse Sensitivity Assessment	Fruition	Yes
Economics	Insight Economics	Yes
Survey	Maven Associates	Yes
Geotech	Hawkes Bay Geotech	Yes
Contamination	EAM NZ Limited	Yes
Hydrology	Land Water People	Yes
Soil and Resource Report	[redacted]	Yes
Cultural Impact Assessment	[redacted] - Waitapu Marae	Yes

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A Urban & Environmental

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From: [redacted]
Sent: Monday, 11 May 2026 4:28 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green FT - Expert report OneDrive link for HBRC

Hi [redacted]

As discussed last Thursday, please find enclosed link to a OneDrive file Brookvale Green FT - Draft Expert Reports_May 2026 with several advanced draft technical reports included for Brookvale Green FT project. These are provided on a without prejudice basis for review and feedback ahead of lodgement in June. The file at this stage includes:

Discipline	Company	Draft Provided
Urban Design Assessment	Barker & Associates	Closer to lodgement
Urban Design Masterplan / Drawings	Barker & Associates	Yes (part)
Landscaping Drawings	LA4	Later this week
Landscape & Visual Assessment	LA4	Later this week
Ecology	Wild Ecology	Yes
Fauna Management Plan	Stantec	Yes
Civil Drawings	Maven Associates	Later this week
Civil Report (Incl. management plans)	Maven Associates	Yes
Stormwater	Maven Associates	Yes
Transport	East Cape Consulting	Yes
Acoustic	Styles Group	Next week
Reverse Sensitivity Assessment	Fruition	Later this week
Economics	Insight Economics	Later this week
Survey	Maven Associates	Yes
Geotech	Hawkes Bay Geotech	Yes
Contamination	EAM NZ Limited	Later this week
Hydrology	Land Water People	Yes
Soil and Resource Report	[redacted]	Yes
Cultural Impact Assessment	[redacted] - Waitapu Marae	Yes

As discussed, we are keen to get feedback from your team by Friday 29th May. I am chasing the final reports and hope to have these uploaded to the file in the next couple of days, but the main ones are in here.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,
Shortland Street, Auckland 1140
Level 4, Old South British Building,
3-13 Shortland Street, Auckland

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[redacted]

From: [redacted]
Sent: Thursday, 28 May 2026 2:57 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Ecology, Wetland and Groundwater Pre-App Feedback
Attachments: APP-131359 Groundwater Memo 26052026.pdf; Hydrogeology LWP_174-176 Brookvale Road Stream Re-alignment.docx

Hi all

Copying in [redacted] to this email. [redacted] – please see below where HBRC have asked whether you are able to attend the regional council meeting on Brookvale Green next week so we can achieve cross council coordination on this matter. I have attached the feedback that HBRC have pulled together on the groundwater assessment along with the application's draft report. I have also forwarded you through the meeting invite. Please feel free to give me a call if you need any other background.

[redacted] – FYI for your coordination purposes.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Thursday, 28 May 2026 9:25 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Ecology, Wetland and Groundwater Pre-App Feedback

Hi [redacted] and [redacted],

Could I ask that you invite HDC's Drinking Water Manager to the workshop with HBRC next week?
It might be the most efficient way to resolve concerns and align solutions regarding about groundwater if HDC's drinking water manager were included in those conversations too.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Wednesday, 27 May 2026 5:16 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Ecology, Wetland and Groundwater Pre-App Feedback

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Thanks [redacted] for getting these through ahead of the further feedback on Friday. It is much appreciated.

Ngā mihi | Kind regards,

[redacted]
Partner
[redacted]
barker.co.nz

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https://givealittle.co.nz/cause/shave-for-archie

From: [redacted]
Sent: Wednesday, 27 May 2026 5:13 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green Ecology, Wetland and Groundwater Pre-App Feedback

Hi [redacted]

Please find attached the Ecology, Wetlands and Groundwater feedback on the draft information provided.

It is looking as though my memo (consolidating all expert feedback plus planning/consenting feedback) will be provided closer on Friday at this stage.

Kind regards,

[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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[redacted]

From: [redacted]
Sent: Friday, 29 May 2026 4:15 pm
To: [redacted]
Cc: [redacted]
Subject: APP-131359 HBRC Pre-App Feedback Memo (Pre-Substantive) 29052026
Attachments: APP-131359 HBRC Pre-App Feedback Memo (Pre-Substantive) 29052026.pdf; Appendix 1 - APP-131359 HBRC Groundwater Memo 25052026.pdf; Appendix 2 - APP-131359 HBRC Engineering Memo 28052026.pdf; Appendix 3 - APP-131359 HBRC Freshwater Ecology Memo 26052026.pdf; Appendix 4 - APP-131359 HBRC Wetland Ecology Memo 27052026.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi [redacted] and [redacted]

Please find attached HBRC's feedback on the draft information provided for the Brookvale Green Project.

We'll talk again on the 4th next week if you have any questions.

Have a pleasant long weekend.

Kind regards,

[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
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[redacted]

From: [redacted]
Sent: Tuesday, 2 June 2026 2:42 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment - Consent conditions

Hi [redacted]

Thanks for sending these through, appreciate the chance to input on this.
I think would be helpful to have a quick teams meeting for you to run me through these as I've got a couple of initial questions:

- S14 items are Water Permits so I would expect these to sit separate (i.e. WAT-1XX) from Land Use Consent items.
- Are first and second columns titles around the correct way re "permanent" and "temporary" – first column appears to have temporary activities, and second column appears to have permanent activities.

But as you mentioned, no doubt we'll have clarity after catching up.
I can be flexible this afternoon if that works for you otherwise, can juggle tomorrow afternoon at earliest.

Let me know if there is a particular time that works for you and I'll try work to that.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Tuesday, 2 June 2026 1:22 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment - Consent conditions

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Hi [redacted]

I am currently finalising the draft conditions suite for the Brookvale Green substantive application and wanted to seek your views on the proposed consent structure before we progress too much further.

We are trying to organise the conditions in a way that aligns with the underlying consent framework and makes administration and compliance as straightforward as possible. In particular, we are considering separating the permanent stream, wetland and structure works from the temporary stream diversion and realignment activities, given the different nature of the activities and likely consent durations.

My current thinking is that the application would seek the following consents with conditions structured under the following headings:

Hastings District Council

- Land use consent (s9 RMA) for the residential development.
- Subdivision consent (s11 RMA).

Hawke's Bay Regional Council

- LUS-1XX Permanent Stream, Wetland and Structure Works Consent (s9 and 13 RMA).
    - Land use consent - for structures (e.g. stormwater outlet device(s)) in, on, or over water bodies
    - Land use consent – for introduction or planting within 6m of the bed of a waterbody
    - Land use consent – for reclamation of bed of artificial waterbody
    - Land use consent – for culvert(s) NES-FW
- LUS-2XX Temporary Stream Diversion and Realignment Consent (s13 and 14 RMA).
    - Water Permit – for reclamation of bed of river
    - Water Permit – for reclamation of bed of river (NES-FW)
    - Water permit - for the diversion of water courses and open drain(s)
- DIS-XXX Discharge Consent (s15 RMA).
    - Discharge permit - for diversion and discharge of stormwater TANK 23 (activity meets TANK 21 permitted thresholds)

I have confirmed with our engineering team:

- We do not need discharge consents for contamination. Expert has advised we meet the permitted thresholds
- We will not need a water take – water will be trucked in to site.
- Consent is not needed for stormwater discharge during construction (i.e. flocculants)
- Bore decommissioning will be permitted activity

Before we progress further, I wanted to check whether this consent structure generally aligns with HBRC's expectations and whether you have any preferences regarding how the regional consent conditions are grouped and presented within the conditions suite. It might be simpler if I could arrange a brief teams meeting with you to show you via the screen what the consent template is trying to achieve. I would send the current version through in advance, but its in a state of flux and really needs to be explained in the first instance... This is the intro headings I have to each consent to help make sense of the structure:

Permanent Stream, Wetland and Structure Works: LUS-1XX	**Temporary Stream Diversion and Realignment: LUS-2XX**	**Discharge of Stormwater: DIS-1XX**
Activities relating to Sections 13 and 14 of the RMA associated with the temporary diversion,	Activities relating to Sections 9 and 13 of the RMA associated with the permanent stream, wetland and stormwater	Activities relating to Section 15 of the RMA for the diversion and discharge of stormwater into water or onto land, including from

modification and realignment of existing watercourses and associated construction activities, including: • Temporary diversion and dewatering of existing watercourses to facilitate construction of the Project. • Reclamation, excavation, modification and realignment of existing stream channels. • Vegetation clearance within stream margins required to undertake the works. • Temporary disturbance and removal of wetland areas associated with the works. • Fish salvage and relocation measures associated with stream diversion. • Associated earthworks, erosion and sediment control measures, dewatering activities and groundwater protection measures required to undertake the authorised works.	infrastructure required to support the Brookvale Green development, including: • Permanent structures within, over, under or adjacent to stream beds, including culverts, road crossings, stormwater outlet structures and associated infrastructure. • Permanent structures and works within a flood control or drainage scheme area. • Permanent modification of stream beds associated with the stream realignment works. • Permanent wetland reinstatement. • Vegetation planting and management within 6 metres of a stream associated with stream restoration, ecological enhancement and stormwater management functions. • Ongoing operation, maintenance, repair and replacement of authorised stream, wetland and stormwater infrastructure.	roads and residential lots as follows: • Proposed new stormwater management system including attenuation basins, wetland treatment areas, raingardens, conveyance channels, outlet structures and associated infrastructure discharging to Watercourse 1, Watercourse 2 and downstream receiving environments (Maungateretere Stream tributaries).

Happy to pivot in another direction if you advise.

Kind regards

[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

barker.co.nz

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From: [redacted]
Sent: Friday, 22 May 2026 7:50 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment

Hi [redacted]

Further to my email below and apologies for the drip feed of information, the consent holder has already applied for a renewal of the following water takes: AUTH-128143-01, AUTH-128144-01, AUTH-128145-01 & AUTH-128146-01 (combined). Renewal application reference: APP-127296.
This application is still being processed as no decision has been issued for that replacement yet, it is likely waiting for an eventual environment court decision on the TANK plan change.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
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From: [redacted]
Sent: Thursday, 21 May 2026 5:12 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - RRMP Draft Assessment

Hi [redacted]

Thanks for your email and there's some good questions in there, my comments attached.

Regarding water takes there are a few "unexpired" consents (now extended until the end of 2027), which might give you some more flexibility (than compared to applying for a new water take consent in the already over-allocated catchment) but note that as it currently sits, it is unlikely the full volume of any of those consents

would be able to be used (as it is based on actual and reasonable use during the 2010-2020 window). I have listed the authorisations in the attached comments.
As you mentioned, these consents are held by Brookvale Limited and Brookvale Land Limited. Therefore, a transfer would be required to bring these into your client's ownership before making an application to change for their intended use.

Unless applying for a water take renewal as part of this process, you'd likely be revisiting a consenting process relatively soon given the expiration date of these consents has been extended until the end of 2027, a renewal consent would be required (to obtain RMA s124(1) rights) in a little over a year away anyway.
If you're thinking of applying to renew water take consents as part of this proposal, you may also want to think about the use of the water after the construction period has finished to protect that water right (i.e. if it your client was wanting to try sell these rights later) because, despite whatever the intended use is after construction, this may be outside the scope of the FTAA project.
Therefore, I wonder whether a renewal/change to water rights might be better off being applied for separately to this substantive process to enable a broader scope. Otherwise, water trucks may be the most straight forward approach.

If a transfer of existing consent(s) were unable to be obtained and a new water take application were to be applied for then the complexities and time delay of FTAA s30(3)(a), s30(5) & (6), would apply.

I recognise the above might take a bit of digesting so I'll wait for you to confirm the approach regarding water as this will be important for the s30 notice.
But feel free to give me a bell if needed to clarify the above.

On another note, in an earlier discussion you'd asked about:

- An example of conditions relating to us of flocculants/chemical treatment, please see attached example.
- Site is within the Karamu and Tributaries drainage scheme area.
- Regarding the drainage scheme areas – unfortunately no, these aren't available on our public GIS maps (unlike I thought they were). However, we may be able to give out the shape flies for them if that were of use for the future, you'd need to reach out to [redacted]

Kind regards,
[redacted]

From: [redacted]
Sent: Tuesday, 19 May 2026 8:40 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - RRMP Draft Assessment

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Hi [redacted]

As discussed at our meeting last Friday, please find attached working draft rules assessment for Brookvale Green. We would appreciate it if you could please review our assessment of the RRMP for completeness and advise whether you have any differing interpretations. We have left a few comments in the document to either clarify our own thinking, or seek further clarification from yourself.

As mentioned today, we are also trying to work through the use of the existing water bore. Our engineers were hoping to use the bore for water take during construction to dampen down the site over the approximately five-year development period, or until mains water becomes available.

I appreciate the existing water takes applying to the site are for specific authorised uses, and it appears only one consented take remains active until December 2027 in association with the former mushroom farm, although now transferred to Brookvale Land Limited. You also mentioned there may be applications in progress to extend some of the expired water takes, although we are both unclear whether that is currently the case. We also discussed whether there may be an existing permitted threshold under the RRMP that we could rely on, potentially 5m^3 per day, as a means of supplying water for the site. Other options obviously include trucking water to the site and/or impounding water within the sediment ponds and applying for a temporary surface water take.

If there is a permitted threshold available under the RRMP, that would likely be the most practical pathway forward. If you are able to confirm the applicable rule framework, including any insight on the TANK interpretation changes, we would greatly appreciate it, as our own assessment has left us somewhat unclear. Otherwise, based on our discussion regarding the likely difficulty of obtaining approval for a new take, we may need to explore an alternative approach.

I look forward to hearing from you.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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[redacted]

From: [redacted]
Sent: Friday, 5 June 2026 11:09 am
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - HBRC Meeting Minutes
Attachments: WORKING DRAFT - Ecological Assessment Report - 174 176 Brookvale Road Havelock North - Vermont Street Partners No.4 Ltd - June 2026_Reduced.pdf; Brookvale Green - Watercourse 1 Baseline Presentation for HBRC.pdf; 2026 - 6 -04 - HBRC Workshop Meeting Minutes.docx

Kia ora [redacted] and team,

Thank you for meeting with us yesterday to work through HBRC's feedback on the Brookvale Green proposal. We found the discussion very constructive and appreciated the opportunity to work through the comments directly with the relevant technical specialists.

As discussed, attached are:

- The updated ecology assessment; and
- The presentation provided by [redacted] at yesterday's workshop.

Ariana, we would appreciate any further comments on the ecology material by next Friday, if possible, so that we can incorporate any final updates into the application. Please note that the ecology report remains in draft form at this stage. We are still awaiting final engineering, landscape and other supporting information, so there may be some minor updates over the coming weeks to ensure consistency across the application documents. However, the substantive ecology assessment and conclusions are not expected to change.

Also attached are the **draft meeting minutes** from yesterday's workshop. Could everyone please review these and advise of any amendments required. Also take note of where any actions have been assigned.

We look forward to meeting with some of the team on Monday to discuss the groundwater and source water protection matters.

Have a great weekend.
Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A
Urban & Environmental

TOITŪ CARBON REDUCE ISO 14064-1 ORGANISATION

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Tauranga, Napier, Wellington,
Christchurch, Queenstown, Wānaka



PROJECT BASELINE

Watercourse 1

The Existing Baseline

Supporting information to address the HBRC freshwater and wetland ecology memos (May 2026)

Brookvale Green Fast-track Application

174 & 176 Brookvale Road, Havelock North · APP-131359 · Wild Ecology

PURPOSE OF THIS PRESENTATION

Why we are presenting the baseline

Both HBRC reviewers support the project in principle. Their queries ask how the realigned channel will function over the long term. An answer starts with what Watercourse 1 is today - and what is realistically achievable from that starting point.

We have taken a precautionary approach throughout: retaining a functional stream corridor where feasible, while being realistic that the channel is unlikely to support sustained flow.

Freshwater Ecology Memo

Ariana Mackay · 26 May 2026

- Pool & riffle establishment
- Channel alignment & sinuosity
- In-stream habitat features
- “No net loss” assessment

Wetland Ecology Memo

Samiksha Patel · 27 May 2026

- Extent of wetland to be lost
- Photos of the wetlands
- Wetland reinstatement extent

EXISTING CONDITION — SUMMARY

Watercourse 1 at a glance

A highly modified drainage channel, channelised and straightened since the 1980s - not a flowing stream.



Nil

surface water observed in the channel (Jan 2025)



Since 1980s

channelised & straightened; no flow evidence since



0.31

existing SEV score (very low ecological value)



Eel only

sole fish recorded and not within watercourse 1 — shortfin eel, disturbance-tolerant

What this means for the design: we are not proposing an engineered stream or new in-stream habitat features. Running water is not expected; the basin will be planted as a wetland-vegetation corridor that, over time, develops habitat through natural sorting processes.

Why it is classed as an intermittent stream

The channel was mapped as intermittent because the bed and banks are still distinguishable and it appears on historical aerial imagery. Its current condition, however, tells the real story.

1950s — Site largely cleared; channels already modified

1980s — Horticultural / commercial boom - channelisation & straightening

1994–2022 — Upper catchment infilled or piped; no natural reaches remain

Jan 2025 — No flow observed; minimal evidence of even ephemeral flow



A Bed & banks still distinguishable, but dry — uppermost catchment, outside the site.



B Channel cross-section almost entirely rooted with grass — no defined low-flow bed.

FIELD EVIDENCE — CHANNEL FORM

Rooted bed, only fleeting flow

Across almost its entire cross-section the channel is rooted with terrestrial and in some very isolated instances hydrophytic vegetation. Only small, isolated patches of bare silt/sand bed remain - the only sign of occasional ephemeral flow.



01 Representative cross-section - fully vegetated bed and banks.



02 Rare bare silt/sand section without rooted vegetation - indicates intermittent flow only.



03 Typical section closer to Brookvale Road - overgrown, no open-water channel.

FIELD EVIDENCE — ON AND OFF SITE

Overgrown and dry, from source to road

From the uppermost catchment to Brookvale Road the channel is choked with grasses and blackberry, with no defined wetted channel. There is no indication of a sustained flow regime through the year.



04 Within the site - channel overgrown with grasses and blackberry.



05 2 m-wide channel directly south-east of the site - grassed over, minimal flow indication.



06 Existing box culvert under Brookvale Road - dry bed; a redundant structure to be addressed.

OBSERVED HYDROLOGY

Flow regime: ephemeral at best

No water observed (Jan 2025)

Neither watercourse was conveying water; defined beds, hydrophytic vegetation and flood debris were largely absent.

No flow since channelisation

Since the 1980s modifications there is no evidence the channel has carried permanent or even intermittent flow.

Dry, overgrown upstream

The uppermost catchment is completely dry and vegetated; no sustained flow regime feeds the channel.

What is realistic

Permanent or year-round intermittent flow is unlikely to be achieved.

At best the corridor will carry ephemeral flows: enough to support wetland-type vegetation, but not a functioning natural stream. The design is built around that reality, not against it.

Wetlands tied to the channel bed, not independent

All five wetlands (W1–W5) sit within or alongside the modified channel beds - evidence of occasional ephemeral ponding, not free-standing wetland systems. W1 & W2 are induced by old culverted crossings. All are exotic-dominated and very low value.



W3 Quadrat — exotic-dominated, on the streambed.



W4 Quadrat — ephemeral feature on the channel bed.

W3 + W4 (≈437 m²) are the only wetlands disturbed by the realignment; W1, W2 & W5 are retained.

Wetland offset — no net loss

−437 m²	disturbed (W3 + W4), exotic ephemeral
+6,439 m²	indigenous sedge wetland margin reinstated
+6,002 m²	net wetland gain — ratio ≈ 14 : 1

OUR APPROACH

A planted corridor, shaped by nature

No constructed features are proposed

We are not proposing a constructed new in-stream habitat features. Running water is not expected, so fixed structures would not function.

A plane of wetland planting

The basin will be densely planted with wetland-type species, establishing the corridor framework from day one.

Time and natural sorting

Over time, shading and natural accumulation, erosion and deposition may allow for the formation of pool and riffle features and habitat where ephemeral flows allow.

Fish passage, realistically

Passage is provided for, but fish presence is expected to stay low - likely limited to disturbance-tolerant eels.

Precautionary, and honest about the outcome: a functional wetland-vegetation corridor that improves on a very low baseline - without over-promising a natural stream.

Pool–riffle establishment & channel alignment

1 COUNCIL QUERY Pool & riffle sequences — how achieved?

Detail sought on gravels/cobbles (retained vs imported), bed substrate, gradient and riffle spacing for an intermittent channel.

BASELINE-INFORMED RESPONSE

We are not engineering a pool–riffle system, and not importing structured substrate. Because flow is at most ephemeral, fixed riffles would not persist. Instead, dense wetland-margin planting plus natural sorting (accumulation, erosion, deposition) will form bed features over time where flows allow.

2 COUNCIL QUERY Alignment appears straighter than existing

Clarify existing vs proposed length and sinuosity, and how this aligns with naturalisation objectives.

BASELINE-INFORMED RESPONSE

Length is effectively matched - 355 m existing → 356 m proposed (+1 m). The existing line is itself an artificial, straightened drain, so there is little natural planform to lose. Retaining an open, planted corridor (rather than piping) keeps the option of ecological enhancement. Existing and proposed sinuosity are effectively the same, with both channels functionally straight (≈1.0–1.1). While some short sections of the proposed alignment may appear straighter than parts of the existing drain, neither provides meaningful natural sinuosity. As the channel is ephemeral/dry, sinuosity has limited ecological value, since key processes depend on sustained flow.

In-stream habitat features & “no net loss”

3 COUNCIL QUERY Greater habitat complexity — which features?

Will the design include variable widths/depths, low-flow refugia, undercut banks and woody debris?

BASELINE-INFORMED RESPONSE

We are not proposing to construct these in-stream features, because we are not expecting running water to sustain them. The corridor is planted as a wetland-vegetation plane; over time, shading and natural sorting processes are expected to generate habitat and minor bed variation.

4 COUNCIL QUERY How was “no net loss” assessed?

No quantitative comparison of existing vs proposed extent, sinuosity, wetted habitat or stream function was found.

BASELINE-INFORMED RESPONSE

Quantified in the EA: stream length 355 m → 356 m; wetland −437 m² → +6,439 m² (net +6,002 m², ≈14:1). The SEV uplift (0.31 → 0.62 potential) is driven by riparian/wetland planting, shading and connectivity - the realistic gains - not by claiming a flowing stream. Measured from a very low baseline, this achieves no net loss.

KEY MESSAGE

An honest baseline, a realistic and precautionary design



Very low baseline

A channelised, dry, weed-dominated drain (SEV 0.31) with no flow evidence since the 1980s; eel the only fish likely present.



No over-promising

No constructed in-stream habitat features - running water is not expected.



Gains through planting + time

A dense wetland-vegetation corridor that, with shading and natural sorting, builds habitat and meets no net loss.

[redacted]

Subject: Brookvale Green - Water Source Protection Meeting
Location: Microsoft Teams Meeting

Start: Mon 8/06/2026 1:00 pm
End: Mon 8/06/2026 2:00 pm
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: [redacted]
Required Attendees [redacted]

Optional Attendees: [redacted]

Hi all

As per our workshop meetings with HDC and HBRC today, we have a slightly bigger agenda for our meeting on Monday. As advised, I have invited [redacted] and/or [redacted] to attend from Council from a policy position:

- Water supply – HDC advice re aquifer allocation. Need to agree pathway forward given HDC's recent legal advice regarding potential capacity concerns. Cover whether there is the ability to transfer the existing water take consents.
- Hydrogeology / Groundwater – discuss stream works design and construction methodology to address source protection concerns as per HBRC's feedback from last Friday.

Kind regards,
[redacted]

Microsoft Teams meeting

Join:

https://teams.microsoft.com/meet/47807579035349?p=lKEdsRD0bdaWdUAuG4

Meeting ID: 478 075 790 353 49

Passcode: GS9ed2YD

Need help? | System reference

For organizers: Meeting options

[redacted]

From: [redacted]
Sent: Wednesday, 10 June 2026 4:27 pm
To: [redacted]
Cc: [redacted]

Subject: Re: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Thanks [redacted].

[redacted]
Managing Director
[redacted]

On 10 Jun 2026, at 3:52 PM, [redacted] wrote:

Hi [redacted],

Just as we discussed, and subject to assessment it may be possible to transfer water to HDC's take consent, you'd need agreement from HDC (and the current consent holders) to do so. Transfer form can be found here: https://www.hbrc.govt.nz/assets/Document-Library/Application-Form-Transfer-of-a-Water-Permit-site-to-site.pdf

Note the transfer provisions of RMA s136 apply so would need appropriate information to address effects resulting from the transfer.
Consent in accordance with rule 62A of the RRMP (as amended by TANK consent order version) would apply provided conditions/performance standards are met and will give you a steer on relevant matters to consider.
If unable to comply with performance standards/conditions rule 62B applies. A number of policies (POL TANK 44, 45, 47, 48 etc.) of the TANK Plan change consent order version will be relevant for this assessment. So will the information Paul set out in his email below regarding the volumes of water used i.e. actual and reasonable volume etc.

Application form A (administration) and B (take and use water) can be found here: https://www.hbrc.govt.nz/services/resource-consents/application-forms/

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: Joanne Sunde <JoanneS@barker.co.nz>
Sent: Monday, 8 June 2026 5:31 pm

To: [redacted]

Cc: [redacted]

Subject: FW: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

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Hi [redacted]

Thanks very much for looking into the detail of the water permits on our behalf. This is most helpful given your experience here.

My key takeaway is that there appears to be a pathway to transfer some/all (tbc!) of the existing groundwater allocation to HDC's municipal supply consent, although the situation is complicated by the status of the underlying consents, the replacement application, and the ongoing TANK appeals process. I expect we will need your assistance as we work through the transfer pathway and the future discussions with HDC. Provided we are solutions oriented here between all three parties (HDC, HBRC and the Applicant) I am sure we will land on something positive.

The provisional ARU estimate is helpful as it gives us a clearer understanding of the volume that may ultimately be available for transfer and allows us to test this against the project's future water demand requirements. [redacted] FYI.
We will review the information as a team and come back to you if we have any further questions. No doubt there will be some discussion on this at our meeting on Wednesday with HDC.

Thanks again for your assistance.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

barker.co.nz

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From: [redacted]
Sent: Monday, 8 June 2026 8:25 am
To: [redacted]
Cc: B[redacted]
Subject: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Hi [redacted]

I've had a look at the water permits currently held for the ex- Te Mata Mushrooms site. It's pretty complicated, with four old consents (now extended), one replacement application in place to replace and amalgamate them, and then two more recent 'interim' consents also now in use.

There are four groundwater take consents relating to irrigation and mushroom production uses. These expired in May 2022 and a replacement application (APP-127296) was made, seeking a single amalgamated new consent. The original four consents were then extended under s123C and now expire 31 December 2027. The wells are located within the Heretaunga Plains Water Quantity Area, under the TANK Plan Change (PC9), which sets out a method for reallocating groundwater, recognising the over-allocated status of the aquifer (Actual and Reasonable Use (ARU) method). The TANK Plan Change remains under appeal. The ARU method looks at crop water requirements, consented volumes and actual recorded use across a 10 year refence period. The ARU for these consents was provisionally estimated at 73,200 m3/year (see Actual and Reasonable Use APP-127296 estimate attached). Maximum use within the 10 year reference period 2010-2020 (across combined water years) was 122,944 m3/yr.

In 2024, two 'interim' consents were sought by Brookvale Land Ltd and Brookvale Ltd. These interim consents were issued and split the consented allocation into two. The 'interim' consents were needed because changes could not be made to the original consents which were expired but on s124 at the time. These two interim consents were set to expire in May 2027 but have also been extended to Dec 2027. They set an annual volume limit for each consent that adds up to the total original consented volume. They did not try and allocate on an ARU basis, but are tied to the outcome of APP-127296, which remains in place, yet to be decided on. This is one of a large group of applications awaiting the outcome of the TANK Plan Change appeal. See the attached s42A report and two 'interim' consents. I've attached the s42A report and copies of the two consents.

TANK provisions, while not operative, have weight, and the rules have legal effect. These provide for the transfer of water within an allocation zone, provided it is within the volume calculated to be ARU, and subject to assessment of the effects of the transfer such as for stream depletion and well interference, and a test of the need for and efficiency of use (see: POL TANK 45). Rule 62A (controlled activity) is specific to transfer in TANK catchments, and do not provide for a transfer that changes the use of a water permit unless *the transfer enables efficient delivery of water through a municipal or community water supply, including for marae and papakāinga*. The most relevant version of TANK to refer to (post Environment Court consent order) is here: Consent-Order-Version-PC9.pdf

Subject to assessment of the effects of the transfer, a transfer to the HDC public water supply consent could be possible as the takes are located within the same water quantity area and it would be for a change of use that is consistent with POL 45. The ARU volume that could be transferred would need to be assessed and determined through the transfer process, but our provisional estimate of this was 73,200 m3/yr

The advice above is given on a without prejudice to any future consent application process, to recognise that an application is yet to be lodged and detailed assessment will be required and

has not yet been undertaken. It should also be recognised that TANK is subject to appeal, and that the provisions could change as it works its way through the Environment Court process.

Happy to discuss further,

Kind regards,

[redacted]

[redacted]
Manager Consents
[redacted]
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ACTUAL AND REASONABLE USE ASSESSMENT

Consent details

Application number	APP-127296
Previous consent numbers	AUTH-113145-01 (general use) AUTH-111429-01 (general use) AUTH-111427-01 (irrigation and general use) AUTH-111428-01 (irrigation)
Historic consent numbers	WP030248T WP000746T WP000744T WP000745T
Applicant name	The Te Mata Mushroom Company Limited
Address	174 - 176 Brookvale Road, Havelock North
Legal description	Lot 1 & 2 DP 16311 and Lot 2 DP 7771
Purpose of proposed take	to take water from well no's. 1129 and 1280 (200 mm diameters) to irrigate 4 hectares of pasture, 3 hectares of process crops and 3 hectares of other cropping and for washdown purposes

Actual and Reasonable water use is defined as the lesser of your existing consented annual volume, the modelled annual water demand volume, and the maximum recorded volume used in the 10 year reference period. All volumes stated are an annual volume (m^3/year) for water years (1 July to 30 June).

The assessment below provides information on how your Actual and Reasonable Use volume has been determined. Where an application is to replace one or more consents, the volumes reported below are combined volumes.

Consented and applied volume

	Previous consent number	**m^3/year**	**Method (see Note 1)**
Consented annual volume	AUTH-113145-01 AUTH-111429-01 AUTH-111427-01 AUTH-111428-01	26,000 84,500 50,143 31,200	Estimated
Combined Total	191,843		

Applied for volume (m^3/year) – if stated	Not specified

Water Demand Estimate (See Note 2)

Estimated crop water demand (m^3/year)	73,200

Actual use

Our records indicate the following maximum recorded annual use of water over the 10 year reference period (see Note 3):

	Previous consent number	m^3/year	Year
Maximum recorded use volume	AUTH-113145-01 AUTH-111429-01 AUTH-111427-01 AUTH-111428-01	3,681 15,701 45,627 57,934	2012-2013 2010-2011 2016-2017 2019-2020
Combined Total	122,944		

Actual and Reasonable Use Estimate (See Note 4)

The consents for general use in the mushroom farm have not been used since the 2015/2016 water year. If this activity has ceased as appears to be the case, there would be no justification for re-allocation of this water.

Your Actual and Reasonable Use volume is the lesser of the volumes provided above and is calculated as

73,200 m^3/year (Based on crop irrigation water demand estimate).

This is the annual volume that is proposed to be allocated to your activity and, if accepted, will be included as a condition of your resource consent.

NOTES

1. For an irrigation take, an 'estimated' annual volume is calculated based on your consented weekly volume being used continuously over 120 days. A 'consented' volume is that currently specified in your consent.
2. This is the Irricalc 95%ile annual volume, determined based on the crop type and area proposed in your application, or as specified in your previous consent, whichever is lesser. Irricalc is available here: http://mycatchment.info/ http://mycatchment.info/
3. The Actual Use reference period is the 10 year period before 2 May 2020.
4. Refer to the email accompanying this form for advice on providing a response to this proposed annual volume. More information is also available at www.hbrc.govt.nz, search: #HPwatertake.

The best way to contact us is to email us at waterpermits@hbrc.govt.nz and quote your application number in the subject line. Your application number (beginning with the pre-fix 'APP') is shown at the top of this form.

HAWKES BAY REGIONAL COUNCIL

TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

ASSESSMENT OF RESOURCE CONSENT APPLICATION

Applicant: Brookvale Limited and Brookvale Land Limited

Application Number: APP-130351, APP-130348

Property Address: 174-176 Brookvale Road, Havelock North

1. DETAILS OF PROPOSAL

Brookvale Land limited and Brookvale Limited (hereafter referred to as the 'Applicants') has applied for two new consents to authorise the taking and use of water on a property located on Brookvale Road, Havelock North. There are four existing consents for the taking and use of water for irrigation purposes and supply to a mushroom growing facility. These consents have expired, and the replacement applications are on hold due to the TANK Plan Change (as shown in Table 1). The property comprises two lots. One lot has been sold, and the applicant wishes to split the water permits between the two lots, with each landowner retaining a consent and splitting the existing allocation between them in an agreed manner. The consent holder is currently taking water from the expired consents under s124 protection. Because the consents have expired and cannot be changed the property sale and split of water proposed will result in new interim consents, which will be withdrawn on the granting of the renewal consents.

Table 1: Existing consents and related renewal applications.

Current consent no. (under s124)	Replacement application no.	Purpose	Well	Rate L/s	7 day volume (m^3)
AUTH-113145-01	APP-127296	to take water from well no. 1098 (100 mm diameter) for general use on a mushroom farm	1098	10	500
AUTH-111429-01	APP-127296	to take water from well no.15619 (150 mm diameter) for general use on a mushroom farm	15619	9	1625
AUTH-111427-01	APP-127296	to take water from well no. 1129 (200 mm diameter) to irrigate 9 hectares of pasture and for general use on mushroom farm	1129	38	2925

AUTH-111428-01	APP-127296	to take water from well no. 1280 (200 mm diameter) to irrigate 9 hectares of pasture	1280	9.5	1820

The applicant has proposed that the existing consent allocation is split into two new consents as shown in Table 2.

Table 2: Proposed consents[1]

Proposed consent no.	Application no.	Purpose	Well	Rate L/s	28 day volume (m^3)	Annual volume (m^3/yr)
AUTH-131633-01	APP-130351-Brookvale Land Limited	To take water from well no. 1129 (200 mm diameter) to irrigate 5 hectares of crops/pasture and for mushroom growing, and for spray fill and wash down purposes, building supply and drain clearing use, and stock drinking water.	1129	38	14,148[2]	73,933
AUTH-131631-01	APP-130348 - Brookvale Limited	To take water from well no. 1098 (100 mm diameter) or well no. 1280 (200 mm diameter) to irrigate 7 hectares of pasture/nursery and for spray fill purposes	1098, 1280	30	10,878	48,951

2. DESCRIPTION OF THE ENVIRONMENT

The subject property is made up of three lots as shown in Figure 1 below. It has a total area of around 21.35 ha. The site is located close to the Mangateretere Stream, within the Karamu Catchment. It is subject to the TANK Plan Change (Plan Change 9) and is located within the Heretaunga Plains Groundwater Quantity Area.

[1] The applicant confirmed the irrigation area and volumes sought for AUTH-131631-01 in an email dated 2 December 2024.

[2] being the difference between the currently consented weekly volume across all existing consents on the site and what is to be allocated to AUTH-131631-01



Figure 1. Aerial image of locality. Source: Toitū Te Whenua (LINZ)

3. ACTIVITY CLASSIFICATION

The consents were initially granted in accordance with Rule 55 of the RRMP as a discretionary activity.

An application for a change of conditions of consent is assessed as a discretionary activity in accordance with section 127 of the Resource Management Act 1991 (RMA).

4. ENVIRONMENTAL EFFECTS

Reasonability and efficiency of the volume of take

The current consents (Table 1) do not have annual allocation limits stated and only have specified weekly allocations totaling 6,870 m^3/7days.

The proposed allocation for both of the new consents will be less than the 90% IrriCalc crop demand volume for the proposed irrigation areas blocks, and close to the maximum recorded annual use for the existing consents (as shown in Table 3).

Table 3: Existing allocations.

Consent no.	Area/crop	Existing allocation - weekly (m^3/week)	Existing allocation - annual (estimated) (m^3/yr)
AUTH-113145-01	Mushroom growing	500	26,000
AUTH-111428-01	9 ha pasture	1820	31,200
AUTH-111429-01	Mushroom growing	1625	84,500

AUTH-111427-01	9 ha pasture and Mushroom growing	2925	50,142
Total		*6,870*	*191,843*
Maximum annual recorded use 2010-2020			*122,944*

Table 4. Proposed allocation and comparison to Irricalc

Application no.	**Area/crop**	**Proposed weekly volume (m^3/week)**	**Proposed annual (m^3/yr)**
APP-130531	5 ha crops/pasture + mushroom growing facility	**3,537**	**73,993** [3]
APP-130348	7 ha pasture/nursery	**2,716**	**48,951**
Total		***6,253***	***122,944***
Irricalc estimates (90%ile)	5 ha crops/pasture	1,940	34,965
	7 ha pasture/nursery	2,716	48,951
Mushroom production/commercial use		400- 500 (current) 2800 (proposed)	Currently approx. 400 – 500 m3/day = 26,000 m3/yr (52 weeks). Applied for ultimate use of 2,800 m3/ week = 145,600 m3/yr

Efficiency of use and crop water requirements may need to be considered further during processing of the replacement application, as well as any further reduction to meet the Actual and Reasonable use (ARU) during the reference period between 2010 and 2020, as implemented through the TANK Plan Change Process. For the time being, the volumes as shown in bold in Table 4, being a redistributed allocation of the previously consented (weekly) and used (annual) volumes are recommended for the interim consents. This results in an overall reduction in the amount allocated to the site on an annual basis and is consistent with the maximum recorded use. The proposed volumes are also less than the Irricalc 90%ile modelled demand for irrigation components of what is proposed for this site.

Any increased water use that occurs as a result of this interim consent cannot be used to justify additional allocation at a later date. The applicant should consider this carefully before making investments that rely on the current allocation being fully retained. These interim consents do not attempt to prejudge the amount of water that will be allocated to the replacement consent based on the TANK provisions, and it is likely that a lesser volume, in line with ARU and will need to be re-allocated to the replacement consent.

Effects on neighbouring bores

The applicant has proposed changes to the rate of take from well no's 1098 and 1280. Previously these could be pumped at up to 10 L/s. The applicant proposes to pump at up to 30 L/s at any one time. Under the applicant's proposal, well 15619 will remain unused. The applicant has indicated that well 1280 will be the

[3] this is the difference between maximum recorded use on the site and the amount to be allocated to AUTH-131631-01

well that is primarily used. This well is approximately 70 m from the closest neighbouring well, being well no. 16610.

The effects of changing the pumping rates of the wells have been assessed using the Council's drawdown assessment tool, which is based on Heretaunga Plains Groundwater Model outputs.

T***able 4. Change in well interference drawdown effects – well 1280***

Rate of take (m3/day)	Scenario	28-day drawdown (m0	150 day drawdown (m)
821	9.5 L/s pumped for 24 hours	0.024	0.029
2592	30 L/s pumped for 24 hours	0.076 (+0.05)	0.093 (+0.064)
260	Consented weekly volume 1820 m3 per day	0.008	0.009
493	Proposed weekly volume 3453 m3 per day	0.014 (+0.006)	0.018 (+0.009)

The proposed change in pump rate is not likely to cause any significant increases in drawdown effects. The increase in drawdown is likely to be up to approximately 0.06 m (6 cm), with maximum predicted drawdown of around 9 cm occurring at the peak abstraction rate over 150 days.

Effects on the overall groundwater resource

Groundwater modelling for the TANK plan change now shows that the cumulative effects of Heretaunga Plains groundwater takes on surface water flows are significant. Currently no new water is to be allocated from this area, with a reduction in allocation using the Actual and Reasonable assessment. The applicant has not proposed any change to the current allocation and this change will not contribute to an increase in the cumulative adverse effects on surface water flows.

Methods for managing these cumulative effects will be developed through the TANK plan change. It is likely that any further allocation of any groundwater will be limited. An advice note is included on the consent which explains that provisions of the TANK plan change may change the way in which groundwater is allocated and managed in the future. These consents expired in 2022, and their replacement application will be assessed and processed along with the group of consents currently on hold for groundwater takes in the Heretaunga Plains. The operative provisions of the relevant plan will be applied at this time, or sooner through a review process.

Effects on surface water

Technical assessments undertaken in support of the TANK Plan Change 9 (which is relevant to this application because the applicant property is located in the Karamu River Catchment) suggest that the majority of the groundwater takes from the Heretaunga Plain aquifer system are likely to be hydraulically connected to surface water.

For areas outside of Zone 1, Policy TANK 34 and 36 and Rule TANK 8 now require that consent holders offset the effects of water takes in the Heretaunga Plains on surface water streams, and that stream flow maintenance and habitat enhancement schemes are set up within 10 years of the operative date of the Plan, and require that "*where schemes are operational, either: i. require abstraction to cease when applicable stream flow maintenance trigger is reached or ii. require permit holders to contribute to and participate in the scheme."* Stream depletion modelling indicates that the takes will affect the Karamū Stream and Tukituki River. The pre-dominant effect (45% over 150 days) is on the Tukituki River, with a lesser, but still significant effect on the Karamū Stream (~20%) (Figure 2).

As there is no increase in the total amount of water taken from the Heretaunga Plains Aquifer, and the water take will remain on the current site, the proposed changes are not anticipated to result in any overall increase

in the stream depletion effect of these takes. It is anticipated there will be some requirement to offset stream depletion effects caused by this take in the future, by contributing to a stream enhancement scheme once these are set up and available. The effects of these takes on surface water will be further assessed during the processing of the replacement application.

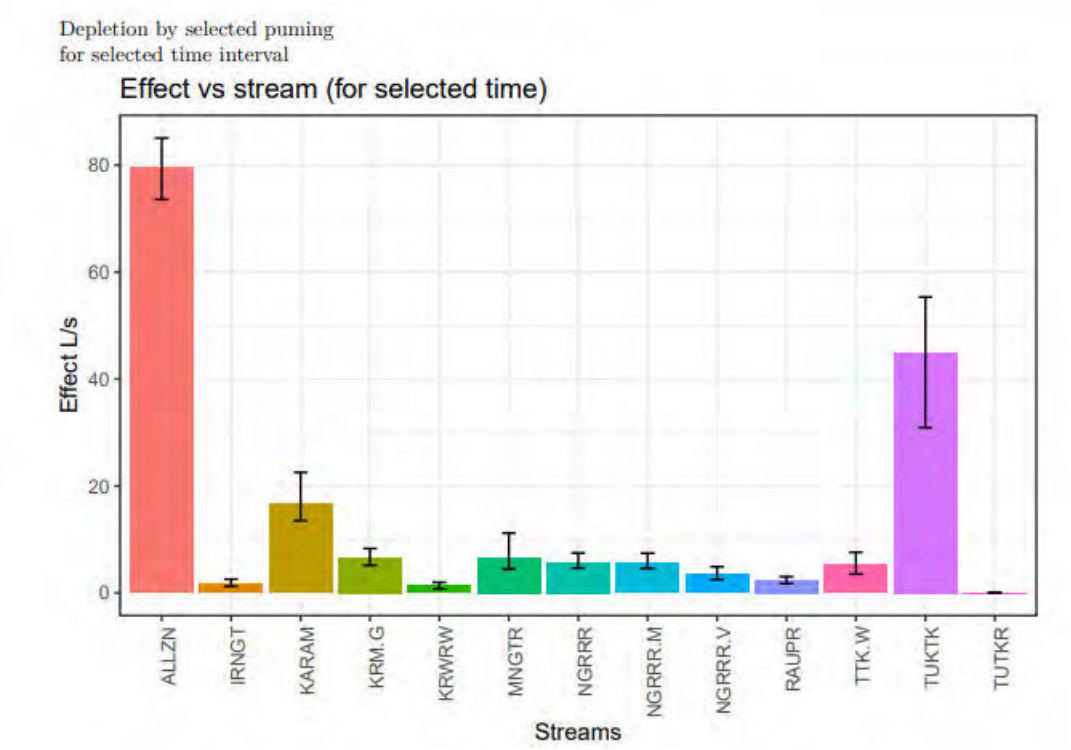


Figure 2. Modelled Stream depletion effects (as %) over 150 days

5. PLANS AND POLICIES

Regional Policy Statement

Chapter 3 of the RRMP contains the Regional Policy Statement (RPS). The following policies of the RPS are particularly relevant to this application.

- Policy 28 requires applicants for new consents to avoid, remedy or mitigate any adverse effects of their taking on existing lawfully established efficient groundwater takes. This groundwater takes should not adversely affect existing lawfully established efficient groundwater takes.
- Policy 30 requires water measuring devices to be installed if more than 2500 m^3/week (or 5000 m3/week for renewals) is authorised to be taken. Water measuring devices are required.
- Policy 32 allows no more than the crop water requirements for a one in ten year drought to be allocated to irrigation takes. The volumes proposed are consistent with the Irricalc crop requirement water model.
- Policy 33a states that any taking of shallow groundwater within 400 m of a river, lake or wetland as measured from the edge of the bed will be treated as if it were a direct take unless the extent to which the groundwater will deplete water in the surface water body has been assessed using an appropriate scientific procedure in which case the effects on surface water will be assessed on that basis. The wells are not located within a TANK Zone 1 area and stream depletion is not expected to be rapid.

Regional Plan

Chapter 5 of the RRMP contains the Regional Plan. Of particular relevance to this application is Policy 78A in sub-chapter 5.7 of the RRMP:

Objective 44 is the maintenance of a sustainable groundwater resource. Policy 77 is to manage groundwater to achieve the environmental guidelines et out in Table 11.

Policy 66D gives effect to the interim provisions of the National Policy Statement for Freshwater Management 2014 (Freshwater NPS). The policy requires the Council to have regard to the extent to which the application would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem, and the extent to which it is feasible and dependable that any adverse effect on the life supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided. This proposal does not cause any further allocation of groundwater and is consistent with RRMP polices.

TANK Plan Change

The TANK Plan Change (Plan Change 9) was notified in September 2022. It is currently under appeal.

TANK establishes the Heretaunga Plains Groundwater Area as an over-allocated resource and aims to reduce the amount of groundwater allocated by re-allocating water based on Actual and Reasonable Use (ARU). ARU is the lesser of the consented annual volume, the modelled crop water requirement, and the actual volume used in the 10 year period 2010-2020 (POL TANK 34). This proposal will see a short term allocation made which is less than recorded maximum actual use, estimated consented allocation and Irricalc estimates.

POL TANK 44 is to ensure that waster is allocated and used efficiently, including through allocating using suitable crop water models that assume 80% efficiency, and requiring irrigation systems to be designed and maintained in accordance with industry codes of practice. Conditions are included on efficiency requirements.

POL TANK 45 allows for the transfer of water, provided the allocation that is transferred has been previously used, and taking into account the effects of the transfer, including on lowland streams. This proposal will see water redistributed across the property, but within the previously used volume, consistent with this policy.

NES SOURCES OF HUMAN DRINKING WATER

Regulations 7 and 8 of the National Environmental Standards for Sources of Human Drinking Water 2007 (NES-DW) apply to water and discharge permits issued by regional councils.

Regulations 7 and 8 only apply to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.

Regulation 12 only applies to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 25 people with drinking water for not less than 60 days each calendar year.

The nearest registered supply is located approximately 300 m north east (down gradient) from the nearest well proposed to be used by the applicant (well no. 1280). This is Hastings District Council's Brookvale 3 bore (BV3). This well is no longer used as a primary supply source, but will be used in emergency circumstances when there is a disruption to the main supply from the Hastings bore fields. The proposed changes that result from the interim consents was discussed with HDC. They highlighted the need for well security and backflow prevention. Conditions of consent are included to ensure this is addressed.

As there is a registered drinking water supply of this nature within approximately 300 m of the proposed take, a condition of consent under Regulation 12 is recommended. While unlikely, this will ensure the operators of this supply are notified if an event occurs that may have a significant adverse effect on the quality of the water at this abstraction point. Conditions relating to well security and backflow will also be included.

NPS - FRESHWATER 2020

The National Policy Statement for Freshwater Management (NPSFM) 2020 has the objective of ensuring that natural and physical resources are managed in a way that prioritises the health and well-being of water bodies and freshwater ecosystems, Te Mana o te Wai, the health needs of people, and the ability of people and communities to provide for their social, economic and cultural well-being. The RMA was recently amended so that regard under s104 is no longer to be had to the hierarchy of obligations and principles of Te Mana o Te Wai. Regard must still be had to the remainder of the NPS, including Policy 1, which is to give effect to Te Mana o Te Wai.

The NPSFM seeks to give effect to Te Mana o te Wai and ensure that Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for. Te Mana o te Wai is the fundamental concept of the NPS and sets out the hierarchy of obligations that are contained within the above objective.

The NPSFM also seeks to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, or other maintained and improved. The national objectives framework is expanded and includes bottom line attributes for water bodies. Freshwater is to be managed in an integrated way that considers the use and development of land on a whole of catchment basis, including effects on receiving environments.

This proposal is consistent with the objectives and policies of the NPS FM because it will not cause further overallocation of water. It enables people to provide for their social, economic and cultural well-being.

6. NOTIFICATION

The adverse effects on the environment from the takes are not expected to be more than minor. There are no affected parties and no special circumstances that warrant notification. The applications can therefore be processed on a non-notified basis.

7. CONSENT DURATION

These two interim consents will be issued for a term expiring 31 May 2027. Conditions of consent will link to the replacement application and will require the consents to be surrendered once a decision is made on this application. This is to ensure that the consents operating on the site are consistent with the TANK Plan Change (including allocating to ARU) and decisions made on other groundwater takes in this zone.

8. RECOMMENDATION

That the consents be processed on a non-notified basis and granted subject to the recommended consent conditions.

Recommending and Approving Officer



Paul Barrett
Consents Manager
POLICY AND REGULATION GROUP

12 December 2024

HAWKE'S BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

RESOURCE CONSENT

Water Permit

In accordance with the provisions of the Resource Management Act 1991 (RMA), and subject to the attached conditions, the Hawke's Bay Regional Council (the Council) grants a resource consent for a discretionary activity to:

Brookvale Land Limited
PO Box 1908
Shortland Street
Auckland 1140

INTERIM -To take and use water from well no. 1129 (200 mm diameter) to irrigate 5 hectares of crops/pasture and for mushroom growing, and for spray fill and wash down purposes, building supply and associated commercial use.

LOCATION

Address of site
176 Brookvale Road, Havelock North
Legal description
Site of take: Lot 2 DP 16311
Site of use: Lot 2 DP 16311, Lot 2 DP 7771,

and as illustrated on the Site Map adjacent
Map reference (NZTM)
Well no 1129: 1935129, 5602830

Site Map



CONSENT DURATION

This consent is granted for a period expiring on 31 May 2027

Paul Barrett
Manager Consents
POLICY AND REGULATION GROUP
Under authority delegated by Hawke's Bay Regional Council
12 December 2024

CONDITIONS

1. The rate of taking shall not exceed **38 litres per second.**

2. The volume taken shall not exceed the following:

   a) **14,148 cubic metres in any 28 day period**; and,

   b) **73,933 cubic metres within the 12 month period,** 1 July to 30 June in consecutive calendar years; and,

   c) For irrigation: that volume required to replace soil moisture depleted by evapotranspiration over the irrigated area.

   Advice note: This is an interim consent only, linked through conditions 18 and 19 below to the replacement application process for the site which is subject to the provisions of the TANK Plan Change (PC9). This process may change the amount that can be allocated to the authorised use.

Measurement and reporting

3. A water meter with a data logger and telemetry unit(s) compatible with the Council's telemetry system shall be installed prior to the exercise of this consent and be operated and maintained to measure the volume of water taken (in cubic metres) to an accuracy of +/- 5%.

4. The device(s) required by Condition 3 [above] shall be installed and maintained in accordance with 'The New Zealand Water Measurement Code of Practice' (January 2023) (see Advice Notes). A record of installation shall be provided to the Council using the 'Water Information Services (WIS) Meter Installation Form' (see Advice Notes) within one month of installation.

5. Water take and use data supplied to the Council in accordance with conditions of this consent shall be collected by a water measuring device or system that has been verified by an accredited blue tick provider (see Advice Notes) to be accurate to within +/-5% at that point of take within the following time periods:

   a) For existing devices or systems: within the previous 5 water years (water year is 1 July - 30th June); or,

   b) For new devices or systems: before the end of the first water year (ending 30 June) for that water permit.

6. All water measuring devices or systems shall be re-verified by an accredited blue tick provider (see Advice Notes) as accurate to within +/-5% within a maximum of 5 years from the date of the previous verification. A record of verification shall be provided to the Council using the 'WIS Verification Form' (see Advice Notes) within one month of the verification.

7. Where a portable pump is used to take water as authorised by this consent, both the water meter and telemetry devices must be installed, operated and maintained in accordance with the Council's Technical Publication "HBRCs Requirements for the use of Portable pumps used to report water use" (February 2013) (see Advice Notes).

8. The telemetry unit(s) shall record the volume (in cubic metres, m^3) of take every 15 minutes. Each 15 minute interval of data shall be date and time stamped with the New Zealand Standard Time at the end of the 15 minute interval.

9. Data shall be transmitted to the Council's telemetry system at least once per day.

10. The telemetry unit(s) shall be installed so as to provide an accurate record of the flow meter data by a suitably qualified person. A record of installation shall be provided to the Council (Manager Compliance) in writing using the Council's "Telemetry Installation Form" within one week of installation of the new or reinstalled unit(s) having occurred (see Advice Notes).

11. A manual water meter reading shall be taken during the month of June each year. The water meter reading and the date and time the reading was taken shall be provided in writing to the Council (Manager Compliance) prior to 10 July each year.

    Advice note: It is recommended that a photograph of the meter, with the meter reading clearly visible, is also provided at the same time as the reading required by Condition 11.

12. Where the telemetry equipment fails, the consent holder shall notify the Council (Manager Compliance) of the failure within 3 working days, shall read the water meter at daily intervals and shall provide the Council with a record of the following:

    a) The meter reading (in cubic metres); and,

    b) The daily volume of water taken (in cubic metres); and,

    c) The date and time of each reading.

    This information shall be supplied no later than 7 days after the end of each calendar month. Where the telemetry equipment is returned to full operation, the information shall instead be supplied within 7 days of this return to full operation occurring.

13. No water shall be taken during "no take" periods specified by the Council for the purpose of obtaining accurate hydrological measurements, provided that:

    a) the "no take" period specified by Council is no longer than twenty four (24) hours in duration; and,

    b) the Council gives at least 7 days notice to the consent holder of the start and finish time of the "no take" period; and,

    c) consecutive "no take" periods are separated by an interval of at least 14 days.

Bore security / notification

14. All works and structures relating to this resource consent shall be designed and constructed to conform to best engineering practices and at all times maintained to a safe and serviceable standard.

15. The bore shall be fitted with a suitable backflow prevention device (See advice notes) that is selected, installed and maintained in accordance with Section 3.4 of 'Acceptable Solutions and Verification Methods for New Zealand Building Code Clause G12 Water Supplies – Amendment 12' (updated June 2019). The backflow prevention device shall be tested in accordance with the manufacturer's or installer's specifications, and at least annually. Copies of test certificates shall be provided to the Council (Manager Compliance) upon request.

16. To minimise the risk of contaminants entering groundwater, the consent holder shall:

a) Ensure that well headworks are constructed and maintained to prevent any leakage and/or movement of water or contaminants between the ground surface and groundwater and shall ensure that there are no openings through which contaminants might enter the well. This shall include (but not be limited to) ensuring that there are no gaps around any pipework and/or cables at the wellhead.

b) Ensure that the well is maintained and serviced by a suitably qualified and experienced person at a frequency suitable for ensuring that Conditions 15 and 16(a) are met and provide records of this maintenance and servicing to the Council (Manager Compliance) upon request.

c) In the absence of sufficient records to demonstrate to the satisfaction of the Council (Manager Compliance) that Conditions 15 and 16(a) are met, the consent holder, upon request by the Council (Manager Compliance), shall engage at their cost a suitably qualified and experienced person to inspect and certify that the wells(s) meet the requirements of Conditions 15 and 16(a). The certification shall be provided to the Council (Manager Compliance) within 7 days of its receipt.

Advice note: For the purposes of this condition, an acceptable "suitably qualified and experienced person" is a professional well driller or well engineer (or equivalent), with demonstrable experience in the field of wellhead security, design, construction and maintenance.

17. If an event occurs on-site that may lead to groundwater contamination the Consent Holder shall notify Hastings District Council and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

Advice Note: Such an event might include for example a chemical spill. The Hastings District Coucnil can be contacted on 06 871 5000. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.

Link to replacement application / existing consents

18. This consent shall be surrendered upon the issue of a decision on application no. APP-127296 to replace consent no's AUTH-113145-01, AUTH-111429-01, AUTH-111427-01, AUTH-111428-01.

19. This consent shall cease to be exercised and shall be immediately surrendered if water is taken under any of consent no.'s AUTH-113145-01, AUTH-111429-01, AUTH-111427-01, AUTH-111428-01 (or any succeeding consent).

Efficiency

20. The consent holder shall, upon request by the Council (Manager Compliance), supply details of the water use, crop type and areas irrigated under this consent.

21. The irrigation and water reticulation system and its component parts shall be designed and installed in accordance with industry codes of practice and standards (see Advice Notes).

22. The irrigation and water reticulation system and its component parts shall be maintained and operated to ensure on-going efficient water use in accordance with applicable industry codes of practice.

23. The consent holder shall take all practicable steps to:

a) For irrigation - ensure that the volume of water used for irrigation does not exceed that required for the soil to reach field capacity.

b) Avoid leakage from pipes and structure; and

c) Avoid the application of water onto non-productive land.

24. The consent holder shall ensure that soil moisture monitoring is installed and maintained within the irrigation area in accordance with industry codes of practice and standards and used as a tool to schedule irrigation to ensure that irrigation only occurs when soil moisture is in deficit.

25. Any new or replacement irrigation infrastructure shall be designed by an Irrigation New Zealand Irrigation Design Accredited provider in accordance with the current (at time of installation):

a) Irrigation New Zealand: 'The New Zealand 'Piped Irrigation Systems Design Code of Practice' (Irrigation NZ, October 2012, or updated version).

b) Irrigation New Zealand: 'The New Zealand Piped Irrigation Systems Design Standards' (Irrigation NZ, October 2012, or updated version).

26. The consent holder shall, within 10 working days of having installation of new or replacement irrigation infrastructure, provide to the Council (Manager Compliance) a statement of design from the irrigation designer or installer that provides a plan of the irrigation system installed and confirms the following:

a) The design details and specifications of the irrigation system, and a site plan showing the system layout.

b) A statement from the irrigation system designer confirming that the system has been designed and installed to comply with the requirements of the documents referenced in condition 27.

c) Confirmation of commissioning testing of the irrigator to ensure that the irrigator achieves the expected distribution uniformity in accordance with "New Zealand Piped Irrigation System Performance Assessment Code of Practice" (February 2015, or most recent published version).

Review / Miscellaneous

27. The consent holder shall undertake all operations in accordance with any drawings, specifications, statements of intent and other information supplied as part of the application for this resource consent. In the event that there is conflict between the information supplied with the application and any consent condition(s), the condition(s) shall prevail.

28. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:

a) To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue;

b) To require that the installation and reading of the water-measuring device or water meter data reporting system is consistent with any policies or rules in a regional plan, a National Environmental Standard;

c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, in accurate or inadequate;

d) To ensure that the rate and volume of water authorised by the consent is consistent with actual water needs for an efficient take for the consented purpose and is physically able to be taken;

e) To require, if necessary, the installation of a backflow prevention device to ensure that no contaminant can enter the aquifer through the bore;

f) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits).

REASONS FOR DECISION

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the requirements of any relevant NPS, Regulations, NES regulations and with all relevant plans and policies.

ADVICE NOTES

Water Meter Technical Specifications

1. The New Zealand Water Measurement Code of Practice (January 2023) can be found online: https://www.irrigationnz.co.nz/Folder?Action=View%20File&Folder_id=107&File=2023-INZ-Water%20Measurement%20COP.pdf [Accessed 13/02/2024]

2. HBRC's Technical Report for the requirement for the use of portable pumps used to report water use (guidance dates February 2013) can be found online: https://www.hbrc.govt.nz/assets/Document-Library/Technical-Publications/Technical-Specifications-and-Installation-Requirements-for-portable-pumps-March-2013.pdf [Accessed 13/02/2024]

3. For access to the WIS Meter Forms, please email waterinformation@hbrc.govt.nz

Blue Tick Provider

4. An 'accredited blue tick provider' means a person who holds New Zealand Qualification Authority (NZQA) Unit Standard 27556: Carry out a full pipe water measurement system verification.

Water Shortage Direction

5. In accordance with s329 of the RMA, the Council may issue a water shortage direction at any time if it considers there is a serious temporary shortage of water. This direction may require this take to be apportioned, restricted or suspended for a period of 14 days for each water shortage direction.

Wellhead Construction

6. To minimise the risk of contaminants entering groundwater, well headworks are required to be constructed to ensure that there are no openings through which contaminants might enter the well. This would include ensuring that there are no gaps around pipework and cables at the wellhead

Notification of Changes to Details

7. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent change, including any sale / purchase of the property and any change to contact details.

Requirements for Drinking Water Suppliers under the Water Services Act, 2021

8. The Water Services Act 2021 has requirements for drinking water suppliers to protect against risk from backflow outlined in Section 27 of the Act. Consent holders should be aware of these requirements and others within the Water Services Act, 2021.

9. It is the responsibility of the consent holder to ensure that the water abstracted under this resource consent is of suitable quality for its intended use. Where water is to be used for human consumption, the consent holder should have the water tested prior to use and should discuss these requirements with a representative of the Ministry of Health and should consider the following Drinking Water Standards (see link below): https://www.health.govt.nz/publication/drinking-water-standards-new-zealand-2005-revised-2018

Review TANK

10. The consent holder is advised that the Council is currently undertaking a plan change for the Tutaekuri, Ngaruroro, Ahuriri and Karamu catchments. This plan change may introduce rules or provisions that will change the minimum flows and/or allocation limits for the Heretaunga Plains aquifer. The Council may review the conditions of this consent so as to implement the operative minimum flow(s) and allocation limits of this plan change. More information about the plan change can be found on the Council's website (www.hbrc.govt.nz key word "#TANK").

11. Inefficient irrigation can lead to excessive drainage of water from the soil column. This can in turn have adverse effects on groundwater quality. It is possible that new land use and water use rules will also be included in future changes to the Regional Resource Management Plan (via the TANK or other plan change process) and that these may result in requirements to change irrigation practices to lessen the potential for adverse water quality effects.

Bore Security Report

12. For the purposes of this condition, an acceptable "suitably qualified and experienced person" is a blue tick accredited water meter verifier or a well driller.

Taking of water for stock drinking water purposes

13. The taking of water for stock drinking water purposes is permitted by Rules in the Regional Resource Management Plan and taking for this purpose is therefore not authorised by this consent. It is recommended that the well headworks are set up so any water taken for this purpose comes off before the meter.

MONITORING NOTE

Routine monitoring

Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine monitoring

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

Section 17(1) of the RMA states:

> *Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with*
>
> *a) any of sections 10, 10A, 10B, and 20A; or*
>
> *b) a national environmental standard, a rule, a resource consent, or a designation.*

Consent Impact Monitoring

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

DEBT RECOVERY

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

CONSENT HISTORY

Authorisation No.	Date	Event	Relevant Rule	Relevant Plan
AUTH-131633-01	12/12/2024	Consent initially granted	55	Regional Resource Management Plan

[redacted]

From: [redacted]
Sent: Friday, 12 June 2026 10:44 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Meeting Minutes

Hi [redacted]

Following up regarding the ecology matters relevant to HBRC, I've discussed with both HBRC freshwater and wetland ecologists and we're satisfied that the updated enhancement/planting measures in the current proposed draft, focusing more on wetland/riparian, are appropriate given the nature of the watercourse provided these be monitored and maintained to ensure success of the enhancement/restoration works.

Let me know if you have any questions.

Kind regards,
[redacted]

[redacted]
Senior Consents Planner
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
Enhancing Our Environment Together | Te Whakapakari Tahi I Tō Tātau Taiao

From: [redacted]
Sent: Thursday, 11 June 2026 8:53 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Meeting Minutes

Hi [redacted]

I've made some minor clarifications around the stream ownership to avoid confusion (see attaced) as it'll be relevant for when we meet today.

Will be in touch regarding the ecology matters once we've finished considering that information.

On a side note, and in relation to the reclamation of part of watercourse 1, we're assuming you'll be addressing the functional need and effects management hierarchy aspects of the NES-F Regulation 57(2) in your planning assessment/report as I don't think I saw anything in the ecology assessment about it, just thought I'd flag that as I assume it is applicable under the fast track.

Kind regards,
[redacted]

From: [redacted]
Sent: Friday, 5 June 2026 11:09 am
To: [redacted]
Subject: Brookvale Green - HBRC Meeting Minutes

Some people who received this message don't often get email from [redacted] Learn why this is important

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Kia ora [redacted] and team,

Thank you for meeting with us yesterday to work through HBRC's feedback on the Brookvale Green proposal. We found the discussion very constructive and appreciated the opportunity to work through the comments directly with the relevant technical specialists.

As discussed, attached are:

- The updated ecology assessment; and
- The presentation provided by [redacted] at yesterday's workshop.

Ariana, we would appreciate any further comments on the ecology material by next Friday, if possible, so that we can incorporate any final updates into the application. Please note that the ecology report remains in draft form at this stage. We are still awaiting final engineering, landscape and other supporting information, so there may be some minor updates over the coming weeks to ensure consistency across the application documents. However, the substantive ecology assessment and conclusions are not expected to change.

Also attached are the **draft meeting minutes** from yesterday's workshop. Could everyone please review these and advise of any amendments required. Also take note of where any actions have been assigned.

We look forward to meeting with some of the team on Monday to discuss the groundwater and source water protection matters.

Have a great weekend.
Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

PO Box 1986,
Shortland Street, Auckland 1140

Kerikeri, Whangārei, Warkworth,
Auckland, Hamilton, Cambridge,

[redacted]

From: [redacted]
Sent: Friday, 12 June 2026 9:20 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - HBRC Updated Package & Conditions

Good evening team,

Please find enclosed OneDrive link to the updated Brookvale Green draft documentation package: Brookvale Green FT - Draft Documentation 12 June 2026.

The package includes the following documents provided on a without prejudice basis:

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We have also attached the draft conditions set for HBRC review on a without prejudice basis. We anticipate that it will continue to evolve through discussions with both HBRC and HDC. We would particularly welcome HBRC's feedback on:

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- Hydrogeological monitoring and source water protection provisions

Following recent discussions regarding groundwater quality and source water protection, we have sought to specifically address these matters within the draft conditions. This includes provisions relating to detailed design certification, hydrogeological oversight of stream realignment works, implementation of recommendations from a suitably qualified hydrogeologist where required, and monitoring/reporting requirements associated with the stream diversion works.
As discussed at the meeting, could HBRC please **provide the source water protection risk assessment** information referred to by Simon at your earliest convenience. This would assist our hydrogeologist Brydon in preparing the updated hydrogeological assessment and responding to the source water protection matters raised by Council.

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Timeframes

To assist with progressing the application, it would be appreciated if comments could be provided by **Wednesday 24 June**. We trust this provides sufficient time for review and are happy to continue refining the conditions through the Panel process if required but please let me know if this is going to be difficult to meet (i.e. absences). Could you please pass the updated information/conditions on to your team.

Please feel free to contact me at any stage next week if there are any questions regarding the draft conditions or supporting material. And thanks again for the constructive feedback provided to date.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

B&A
Urban & Environmental

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Level 4, Old South British Building,
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[redacted]

From: [redacted]
Sent: Friday, 26 June 2026 4:13 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Updated Package & Conditions
Attachments: Source_pathway_table.xlsx

Hi [redacted],

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HBRC and HDC are working hard on finalising a memo regarding groundwater/source-water concerns that I believe will be valuable for your hydrogeologist to consider and to influence conditions, we'll circulate this once ready (if not this afternoon, early next week).
We're looking to use this memo to provide input into the draft conditions, in order to provide more constructive feedback, so appreciate your continued patience.

Kind regards,
[redacted]

[redacted]
Team Leader Consents
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Friday, 12 June 2026 9:20 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - HBRC Updated Package & Conditions

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As discussed at the meeting, could HBRC please **provide the source water protection risk assessment** information referred to by [redacted] at your earliest convenience. This would assist our hydrogeologist Brydon in preparing the updated hydrogeological assessment and responding to the source water protection matters raised by Council.

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Please feel free to contact me at any stage next week if there are any questions regarding the draft conditions or supporting material. And thanks again for the constructive feedback provided to date.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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Source / activity	Possible pathway	Potential receptor	Potential contaminants	Consequence of contamination	Likelihood of contamination with rationale	What needs to be understood	Control / improvement needed	Other questions
Stormwater wetland	Liner failure, leakage, poor construction, damage over time, or seepage through the base or sides of the wetland	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				The effectiveness of the liner and also whether the wetland could allow stormwater to recharge shallow groundwater if the liner or barrier is not effective	Full liner specification, permeability target, QA/QC testing, as-built certification, inspection programme, maintenance and repair trigger	What testing is in place at bore 4151 to assess changes in the water quality over time. What is the response plan if water quality is comprised due to the development?
Raingardens and stormwater treatment devices	Leakage beneath devices, failure of liner, poorly sealed interfaces, or infiltration through permeable base materials	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				Whether raingardens are fully isolated from the underlying aquifer and whether any treated or untreated stormwater could enter the ground	Confirm no soakage reliance, specify liner/barrier design, require construction certification, include inspection and repair procedures	
Stormwater basins and ponding areas	Prolonged ponding causing downward leakage, especially where low-permeability material is thin, damaged or absent	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				Whether stormwater storage areas could create sustained hydraulic pressure that increases infiltration risk	TBD	
Watercourse 1 realignment	Excavation removes or cuts through silty clay, exposes gravels, intersects shallow groundwater, or creates a more direct stream–groundwater connection	Shallow groundwater, Te Mata aquifer, Well 4151				Whether the realigned channel could expose preferential pathways or increase hydraulic connection to the aquifer	TBD	
Filling of existing channel	Poorly compacted fill, preferential flow along old channel alignment, or buried organic/fill material creating a pathway	Shallow groundwater and downgradient receptors				Whether the old channel could remain a preferential flow route after filling	Fill specification, compaction testing, removal or management of unsuitable material, as-built records	
Service trenches and utility corridors	Trench backfill acting as a preferential pathway for water or contaminants	Shallow groundwater, private bores, Well 4151				Whether trenches could bypass natural low-permeability layers and move water downgradient faster than expected	Low-permeability trench plugs, backfill specification, trench dewatering controls, inspection and certification	
Wastewater pipes and pump station	Leakage, overflow, pipe failure, pump station failure, seismic damage, or flow along trench backfill	Shallow groundwater, Te Mata aquifer, Well 4151				Whether wastewater infrastructure could fail in a way that creates source-water risk	Design standards, pressure/leak testing, emergency storage or overflow response, seismic resilience, inspection and maintenance plan	
Construction spills, fuel and chemical storage	Spills entering open excavations, exposed gravels, service trenches, stormwater drains or the realigned channel	Shallow groundwater, Watercourse 1, private bores				Whether contaminants could enter groundwater during the construction period before permanent controls are in place	Construction source-water protection plan, bunding, spill kits, refuelling restrictions, emergency response, staff training	
Concrete washout and alkaline water	Washout water entering excavations, stormwater devices, drains or permeable ground	Shallow groundwater, Watercourse 1				Whether high-pH water could migrate to groundwater or surface water	Dedicated contained washout areas, no discharge to ground or stormwater system, monitoring and incident response	
Dewatering during construction	Pumping changes groundwater gradients, mobilises contaminants, or discharges sediment/contaminated water to surface water or ground	Shallow groundwater, Watercourse 1, Te Mata aquifer				Whether groundwater will be intercepted and how pumped water will be managed	Dewatering plan, water-quality testing, discharge controls, trigger levels, notification requirements	
Contaminated land or legacy fill	Mobilisation of contaminants during earthworks, leaching to groundwater, or movement through preferential pathways	Shallow groundwater, Te Mata aquifer, Well 4151, private bores				Whether legacy contamination is present and whether works could increase mobilisation or transport	Integrate contaminated-land findings into the hydrogeological risk assessment, require soil and groundwater management procedures	
Extreme weather event during earthworks	Rainfall entering open excavations, mobilising sediment or contaminants, and increasing infiltration through exposed ground	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				Whether extreme wet-weather works could increase short-term source-water risk	Wet-weather restrictions, stabilisation requirements, stop-work triggers, inspection after rainfall	
Flood or extreme rainfall events	Overtopping, erosion, liner damage, bypass of treatment devices, or uncontrolled discharge	Watercourse 1, shallow groundwater, Te Mata aquifer				Whether the system remains protective during events larger than normal design conditions	Failure scenario assessment, flood exceedance pathway assessment, post-event inspection and repair requirements	insepction for any shallow uncapped bores in the area that maybe vulnerable
Liner or barrier failure over time	Puncture, cracking, desiccation, settlement, root damage, poor maintenance or future works damaging protective layers	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				Whether engineered protection will remain effective after construction	Long-term inspection programme, maintenance responsibilities, repair standards, asset owner accountability	
Operation of Well 4151	Pumping could alter local gradients or increase the importance of any source–receptor pathway during high-risk periods	Well 4151 and private drinking-water supply				Whether Well 4151 should be operated during construction, storm events or monitoring exceedances	Agreement with HDC on operational constraints, trigger-action-response plan, notification and sampling procedures	
Nearby private bores	Contaminants move downgradient through shallow or semi-confined groundwater pathways	Private drinking-water or irrigation bores				Whether private bores are located along plausible downgradient pathways	Bore search, receptor mapping, risk screening, consideration of monitoring or notification where appropriate	
Long-term stormwater asset ownership	Declining performance due to unclear ownership, poor access, lack of inspection or delayed repairs	Shallow groundwater, Te Mata aquifer, Well 4151, nearby private bores				Whether source-water protection controls will be maintained for the life of the development	Clear ownership, access rights, maintenance schedule, record keeping, reporting and escalation procedures	

[redacted]

From: [redacted]
Sent: Monday, 29 June 2026 1:19 pm
To: [redacted]
Cc: [redacted]

Subject: RE: Brookvale Green - HBRC Updated Package & Conditions
Attachments: APP-131359 Groundwater and Source-Water Memo SH MK 20260629 .pdf

Hi [redacted]

Please find attached the memo previously mentioned from [redacted] and [redacted] (from HDC), speaking to the draft conditions you had circulated.
This memo refers to [redacted] previous memo dated 25/05/2026.
Am working these comments/suggestions into the draft conditions for that feedback as we speak.

Overflows from wastewater systems will be managed under the new Wastewater Standards and so may be something that needs some thought about in the future.

Kind regards,
[redacted]

[redacted]
Team Leader Consents
[redacted]
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From: [redacted]
Sent: Friday, 26 June 2026 4:13 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Updated Package & Conditions

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[redacted]

From: [redacted]
Sent: Friday, 12 June 2026 9:20 pm
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Subject: Brookvale Green - HBRC Updated Package & Conditions

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Kind regards,
[redacted]

Ngā mihi | Kind regards,

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Senior Associate
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HAWKE'S BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

MEMO

To: [redacted]

From: [redacted] (Hawke's bay Regional Council) & [redacted] (Hastings District Council)

Date: 29-06-2026

Subject: **Brookvale Green Fast-track application: feedback on draft groundwater and source-water protection conditions**

HBRC File Ref: APP-131359

CC: [redacted] (HBRC), [redacted] (HBRC), [redacted] (HDC), [redacted] (HDC) & [redacted] (HDC).

1. Purpose

This memo provides further technical feedback on the Brookvale Green Fast-track application from a groundwater and source-water protection perspective.

It should be read alongside the earlier memo from Simon Harper, which provided important historic context relevant to this site. It also highlighted known source protection vulnerabilities and uncertainties as well as identifying some of the main groundwater, stormwater-groundwater interaction and source-water protection matters associated with the proposal.

It is also important to highlight the six principles of drinking water safety developed during the Havelock North Drinking Water Inquiry which provides further context to the line of inquiry and robust supporting information being requested to support the proposal:

- Principle 1: A high standard of care must be embraced.
- Principle 2: Protection of source water is of paramount importance.
- Principle 3: Maintain multiple barriers against contamination.
- Principle 4: Change precedes contamination.
- Principle 5: Suppliers must own the safety of drinking water.
- Principle 6: Apply a preventive risk management approach.

This second memo focuses on the draft suite of consent conditions provided for Council review, together with matters raised in the covering email from Barker & Associates relevant to source protection (Emails from Joanne Sunde to HBRC & HDC on 12 June 2026).

The purpose of this memo is not to form a position on the proposed development. It also does not provide a complete, nor full legal review, or acceptance of the proposed conditions. Rather, it identifies whether the draft conditions provided address the key groundwater and source-water risks previously raised, and where further refinement would assist in ensuring the conditions are clear, enforceable and effective.

2. Scope of review

This review has focused on the consent conditions most relevant to HBRC's regional functions and source-water protection interests relevant to both HBRC and HDC. These include the general conditions, stream and

wetland works, stream diversion, stormwater discharge, wastewater design and temporary discharge of contaminants.

The applicant has specifically sought feedback on the structure and separation of the regional consent conditions, potential duplication of conditions, particularly management plan requirements, and the hydrogeological monitoring and source-water protection provisions. This memo therefore focuses on those matters.

3. Overall comment

The draft conditions are a useful step forward and respond to some of the matters previously raised by HBRC and HDC. In particular, the conditions now include requirements for detailed design certification, hydrogeological input into stream realignment works, a Groundwater Protection Assessment for the stream diversion, stormwater maintenance requirements, and a Stormwater Monitoring Plan.

These are positive additions. However, several matters are still left to later certification, future management plans, or professional judgement during construction. Further detail might help ensure those conditions provide a clearer and more practical framework for managing source-water protection risks.

4. Key matters now addressed

The draft conditions now appear to address several matters identified in the previous memo.

First, the conditions require detailed design information for stream works, stormwater infrastructure and the stream diversion before those works commence. This provides an opportunity for Hawke's Bay Regional Council and Hastings District Council to review final levels, dimensions, erosion and scour controls, and groundwater protection measures.

Second, the stream and diversion conditions now include provision for hydrogeological input. This includes recommendations from a suitably qualified hydrogeologist where excavation or channel formation may expose permeable gravels or increase the risk of infiltration to groundwater. The conditions also require a Groundwater Protection Assessment for the stream diversion.

Third, the stormwater conditions require details of any impermeable lining or groundwater protection measures for attenuation and treatment devices. The Stormwater Management and Maintenance Plan provide an appropriate place to address the ongoing inspection, monitoring and maintenance of lined channels, seepage control measures, attenuation devices, outlet structures and other infrastructure intended to manage infiltration losses to groundwater or protect groundwater quality.

Fourth, the draft conditions include a Stormwater Monitoring Plan, including monitoring locations, parameters, methodology, trigger levels for investigation, and reporting requirements.

5. Remaining source-water protection considerations

The comments below are a non-exhaustive list and include indicative references to the draft condition numbers where they appear directly or indirectly relevant. These references are intended to assist review and should be updated if the condition numbering changes as the suite is revised.

5.1 Groundwater Protection Assessment

Relevant draft conditions: Conditions 137(e) and 146. Related conditions: 118(f), 128, 138(i), 152, 153(g) and 158(l).

The requirement for a Groundwater Protection Assessment is helpful, but the current wording may be too narrow. It appears to focus mainly on whether the stream diversion will materially increase seepage losses to groundwater compared with the existing watercourse configuration.

That is a relevant consideration, but it does not fully address the source-water protection risk. The key question is not only whether the diversion increases the volume of seepage, but whether any aspect of the works could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supplies.

That risk could arise in several ways, including disturbance or removal of low-permeability material, exposure of permeable gravels, erosion or scour, settlement, defective or damaged liners, service trenches, dewatering, outlet structures, construction excavations, or changes to how stormwater is collected, treated, detained and discharged.

It would therefore be helpful for the Groundwater Protection Assessment to consider pathway and source-water risk more broadly. This should include the realigned channel, detention areas, wetlands, raingardens, stormwater treatment devices, outlet structures, service trenches, dewatering works and associated excavations, existing bores, wastewater infrastructure design and the introduction of new contaminants to the site through the change of use. The assessment should explain how these activities will avoid creating or increasing a risk to groundwater quality and the downgradient drinking-water supplies, including Well 4151.

The applicant may find it useful to present this assessment as a source-water protection risk register, identifying the relevant source, pathway, receptor, control, monitoring trigger and response action for each risk pathway.

5.2 Liner and barrier specifications

Relevant draft conditions: Conditions 138(i), 146 and 153(g). Related conditions: 118(f), 152 and 158(l).

The conditions might be improved by providing more detail on the expected liner and barrier specifications at the detailed design stage. This could include matters such as the liner or barrier type, thickness, permeability target, design life, protection from puncture or desiccation, construction quality assurance testing, as-built certification, inspection requirements, repair procedures and long-term maintenance requirements.

It may be useful for this level of detail to apply to the wetland, raingardens, any lined channels, any reconstructed low-permeability channel base, outfall interfaces and any other areas where stormwater or stream water could otherwise enter permeable materials.

5.3 Wastewater design

Relevant draft conditions: Conditions 29, 69 and 70.

Design is required to meet HDC ECoP however hydrogeological and source water protection assessments for this site should consider whether additional controls are appropriate to incorporate into the design to manage any identified risk.

Operations and maintenance manuals should provide clear visibility of potential overflow pathways in the event that the designed controls are overcome including response actions required.

5.4 Well 4151 should be specifically addressed

Relevant draft conditions: No direct condition currently identified. Related conditions: Conditions 137(e), 146, 152, 158(l), 176 and 178.

Well 4151 is an important receptor because it is retained for augmentation and emergency use. It should not be assumed that the well will not be used during higher-risk construction periods, storm events, or monitoring exceedances.

The conditions should require the consent holder to prepare a protocol, in consultation with HDC water-supply staff, setting out how Well 4151 will be managed during higher-risk works. This should include notification of upcoming high-risk construction activities, rainfall event triggers, monitoring exceedance triggers, and any agreed temporary operational constraints.

5.5 Consolidated management plans

Relevant draft conditions: Conditions 6, 90(k), 119(d), 120, 138(g), 139, 145, 155(d), 155(e), 158(l) and 182 to 187.

The requirements for construction environmental management, erosion and sediment control, spill management, and chemical treatment management address several construction risks. However, the source-water protection controls appear to be spread across a number of management plans. This could make it less clear which plan is intended to manage the overall source-water pathway risk.

It may be useful to consider a specific Source-Water Protection Plan, either as a standalone plan or as a clearly identified section of the Construction Environmental Management Plan. This could address matters such as wet-weather restrictions, open excavations, dewatering, unexpected ground conditions, fuel and chemical storage, concrete washout, spill response, liner protection, groundwater or seepage encounters, required hydrogeological inspection points, and communication with Hastings District Council and Hawke's Bay Regional Council.

This does not necessarily need to be a new standalone document, provided the relevant source-water protection controls are clearly consolidated in one place and are easy for contractors, certifiers and compliance staff to follow.

5.6 Temporary discharge of contaminants

Relevant draft conditions: DIS-2XX Conditions 182 to 187. Related conditions: Conditions 120, 139, 145 and 155(e).

The conditions for DIS-2XX appear to focus mainly on flocculant use and chemically treated sediment retention devices. However, the consent overview refers more broadly to the temporary discharge of contaminated water during construction.

It might be useful to clarify the intended scope of this consent. If DIS-2XX is intended to authorise only flocculant-treated stormwater, the description could be narrowed to reflect that. If it is intended to cover other forms of potentially contaminated water, such as dewatering discharge, contaminated groundwater, sediment-laden water, or construction-related contaminated runoff, then the conditions may need to provide more detail on how those discharges would be managed.

From a source-water perspective, it would also be useful for the conditions to clarify that potentially contaminated water should not be discharged to ground or to a watercourse in a way that could increase risk to the underlying aquifer.

5.7 Deemed certification timeframes

Relevant draft conditions: Conditions requiring certification of detailed designs, assessments or management plans, including Conditions 118, 137, 138, 153, 155, 158, 159 and 182 to 187.

Several conditions appear to provide that plans may be treated as certified if HBRC/HDC does not respond within 15 working days. I agree in principle with setting clear certification timeframes, as this provides certainty for the consent holder and helps keep the process moving.

However, it might be useful to consider whether deemed certification is appropriate for all documents. Some plans and assessments may be relatively standard, while others may involve more complex source-water protection matters, such as groundwater protection, liner design, hydrogeological monitoring, seepage control measures, or trigger-action-response procedures.

At this stage, it is not clear what the scope, complexity or volume of information to be supplied will be. If the material is incomplete, technically complex, or raises substantive source-water protection concerns, there is a risk that a critical document could be treated as certified by default before HBRC/HDC has completed its technical review.

If deemed certification is retained for any technical documents, the conditions should at least provide that the certification period is paused where HBRC or HDC requests further information needed to complete the review.

It may therefore be more appropriate for deemed certification not to apply to key source-water protection documents. This could include the Groundwater Protection Assessment, Source-Water Protection Plan, Stormwater Monitoring Plan, and any detailed design information that relies on liners, seepage control measures or other groundwater protection measures.

Those documents could still be subject to clear certification timeframes, but it may be preferable for relevant works not to commence until express written certification has been provided by Hawke's Bay Regional Council.

6. Final comments

Any information provided by HBRC and HDC should be framed as background information only. It should not replace the applicant's responsibility to prepare an updated holistic hydrogeological assessment and source-water protection assessment for the proposal. The applicant's assessment should clearly identify the source-pathway-receptor model, remaining uncertainties, proposed controls, monitoring, triggers and response actions.

[redacted]

From: [redacted]
Sent: Monday, 29 June 2026 1:44 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Updated Package & Conditions

Thanks [redacted]

I have passed this on to our technical experts.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Friday, 26 June 2026 4:13 pm
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - HBRC Updated Package & Conditions

Hi [redacted]

Firstly, want to thank you and your client for your open and constructive approach to working on this project, we think it is beneficial to opportunity for daylighting issues so as to minimise the chances of being blindsided once the application is lodged, as we've done over the last few meetings, and enabling key potential issues have the best chance at being addressed prior to lodgement of the application.

Attached is the risk tool [redacted] had previously mentioned – It is a useful example of how the different potential pathways could be worked through and helps show a more holistic source-water protection approach. Dependent on the approach to be taken from a hydrogeological perspective, if utilising the attached is an approach your team want to go forward with, it'd make more sense for your team to complete should you choose to do so.

HBRC and HDC are working hard on finalising a memo regarding groundwater/source-water concerns that I believe will be valuable for your hydrogeologist to consider and to influence conditions, we'll circulate this once ready (if not this afternoon, early next week).
We're looking to use this memo to provide input into the draft conditions, in order to provide more constructive feedback, so appreciate your continued patience.

Kind regards,
[redacted]

[redacted]
Team Leader Consents
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Friday, 12 June 2026 9:20 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - HBRC Updated Package & Conditions

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Good evening team,

Please find enclosed OneDrive link to the updated Brookvale Green draft documentation package: Brookvale Green FT - Draft Documentation 12 June 2026.

The package includes the following documents provided on a without prejudice basis:

- Updated Maven Engineering Drawings (updated)
- Updated LA4 Landscape Plans (updated)
- B&A Draft Conditions Set (new)
- B&A Urban Design Assessment (more relevant for HDC review)

Drawing Sets
We have included updated engineering and landscape plans to respond to matters raised through the recent HDC/HBRC review process and our workshop discussions.

Conditions
We have also attached the draft conditions set for HBRC review on a without prejudice basis. We anticipate that it will continue to evolve through discussions with both HBRC and HDC. We would particularly welcome HBRC's feedback on:

- The overall structure and separation of the regional consent conditions.
- Any comment you have on duplication of conditions (particularly management plans) and if you consider whether these could be streamlined in a way that still achieves HBRC requirements

- Hydrogeological monitoring and source water protection provisions

Following recent discussions regarding groundwater quality and source water protection, we have sought to specifically address these matters within the draft conditions. This includes provisions relating to detailed design certification, hydrogeological oversight of stream realignment works, implementation of recommendations from a suitably qualified hydrogeologist where required, and monitoring/reporting requirements associated with the stream diversion works.
As discussed at the meeting, could HBRC please **provide the source water protection risk assessment** information referred to by [redacted] at your earliest convenience. This would assist our hydrogeologist Brydon in preparing the updated hydrogeological assessment and responding to the source water protection matters raised by Council.

To assist with review, we have provided the conditions in Word format. If possible, it would be helpful to receive feedback as a marked-up version of the conditions with comments providing reasoning for changes. Ideally, feedback would be coordinated through Brandon as a consolidated Council response, however we appreciate that doesn't always pan out(!). If in the interest of time individual teams need to provide comments separately, I am happy consolidate feedback on our side.

Timeframes
To assist with progressing the application, it would be appreciated if comments could be provided by **Wednesday 24 June**. We trust this provides sufficient time for review and are happy to continue refining the conditions through the Panel process if required but please let me know if this is going to be difficult to meet (i.e. absences). Could you please pass the updated information/conditions on to your team.

Please feel free to contact me at any stage next week if there are any questions regarding the draft conditions or supporting material. And thanks again for the constructive feedback provided to date.

Kind regards,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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[redacted]

From: [redacted]
Sent: Wednesday, 1 July 2026 10:16 am
To: [redacted]
Cc: [redacted]

Subject: RE: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Good morning [redacted] and [redacted],

Thank you for your emails. B&A had a discussion yesterday with the HDC team and are expecting a formal letter response from them this week regarding the below. We will be back in touch once this is received.

Many thanks,
[redacted]

Ngā mihi | Kind regards,

Joanne Sunde
Senior Associate
029 412 5420
JoanneS@barker.co.nz

Urban & Environmental

barker.co.nz

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From: [redacted]
Sent: Monday, 29 June 2026 8:08 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Hi [redacted]

Thanks for getting in touch and outlining some more detail on the intention to transfer water to HDC

We would not be able to accept this as a complete application in its current form. For the transfer application to be complete and able to be accepted, you would need to clearly have the agreement of the receiver of the water (HDC) to the transfer. There would also presumably be a need for HDC to change their water supply consent to increase the consented volume accordingly and this should be done in the same process. To support this application, we would also need an assessment of the need for the amount of water to be transferred, and assessment/justification of how this represents or supports the efficient delivery of the public

water supply. This is going to require some assessment and likely will need to involve HDC, particularly around water supply design assumptions and requirements, the efficiency considerations within the relevant policy.

On your last point about the consent holders (Brookvale Land Ltd and Brookvale Ltd) signing the transfer form subject to the FTAA being approved – if the application was complete (see comments above), it could be lodged and the process suspended or extended by the applicants for a period of time before being the decision was completed. However, I'm unsure what you mean by landowners signing earlier to enable submission of the application? The proposed transfer is between the consent holders and HDC, and these are the parties that would need to be in agreement (and have signed the relevant transfer forms) before an application could be lodged and processed.

Just for completeness, I note that under TANK, only ARU volumes can be transferred, and so if the ARU volume is transferred away from the site to HDC, there is likely to be no (or less) water available for transfer to another site later on, subject to determining ARU and the outcome of the TANK process.

Please feel free to get in touch if you would like to discuss further,

Kind regards,

[redacted]

[redacted]
Manager Consents
[redacted]
Hawke's Bay Regional Council | Te Kaunihera ā-rohe o Te Matau a Māui
159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Thursday, 25 June 2026 2:02 pm
To: [redacted]
Cc: [redacted]
Subject: FW: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

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Hi [redacted]

We would like to submit attached application to transfer water within the current ARU volume from Brookvale consents to Hastings District Council to ease municipal constraints for proposed new development.

This will need to be a staged approach and appreciate your guidance on the best way to handle this given the expired original consents, existing renewal application and current interim consents.

Proposed steps-

- Confirm best approach for transfer within current ARU volume

    - Attached application transfers (60,000m3/year as the projected volume required) to HDC global consent
    - Application is made showing this volume coming from within interim consents AUTH-131633-01 and AUTH-131631-01
    - Remaining volume to stay within interim consents (equally proportioned) with final volume subject to renewal application and ARU/TANK outcomes
- HDC to sign form to accept transfer in principle
    - HDC to confirm any details required by HBRC for the allocation of volume within their global consent
- Brookvale Land Limited and Brookvale Limited to sign consent transfer subject to approval of fast-track consent application for the development
    - Landowners can sign earlier to have the consent submitted and on hold until the fast-track approval if this is required

Can you please advise if this approach makes sense and indicate whether the proposed transfer can be made.

Best regards
Matt

[redacted]
General Operations Manager
Mobile: [redacted]
Email: [redacted]
www.bostock.nz

From: [redacted]
Sent: Wednesday, 10 June 2026 5:31 pm
To: [redacted]
Subject: FW: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Hi [redacted],

I've included an explanation of the situation below, but the ARU initial estimate is also attached, essentially based on the crop water demand for the irrigation component of the consents. Actual use is higher, and so ARU could be higher, depending on how much you account for non-irrigation use, but would need to work through that, and the justification for it. We didn't try to place an ARU volume on the 'interim' consent, but it does become a factor if transferring water.

Kind regards,

[redacted]

[redacted]
Manager Consents
[redacted]
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From: [redacted]
Sent: Monday, 8 June 2026 8:25 am
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green - water permits and transfer under TANK (PC9) [APP-131564]

Hi [redacted],

I've had a look at the water permits currently held for the ex- Te Mata Mushrooms site. It's pretty complicated, with four old consents (now extended), one replacement application in place to replace and amalgamate them, and then two more recent 'interim' consents also now in use.

There are four groundwater take consents relating to irrigation and mushroom production uses. These expired in May 2022 and a replacement application (APP-127296) was made, seeking a single amalgamated new consent. The original four consents were then extended under s123C and now expire 31 December 2027. The wells are located within the Heretaunga Plains Water Quantity Area, under the TANK Plan Change (PC9), which sets out a method for reallocating groundwater, recognising the over-allocated status of the aquifer (Actual and Reasonable Use (ARU) method). The TANK Plan Change remains under appeal. The ARU method looks at crop water requirements, consented volumes and actual recorded use across a 10 year refence period. The ARU for these consents was provisionally estimated at 73,200 m3/year (see Actual and Reasonable Use APP-127296 estimate attached). Maximum use within the 10 year reference period 2010-2020 (across combined water years) was 122,944 m3/yr.

In 2024, two 'interim' consents were sought by Brookvale Land Ltd and Brookvale Ltd. These interim consents were issued and split the consented allocation into two. The 'interim' consents were needed because changes could not be made to the original consents which were expired but on s124 at the time. These two interim consents were set to expire in May 2027 but have also been extended to Dec 2027. They set an annual volume limit for each consent that adds up to the total original consented volume. They did not try and allocate on an ARU basis, but are tied to the outcome of APP-127296, which remains in place, yet to be decided on. This is one of a large group of applications awaiting the outcome of the TANK Plan Change appeal. See the attached s42A report and two 'interim' consents. I've attached the s42A report and copies of the two consents.

TANK provisions, while not operative, have weight, and the rules have legal effect. These provide for the transfer of water within an allocation zone, provided it is within the volume calculated to be ARU, and subject to assessment of the effects of the transfer such as for stream depletion and well interference, and a test of the need for and efficiency of use (see: POL TANK 45). Rule 62A (controlled activity) is specific to transfer in TANK catchments, and do not provide for a transfer that changes the use of a water permit unless *the transfer enables efficient delivery of water through a municipal or community water supply, including for marae and papakāinga*. The most relevant version of TANK to refer to (post Environment Court consent order) is here: Consent-Order-Version-PC9.pdf

Subject to assessment of the effects of the transfer, a transfer to the HDC public water supply consent could be possible as the takes are located within the same water quantity area and it would be for a change of use that is consistent with POL 45. The ARU volume that could be transferred would need to be assessed and determined through the transfer process, but our provisional estimate of this was 73,200 m3/yr

The advice above is given on a without prejudice to any future consent application process, to recognise that an application is yet to be lodged and detailed assessment will be required and has not yet been undertaken. It should also be recognised that TANK is subject to appeal, and that the provisions could change as it works its way through the Environment Court process.

Happy to discuss further,

Kind regards,

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, 8 July 2026 10:15 am
To: [redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Draft Conditions Feedback

[redacted]

Many thanks for your detailed and thorough review of the application documentation, and particularly for your amendments to the draft conditions. I have reviewed the proposed amendments and they all appear reasonable from a planning perspective. I have also forwarded them through to our technical experts for review.

Unless any technical questions come back on the content, my view is that our team should now push on with finalising the application material. We are targeting lodgement of the application with the EPA during the **week of 20 July**. We will provide HBRC with a copy of the lodged application material at that time.

For your information, we are also finalising one outstanding matter with HDC relating to works within its reserve land strip (at the request of HDC), and the legal pathway for those works given the limitations of the FTAA. We have progressed a separate reserve concession application and will be providing a response to HDC on this on Monday. From HBRC's perspective, the FMP has been updated to include consideration of fauna during vegetation removal and replacement planting within the reserve strip.

You will also have seen from my email this morning that we have received formal confirmation from HDC regarding the water transfer pathway.

Thanks again to you, [redacted] and the wider HBRC team for your constructive input. It has been very helpful in working through the remaining matters and advancing the application.

Thanks,
[redacted]
Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Tuesday, 7 July 2026 5:16 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green Draft Conditions Feedback

Hi [redacted],

Thanks for the opportunity to provide feedback on draft conditions and for your patience while we get back to you, as you're well aware the groundwater item is a complex matter.
As mentioned on the phone the other week, the feedback on draft conditions prior to having seen some of the finalised assessments feels a bit backwards but in this instance that seems to be the nature of the FTAA projects.
I've left some of [redacted] comments in for your team to consider. A number of these we've made changes in response to, others will require some thought from your team. I note the blue highlights relate to Simon's input in his and [redacted] shared memo (reattached).
This feedback is without prejudice having not seen the final assessments.

Also, have attached is the s30 notice as previously requested.

If you have any questions, let me know.
Although I should note that some of our team members are away this week with school holidays which may impact our ability address quickly, apologies in advance if this is the case.

Kind regards,
[redacted]

[redacted]
Team Leader Consents
[redacted]
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[redacted]

From: [redacted]
Sent: Wednesday, 8 July 2026 10:10 am
To: [redacted]
Cc: [redacted]

Subject: RE: Brookvale Green Water Supply - Response to Capacity Letter
Attachments: Brookvale Green Water Supply Support Letter.pdf

Hi [redacted] and all,

Please find attached letter from HDC regarding the proposed water transfer. Apologies for not sending this through last week when it was received.

HDC has confirmed that it is willing to accept the transfer of water allocation into its municipal supply, subject to:

- adoption of the proposed low impact water demand measures within the development; and
- HBRC approving the separate water transfer application.

We intend to include HDC's letter as part of the substantive Fast-track application to provide the Panel with clarity regarding the proposed water supply pathway for the development. VSP has committed to adopting low impact water demand measures in the development which will be outlined in the updated Infrastructure Report submitted with the application. We will also proceed with advancing the separate water transfer application with HBRC in parallel noting the points in your email below.

Finally, thank you for the collaborative approach taken by both Councils in working through this matter together over the past few weeks.

Cheers,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Thursday, 25 June 2026 12:25 pm
To: [redacted]

[redacted]
Cc: [redacted]
Subject: RE: Brookvale Green Water Supply - Response to Capacity Letter

Hi [redacted]

I can't speak for the matters relevant to HDC or in relation to their willingness to accept a transfer of water as proposed, but I can confirm from an HBRC perspective that an application to transfer the water from the site to a municipal drinking water supplier, for the purposes you have stated, would be subject to the necessary regulatory assessment for such an approval once an application is lodged.

I can't confirm the agreement in principal you're seeking because the HBRC role In this will be to administer and asses the transfer application once lodged, noting that this may also require HDC to apply to change their existing water take, and we cannot prejudge the outcome of a resource consent assessment that has not yet occurred.
But in terms of a transfer application, and amongst other provisions, it'd be important for that application to detail why the volume to be transferred is appropriate for what will be efficient use, and how the transfer will enable the efficient delivery of water through municipal supply in accordance with POL TANK 45.

Kind regards,
[redacted]

[redacted]
Team Leader Consents
[redacted]
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159 Dalton Street, Napier 4110 | hbrc.govt.nz
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From: [redacted]
Sent: Wednesday, 24 June 2026 3:39 pm
To: [redacted]
Subject: RE: Brookvale Green Water Supply - Response to Capacity Letter

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Hi all

I am following up on the below email to see whether there is any forthcoming response to the proposed water allocation transfer pathway for Brookvale Green.

Many thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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From: [redacted]
Sent: Thursday, 18 June 2026 4:46 pm
To: [redacted]
Cc: [redacted]
Subject: Brookvale Green Water Supply - Response to Capacity Letter

Good afternoon all,

Thank you again for the constructive discussions on water supply for the Brookvale Green development last week. We have now reviewed the advice available to us and write to set out the applicant's intended approach and to seek your in principle confirmation that this pathway is supported.

HDC's Water Allocation Letter

We have received HDC's Water Allocation Letter (Ref: WTR-12-11-26-2). We note that the letter does not conclude that water supply capacity is unavailable for growth or development. It acknowledges the constrained allocation environment and encourages developers to proactively identify solutions, specifically identifying both water demand management measures and the transfer of privately held water allocation to HDC as potential pathways. The approach set out below is a direct response to the guidance the letter provides.

Existing Allocation on the Site & Development Water Demand

The Brookvale Green site (174–176 Brookvale Road) carries existing groundwater take consents associated with the former Te Mata Mushrooms operation, now held across two entities: Brookvale Land Limited and Brookvale Ltd. Following the 2024 interim consent process, the combined annual volume is allocated between those entities across the site's irrigatable area. We have reviewed the advice provided by HBRC's [redacted] regarding the status of the consents and the transfer pathway available under the TANK framework, and have also obtained confirmation from water specialist [redacted] (acting on behalf of the permit holders) regarding the applicable Actual and Reasonable Use (ARU) assessment. Maven Associates has undertaken preliminary water demand calculations for the 203-lot residential development. The information available to date indicates that there is sufficient allocation associated with the existing water allocation to service the proposed residential development, subject to the transfer approvals process and the final determination of the transferable volume.

Proposed Transfer Pathway

Based on the above, the applicant's preferred approach is to pursue the transfer of the existing groundwater allocation associated with the site to HDC for municipal water supply purposes under the TANK plan change. This provides for the transfer of water within an allocation zone where the purpose is to enable efficient delivery of water through a municipal water supply. We acknowledge that the transfer remains subject to formal application and assessment by HBRC. We will work with HBRC to confirm the information requirements and consenting pathway and intend to progress the transfer application as soon as practicable, in parallel with the fast-track application.
Given the advanced stage of the subdivision design in accordance with the HDC ECoP and the availability of existing groundwater allocation associated with the site, we are not proposing to redesign the development around low-impact water supply or alternative servicing measures. Our position is that the transfer application represents the most direct, practical and appropriate mechanism for addressing the project's water supply requirements and demonstrating available servicing capacity. While we acknowledge the discussions held regarding water demand management measures, we consider these are matters that can be explored through future design phases if required, rather than as a basis for revisiting the current subdivision design or water supply strategy. For the purposes of the Fast-track application, we intend to document the proposed water allocation transfer pathway so that the Panel has a clear understanding of how water supply will be secured for the development.

Request for In-Principle Confirmation

In our view, the transfer approach directly responds to the matters raised in HDC's Water Allocation Letter and provides a clear and practical pathway for addressing water supply capacity ahead of determination of the Fast-track application.
Given the need to provide the Fast-track Panel with certainty regarding servicing arrangements, we would appreciate confirmation from both HBRC and HDC that, subject to the necessary regulatory approvals being obtained through the TANK transfer process, the proposed transfer of the existing site groundwater allocation to HDC's municipal supply is supported in principle as an appropriate and workable pathway for securing water supply to the development.

We are happy to discuss the above further. Please feel free to contact us if you have any questions and forward this email to internal staff as required.

Thanks,
[redacted]

Ngā mihi | Kind regards,

[redacted]
Senior Associate
[redacted]

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If calling ask for [redacted]

File Ref: ENV-23-26-0063

2 July 2026

[redacted]
Barker and Associates
PO Box 1986, Shortland Street
Auckland

Brookvale Green Development - Water Supply Approach and Water Efficiency Measures

Hastings District Council's (HDC) Three Waters has been working collaboratively with Vermont Street Partners No.4 Limited, its advisor Barker and Associates, and Hawke's Bay Regional Council (HBRC) regarding the proposed potable water supply arrangements for the Brookvale Green development.

This letter is provided by HDC's Three Waters in support of the proposed transfer of existing groundwater allocation to municipal water supply. Three Waters is committed to continuing to work collaboratively with the applicant and HBRC to progress the allocation transfer as the preferred potable water servicing approach for the Brookvale Green development.

While the outcome of the allocation transfer remains subject to HBRC's regulatory decision-making process, Three Waters considers the proposed allocation transfer to be a sustainable long-term approach that supports the efficient management of water resources and the ongoing supply of potable water through the municipal network.

This letter relates specifically to the proposed transfer of groundwater allocation to municipal water supply. Other aspects of the proposal, including any remaining Three Waters servicing matters and any planning, regulatory and statutory considerations, will continue to be worked through by the relevant parties as the project progresses.

Water efficiency and good engineering design measures

Recognising the importance of sustainable water use and the increasing pressure on water resources across the Heretaunga Plains, HDC expects the development to demonstrate best-practice water efficiency through subdivision design, network construction, and ongoing operation. Council supports the incorporation of a suite of water demand management and good engineering design measures, including:

- Design and construction of the water reticulation network in accordance with HDC's Engineering Code of Practice, approved engineering standards, and all relevant Council requirements.
- Application of good water network design practice, including appropriate pipe sizing, network looping, and minimisation of dead-end mains where practicable to maintain water quality, improve resilience, and reduce operational flushing requirements.
- Consideration of a development bulk water meter to support monitoring of overall water consumption and inform future water demand management.
- Incorporation of pressure management measures such as Pressure Reducing Valves (PRVs), to optimise network performance and promote efficient water use.

- Use of industry best practice pipe materials, fittings, and construction methodologies to reduce future leakage risk and whole-of-life maintenance requirements.
- Commissioning, pressure testing, disinfection, and water quality testing of the reticulation network prior to vesting, in accordance with Council requirements.
- Drought-tolerant and low water demand landscaping, smart irrigation controls for communal areas where required, and rainwater harvesting for appropriate non-potable uses where practical.

Subject to the provision of the necessary approvals from HBRC and satisfactory water efficient design, HDC's Three Waters considers that in principle this approach will confirm suitable water supply for the proposed Brookvale Green development.

Yours sincerely



Strategic Asset Manager - Three Waters



Attachment 2

Attachment 2 – HBRC Memos

HAWKE'S BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Pre-Application Advice MEMO for Vermont Street Partners – APP-131359

To:	[redacted] (Barker and Associates)
From:	[redacted], Senior Consents Planner HBRC
Date:	29 May 2026
Subject:	**BROOKVALE GREEN PROJECT – PRE-APP FEEDBACK PRIOR TO SUBSTANTIVE APPLCIATION**
File Ref:	APP-131359 (HBRC)
CC:	[redacted] (Team Leader Consents, HBRC), [redacted] (Vermont Street Partners).

Disclaimer: This technical advice note is provided on a **without prejudice basis** and does not constitute legal advice and should not be relied upon as such. Please not this preliminary advice has been given prior to any official guidance from the Ministry for the Environment relating to Hawke's Bay Regional Council's role under the Fast Track Approvals Act 2024 (FTAA). This preliminary advice is based on the limited draft information provided to date and could change should additional information or subsequent amendments become available.

Executive Summary:
Vermont Street Partners (VSP) (the applicant) have sought feedback from Hawke's Bay Regional Council (HBRC) on draft technical assessments prior to lodgement of a substantive application under the FTAA for their Brookvale Green Project.

Input has been sought from HBRC technical staff – [redacted] (Team Leader Consents), [redacted] (Senior Consents Planner), [redacted] (Team Leader – Hydrology and Groundwater Science), [redacted] (Asset Engineer), [redacted] (Scientist – Freshwater & Ecology), [redacted] (Scientist – Terrestrial Ecology), [redacted] (Manager Transport) and [redacted] (Principal Advisor Strategic Planning).

1. Introduction

1.1. Fast-Track Approvals Act Consenting:
The applicant has been proactive and responsive in their engagement with HBRC through correspondence, meetings and circulation of draft information for feedback, not only through pre-substantive application but prior to lodgement of their referral application in 2025 also. A pre-application (substantive) meeting was held with HBRC on 7/05/2026. The applicant has since provided the items listed below.

1.2. Brookvale Green Project:
The applicant requested pre-app feedback on select draft reports prepared for a Fast-track substantive application. The proposal being approximately a 203 lot residential development of roughly 23.99 ha of land at 174 & 176 Brookvale Road in Havelock North, the referral application (FTAA-2509-1102) was accepted by the Minister on 15/12/2025.

1.3. Documents provided to HBRC:

- *Assessment of Noise Effects*, authored by Styles Group, prepared for Vermont Street Partners No.4 Limited and dated 21 May 2026.
- *Brookvale Green Development Report, Waipatu Marae – Cultural Impact Assessment*, authored by [redacted] on behalf of Waipatu Marae and dated 15 August 2025.
- *Brookvale Green Masterplan*, authored by Barker and Associates Ltd and dated April 2026.
- *Brookvale Green Residential Subdivision Substantive Transport Assessment*, authored by East Cape Consulting and dated 10 May 2026.
- *Brookvale Green Rural Interface Assessment and Recommendations*, authored by Fruition, prepared for Vermont Street Partners No.4 Limited and dated 15 May 2026.
- *Brookvale Green, 174 and 176 Brookvale Road, Hawkes* Bay, authored by Stantec, prepared for Vermont Street Partners No. 4 Ltd and dated 8/05/2026.
- *DRAFT Ecological Assessment Road Brookvale Green, 174 & 176 Brookvale Road, Havelock North*, authored by Wild Ecology, prepared for Vermont Street Partners No. 4 Ltd and dated May 2026.
- *Infrastructure Report – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev E).
- *Engineering Drawings* – Appendix A to the above Maven Associates *Infrastructure Report*.
- *Engineering Calculations* – Appendix B to the above Maven Associates *Infrastructure Report*.
- *Geotechnical Assessment Report Proposed Residential Subdivision 174 & 176 Brookvale Road, Havelock North*, authored by Hawke's Bay Geotech Limited and dated 08/05/2026.
- *Stream Re-alignment 174 and 176 Brookvale Road, Havelock North*, authored by Land Water People and dated 4 May 2026.
- *Stormwater Management Plan – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).
- *Flood Modelling Report 174 – 176 Brookvale Road*, Authored by Maven Associates Ltd and dated 19 May 2026.
- *Stormwater Device Operation and Maintenance Manual: Dry Detention Basin, Wetland, Rain Gardens, and General Stormwater Infrastructure*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).
- *Earthworks Management Plan*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).
- *Construction Management Plan (CMP) – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).
- *Chemical Treatment Management Plan*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).
- *Economic Assessment of Proposed Brookvale Gren Development for Fast Tract Substantive Application*, authored by Insight Economics Limited, prepared for Vermont Street Partners and dated 22 May 2026.
- *Preliminary & Detailed Site Investigation 174, 176, 184 & Lot 1 DP 529421 Brookvale Road Havelock North*, authored by EAM NZ Ltd, prepared for Vermont Street Partners No. 4 Ltd and dated January 2025.

- *Soil and Resource Report for 174 Brookvale Road, Havelock North*, authored by Hanmore Land Management Ltd, prepared for prepared for Vermont Street Partners No. 4 Ltd and dated 20 November 2024.

2. <u>Potential Regional Consents Required:</u>

From the information provided, HBRC considers the following consents may be required in accordance with the following rules.

Requirements under Section 9 of the RMA (Land use consents):

- Land use consent - for structures (e.g. stormwater outlet device(s)) in proximity to water bodies within a drainage or flood scheme area (Regional Resource Management Plan [RRMP] Rule 71).
- Land use consent – for introduction or planting within 6m of the bed of a waterbody (RRMP Rule 71).
- Land use consent – for reclamation of bed of artificial waterbody (RRMP Rule 71).
- Land use consent – for culvert(s) (Resource Management (National Environmental Standards for Freshwater) Regulations 2020 [NES-F]) if required.

Requirements under Section 13 of the RMA (River and lake beds):

- Water Permit – for reclamation of bed of river (RRMP Rule 71).
- Water Permit – for reclamation of bed of river (NES-F)

Requirements under Section 14 of the RMA (Water consents):

- Water permit - for the diversion of water courses and open drain(s) (RRMP Rule 59).

Requirements under s15 of the RMA (Discharge consent):

- Discharge permit - for diversion and discharge of stormwater (Proposed Plan Change 9 to the RRMP [TANK] Rules TANK[1] 22, 23 and/or 25).
- Discharge permit - for discharge to surface water (RRMP Rule 52), if required (i.e. flocculants).
- Discharge permit for discharge of contaminants to land not complying with Rule 48(c) of the RRMP (RRMP Rule 52), if required. See comment below.

Consent(s) not required:

- Land use consent - for vegetation clearance of exotic species within 5m of streams (RRMP Rule 8) – site is situated within the schedule X exclusion area as set out in RRMP Rule 7(c)(ii). However, if the works are unable to comply with any of the permitted activity standards of RRMP Rule 7 as amended by the TANK Plan Change, a consent would be required. Noting specifically requirements in TANK catchment re removal of indigenous vegetation and the exposure of bare soils in proximity to waterways.

Water Take:

- As per comment in section 3.1.4 below, there are no other mentions regarding a water take and is therefore assumed no water take is proposed at this point in time. We reserve the right to provide comment should information arise detailing water take options.

[1] The rules of the TANK Plan Change took immediate legal effect upon notification on 2 May 2020 pursuant to s86B RMA, The TANK Plan is currently subject to an Environment Court appeal process. A Consent Order version of the TANK Plan Change was issued on 29 April 2026 and these are now the rules that have legal effect.

3. Advice/Feedback/Notes:

3.1. Planning, Consents and Policy

In addition to those matters previously raised through the comments on the referral application, the following feedback is provided in relation to the following Consent and Policy Planning matters: Stormwater, Groundwater/stream works, Ownership of Consent(s)/Assets, Contaminated Land, Water Take, Wastewater, Reverse Sensitivity, and Soil and Resource.

3.1.1. Stormwater:

When assessing the activity in light of the policy direction provided by relevant planning documents, the site is situated over the Heretaunga Plains confined aquifer (although the aquifer in this location is understood to be semi-confined at best) and to be consistent with groundwater quality objectives and policies (RRMP OBJ 42 and Pol 75) of the Regional Resource Management Plan, there should be no degradation of existing groundwater quality.

In addition, the Proposed Plan Change 9 to the RRMP (TANK) has additional objectives and policies for management of stormwater. Although the Proposed Plan Change is not yet operative and is subject to appeal to the Environment Court, it has progressed through the statutory plan making process. As such, it is considered appropriate to afford the relevant objectives and policies on the TANK Plan Change substantial weight in assessment. Of relevance POL TANK 26 provides direction for applications to divert and discharge stormwater to mitigate adverse effects of stormwater quality and quantity on aquatic ecosystems and community well-being while POL TANK 27 provides management of contamination sources.

The *Infrastructure Report* authored by Maven Associates (dated 06/2026 Rev E) states the proposed wetland basin (Wetland A) and raingardens are designed to have an impervious liner installed in the base of these features to ensure soakage does not occur. Any ongoing maintenance of these features and including lining integrity will be of importance for ensuring continued consistency with the RRMP OBJ 42 and POL 75. We note that some comments from HBRCs hydrology and groundwater science team have raised concerns with potential effects of the proposed activities on groundwater which should be considered in regard to stream re-alignment, construction works and stormwater discharges.

With regard to the dry basin (Dry Basin D), it appears as though this feature is not proposed to be lined with an impervious layer nor is it proposed have a water quality treatment function. It is understood that this is not necessary due to Dry Basin D being fed by Watercourse A only, for the purpose of “buffering the amount of water which is discharged to the culverts” under Brookvale Road. Therefore, any stormwater collected from roads (i.e. Road 1) should not directly discharge into/spill into dry basin D. The proposal appears to direct stormwater from roads firstly to Wetland A or rain gardens, therefore providing treatment of runoff prior to discharge into Dry Basin D. However, if runoff is to be discharged directly to dry basin D further appropriate treatment should be provided so as to avoid direct discharge of stormwater or contaminants from roads into the dry basin without prior treatment.

Regarding stormwater quality, HBRC supportive of treatment themes proposed for stormwater quality, specifically the measures designed in accordance with HBRC waterway Low Impact Design guidelines[2] and guidelines for stormwater management[3].

We recommend that new roofs be constructed from inert materials and painted with non-metal based paint. It may be suitable to include a consent notice to this effect on each of the new property titles to ensure at time of development the future property owners are aware of this obligation.

3.1.2. Ownership of Consent(s)/Assets:

The site is not currently situated within Hastings District Council's (HDC) reticulated network covered by their network stormwater consent (AUTH-118324-03). It is recommended that the stormwater infrastructure is eventually vested in HDC, or another appropriate legal entity is established to oversee ongoing management of these assets and relevant consents. If it is intended that a stormwater discharge consent is transferred into HDC's ownership, confirmation from HDC should be included in the substantive application as this may influence conditions of consent to ensure HDC can ensure the construction is up to their relevant codes of practise (see conditions for Arataki FTAA development). Otherwise, it is assumed the stormwater discharge consent (and any other ongoing consents that may be applicable after the subdivision and individual dwellings are complete) would remain in the ownership of the applicant or another suitable legal entity.

If intending to vest physical stormwater infrastructure, watercourses and reserve land into HDC's ownership, it is recommended that the applicant make clear that these items/areas are to be vesting *in "HDC"*, not simply vested in "*council"* as it is not abundantly clear which "council" is being referred to in these instances. To reiterate HBRC's comments on the referral application, HBRC is opposed to these assets being vested in HBRC ownership for the reasons previously stated in that feedback.

1.1.1. Source Protection Zone/Groundwater/Stream works:

There's limited mention[4] of the site being situated within HDC's Source Protection Zone as identified in the TANK Plan Change or in the Source Water Risk Management Area (SWRMA) Zone 2 developed by HDC as requirements of the Water Services Act, 2021. HDC's Brookvale Bore registered drinking water supply located near the property. We understand that further discussion on these matters is necessary and is intended to be undertaken during the workshop with the applicant and HDC on 4 June 2026.

Section 5.5 of the infrastructure report[5] mentions the two watercourses will be enhanced using various methods including: widening of the base and increasing the width of the stream channels by excavating material. It should be made clear where along the water courses these enhancements are proposed to occur and the extent compared to their current state. For

[2] Hawke's Bay Waterway Guidelines Low Impact Design (2009), authored by HBRC and retrieved from: https://www.hbrc.govt.nz/assets/Document-Library/Waterway-Design-guidelines/Low-Impact-Design-20090406.pdf

[3] Hawke's Bay Waterway Guidelines Stormwater Management (2009), authored by HBRC and retrieved from: https://www.hbrc.govt.nz/assets/Document-Library/Waterway-Design-guidelines/Stormwater-Management-20090520.pdf

[4] The proximity to a registered drinking water bore is recognised within the Stream Re-alignment 174 and 176 Brookvale Road, Havelock North, *authored by Land Water People and dated 4 May 2026*.

[5] *Infrastructure Report – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev E).

example, whether the entire extents of the watercourses are being widened. Yet it is understood only the base of the new stream realignment may potentially be lined however, the extent of lining appears to be limited to the surface of excavated channels will receive layer of topsoil and coconut matting. Impacts and concerns on groundwater and source water is discussed in more detail in section 1.2 below.

1.1.2. Contaminated land:

The *Preliminary & Detailed Site Investigation 174, 176, 184 & Lot 1 DP 529421 Brookvale Road Havelock North*, authored by EAM NZ Ltd and dated January 2025 states one of its objectives to "determine whether contaminants of concern identified present an unacceptable risk to human health or identified environmental receptors". However, the conclusion only mentions "the soils at the site (within assessment area) are highly unlikely to pose a risk to human health" and no mention is given regarding environmental matters.

For the purposes of clarity, it is recommended that a statement be included to provide clarity as to whether the activity would result in a risk to environmental receptors, such as the waterway ecosystems located on the site, downstream or the underlying groundwater. This should consider relevant Ecological Soil Guideline Values, over and above the Soil Contaminant Standards of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2011), the scope of which does not extend to environmental risk.

In addition, any increase to the concentration of hazardous substances or pathogenic organisms on or in any land at the site. I.e. if mixing of lesser/uncontaminated soils across the site would result in a specific consenting requirement under Rule 48(c) RRMP. The concern relates to the potential effects of mixing/moving/earth working contaminated material throughout the site and impacts on freshwater quality and aquatic ecology. Based on statements made within the EAM NZ Ltd's report, it appears as though contamination levels are below guideline values for risks to human health, but has not been addressed for ecological health.

1.1.3. Water Take:

Section 5.4 of the Construction Management Plan states for general mitigation measures:

> "*a permitted water take from Slippery Creek at 5m^3 a day with holding tanks where required…*"

This statement appears to be a copy/paste as there is no "Slippery Creek" in the this area (both the watercourses within the subject site are unnamed). Given there are no other mentions of water takes in included documentation it is assumed there will not be a water take aspect to the proposal requiring consent.

HBRC and the applicant have previously discussed renewing an existing water take consent(s) and the complexities that sit there – transfer of ownership, temporary change of use of water purpose, ongoing (after completion of construction works) purpose and whether this is within the scope of the proposed FTAA project. And if a new water take were proposed to use water during construction for the purposes of construction related activities (i.e. dust suppression) for construction, this new take would currently be considered as either a non-complying activity pursuant to Rule TANK 11 (an unforeseen non-commercial need) or prohibited pursuant to Rule TANK 12.

1.1.4. Wastewater:

HBRC is supportive of connecting all new dwellings and activities to HDC's reticulated wastewater network so that no onsite wastewater discharges to land (or water) are required.

1.1.5. Reverse Sensitivity:

As it is understood the project is for consent to subdivide rural production land into residential style development and lots. Despite this not being a formal 'rezoning for urban development', Policy UD12 of the Regional Resource Management Plan (RRMP) remains relevant to this situation. Typically, Policy UD12 gives directions to Territorial Authorities for rezoning land for urban development that requires avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities. Therefore, in the first instance, we direct parties to seek advice from the territorial authorities in relation to reverse sensitivity.

Similarly, POL 5 Role of Non-Regulatory Methods and POL 6 Future Land Use Conflicts state:

POL 5: "*To use non-regulatory methods as set out in Chapter 4, in particular liaison with territorial authorities, as the primary means of preventing or resolving problems arising from incompatible land use activities and implementing the problem-solving approaches set out below*."

POL 6: "*To recognise that the future establishment of potentially conflicting land use activities adjacent to, or within the vicinity of each other is appropriate provided no existing land use activity (which adopts the best practicable option or is otherwise environmentally sound[6]) is restricted or compromised. This will be primarily achieved through liaison with territorial authorities and the use of mechanisms available to territorial authorities, which recognise and protect the ongoing functioning and operation of those existing activities*."

Other than measures the territorial authority recommends, HBRC is supportive of suitable buffers, setbacks and separation distances from conflicting land uses as a means for addressing reverse sensitivity effects. But noting that where spray drift, dust, smoke and odour may occur, additional measures may be necessary where there no currently existing mitigation measures.

For the assumptions made regarding adjoining properties likely to be undertaking ground-based application of spray activities, the Fruition *Rural Interface Assessment and Recommendations* report (dated 15 May 2026) recommends appropriate minimum setback distances combined with shelter belts. But it is worth mentioning that the effectiveness of a shelter belt is dependent on its minimum height, width to height ratio and species i.e. for foliage cover top to bottom, surface area of foliage (fine needles are more effective at collecting fine spray than broad leaves), whether or not its deciduous (preferred that shelter belts not be deciduous), the optical and aerodynamic porosity (preferred that shelter belts achieve 50% or higher porosity). Furthermore, there may be an ineffective window (possibly years) during the initial establishment of shelter belts before they grow and mature to their intended/effective height. Lastly, the maintenance and operational recommendations in the Fruition report are also appropriate to ensure the on-going effectiveness of shelterbelts continue to serve their intended purpose. Ongoing responsibilities of necessary ongoing maintenance of shelterbelts should be considered if being used to mitigate potentially conflicting land uses through appropriate triggers (consent notices, body corporates etc.).

The setbacks on the draft Landscape Details by LA4 Landscape Architects indicate greater setback distances than those recommended in the above Fruition report, HBRC is supportive of the greater setbacks shown. However, proposed Lot 141 does not appear to retain the minimum 10 m setback buffer distance from the south-eastern boundary (where the adjoining activity may

[6] "Environmentally sound activities" are considered to be those which comply with the Environmental Guidelines set out in Chapter 5; any relevant rules of this Plan; any effects-based environmental guidelines, standards or rules of the relevant territorial authority; and any resource consents required for the activity.

be undertaking air-blast ground-based application of spray chemicals) and therefore, is inconsistent with the recommendations of the Fruition report.

The Fruition report does not identify or make mention of reverse sensitivity effects in relation to odour or smoke drift. HBRC are wary that nearby horticultural land may undertake temporary/seasonal burning at various times of the year and there is potential for reverse sensitivity effects associated with this.

1.1.6. Soil and Resource:

It is noted the Soil and Resource Report (by Hanmore Land Management) was produced in late 2024, before the National Policy Statement for Highly Productive Land (NPS-HPL) 2022 was amended in 2025. Although we have not yet seen a draft planning report, we anticipate that the eventual planning report to the substantive application will address the implications of the most recent amendments to the NPS-HPL.

1.2. Groundwater

[redacted] Team Leader – Team Leader – Hydrology and Groundwater Science, has read:

- *Stream Re-alignment 174 and 176 Brookvale Road, Havelock North*, authored by Land Water People and dated 4 May 2026.

In relation to the groundwater and source-water protection matters of the above Water Land People document, and prepared a preliminary memo (APP-131359 – HBRC Groundwater Memo 25052026 and shown in Appendix 1 to this memo, which should be read alongside this document).

The proposed site is located within a highly sensitive receiving environment, underlain by the Te Mata aquifer system. This aquifer comprises highly permeable alluvial gravels that facilitate rapid groundwater movement and can provide efficient pathways for contaminant transport. While the aquifer was historically considered confined, it is now understood to be only semi-confined, meaning it remains vulnerable to surface influences. This vulnerability is particularly relevant given the proximity of downgradient drinking-water receptors, including Well 4151, located within 500m of the proposed works.

The proposed subdivision will involve substantial earthworks, stream realignment, stormwater infrastructure, all of which have the potential to modify surface water–groundwater interactions. If not carefully designed and managed, these activities may create or enhance preferential pathways for contaminants to enter the aquifer. The groundwater science team suggest that the underlying ground conditions warrant a precautionary approach which focuses on protection of source water.

Overall, while the proposal recognises key source-water risks and incorporates several appropriate mitigation measures, the advice from HBRC's groundwater science team recommends the need for a more detailed and a precautionary approach. Several recommendations are provided by HBRC's science team under the 'Summary of Recommended Improvements' in the attached memo. These include strengthening the hydrogeological assessment, better defining engineered barrier performance, planning for credible failure scenarios, and clearly establishing long-term maintenance and monitoring responsibilities. Given the known sensitivity of the Havelock North groundwater system and the historical context

of drinking-water contamination, a conservative approach to source-water protection is considered essential to support the assessment of this subdivision proposal.

1.3. Engineering/Stormwater/Flooding

[redacted] Asset Engineer, has read:

- *Infrastructure Report – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev E).
- *Engineering Drawings – various not specifically referenced*.
- *Geotechnical Assessment Report Proposed Residential Subdivision 174 & 176 Brookvale Road, Havelock North*, authored by Hawke's Bay Geotech Limited and dated 08/05/2026.
- *Stormwater Management Plan – Fast Track Project Substantive Application*, authored by Maven Associates, prepared for Vermont Street Partners No. 4 Ltd and dated 06/2026 (Rev A).

From an asset engineering perspective, the following memo has been prepared and should be read alongside APP-131359 – HBRC Engineering Memo 28052026, Appendix 2 to this memo. Some concerns have been raised in terms of the flood modelling and there appears to be an increase to downstream flooding effects as a result of the development, this should be addressed in the substantive application.

Further detail is needed on specific design and reporting matters, including provision for fish passage in culvert upgrades, clearer catchment context descriptions, and appropriate referencing of survey data and modelling inputs. Minor errors in supporting reports and documentation should also be corrected.

The additional matters are items which can be dealt with as conditions of consent by requiring erosion and sediment control plans reflective of each stage of works (i.e. measures for the existing stream alignment and measures for proposed stream alignment). As well as a request a 20-working day timeframe for circulation of documents.

Overall, additional clarification and refinement are required to provide confidence in the modelling and alignment with HBRC expectations.

1.4. Freshwater Ecology

[redacted] Scientist – Freshwater & Ecology, has read:

- *DRAFT Ecological Assessment Road Brookvale Green, 174 & 176 Brookvale Road, Havelock North*, authored by Wild Ecology, prepared for Vermont Street Partners No. 4 Ltd and dated May 2026.
- *Brookvale Green, 174 and 176 Brookvale Road, Hawkes* Bay, authored by Stantec, prepared for Vermont Street Partners No. 4 Ltd and dated 8/05/2026.

In relation to the freshwater quality and aquatic ecology matters of the above Wild Ecology and Stantec documents, HBRC Freshwater Ecologist prepared memo APP-131359 – HBRC Freshwater Ecology Memo 26052026, Appendix 3 to this memo. This advice generally supports the proposed fauna management approach and the intent to improve ecological outcomes through stream restoration and riparian planting. However, further detail is needed to demonstrate how stream outcomes, such as pool-riffle formation, habitat complexity, and

increased sinuosity, will be achieved and sustained in practice, particularly given the currently modified and low-value state of the waterways.

1.5. Wetlands

[redacted], Scientist - Terrestrial Ecology, has read:

- *DRAFT Ecological Assessment Road Brookvale Green, 174 & 176 Brookvale Road, Havelock North*, authored by Wild Ecology, prepared for Vermont Street Partners No. 4 Ltd and dated May 2026.

In relation to the wetland ecological matters of the above Wild Ecology document, HBRC Terrestrial Ecologist prepared memo APP-131359 – HBRC Wetland Ecology Memo 27052026, Appendix 4 to this memo. The proposed ecological enhancements and planting are supported. Further information is sought to quantify wetland loss and offset (including extent and function), to clearly demonstrate "no net loss" of wetland values and better understand the effectiveness of proposed mitigation and restoration.

1.6. Regional Land Transport

[redacted] Manager Transport, has read:

- *DRAFT Brookvale Green Residential Subdivision Substantive Transport Assessment*, authored by East Cape Consulting and dated 10/05/2026.

[redacted] made the following comments:

- *Page 8 appears to incorrectly reference the bus service frequency however, it is uncertain as to whether this materially effects the application.*

- *For good public transport access, it is strongly recommended that the applicant secure a direct connection west to Arataki Road via adjoining land.*

- *On page 28 the writer states:*

  > "*The Hawke's Bay Regional Public Transport Plan 2025-2035 identifies a target of providing access to public transport within 400m walking distance for approximately 70% of residents within the Napier[1]Hastings urban area. This target does not specifically apply to Havelock North.*"

  We would disagree with this as the 2025 RPTP includes Havelock North as part of the Hastings Urban Area, as much as Flaxmere is of Hastings and Taradale is of Napier.

- *The above access to Arataki Road via a pedestrian way (presumably via the Arataki Project development) is therefore important to helping achieve the RPTP goals.*

- *With regards construction of the accessway, and speed control devices at the corner of the entrance to the subdivision and Brookvale Road, as described on Page 24 and 25, location of bus stop bays near the entrance to the development should be included in construction design, even if in the short term these are used as car parks.*

2. Additional Information:

Timeline for substantive lodgement: Applicant is targeting a 12th June lodgement date for their substantive application.

Authored by:



_____

[redacted]
Senior Consents Planner
Policy & Regulation Group

29th May 2026

Approved for release by:



_____

[redacted]
Team Leader Consents
Policy & Regulation Group

29th May 2026

Included as attachments:

- Appendix 1 – APP-131359 – HBRC Groundwater Memo 25052026
- Appendix 2 – APP-131359 – HBRC Engineering Memo 28052026
- Appendix 3 – APP-131359 – HBRC Freshwater Ecology Memo 26052026
- Appendix 4 – APP-131359 – HBRC Wetland Ecology Memo 27052026

HAWKE'S BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

MEMO

To: [redacted]

From: [redacted]

Date: 25-05-2026

Subject: **Brookvale Green Fast-track Application pre-application feedback related to groundwater risks**

File Ref:

CC:

1. Purpose

This memo has been prepared in response to a request from the HBRC Consents team for pre-application feedback prior to lodgement of the substantive Brookvale Green Fast-track application.

It provides initial, high-level technical feedback from a groundwater science perspective, with a focus on matters relevant to groundwater resources, source water protection, stormwater–groundwater interaction, and potential contamination risks.

This memo does not constitute a full technical assessment of potential groundwater effects. Rather, its purpose is to identify key matters that, if addressed, clarified, or supported by further assessment before lodgement, could improve the robustness and completeness of the application.

The feedback provided should be treated as preliminary. A more detailed technical review is likely to be required once the substantive application has been lodged and the final technical reports, design drawings, proposed consent conditions, and supporting assessments are available.

2. Application Overview and Source-Water Context

The proposal relates to a residential subdivision and development at 174 and 176 Brookvale Road, Havelock North, on the former Te Mata Mushrooms site. The application describes a proposed residential community comprising approximately 203 homes across a 24-hectare site on the eastern edge of Havelock North's urban area.

The development would involve substantial earthworks, new internal roading and servicing, stormwater management infrastructure, and the modification and realignment of existing watercourses within the site. These works have the potential to alter surface water–groundwater interactions and, if not appropriately designed and managed, could create or activate more rapid contaminant transport pathways between potential sources and down-gradient supply wells.

3. Receiving environment and source-water context

The key sensitive receiving environment for the Brookvale Green proposal is the Te Mata aquifer system and the downgradient drinking-water supply network that relies on it. The aquifer beneath the Brookvale area comprises of alluvial deposits characterised as coarse, open-framework gravels (Hughes, n.d.). These gravels form highly permeable, high-yielding aquifers that are part of the broader Heretaunga Plains system (Hughes, n.d.). Because of their depositional environment, these aquifers are heterogeneous and contain localised, highly permeable channels that provide high-velocity transport routes for groundwater and potential contaminants (Department of Internal Affairs, 2017).

Historically, the Te Mata aquifer was assumed to be confined, meaning it was thought to be protected by impermeable material (DIA, 2017). However, the Government Inquiry found that the aquifer is not truly confined and is at best "semi-confined," meaning its water remains subject to surface influences (DIA, 2017). This lack of uniform protection is significant because a "secure" status for groundwater cannot be guaranteed when the protective layer is compromised (Goverment Inquiry into Havelock North Drinking Water, 2017)

The most important downgradient receptor of the proposed development is Well No. 4151, which is used for augmentation and emergency municipal drinking-water supply use. The proposed stream realignment and earthworks is located approximately 300 metres up-gradient. Any increase in hydraulic connectivity between the realigned stream, stormwater discharge areas and the underlying aquifer could therefore alter the risk profile for this well, as well as for nearby private wells that may be located along the same groundwater flow path.

This setting is highly sensitive. The 2016 Havelock North drinking-water contamination event demonstrated that assumptions about the security of groundwater sources can be unreliable where aquifer confinement, bore security, surface-water influence and localised contaminant pathways are not fully understood. In the Brookvale Road area, the risk is particularly relevant because the natural protection provided by the low-permeability layer is variable, and because previous investigations have already identified the potential for stream works or earthworks to affect the integrity of that protective layer (Department of Internal Affairs, 2017).

4. Pathway uncertainty and precautionary source-water approach

Identifying source–receptor pathways in this setting should not be treated as a simple binary question of whether a direct connection to Well 4151 can be proven. In practice, hydrogeological assessments usually rely on a conceptual model based on the best available information. That model is a working interpretation of likely sources, pathways and receptors, rather than definitive proof of how water and contaminants will move through the subsurface.

Geological logs, groundwater-level data, hydraulic gradients and aquifer-property information can all support this assessment, but each has limitations. Bore logs are often variable in quality and unevenly distributed, and they require interpretation across areas where confining layers and gravel pathways may change over short distances. Groundwater levels and gradients provide useful indicators of likely flow direction, but they rarely prove or disprove a direct flow path to a specific receptor.

These factors, along with historical evidence of contamination, support a precautionary source-protection approach for the Brookvale Green proposal. Uncertainty about the continuity of the silty clay layer, the behaviour of losing streams, groundwater travel times, or potential connections to downgradient drinking-water wells should not be treated as evidence of low risk. Instead, that uncertainty should trigger a more conservative response. This should include

targeted investigation, clear construction controls, verification of exposed subsurface conditions, monitoring of potential hydraulic pathways, and contingency measures if monitoring indicates an increased risk to the aquifer or downgradient drinking-water receptors.

5. Key issues, gaps and possible improvements

5.1 Hydrogeological conceptual model and pathway uncertainty

The application would benefit from a more explicit source–pathway–receptor conceptual model. This should recognise that the model is an interpreted working hypothesis based on available geological, groundwater and engineering information, rather than a conclusive demonstration of all subsurface flow paths. The assessment should therefore explain the plausible pathways, the evidence supporting them, the key uncertainties, and how those uncertainties will be managed through design, construction controls, monitoring and response triggers.

Relevant matters could include the likely depth to groundwater, groundwater flow direction, vertical separation to water-bearing gravels, the thickness and continuity of low-permeability materials, the behaviour of losing streams, and how these factors may vary during wet weather, flooding, excavation and pumping.

This additional detail would assist in understanding the potential connection, if any, between the proposed works and downgradient drinking-water receptors. In particular, the assessment could more clearly consider whether plausible flow paths to supply wells may exist and, where they do, whether contaminants would be sufficiently diluted, attenuated, filtered or otherwise reduced before reaching those receptors.

5.2 Stream realignment and exposure of preferential flow paths

The proposed realignment of Watercourse 1 is an important source-water consideration. The works include excavation of a new channel, filling of the existing channel, and widening or enhancement of watercourse areas to provide conveyance and storage. The application material notes that hydrogeological advice will be sought during construction to determine whether an impermeable layer is required in the realigned channel.

This construction-stage observation process is useful. However, it also suggests that some aspects of the pathway risk may need further clarification before works begin. It would be helpful for the application to set out, in advance, the minimum low-permeability cover required, how this will be confirmed, what testing methods will be used, what acceptance criteria will apply, and what response will be taken if gravels, seepage, groundwater, organic fill or other potential preferential pathway materials are encountered.

5.3 Adequacy and durability of engineered barriers

The proposed mitigation approach appears broadly appropriate. It seeks to avoid reliance on soakage, line the wetland and raingardens, inspect channel bases, and provide low-permeability material where needed so that stormwater is conveyed to watercourses rather than discharged directly to ground. The key issue is not the overall concept, but whether enough detail has been provided to demonstrate how these measures will remain effective over time.

It would be helpful for the application to more clearly specify the liner and barrier requirements for the wetland, raingardens, conveyance interfaces and any reconstructed channel base.

Relevant details could include the proposed material type, thickness, permeability target, design life, quality assurance testing, maintenance requirements and repair procedures.

The same level of detail would also be useful for any compacted silty clay layer or artificial low-permeability layer proposed beneath channel works. A nominal thickness provides a starting point but may not be sufficient on its own to demonstrate performance. The effectiveness of any barrier will depend on how it is constructed, tested, protected from scour or desiccation, and maintained over time.

5.4 Construction-phase source-water controls

The construction phase should be considered a specific source-water risk period. During earthworks, channel realignment, service installation, pump-station construction and stormwater-device construction, low-permeability materials may be exposed, disturbed or temporarily removed before permanent mitigation measures are in place.

The application would benefit from a construction-phase source-water protection plan that sets out how these risks will be managed. This could include wet-weather restrictions, stop-work triggers, procedures for managing open excavations, controls for fuel and chemical storage, concrete washout controls, spill response, dewatering procedures, groundwater and surface-water testing, inspection responsibilities, escalation pathways, and contingency actions if unexpected permeable materials or groundwater are encountered.

5.5 Monitoring, trigger-action-response and Well 4151 operations

Visual inspection of stormwater assets is useful, but it may not be sufficient on its own to manage source-water risk in this setting. A baseline and event-based monitoring approach should be considered, including monitoring bores or piezometers positioned upgradient, within or adjacent to key works areas, and downgradient towards Well 4151 where practicable.

The monitoring programme should be designed to answer clear source-water risk questions. These include whether groundwater levels or gradients change during or after works, whether construction activities or storm events result in changes to groundwater quality, whether the stream or stormwater devices are hydraulically connected to shallow groundwater, and whether early-warning indicators can be detected before any risk reaches a drinking-water receptor.

It would also be helpful for monitoring to be linked to a trigger-action-response plan agreed with relevant HDC water-supply staff and HBRC. This plan could define baseline conditions, alert and action thresholds, notification requirements, sampling responses, temporary work restrictions, repair requirements, and any operational constraints on Well 4151. If HDC confirms that Well 4151 will not be used during higher-risk construction periods, this should be clearly documented rather than assumed.

5.6 Failure, upset and extreme event scenarios

The assessment should consider not only how the system is intended to operate, but also how it may perform under credible failure, upset or extreme event scenarios. These could include liner puncture or construction defects, poor compaction of reconstructed low-permeability material, erosion or scour at channel bends and outlet zones, prolonged ponding, and damage from settlement or future works.

Under normal operation, the proposed measures may reduce the residual source-water risk, although some level of hydraulic connection to the aquifer may remain through the stream system or localised shallow pathways. Under a partial or full failure scenario, the risk could increase because untreated or partly treated stormwater may recharge highly permeable alluvium more directly.

It would therefore be useful for the application to identify the most plausible failure scenarios, the likely consequences for source-water risk, how these would be detected, and what response actions would be implemented. This should include clear inspection, maintenance, repair and escalation procedures.

5.7 Wastewater infrastructure and source-water risk

Connection to the municipal wastewater network is appropriate and important in this source-water setting. On-site wastewater disposal would not be appropriate given the sensitivity of the aquifer and the proximity of downgradient drinking-water receptors.

The application should demonstrate that the wastewater infrastructure will remain secure, accessible and serviceable during design storm and seismic events. It should also consider credible failure modes and explain how these would be managed so that any overflow, leakage or loss of service does not create an unacceptable source-water risk.

5.8 Long-term ownership, maintenance and accountability

Source-water protection will depend not only on the initial design and construction, but also on long-term stewardship. It would be helpful for the application to clearly identify who will be responsible for owning, inspecting, maintaining, repairing and replacing stormwater devices, liners, channels, outfalls, culverts, monitoring points and any low-permeability barriers.

The application should also set out the practical arrangements needed to support long-term performance. This could include access rights, maintenance corridors, inspection frequency, record keeping, reporting obligations, and escalation procedures if defects, failures or unexpected conditions are identified.

Clear long-term responsibility is important because the performance of engineered barriers and monitoring systems can reduce over time if they are not actively maintained. This is particularly relevant where the mitigation approach relies on liners, constructed low-permeability layers, outlet structures and periodic maintenance to prevent infiltration or uncontrolled discharge.

6. Summary of recommended improvements

1. **Source-water focused hydrogeological assessment -** Provide a hydrogeological assessment focused specifically on source-water risk. This should include a conceptual site model that identifies likely contaminant sources, potential pathways and receptors, groundwater flow direction, potential travel times, dilution and attenuation assumptions, and the relationship between the proposed works, Well 4151 and nearby private bores.

   The assessment should also clearly state the limitations and uncertainties of the conceptual model, including where flow paths, travel times, groundwater connectivity or attenuation processes are inferred rather than confirmed. Where uncertainty remains,

the assessment should explain how this will be managed through design, construction controls, monitoring and response triggers.

2. **Low-permeability material and preferential pathways -** Confirm the thickness, continuity and integrity of low-permeability material beneath the realigned channel, stormwater wetland, raingardens, basins, service trenches and other excavated areas where preferential pathways could potentially be exposed.

3. **Liner and barrier specifications -** Provide full specifications for liners and low-permeability barriers, including material type, permeability target, construction method, QA/QC testing, as-built certification, maintenance requirements and repair protocols.

4. **Construction-phase source-water protection plan -** Prepare a construction-phase source-water protection plan that addresses wet-weather restrictions, stop-work triggers, hydrogeological supervision, unexpected ground conditions, dewatering, spill response, concrete washout, fuel and chemical storage, and communication with HDC and HBRC.

5. **Groundwater and surface-water monitoring -** Develop a monitoring programme that includes baseline monitoring, event-based monitoring and, where appropriate, sentinel monitoring locations between key works areas and downgradient receptors.

6. **Trigger-action-response plan -** Prepare a trigger-action-response plan linked to monitoring results and HDC drinking-water operations. This should include how Well 4151 will be managed during higher-risk works, storm events or monitoring exceedances.

7. **Failure, upset and extreme event scenarios -** Assess credible failure and upset scenarios for liners, channels, outlets, basins, pump station infrastructure, flood exceedance and maintenance lapses. The assessment should consider the potential consequences for source-water risk and identify appropriate response actions.

8. **Long-term ownership and maintenance -** Clarify long-term ownership, maintenance, inspection, access, reporting and repair responsibilities for all stormwater and source-water protection assets.

9. **Contaminated-land and legacy-fill information -** Integrate contaminated-land and legacy-fill information into the source-water risk assessment, so that potential contaminant sources and contaminant pathways are considered together.

7. Conclusion

The application recognises several relevant groundwater and source-water risks. In particular, the proposal does not rely on stormwater soakage, includes impervious liners beneath the wetland and raingardens, and proposes hydrogeological input during stream realignment works. These are positive features and provide a useful starting point for managing risk in a sensitive source-water setting.

Given the Brookvale Road / Havelock North context, the substantive application would benefit from a clearer and more integrated source-water protection framework. This should bring together the conceptual hydrogeological model, the key source–pathway–receptor

assumptions, the limitations and uncertainties in the available information, and the specific controls proposed to manage those uncertainties during construction and long-term operation.

At present, the application appears to rely on the existing information to support a low-risk conclusion. However, in this hydrogeological setting, the available information does not conclusively demonstrate the absence of a source–receptor pathway to Well 4151. The more appropriate focus is whether the proposal could alter, expose, or enhance existing shallow pathways, and how that risk will be verified, monitored and managed during construction and operation.

Further information is recommended before lodgement, particularly on the hydrogeological conceptual model, verification of low-permeability cover beneath the realigned channel and stormwater devices, liner and barrier specifications, construction-phase source-water controls, groundwater and surface-water monitoring, trigger-action-response arrangements, and long-term maintenance responsibilities. These matters should also be clearly linked to Hastings District Council's drinking-water operations, including how Brookvale Road Well No. 4151 will be managed during higher-risk construction periods, storm events, or monitoring exceedances.

8. References

Department of Internal Affairs, 2017. Report of the Havelock North Drinking Water Inquiry: Stage 1 (No. 978- 0-473-39743–2). The Department of Internal Affairs.

Goverment Inquiry into Havelock North Drinking Water, 2017. Report of the Havelock North Drinking Water Inquiry: Stage 2. Auckland, New Zealand.

Hughes, B., n.d. Memo: Stream Re-alignment 174 and 176 Brookvale Road, Havelock North, Land Water People.

Reviewed by:

[redacted]

_____

Signature:

Approved for release by:

[redacted] Environmental Sciences Manager

_____

Signature:

[redacted]

MEMO

To:	[redacted]
From:	[redacted]
Date:	27th May 2026
Subject:	**ENGINEERING ASSESSMENT – BROOKVALE GREEN**
File Ref:	APP-131359
Cc:	[redacted]

Under the fast track approvals act, a substantive application has been prepared for Brookvale Green subdivision. The Engineering Services team has been asked to provide feedback on **key technical issues, information gaps, or matters that should be addressed** for the:

- Civil drawings
- Civil report
- Stormwater report
- Geotechnical report

HBRC Engineering provide the following feedback:

- Model report predicts increased flooding extents for downstream properties in areas. This is inconsistent with RRMP and therefore may require mitigation. Assessment of less than minor effects needs more justification.
- Proposed Brookvale Rd culvert upgrades do not mention any adaptions for fish passage – this will likely be desired at lodgement.
- Model report states primary system is not modelled despite an extensive primary network, this raises questions about the efficacy of the model, particularly given the pipe under the main accessway has the potential to result in connectivity between watercourse two and watercourse one.
- The statement of "head of the wider Karamu catchment" on page 5 and 7 of the modelling report is somewhat confusing for the wider catchment context – advise removal of this statement.
- O&M manual should specifically state the guidance document referenced in the appendices will be followed (Appendix A).
- Model report should reference local geodetic circuit and local council lidar (notes section on drawings).
- Well records 4338 and 826 seem to be incorrectly formatted on page 129 and 140 of the Geotech report.

In addition, the wider HBRC team should consider:

- Silt fencing will need to change alignment as stream diversions are undertaken (EWMP).
- Any consent conditions requiring engineering input should reference a 20 working day review period.

[redacted]
Asset Engineer

HAWKE'S BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

MEMO

To:	[redacted]
From:	[redacted]
Date:	26/05/2026
Subject:	**APP-131359 BROOKVALE GREEN FAST-TRACK APPROVALS ACT (FTAA) PROJECT**
File Ref:	Ecological Assessment Report, Fauna Management Plan
Cc:	

Hi [redacted]

Thank you for the opportunity to review the Ecological Assessment Report and Fauna Management Plan for the proposed fast-track development application for 174 and 176 Brookvale Road, Havelock North. I've read the following files:

- Ecological Assessment Report – Wild Ecology
- Fauna Management Plan – Stantec

The fauna management plan aspects are appropriate based on the information provided.

The proposed ecological outcomes in the Ecological Assessment associated with the stream restoration aspects of the project appear positive in principle, particularly the intent to improve riparian condition, increase habitat complexity, and incorporate more natural stream form and function. However, based on the information currently provided, there are a few aspects of the proposed stream naturalisation that would benefit from further detail and clarification to demonstrate how these outcomes will be achieved in practice and sustained over the long term.

1. The report refers to re-establishing "pool and riffle sequences"; however it is unclear how this will be achieved in practice. I can't see any detail provided regarding:
    - whether gravels/cobbles will be retained or imported;
    - proposed and existing streambed substrate composition;
    - channel gradients; and
    - riffle spacing or design methodology.

Given the existing channels are described as highly modified and intermittent, further detail would be needed to demonstrate that a self-sustaining pool-riffle system can realistically establish and persist.

2. The report characterises the waterways as degraded and emphasises channelisation, straightening, artificial modification, intermittent flow, low ecological value, and drainage function. However, based on the figures provided, the proposed alignment of Watercourse 1 appears potentially straighter than parts of the existing channel. It would be helpful to clarify:
    - existing versus proposed channel length;
    - existing versus proposed sinuosity;
    - whether any reduction in meandering is proposed; and
    - how this aligns with the stated naturalisation objectives.

Reduced sinuosity can influence things like hydraulic diversity, flow velocities and habitat availability. It would be beneficial to have an explanation on how the proposed alignment improves natural stream processes if overall channel complexity or meandering is reduced.

3. The report refers to "greater habitat complexity" for the realigned section, limited detail is provided regarding any specific in-stream habitat features proposed. At present, many of the described enhancement measures appear to relate to riparian planting and weed removal. It is unclear whether they intent to include features such as:
    - variable channel widths/depths;
    - low flow refugia;
    - undercut banks; and
    - woody debris placement.

4. The report refers to achieving "no net loss of freshwater extent and ecological values", but I could not find any quantitative assessment comparing existing versus proposed stream extent, sinuosity, wetted habitat, or overall stream function. It would be helpful to have more information regarding how "no net loss" has been assessed in this context.

The proposed riparian restoration and removal of some artificial constraints are positive aspects of the proposal; however, additional detail would help demonstrate how the proposed channel design will function as a naturalised stream system over the long term, rather than remaining a reshaped drainage channel.

Kind regards,

[redacted]
Scientist – Freshwater & Ecology

HAWKE'S BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

MEMO

To: [redacted]

From: [redacted]

Date: 27 May 2026

Subject: **BROOKVALE GREEN FAST TRACK CONSENT – REVIEW OF PRE-APPLICATION ECOLOGY REPORT**

File Ref: APP-131359

CC: Dr. [redacted]

Brookvale Green will be lodging a fast-track consent application for a resdential development in Havelock North. I was requested to provide high level feedback on the pre-application material, giving thought to effects on wetlands. I have read the Ecological Assessment Report (EAR) prepared for the proposed Fast-track development application of Brookvale Green at 174 & 176 Brookvale Road, Havelock North, prepared by Wild Ecology for Vermont Street Partners No.4 Ltd.

As requested, I have considered the following questions in my review:

- Any key concerns or risks
- Matters that may require further investigation or clarification
- Any relevant standards, guidance, or technical expectations you consider applicable
- Whether there is agreement/disagreement with the statements made

Summary of works

A retirement village is proposed at 174 & 176 Brookvale Road. The site currently consists of one residential unit, an orchard, outbuildings for the orchard and a mushroom farm. The site has watercourses running through it and associated natural inland wetlands, which will be affected by the activity. The ecology report notes that temporary effects to wetlands are anticipated during construction. These will be from realignment of a section of the existing watercourse and disturbance from installing over stream structures and removing the existing redundant structures.

Any key concerns or risks

Overall, I don't have any major concerns about the impact to wetlands from the proposed activity. There are a couple of matters that I would like more information on, which I have explained below.

Matters needing more information / clarification

Five small natural inland wetlands are delineated on the site. These wetland areas occur alongside and within stream channels and are dominated by exotic plant species. These wetlands are deemed low ecological value in the EAR. A section of watercourse 1 and associated wetlands are to be realigned. As a result, wetlands 3 and 4 will be removed. I understand that riparian margins along the watercourses are to be planted with wetland species to provide an

offset for the loss of ecological values, but it would be good to know **a figure for the physical extent of existing wetland area which is to be lost as a result of the activity. Photos of the wetlands would also be useful for reference.**

Any relevant standards, guidance, or technical expectations you consider applicable
The applicant has considered the relevant standards and guidance such as NES-FW and EIANZ guidelines.

Whether there is agreement/disagreement with the statements made
No notes here except to emphasise that I am supportive of the ecological enhancement, monitoring and maintenance plans. A focus on restoring the remaining wetlands 1 and 2 along watercourse 2 is also encouraged. I understand 4.56 ha of riparian planting is proposed, but it would be good to understand **how much of this makes up the physical extent of wetlands which are proposed to be reinstated.**

Reviewed by:

[redacted] – Team Leader Air and Land Science

Approved for release by:

[redacted] – Environmental Sciences Manager

_____

Signature:



Brookvale Green - Conditions

[title page]

Commented [JS1]: Insert title page at end of project once title known.

DRAFT

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Kerikeri | Whangārei | Warkworth | Auckland | Hamilton | Cambridge | Tauranga | Havelock North | Wellington | Christchurch | Wānaka & Queenstown

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1.0 Introduction

This document sets out the proposed conditions of consent for the Brookvale Green Project at 174–176 Brookvale Road, Havelock North, sought through the substantive application under the Fast-track Approvals Act 2024 (**FTAA**). The conditions address the full suite of District and Regional consent matters required to enable the subdivision, residential development, infrastructure works, stream works, wetland works, and associated activities forming part of the Project. It also includes the conditions associated with the precautionary Wildlife Approval sought from the Department of Conservation (**DOC**).

The proposed conditions have been prepared in accordance with Schedule 6, Clause 18 of the FTAA and are intended to provide a clear, integrated and practical framework for the implementation of the Project. In preparing the conditions suite, regard has been had to:

- Standard conditions and consent administration practices commonly used by Hastings District Council (**HDC**) and Hawke's Bay Regional Council (**HBRC**);
- The technical assessments and management plans prepared in support of the application; and
- The need to provide both simplicity and certainty for the consent holder, future landowners, contractors, Council compliance staff, and other stakeholders involved in the delivery of the Project.

The conditions have been drafted to:

- Provide a clear and efficient framework for implementation and compliance monitoring;
- Ensure that adverse environmental effects are appropriately avoided, remedied or mitigated;
- Integrate district and regional consent requirements into a single coordinated conditions package;
- Provide flexibility for staged delivery of the Project where appropriate; and
- Ensure that key environmental mitigation, landscape, ecological, stormwater, wetland, stream restoration and infrastructure outcomes are secured through the life of the development.

The conditions are structured into activity-specific sections corresponding to the different approvals sought through the application, including subdivision, land use, stream and wetland works, and discharge activities.

Unless otherwise specified, the conditions apply for the duration of the consent and are to be read together with the application documentation and the plans and reports listed in **Schedule 1**.

2.0 Glossary of Terms

Acronym / Term	Definition
Application	Substantive Application under Section 42 of the FTAA
B&A	Barker & Associates
BEP	Bulk Earthworks Plan
CEMP	Construction Environmental Management Plan
ChTMP	Chemical Treatment Management Plan
CMP	Construction Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
DOC	Department of Conservation
DMP	Dust Management Plan
EA	Engineering Approval
EMP	Ecological Management Plan
EPA	Environmental Protection Authority
ESCP	Erosion and Sediment Control Plan
FMP	Fauna Management Plan
FTAA	Fast-track Approvals Act 2024
GCR	Geotechnical Completion Report
GAR	Geotechnical Assessment Report
HBRC	Hawke's Bay Regional Council
HDC	Heretaunga Hastings District Council
HDC ECoP	Hastings District Council Engineering Code of Practice 2020
HDP	Heretaunga Hastings District Plan
HNZPT	Heritage New Zealand Pouhere Taonga
LA4	LA4 Landscape Architects Limited

Commented [BB2]: Include "GPA" for *Groundwater Protection Assessment.* See conditions below.

Acronym / Term	Definition
LINZ	Land Information New Zealand
LMP	Landscape Maintenance Plan
Maven	Maven Associates Limited
NES-FW	National Environmental Standards for Freshwater
RMA	Resource Management Act 1991
RRMP	Hawke's Bay Regional Resource Management Plan
Site	174 to 176 Brookvale Road, Havelock North
SMP	Stormwater Management Plan
SMMP	Stormwater Maintenance and Management Plan
SWMP	Stormwater Monitoring Plan
SPMP	Spill Management Plan
SQEP	Suitably Qualified and Experienced Person
Stantec	Stantec New Zealand
TPW	Tamatea Pōkai Whenua
WA	Wildlife Act 1953
Wild Ecology	Wild Ecology Limited

3.0 Consent Overview

This section provides an overview of the resource consents, approvals and authorisations required to enable the Brookvale Green Project substantive application:

Applicant	Vermont Street Partners No. 4 Limited
Address of Site	174–176 Brookvale Road, Havelock North
Legal Description	Lot 2 DP 529421, Lot 2 DP 7771, Lots 1 and 2 DP 16311, Lot 1 of Lot 16 DP 3449 and Lot 3-4 DP 481968
Activity	Comprehensive residential urban development comprising approximately 203 residential dwellings, subdivision, associated infrastructure, stormwater management works, Watercourse 1 realignment and ecological restoration works; and discharges.
Required consents and authorisations	HDC LUC-XXX: • Proposed yield of 203 residential dwellings as part of a comprehensive urban development (RMA s9) HDC SUB-XXX: • Subdivision including vested roads, accessways and a local purpose drainage reserve (RMA s11). • Infrastructure and site works associated with the subdivision and the development, including roads, drainage reserves, parking, accessways, and infrastructure for three waters services (RMA s9 and s11) HBRC LUS-XXX: Vegetation clearance, new structures and replanting within 6m of a watercourse in a flood control scheme area (RMA s9) • Activities associated with the realignment and diversion of watercourses, culvert upgrades and new access crossings, removal of existing culverts, fords and piped structures, wetland removal/reinstatement, and the placement of structures in, on and over stream beds (RMA s13) • Wetland removal and reinstatement/enhancement (NES-FW) HBRC WAT-XXX: • Diversion of watercourses and artificial drains (RMA s14) HBRC DIS-1XX: Diversion and Discharge of stormwater into watercourses (new discharge points to stream channel) (RMA s15) HBRC DIS-2XX: Temporary discharge of contaminated water during construction (RMA s15) DOC WA-XXX: • Precautionary Wildlife Approval sought for salvage, handling and relocation of indigenous lizards (Wildlife Act 1953)

Commented [JS3]: Confirm site legal description once Reserve Land discussions completed.

Commented [PB4]: maybe other construction related discharges eg clean fill?

The following conditions are proposed to manage the potential adverse effects arising from the Brookvale Green development and to ensure the activities are undertaken in accordance with the relevant statutory and technical requirements.

4.0 General Conditions: All Consents

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

***Explanatory Note**: The following general conditions apply to all parts of this bundled resource consent, including the land use and subdivision consent authorised under district consents [LUC-XXX] and [SUB-XXX]; the land use, watercourse and wetland works, diversion and discharge activities authorised under regional consents [LUS-XXX], [WAT-XXX], [DIS-1XX] and [DIS-2XX]; and the Wildlife Approval authorised by [WA]. These conditions are not repeated under each individual consent to avoid duplication and to ensure consistency across the consenting package.*

No.	Conditions - General
No.	**General**
1.	**Generally In Accordance With** The proposal must be carried out in general accordance with the drawings, plans and documents listed in Schedule 1 and referenced by the HDC and HBRC under consent numbers [LUC-XXX, SUB-XXX, LUS-XXX, WAT-XXX, DIS-1XX, and DIS-2XX]. In the event of any conflict between the drawings, plans and documents listed in Schedule 1 and the conditions of these consents, the conditions shall prevail.
2.	**Lapse & Expiry Dates** Under section 125 and 123 of the RMA, the approved consents lapse and/or expire after the date it is granted (unless otherwise stated below) as follows:

Consent Reference & Activity	Lapse Date	Expiry Date
SUB-XXX (s11 Subdivision)	5 years	
LUC-XXX (s9 Land Use)	5 years	
LUS-XXX (s9 and s13 Stream, Wetland and Structure Works)	5 years	35 years (s13)
WAT-XXX (s14 Stream Diversion and Realignment)	5 years	35 years
DIS-1XX (s15 Discharge of stormwater)	5 years	35 years
DIS-2XX (s15 Discharge of contaminants)	5 years	7 years

(a) These consents will lapse 5 years after the date they commence unless they have been given effect to.

(b) In the case of approved subdivision SUB-XXX, under section 125 of the RMA this consent lapses five years after the date it is granted unless:

(i) A survey plan is submitted to HDC for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in general accordance with section 224 of the RMA; or

Commented [BB5]: Works within the bed (s13) = 35 years so that wetland planting can be monitored.
Outside of the bed but still within 6m (s9) = unlimited.

No.	Conditions - General
	(ii) An application under section 125 of the RMA is made to the HDC before the consent lapses to extend the period after which the consent lapses and the HDC grants an extension
3.	**HDC Monitoring** A monitoring deposit of $300 (including GST) shall be payable to cover the reasonable costs of monitoring compliance with the consent conditions in accordance with HDC schedule of charges respectively, noting that: (a) The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). (b) In the event of non-compliance being detected by monitoring or justified complaint and/or the costs of monitoring the consent exceeding the deposit, the costs to HDC of any additional monitoring shall be paid by the Consent Holder in accordance with the HDC advertised schedule of fees. The Consent Holder will be advised of the further monitoring charge from HDC. Only after all conditions of the resource consent(s) have been met, will HDC issue a letter confirming compliance on request of the Consent Holder.
4.	**HBRC Monitoring** Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the HBRC when monitoring the conditions of this consent and will be charged to the consent holder in accordance with HBRC's Annual Plan of the time. ***Advice Notes:*** *Routine Monitoring* *Routine monitoring inspections may be undertaken by HBRC compliance officers during construction and/or after the completion of works. The costs of any routine monitoring will be charged to the consent holder in accordance with HBRC's Annual Plan of the time.* *Non-Routine Monitoring* *"Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA shown below.* *Section 17(1) of the RMA states:* *Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with any of sections 10, 10A, 10B, and 20A; or* *(a) a national environmental standard, a rule, a resource consent, or a designation.* *(b) Consent Impact Monitoring* *In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.* *Debt Recovery*

No.	Conditions - General
	It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.
5.	**Suitably Qualified and Experienced Persons** The Consent Holder shall ensure that all investigations, calculations, design, supervision, and certification of the infrastructure required under the conditions of this consent are carried out by or under the control of persons who: (a) are experienced in their respective fields; (b) for engineering matters, are considered as "suitably qualified persons" under Section 1.3, Part 3 of the HDC's Engineering Code of Practice 2020 (ECoP); (c) hold full membership in their respective professional bodies; and (d) have appropriate professional indemnity insurance and public liability insurance
6.	**Commencement of Staged Works** Ten (10) days prior to the commencement of the bulk earthworks on site for each stage (or combination of stages), the Consent Holder shall notify and arrange an on-site pre-construction meeting with the HDC and HBRC Compliance Monitoring Officers and representatives of the contractors who will undertake the works and any suitably qualified persons if required by other conditions. The purpose of the meeting is to discuss practical implementation and supervision of the erosion and sediment control measures, earthworks methodologies (including staging), stormwater management, groundwater management, relevant management plans, timeframes for the work and to ensure all relevant parties are aware of and familiar with the conditions of this consent and the EA and Management Plans approved under it. The following information shall be made available by the Consent Holder at the meeting and shall be accessible on site at all times while any works are occurring in respect of each stage: (a) The conditions of this consent; and (b) All approved EA, Management Plans, and other material submitted to, and any responses from, the HDC and HBRC under these conditions.
7.	**Works in accordance with Conditions** The Consent Holder shall ensure that all works are carried out in accordance with these conditions, including any EA or certification obtained in accordance with these conditions.
8.	**Experienced Contractors** The Consent Holder shall ensure that all works carried out in accordance with these conditions, including any under EA or certification obtained in accordance with these conditions, are undertaken by persons who: (a) are suitably qualified and/ or have the appropriate experience in the relevant areas; (b) have the appropriate equipment; (c) have the appropriate public liability insurance; and

No.	Conditions - General
	(d) meet the requirements of the Health and Safety at Work Act
9.	**Works within Public Road Reserve** The Consent Holder shall ensure that all works within a public road reserve are undertaken by a contractor who is pre-approved to do so by the HDC.
10.	**Works within Site Boundaries** The Consent Holder shall ensure that no earthworks, temporary or permanent, breach the boundaries of the site, except for authorised works addressing: (a) the construction of the intersections, Brookvale Road gateway treatment, and pedestrian crossing; (b) the construction of the stormwater outlet structure discharge device; (c) works required to either connect into or extend/upgrade public infrastructure to service the development. ***Advice note**: Prior to undertaking works on those public assets, the Consent Holder should obtain all necessary approvals from the HDC and HBRC and any other necessary approvals.*
11.	**Hours of Operation** Construction work and heavy vehicle movements on the site shall be limited to the hours of 7.30 am - 6.00 pm Monday to Saturday. No noisy works shall be undertaken outside of these hours or on Sundays or public holidays. This condition does not preclude quiet works from taking place outside of standard construction hours, providing they comply with the permitted construction noise limits at these times (e.g., site meetings, interior fitouts, planting or other works that are well-separated from neighbouring receivers).
12.	**Maintenance during construction and of vacant areas until works commence** During construction and until works begin on a relevant stage (or combination of stages) in a vacant area, the Consent Holder must ensure that the Site is kept in a tidy condition free of nuisances including but not limited to undertaking vegetation and weed management, rubbish removal, dust and runoff management.
13.	**Accidental Discovery Protocol** In the event of any discovery of material suspected to be evidence of pre-1900 human activity, taonga/treasured artefacts or Human remains/Kōiwi in a 'place', the Consent Holder shall: (a) cease work at and within 20m of the place ("affected area"), and secure the affected area; (b) notify the Heritage New Zealand Pouhere Taonga ("HNZPT"), the HDC and HBRC, and comply with any statutory requirements arising such as under the HNZPT Act 2014 and Protected Objects Act 1975; (c) if the material is of Māori origin, notify Tamatea Pōkai Whenua (TPW), and shall allow access to enable appropriate cultural procedures to be undertaken in accordance with tikanga, subject to meeting any statutory requirements; and (d) if human remains/Kōiwi are uncovered, notify the NZ Police as well as TPW, and not move any such remains until NZ Police and/or TPW advice is received;

No.	Conditions - General
	(e) have agreed that they can be moved and all appropriate cultural procedures have been undertaken in accordance with tikanga; (f) not recommence works within the affected area until any necessary cultural procedures have been undertaken and statutory requirements have been met.
14.	**Notification of Stage Completion** The Consent Holder must notify the HDC and HBRC in writing of the date of completion of any particular stage (or combination of stages), within ten (10) working days of the completion of that stage(s).
15.	**Complaints** During the siteworks and construction period, the Consent Holder shall maintain a record of any complaints received in relation to the exercise of this consent. The register shall include, but not be limited to: (a) the date, time, location and nature of the complaint; (b) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information; and (c) action taken by Consent Holder to investigate the complaint, and, if it is justified, the action taken to remedy the situation and any measures to be put in place to avoid or mitigate the problem occurring again. These records shall be provided to the relevant HDC and/or HBRC Compliance Monitoring Officer upon request.

5.0 Subdivision: SUB-XXX

Summary of SUB-XXX subdivision activities authorised.

Activities relating to Section 11 of the RMA for the subdivision of:

- 203 residential lots delivered in a staged manner.
- Five roads to be vested in HDC.
- One accessway to be vested in HDC.
- Four local purpose drainage reserves to be vested in HDC for stormwater.
- One local purpose drainage reserve to be vested in HDC for wastewater.
- Associated easements, rights of way and legal instruments.
- Associated infrastructure, site works and landscaping required to establish and service the subdivision.
- Consent notices to facilitate and management development within the subdivision.

Section 223 Survey Plan Approval Explanatory Note: Unless stated otherwise or excluded from the respective stage, the following conditions apply as required to each independent stage.

Section 224(c) Certification Explanatory Note: Unless stated otherwise or excluded from the respective stage, the following conditions apply as required to each independent stage. A certificate pursuant to section 224(c) of the RMA will not be issued until all conditions in relation to each independent stage have been met to the satisfaction of the HDC and at the Consent Holder's expense.

No.	Conditions – SUB-XXX
No.	**General**
16.	**Subdivision in Accordance** That the subdivision shall proceed in accordance with the attached approved subdivision plan, unless otherwise altered by the consent conditions.
17.	**Memorandum of Easements and Land Transfer Plan** That the Memorandum of Easements and Land Transfer Plan to give effect to this subdivision consent shall be consistent with the approved subdivision plan referenced in Schedule 1.
18.	**Rights of Way and Easements** No service or right of way required herein shall extend beyond the boundary of the site served unless an appropriate easement is shown within a memorandum of easements on the face of the Land Transfer Plan. All such easements shall be dimensioned to the satisfaction of the Environmental Consents Manager, Planning and Regulatory Services, cover the entire physical alignment of that service or right of way, and shall provide all the necessary legal entitlements for the on-going operation and maintenance of that service or right of way.
19.	**Servicing Easements** The Consent Holder shall show the location of any new pipes or infrastructure over another title (existing or proposed) and these shall be covered by appropriate easements, to be confirmed at Section 223 and/or 224c stage. As built plans shall be provided to confirm compliance with this condition.

No.	Conditions – SUB-XXX
20.	**Easements** That all required easements shall be created and duly granted or reserved.
21.	**Easement to be Surrendered (Road)** Pursuant to Section 243(e) of the Resource Management Act 1991, the condition requiring the existing right of way on Lot 1 DP 529421 shall be revoked, and the easement surrendered as part of the deposit action for this subdivision.
22.	**Easements to be Surrendered** Pursuant to section 243(e) of the Resource Management Act 1991, the Consent Holder shall surrender or cancel, as applicable, any easements, rights of way, rights to drain water, rights to drain sewage, and other easement interests created by this subdivision that are no longer required as a result of subsequent stages of the subdivision. The surrender or cancellation of such easements shall occur as part of the deposit action for the relevant stage and shall be identified on the relevant survey plan and associated section 223 and section 224(c) documentation. For the avoidance of doubt, this condition authorises the issue of section 243(e) certificates for easements created by earlier stages of the subdivision where their surrender or cancellation is required to give effect to the approved subdivision layout and infrastructure design. ***Advice Note**: It is anticipated that certain easements created by earlier stages of the subdivision may require surrender or cancellation as later stages are completed. Section 243(e) certificates may be issued by HDC for this purpose where necessary to implement the approved subdivision layout and infrastructure design.*
23.	**Reserve to be Revoked and Road to be Declared** The reserve status of part of the land described as Lot 3 DP 481968 and identified as 'Section 1' on Maven Associates Drawing C160-1 & C160-2 referenced in Schedule 1 is to be revoked and declared as legal road prior to Stage 3 depositing for titles.
24.	**Cancellation of Amalgamation Conditions** Pursuant to Section 241(3) of the Resource Management Act 1991, the consent holder shall cancel the existing amalgamation condition on SUB-XXXXXXX (LINZ Reference Number: TBC) requiring Lot 1 DP 16311 and Lot 1 TBC to be held in the same record of title. Pursuant to Section 241(3) of the Resource Management Act 1991, the consent holder shall cancel the existing amalgamation condition on DP 529421 (LINZ Reference Number: 1174670) requiring Lot 2 DP 7771 and Lot 2 DP 529421 to be held in the same record of title. Pursuant to Section 241(3) of the Resource Management Act 1991, the consent holder shall cancel the existing amalgamation condition on DP 529421 (LINZ Reference Number: 1174670) requiring Lot 2 DP 28543 and Lot 2 DP 529421 to be held in the same record of title. Pursuant to Section 241(3) of the Resource Management Act 1991, the consent holder shall cancel the existing amalgamation condition on DP 28543 (LINZ Reference Number: 681676.1) requiring Lots 1 & 2 DP 28543 to be held in the same record of title.
25.	**Vesting** The following lots identified in the table below shall be vested in the HDC at their respective stages and for the purposes and in general accordance with the approved scheme plan at Schedule 1:

Commented [JS6]: This is for the boundary adjustment subdivision recently approved for neighbouring Lot 16 (Haswell landholding) that will be now part of the Brookvale Green development site. We will get further detail on this and update.

No.	Conditions – SUB-XXX

Lot	Stage	Purpose
1000	1	Local Purpose (drainage) Reserve
1001	1	Local Purpose (drainage) Reserve
1002	1	Local Purpose (drainage) Reserve
1003	3	Local Purpose (drainage) Reserve
600	1	Local Purpose (drainage) Reserve
2000	5	Road Reserve
2001	2	Road Reserve
2002	4	Road Reserve
2003	3	Road Reserve
2004	1	Road Reserve
2005	1	Road Reserve
507	3	Accessway

26. **Staging**

The development shall only occur in accordance with the approved scheme plan in Schedule 1 provided it is carried out:

(a) in the numerical order set out in the staging plans starting with Stage 1; or

(b) concurrently with one or more of the stages that numerically precede it.

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

(c) EA may be obtained in stages;

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

(d) the balance lot remaining at each successive stage;

(e) any non-residential allotment.

27. **Public Wastewater**

All easements required for the operation, maintenance, replacement and access to the Lot 600 wastewater pump station and associated infrastructure shall be created in accordance with the HDC ECoP and to the satisfaction of the HDC Development Engineer (or nominee).

28. **HDC Engineering Code of Practice**

That all works shall be completed in accordance with the HDC Engineering Code of Practice 2020 (HDC ECoP), unless an alternative design has been approved by the HDC Development Engineer (or nominee).

Engineering – Design Plan Approval

29. **Engineering Approval**

That prior to the commencement of any work on site, the consent holder shall provide a signed 'Form 4' (Appendix 62 Hastings District Plan (**HDP**)) and engineering design for all proposed works associated with the subdivision and these shall be undertaken by a SQEP experienced in roading, water, stormwater and sewer services design and construction, to the satisfaction of the Development Engineer (or nominee). The engineering plans submitted for approval shall detail

No.	Conditions – SUB-XXX
	all works required and shall be in accordance with the HDC ECoP. The required design shall include, but is not limited to: (a) Wastewater Reticulation and Wastewater Pump Station (WWPS) infrastructure, including telemetry, emergency storage, power supply, maintenance access and operational requirements (b) Water Reticulation, including fire hydrant locations. All water connections to individual lots shall include an Acuflo 900s toby and manifold complete with HDC service lids (c) Stormwater Reticulation (d) Overland flow paths, ensuring no changes to adjoining landowners boundaries (e) Fire Fighting in accordance with SNZ PAS 4509:2008 (f) Geometric Road Design (g) All Rights of way, vehicle crossings and complying passing bays (h) Road signage and markings (i) Existing bores to be sealed (j) Street Lighting Design Report and AS/NZS 1158 (k) Street trees in accordance with LD1 and LD2 of the HDC ECoP (l) Show how Building sites within the development are above the flood level of the 1% annual exceedance probability (AEP) storm event plus a freeboard (Schedule D of the ECoP and Section 4.3.5.2 of NZS 4404:2010). (m) Reserve contour and planting plan Advice note: The engineering plans and documents submitted for Engineering Plan Approval (EA) must be submitted to the HDC Development Engineer developmentengineer@hdc.govt.nz.
30.	**Erosion & Sediment Control Plan** Prior to the commencement of any work on the site the consent holder shall submit a Erosion and Sediment Control Plan (**ESCP**) by a SQEP for the approval of the HDC's Environmental Consents Manager, Planning and Regulatory Services (or nominee). The ESCP shall detail how sediment and erosion controls will be carried out at the site in accordance with current engineering best practice. A statement shall be included with the ESCP stating the author's qualifications and experience in this area.
31.	**Vehicle Crossing & Service Connections** Prior to the commencement of any work on the site, vehicle crossing and service connection applications shall be submitted to HDC's Development Engineer (or nominee) for approval.
32.	**ESCP Approval** That works shall not commence until the engineering design plan and ESCP certification has been approved by HDC's Development Engineer (or nominee).
33.	**Private Services** That all private water services and drainage, i.e. those services not being vested to HDC, will require a Building Consent.
	Construction

Commented [SH7]: Good

No.	Conditions – SUB-XXX
34.	**Implementation of ESCP** The Consent Holder shall implement (in full) all aspects of the HDC approved engineering design and ESCP, to the satisfaction of the HDC Environmental Consents Manager (or nominee).
35.	**Service Connections** That the connection of the water, sewer and stormwater services (including all overland flow paths) with existing or proposed services shall be made at the Consent Holder's expense and constructed by a contractor approved by HDC for constructing connections to its networks.
36.	**Corridor Access Request** That all work within the boundaries of the legal road shall require a Corridor Access Request application to be submitted and approved by the HDC Transportation Compliance Engineer (or nominee) prior to commencement of the specific work items.
37.	**Street Trees** That street trees shall be planted within the Roads to be vested to HDC in accordance with LD1 and LD2 of the HDC ECoP and the approved landscape plan within Schedule 1 and best horticultural/arboriculture practice as follows: (a) Trees shall be grown in PB95 planter bags or larger. (b) Trees shall be well rooted to fill the bag. (c) Trees shall have a bare trunk to a minimum height of 1.5 metres from the top of the bag. (d) Trees shall be well branched from the 1.5 metre height with a central leader (where appropriate to the species). (e) Trees shall be a minimum of 3 metres in height (where applicable to the species chosen). (f) Trees shall be free of pests, diseases and weeds. (g) Trees shall have a minimum trunk diameter of 30mm at a height of 1.2m. (h) Branches with 'included bark' shall be removed. (i) All pruning shall be carried out following National Target Pruning standards. (j) Trees shall be watered thoroughly before planting. (k) Mulched base to the satisfaction of HDC's Parks Officer. (l) Planter boxers to the satisfaction of HDC's Parks Officer. (m) Trees shall be staked and tied to the satisfaction of HDC's Parks Officer.
38.	**Top Soil Use** Topsoil placed within roadside berms shall not exceed a maximum depth of 300 mm. Topsoil shall not be used as backfill within trenches or placed beneath any road or footpath formation.
	Earthworks
39.	**Monitoring** The HDC Monitoring Inspector (or nominee) shall be notified at least two (2) working days prior to earthwork activities commencing on the subject site. Please contact the Monitoring Inspector at email: rcmonitoring@hdc.govt.nz

No.	Conditions – SUB-XXX
40.	**Noise Standards** That all earthworks operations shall be conducted to comply with the typical duration provisions of New Zealand Standard NZS 6803: 1999 Acoustics – Construction Noise.
41.	**Dust Control** There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks/construction activities that in the opinion of the HDC Environmental Consents Manager (or nominee), is noxious, offensive or objectionable.
42.	**Obstruction of Public Access** There shall be no obstruction of access to public footpaths/berms, private properties, public services/utilities, or public reserves resulting from the construction and/or earthworks activity. All materials and equipment shall be stored within the subject site's boundaries.
43.	**Deposition of Dirt and Debris** There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
44.	**Obstruction of Overland Flow** That as part of the earthworks, no filling shall take place that will obstruct overland flow from higher ground/upstream unless otherwise approved by this consent.
45.	**Spill Management** All machinery associated with the earthworks and construction activity shall be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.
46.	**Import of Fill** The consent holder's supervising engineer shall ensure that all imported fill used shall: (a) Comply with the definition for 'cleanfill' in the Ministry for the Environment publication 'A Guide to the Management of Cleanfills' (2002); (b) Be solid material of a stable, inert nature; and (c) Not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.
47.	**Clean Fill** The Consent Holder's contractor shall confirm in writing that only 'clean fill' shall be imported onsite (i.e. no rubbish, no stumps, no concrete, bricks any no other substance containing; combustible, putrescible, degradable or leachable components, hazardous substances, products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices, medical and veterinary waste, asbestos or radioactive substances or liquid waste).

Commented [SH8]: It's very general but I'm assuming details of a spill management plan would come later.

For source-water protection the condition should recognise that spills are not just a surface water issue i.e. groundwater as well. I'm assuming there will be something in the plan about notifying HDC/HBRC in the event of a spill and how that would be cleaned up

Commented [BB9R8]: This is an HDC enforced condition, HBRC Spill management is addressed separately.

No.	Conditions – SUB-XXX
	***Advice note**: Please note that imported 'clean fill' will also need to comply with the relevant standards in the National Environmental Standard for Assessing and Managing Contaminants in Soils to Protect Human Health.*
	Engineering (Post Construction of Physical Works)
48.	**Damage to Assets** Any damage caused to HDC assets as a result of the subdivision work shall be rectified at the Consent Holder's sole expense and to the satisfaction of HDC's Development Engineer (or nominee).
49.	**CCTV Inspection** Prior to the application for a Section 224(c) certificate, closed circuit television (CCTV) inspection records (DVD format), in accordance with Council's CCTV technical specification, shall be submitted to HDC's Development Manager (or nominee) for all sewer mains, and all stormwater mains and sump leads. The CCTV inspection record shall be in accordance with the NZ Pipe Inspection Manual (May 2006) and dye shall be used to check the grade of all pipes. The CCTV record shall clearly show the condition of all pipes and chambers.
50.	**As-Built Plans** As built plans and data (in both electronic (CAD) and PDF format) detailing the roading, earthworks, water, wastewater and stormwater connections installed, shall be provided to the satisfaction of the HDC's Development Engineer (or nominee) in accordance with the requirements of the HDC ECoP. This data includes Road Assessment and Maintenance Management data (roading, street tree location and species) and WASABI data (excel spreadsheet for 3 waters attributes, located on the HDC's website at www.hastingsdc.govt.nz/wasabi.xls) on all public assets to be vested to HDC.
51.	**Certified As-Built Plans** All as built plans and data shall be provided once construction is completed and shall be certified as a complete and correct record by the consent holder's SQEP in accordance with the requirements of the HDC ECoP.
52.	**Location of Fill** That the location and dimensions and depth of any area of fill shall be identified on an as built plan of the subdivision and provided to the HDC's Development Engineer (or nominee). The final earthworks plan shall confirm the new overland flow paths, and shall confirm that there are no changes to ground levels at neighbouring boundaries that affect overland flow paths.
53.	**Certification of Works** That a completed Form 5 'Certification of Construction and Completion of Engineering Works for Subdivision' (Appendix 62 of the HDP) prepared by a SQEP, (See Section 1.3, Part 3 of the ECoP) shall be submitted to the satisfaction of HDC's Development Engineer (or nominee) on the completion of the engineering works and prior to Section 224 Certification.
54.	**Geotechnical Completion Report** That after completion of earthworks, the Consent Holder shall submit a Geotechnical Completion Report (**GCR**) and Form 6 'Statement of Professional Opinion as to Suitability of Land for Building Development' (Appendix 62 of the HDP) from a SQEP specialising in geotechnical matters confirming the stability and suitability of the land for residential building development. This

No.	Conditions – SUB-XXX
	statement of professional opinion and GCR shall pay particular regard to any liquefaction risk identified for the site, and address finished site conditions and bearing capacity of the soils, and in particular any foundation design requirements necessary to address liquefaction vulnerability for residential buildings. ***Advice Notes**:* *Note 1: that person or persons will normally be expected to be professionally recognised in the area of competence claimed and to carry professional indemnity insurance to a level suitable for the purpose, but in any case not less than $1,000,000 per project.* *Note 2: HDC reserves the right to have any work peer reviewed regardless of any prior approval as to the acceptability of the SQEP. The cost of all peer review work will be borne by the Consent Holder.*
55.	**Lot Specific Geotechnical Limitations (Lots 30-37, 55-71, 75-101, 104-114 and 129-130)** Prior to the issue of a section 224(c) certificate for the relevant stage, the Consent Holder shall provide a GCR prepared by a SQEP geotechnical engineer. Where the GCR identifies any lot-specific geotechnical limitation, TC2 foundation requirement, remedial work, slope setback, retaining wall requirement, or future geotechnical investigation requirement affecting Lots 30-37, 55-71, 75-101, 104-114 or 129-130, the Consent Holder shall register a consent notice pursuant to section 221 of the Resource Management Act 1991 against the record of title for the affected lot(s). The wording of any consent notice shall be approved by the HDC Environmental Consents Manager (or nominee) prior to registration.
56.	**Contractor's Certificate** That the Consent Holder's contractor shall issue a 'Contractors Certificate Upon Completion of Land Development/Subdivision' Schedule 1B: NZS4404:2010 certifying that all public and private three waters and roading infrastructure has been constructed in accordance with the HDC approved Engineering Design and shall be provided in support of the section 224(c) application of each stage.
57.	**Code of Compliance** A copy of any 'Code Compliance Certificate' under the Building Act 2004 for any private 3 waters services, if required, shall be provided with any Section 224c application.
58.	**Road Signs** The Consent Holder shall install public and/or private road name signs for all roads, and where access lots and/or right of ways service more than five sites, in accordance with Drawing C18 of the HDC ECoP. ***Advice Note**:* *Note 1: Any private accessway that serves more than five sites requires a private road name. Suggestions for road names should be sent to the HDC Environmental Consents Manager (or nominee), at least 1 month prior to any application for Section 224(c) Certification.* *Note 2: The Consent Holder is encouraged to engage with Tamatea Pōkai Whenua regarding opportunities for Māori cultural names for roads.*
59.	**Water Bores** That any existing water bores/wells shall be sealed permanently by a registered well-driller, and the Consent Holder shall provide suitable confirmation to both the HDC and the HBRC, including the location of these sealed wells in relation to the new boundaries.

Commented [SH10]: This is a good and important condition.

No.	Conditions – SUB-XXX
	Advice note: Rule 4 of ~~the~~HBRC's RRMP applies to decommissioning of bores.
60.	**Street Lighting** The Consent Holder shall ensure that all street lighting is installed and operational prior to Section 224 certification.
	Electrical Connections
61.	**Power Connection** Each lot shall be provided with a connection to the electricity network. Suitable evidence from the network utility operator shall be presented to HDC at the time Section 224(c) is sought, confirming separate connections have been installed, paid for and are live.
	Final Ground Levels
62.	**Minimum Floor Levels** Prior to the issue of a section 224(c) certificate for each stage, the Consent Holder shall provide certification from a SQEP engineer confirming any minimum floor level required to avoid or mitigate flood effects on individual residential lots within that stage. For any individual lots requiring a minimum floor level to mitigate flood effects, the Consent Holder shall register a consent notice pursuant to section 221 of the Resource Management Act 1991 against the record of title for the affected lot(s). The wording of any consent notice shall be approved by the HDC Environmental Consents Manager (or nominee) prior to registration.
	Stormwater Reserves to Vest
63.	**Removal of Material** That the Consent Holder shall remove any garbage, debris, trees and other vegetation from Lots 1000, 1001, 1002 and 1003 hereon.
64.	**Detailed Landscaping Plans** The Consent Holder must submit detailed landscaping plans for the Local Purpose (Drainage) Reserves Lot 1000, 1001, 1002 and 1003 to HDC for approval of the Public Spaces Manager (or nominee) in general accordance with the approved landscape plans referenced in Schedule 1.
65.	**Design & Construction** That the consent holder shall be required to develop Lots 1000, 1001, 1002 and 1003 hereon by contouring the site for overland flow, landscaping, top-soiling and re-grassing in accordance with the approved engineering and landscaping plans in Schedule 1 and to the satisfaction of both: (a) The HDC Development Engineer (or nominee); and (b) The HDC Parks and Property Services Manager (or nominee). Written confirmation from this Manager shall be provided with any Section 224c application.
66.	**Condition of Landscaping**

No.	Conditions – SUB-XXX
	Landscaping on Lots 1000, 1001, 1002 and 1003 hereon shall be landscaped and presented in a healthy condition and weed free when the reserve is vested in HDC to the satisfaction of the HDC Parks and Property Services Manager (or nominee).
67.	**Above Ground Infrastructure** The location of any and all above ground infrastructure (e.g. power transformers) shall be approved by the HDC Parks and Property Services Manager (or nominee) prior to installation.
	Drainage Reserve (Wastewater) to Vest
68.	**Removal of Material** That the consent holder shall remove any garbage, debris, trees and other vegetation from Lot 600 hereon.
69.	**Wastewater Pump Station Commissioning** Prior to the issue of the Section 224(c) Certificate for the relevant stage containing the Wastewater Pump Station (WWPS), the Consent Holder shall provide confirmation from a SQEP that the WWPS and associated infrastructure: (a) has been constructed in accordance with the approved engineering plans; (b) has been commissioned and is fully operational; (c) is connected to all required power and telemetry systems; and (d) is capable of being vested in HDC in accordance with the HDC ECoP.
70.	**Wastewater Pump Station Documentation** Prior to Section 224(c) Certification for the relevant stage, the Consent Holder shall provide to HDC: (a) certified as-built information for the WWPS and associated infrastructure; (b) producer statements and commissioning documentation; (c) operation and maintenance manuals; and (d) any asset data required under the HDC ECoP.
	Landscaping
71.	**Buffer Interface Landscaping** The Consent Holder shall establish the buffer interface landscaping on Lots 131-138, 140-164 and 172 shown on the approved Landscape Plans referenced in Schedule 1. The buffer interface landscaping shall be implemented in general accordance with the approved Landscaping Plans referenced in Schedule 1 as follows: (a) The planting shall be completed during the first planting season following the completion of the Stage 1 civil works, or as agreed with the HDC Compliance Monitoring Officer (or nominee); (b) The planting shall be maintained by the Consent Holder in general accordance with the approved Landscape Plans referenced in Schedule 1 for a minimum period of two years; and

No.	Conditions – SUB-XXX
	(c) Evidence of planting completion and maintenance arrangements shall be provided to the HDC Compliance Monitoring Officer (or nominee) upon request.
	Fencing
72.	**External Boundary Fencing** The Consent Holder shall establish the external development boundary fencing on Lots 131-138, 140-164 and 172 identified on the approved [Fencing plan] referenced in Schedule 1. The external boundary fencing shall be implemented as follows: (a) The fencing shall be completed prior to the issue of the Section 224(c) Certificate for the relevant stage, or as otherwise agreed with the HDC Compliance Monitoring Officer (or nominee). (b) The fencing shall be constructed by the Consent Holder to the specifications, materials and heights set out in the approved [Fencing Plan] referenced in Schedule 1.
	Consent Notices
73.	**Site-Wide Geotechnical (All lots)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 1 to 203. The notice shall be registered at the consent holder's expense and shall read as follows: Site-Wide Geotechnical This site has been created by SUB-XXX. All development on this site shall meet all recommendations and conditions in the Geotechnical Investigation Assessment prepared by Hawkes Bay Geotech Limited, Dated [xxx] (HDC Ref: #xxx), or any subsequent geotechnical investigation approved as part of a building consent for the development.
74.	**Site-Wide Fencing (Lots 1 to 203)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 1 to 203 inclusive hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Site-Wide Fencing: Any fence erected on Lots 1 to 203 inclusive shall be designed, constructed, maintained, repaired, replaced and renewed in accordance with the approved Fencing Plan [insert fencing plan – dated, named, prepared].
75.	**Fencing next to Reserve or Accessway (Lots 71-73, 131, 168-169, 173, 175, and 181-203)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 71-73, 131, 168-169, 173, 175, and 181-203 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Fencing next to Hastings District Council Reserve or Reserve Link If a fence is built on or within 5 metres of the boundary of a public reserve it shall be either a 1.2m high picket fence, or a 1.2m-1.8m high open style steel pool fence, with a minimum 50% permeability, galvanised and powder coated, or any alternative design if agreed to by the Environmental Consents Manager, HDC (or nominee). In addition the following requirements also apply:

Commented [JS11]: Update to reference final lodged report.

No.	Conditions – SUB-XXX
	(a) That a mowing strip shall be constructed with any fence. (b) HDC is not liable for any costs associated with erecting, replacing or maintaining any fence bounding the reserve. (c) Gates between the residential site and the reserve can be installed at the owner's discretion, and in a style matching the fence.
76.	**Fencing next to Lot 1 DP 28543 HDC Water Asset Facility (Lot 188)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lot 188 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Fencing next to Lot 1 DP 28543 Hastings District Council Water Asset Facility A close-boarded acoustic fence with a minimum height of 2 metres shall be erected along the full length of the common boundary between Lot 188 and the adjoining Hastings District Council water asset site Lot 1 DP 28543, or any alternative design if agreed to by the Environmental Consents Manager, HDC (or nominee).
77.	**Reverse Sensitivity – Buffer Interface No Complaints Dog Day Care Activity (Lots 141 to 165 and Lot 172)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 141 to 165 and Lot 172 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: No Complaints – Dog Day Care Activity This property is located in proximity to 104 Arataki Road (Lot 1 DP 13265 and Lot 1 DP 16136), which is authorised to operate a dog day care facility pursuant to resource consent RMA20170139. The property owner of this lot, and any successor in title, acknowledges that the dog day care activity may generate noise effects associated with dog barking, vehicle movements, and general operational activities Monday to Friday between the hours of 7:00am and 6:00pm. Where the activity at 104 Arataki Road is carried out in accordance with resource consent RMA20170139, the property owner and any successor shall not • Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from those activities; nor • Make nor lodge; nor • Be party to; nor • Finance nor contribute to the cost of; Any application, proceeding, or appeal (make or lodge, support, finance or be party to any application, proceeding, submission or appeal (under the Resource Management Act 1991 or otherwise) seeking to limit, prohibit or restrict the continuation of the dog day care activity authorised by RMA20170139.
78.	**Reverse Sensitivity – Buffer Interface No Build Area (Lots 131-138, 140-163 and 172) (Shaggy Range and Vinarchy Interfaces)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 131-138, 140-163 and 172 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: No Build Area:

No.	Conditions – SUB-XXX
	No habitable building shall be erected within the 10m no-build area identified [insert scheme plan reference] as "Area subject to proposed consent notices (buffer interface)" on Lots 131-138, 140-163 and 172 on the approved "Scheme Plans, drawing no. [insert numbers], all Rev A, prepared by Maven Associates and all dated June 2026". This is for the purpose of providing an appropriate rural-urban interface, clear of habitable buildings, to minimise effects from neighbouring rural / agricultural activities
79.	**Reverse Sensitivity – Buffer Interface Landscaping (Lots 131-140) (Vinarchy Interface)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 131-138, and 140 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Landscaping Buffer Requirements: All vegetation within the 15m wide Buffer Planting area identified on *"LA4 Landscape Details Plan Set, Typical Eastern Channel Cross Section 02, Drawing CS09, Rev B, dated 12.06.2026"* must be retained and protected to provide for a continuous shelter belt and vegetated appearance buffer to protect the rural-urban interface. Lot owners must: (a) Maintain planting established in general accordance with the approved and implemented landscape plans; (b) Not cut down, damage, or destroy the planting within the consent notice area (excluding general weeding); and (c) Control all pest plants and pest animals within the consent notice area.
80.	**Reverse Sensitivity – Buffer Interface Landscaping (Lots 157-164 and 172) (Northern Shaggy Range Interface)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for 157-164 and 172 inclusive hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Landscaping Buffer Requirements: All vegetation within the 5m wide Buffer Planting area identified on *"LA4 Landscape Details Plan Set, Shaggy Range Boundary Cross Section 01, Drawing CS12, Rev A, dated 12.06.2026"* must be retained and protected to provide for a continuous shelter belt and vegetated appearance buffer to protect the rural-urban interface. Lot owners must: (a) Maintain planting established in general accordance with the approved and implemented landscape plans; (b) Not cut down, damage, or destroy the planting within the consent notice area (excluding general weeding); and (c) Control all pest plants and pest animals within the consent notice area.
81.	**Reverse Sensitivity – Buffer Interface Landscaping (Lots 141-156) (Southern Shaggy Range Interface)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for 141-156 inclusive hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Landscaping Buffer Requirements:

Commented [JS12]: Note: Maven will update the scheme plan C150 series drawings so that a 10m no build area is shown all the way around the Shaggy Range and Vinarchy boundary where private lots adjoin the shared boundary.

No.	Conditions – SUB-XXX
	All vegetation within the 5m wide Buffer Planting area identified on *"LA4 Landscape Details Plan Set, Shaggy Range Boundary Cross Section 02, Drawing CS13, Rev A, dated 12.06.2026"* must be retained and protected to provide for a continuous shelter belt and vegetated appearance buffer to protect the rural-urban interface. Lot owners must: (a) Maintain planting established in general accordance with the approved and implemented landscape plans; (b) Not cut down, damage, or destroy the planting within the consent notice area (excluding general weeding); and (c) Control all pest plants and pest animals within the consent notice area.
82.	**Reverse Sensitivity – Buffer Interface Landscaping (Lot 141) (Corner Lot)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lot 141 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Landscaping Buffer Requirements: All vegetation within the Buffer Planting Areas identified on the approved LA4 Landscape Details Plan Set shall be retained and protected to provide for a continuous shelter belt and vegetated appearance buffer to protect the rural-urban interface. For Lot 141, the following planting areas apply: (a) The 10m wide Buffer Planting Area adjoining the south-eastern rear boundary, identified on "*LA4 Landscape Details Plan Set, Typical Eastern Channel Cross Section 03, Drawing CS014, Rev A, dated 12.06.2026*"; and (b) The 5m wide Buffer Planting Area adjoining the south-western rear boundary, identified on "*LA4 Landscape Details Plan Set, Shaggy Range Boundary Cross Section 02, Drawing CS13, Rev A, dated 12.06.2026*". Lot owners must: (c) Maintain planting established in general accordance with the approved and implemented landscape plans; (d) Not cut down, damage, or destroy the planting within the consent notice area (excluding general weeding); and (e) Control all pest plants and pest animals within the consent notice area.
83.	**Reverse Sensitivity – Buffer Interface Fencing (Lots 141-156) (Shaggy Range Northern Interface)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 141-156 inclusive hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Fencing Requirements: All rear yard fencing on Lots 141-156 adjoining neighbouring Lot 1 DP16136 must be implemented and maintained to provide for continuous rear boundary rural post and rail stock and dog proof fence with a height of 2 metres in accordance with the approved [fencing plan insert reference]. Lot owners must:

No.	Conditions – SUB-XXX
	(a) maintain fencing in general accordance with the approved and implemented fencing plans. (b) If any fencing is damaged, it shall be replaced as soon as practicable on a like-for-like basis
84.	**Reverse Sensitivity – Buffer Interface Fencing (Lots 141-164) (Shaggy Range Southern Interface)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 157-164 and 172 inclusive hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Fencing Requirements: All rear yard fencing on Lots 157-164 and 172 adjoining neighbouring Lot 1 DP16136 must be implemented and maintained to provide for continuous rear boundary close-boarded timber stock proof fence with a height of 2 metres in accordance with the approved [fencing plan insert reference]. Lot owners must: (a) maintain fencing in general accordance with the approved and implemented fencing plans. (b) If any fencing is damaged, it shall be replaced as soon as practicable on a like-for-like basis
85.	**Reverse Sensitivity – Buffer Interface Fencing (Lots 131-138 and Lot 140) (Vinarchy)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 131-138 and Lot 140 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Fencing Requirements All rear yard fencing on Lots 131-138 and Lot 140 adjoining neighbouring Lot 1 DP27387 must be implemented and maintained to provide for continuous rear boundary rural post and rail fencing treatment in accordance with the approved [fencing plan insert reference]. Lot owners must: (a) maintain fencing in general accordance with the approved and implemented fencing plans; and (b) If any fencing is damaged, it shall be replaced as soon as practicable on a like-for-like basis
86.	**General Residential Development (Lots 1-12, 17-21, 38-43, 48-54, 62-84, and 93-203)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 1-12, 17-21, 38-43, 48-54, 62-84, and 93-203 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Havelock North General Residential Zone: All activities and development on Lots 1-12, 17-21, 38-43, 48-54, 62-84, and 93-203 shall be in accordance with the Rules and Permitted Activities and the General and Specific Performance Standards of the Havelock North General Residential Zone and District Wide Provisions of the Hastings District Plan (or any subsequent replacement or amendment of that Zone) unless: (a) Resource consent is otherwise obtained; or

No.	Conditions – SUB-XXX
	(b) The equivalent Rule(s), Permitted Activity(s) and/or General and Specific Performance Standard(s) is modified by specific consent notice(s) imposed on the Record of Title, in which case the consent notice provisions will apply.
87.	**Medium Density Development (Lots 13-16, 22-37, 44-47, 55-61, and 85-92) (Superlots)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 13-16, 22-37, 44-47, 55-61, and 85-92 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Havelock North Medium Density Residential Zone: All activities and development on Lots 13-16, 22-37, 44-47, 55-61, and 85-92 shall be in accordance with the Rules and Permitted Activities and the General and Specific Performance Standards of the Havelock North Medium Density Residential Zone and District Wide Provisions of the Hastings District Plan (or any subsequent replacement or amendment of that Zone) unless: (a) Resource consent is otherwise obtained; or (b) The equivalent Rule(s), Permitted Activity(s) and/or General and Specific Performance Standard(s) is modified by specific consent notice(s) imposed on the Record of Title, in which case the consent notice provisions will apply.
88.	**Development Design Guidelines (Lots 13-16, 22-37, 44-47, 55-61, and 85-92) (Superlots)** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the record of title to be issued for Lots 13-16, 22-37, 44-47, 55-61, and 85-92 hereon. The notice shall be registered at the consent holder's expense and shall read as follows: Development Design Guidelines: Any building, structure, landscaping, fencing, earthworks, subdivision or development undertaken on Lots 13-16, 22-37, 44-47, 55-61, and 85-92 shall be designed and undertaken in accordance with the Brookvale Green Design Guidelines contained in Schedule 1, unless otherwise authorised by a resource consent.
	Approved Activities
89.	**Approved Activities** Once the s224(c) has been issued in respect of any stage (or combination of stages), the Consent Holder shall not undertake any activities permitted under the Plains Production Zone within the relevant stage in reliance on that zoning if the Plains Production zone is in force at the time. ***Advice note**:* *This condition is not intended to:* *(a) Prevent the Consent Holder undertaking activities permitted within the Plains Production Zone on any balance land that is not being advanced as a development stage; and/ or* (b) *Prevent the Consent Holder carrying out activities on any relevant land that are permitted by any replacement zone to the Plains Production Zone.*

6.0 Land Use: LUC-XXX

Summary of LUC-XXX land use activities authorised.

Activities relating to Section 9 of the RMA for the following activities:

- The development of 203 residential dwellings as part of a comprehensive urban development.
- Enabling residential activities on Plains Production zoned land.
- Earthworks and infrastructure to support the development of the site.

Management Plan Explanatory Note: For clarity and ease of implementation, the Consent Holder may prepare a single consolidated Construction Environmental Management Plan (CEMP) incorporating the information and requirements of the various management plans required under Conditions 90 to 98 of this consent. Each management plan must be clearly identified and addressed within the consolidated CEMP but does not need to be provided as a separate stand-alone document unless otherwise required by HDC. The consolidated CEMP must demonstrate how all relevant requirements and performance standards under each management plan are to be achieved across the construction and siteworks activities authorised by this consent.

No.	Conditions – LUC-XXX
No.	**Site Works Pre Construction Requirements**
90.	**Construction Environmental Management Plan** Prior to the commencement of any earthworks or construction activity on the site for each stage (or combination of stages), the Consent Holder must submit to HDC a final CEMP prepared in general accordance with the approved preliminary CEMP referenced in Schedule 1 for the relevant stage(s). The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with each stage(s). The CEMP shall include, but not be limited to, the following: (a) Construction staging methodology. (b) Management of debris and detritus control throughout construction period. (c) Once the earthworks are completed, the requirements to sow topsoil with grass seed to stabilise the soil, except to the extent that the relevant buildings and/ or other land use activities to be undertaken on the relevant land are to be progressed without delay. (d) How stockpiling or placement of fill shall avoid obstructing any overland flow from higher ground/upstream. (e) A Bulk Earthworks Plan (BEP) in accordance with Condition [91] to identify the bulk earthworks proposed for each stage(s) and the work programme for bulk earthworks. (f) An Erosion and Sediment Control Plan (ESCP), in accordance with Condition [92], setting out the measures required to manage erosion and sediment generated from works on the site. (g) A Dust Management Plan (DMP) in accordance with Condition [93] to ensure that no airborne or deposited dust is emitted beyond the site.

No.	Conditions – LUC-XXX
	(h) A Chemical Treatment Management Plan (ChTMP) in accordance with Condition [94], to identify the use of chemical treatment for sediment retention, including flocculant type, dosing methodology, monitoring procedures, and contingency measures to ensure effective and environmentally safe use of treatment agents. (i) A Construction Traffic Management Plan (CTMP) in accordance with Condition [95], to identify vehicle access arrangements, construction traffic volumes and routes, measures to maintain road safety and minimise disruption to the surrounding road network and residents. (j) A Construction Noise and Vibration Management Plan (CNVMP), in accordance with Condition [96], to manage and mitigate construction noise and vibration effects (k) A Spill Management Plan (SPMP) in accordance with Condition [97] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill. (l) A Fauna Management Plan (FMP), in accordance with Condition [98], to manage potential effects on indigenous fauna during site clearance and construction works. (m) Safety fencing. (n) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed. (o) The provision of artificial lighting that may be required for construction works and the effects of any such lighting including managing light spill beyond the site boundary. (p) Health and Safety Plan. (q) Site notice board.
91.	**Bulk Earthworks Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the BEP in general accordance with the approved preliminary CEMP referenced in Schedule 1. The BEP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
92.	**Erosion and Sediment Control Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the ESCP in general accordance with the approved preliminary CEMP referenced in Schedule 1, and in accordance with the "Hawkes Bay Waterway Guidelines – Erosion and Sediment Control". The ESCP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
93.	**Dust Management Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the DMP in general accordance with the approved preliminary CEMP referenced in Schedule 1. The DMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).

No.	Conditions – LUC-XXX
94.	**Chemical Treatment Management Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the ChTMP in general accordance with the approved preliminary CEMP referenced in Schedule 1. The ChTMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
95.	**Construction Traffic Management Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the CTMP in general accordance with the approved preliminary CEMP referenced in Schedule 1. The CTMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
96.	**Construction Noise and Vibration Management Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the CNVMP in general accordance with the approved preliminary CNVMP referenced in Schedule 1. The CNVMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
97.	**Spill Management Plan** Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit to HDC a finalized copy of the SPMP in general accordance with the approved preliminary SPMP referenced in Schedule 1. The SPMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
98.	**Fauna Management Plan** Prior to the commencement of site clearance works, a finalized copy of the FMP must be submitted to HDC in general accordance with the approved FMP prepared by Stantec New Zealand and referenced in Schedule 1. The FMP can be amended to suit the appointed Contractor's methodology subject to approval from HDC's Compliance Monitoring Officer (or nominee).
99.	**Notification of Construction Works** The Consent Holder shall provide written notice to the owners and occupiers of all buildings within 50 metres of the site boundary at least five working days prior to the commencement of demolition, earthworks, and construction associated with the bulk earthworks and infrastructure phase of development on the site. The notice shall include: (a) A brief overview of the construction works, including the anticipated duration of the project and working hours on site; (b) The anticipated timing and duration of the noisiest construction activities; and (c) The name and contact details of a person responsible for responding to complaints and enquiries relating to the construction works.
	Site Works During Construction Requirements

No.	Conditions – LUC-XXX
100.	**Certification Of Works** Within ten (10) working days following implementation and completion of the specific erosion and sediment control works referenced in Condition [92], and prior to the commencement of earthworks or construction activity on the subject site, a suitably qualified person must provide written certification to the HDC that the erosion and sediment control measures have been constructed and completed in general accordance with the ESCP required by Condition [92]. Written certification must be in the form of a report or any other form acceptable to HDC's Compliance Monitoring Officer (or nominee).
101.	**Hours of Operation** All earthworks and construction works authorised by this consent must only take place between 7.30am and 6.00pm, Monday to Saturday. No works are to be undertaken at any time on Sundays or on public holidays. ***Advice note:*** *Arrival to site may occur before 7.30am. Any activity on site prior to 7.30am must be limited to quiet arrival and related quiet activities only. All staff should be extra vigilant during this early morning period and adhere to compliance with NZS6803:1999 Acoustics – Construction Noise.*
102.	**Construction Works Noise** All construction activities shall comply with the limits set out in NZS 6803:1999 Acoustics – Construction Noise, as measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.
103.	**Vibration from Construction Activities** Vibration from construction activities shall not exceed the limits set out in DIN 4150-3:2016 Structural Vibration – Effects of Vibration on Structures.
104.	**Works in accordance with Management Plans** All earthworks and construction activities shall be undertaken in general accordance with the finalised CEMP and associated management plans required by Conditions [90] to Condition [98] inclusive.
105.	**Acoustic Barrier – Water Asset Facility / Lot 188 Interface** Prior to the occupation of any dwelling on Lot 188, the Consent Holder shall construct an acoustically effective barrier along the common boundary between Lot 188 and the water asset facility located on Lot 1 DP 28543 (170 Brookvale Road). The acoustic barrier shall: (a) be no less than 2.0 metres in height; (b) have no gaps along its length or at its base, including where it adjoins any other structure; (c) have a minimum surface density of 10 kg/m²; and (d) where constructed from timber palings, include overlapping or battened joints to prevent gaps. The acoustic barrier shall thereafter be maintained in an acoustically effective condition for the duration of the consent.
106.	**Works in accordance with the Fauna Management Plan**

No.	Conditions – LUC-XXX
	All earthworks and construction activities shall be undertaken in general accordance with the finalised FMP required by Condition [105]. In particular, the Consent Holder shall ensure that all specific management measures are undertaken for the following fauna including: (a) Nesting birds – seasonal timing restrictions, same-day pre-clearance nest checks during the nesting season (1 August to 28 February), and establishment of exclusion buffers around any active nests identified prior to vegetation clearance works; (b) Bat habitats – seasonal timing restrictions, visual inspection of trees and structures prior to removal where applicable must be undertaken to confirm absence of bats; and (c) Lizard management – implementation of lizard salvage and relocation measures within identified potential habitat areas, including pre-clearance trapping and habitat searches, supervised vegetation clearance, staged removal of habitat features, and relocation of salvaged lizards to approved release areas.
107.	**Debris on road** The Consent Holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the Consent Holder must take immediate action to clean the roads provided that in no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters
108.	**Completion or Abandonment of Earthworks** Immediately upon completion or abandonment of earthworks on the site, all areas of bare earth associated with the works must be permanently stabilised against erosion to the satisfaction of the HDC Compliance Monitoring Officer (or nominee).
109.	**Public Assets** There must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public asset directly associated as a result of the activities granted under this consent. In the event that such damage does occur, the HDC Compliance Monitoring Officer (or nominee) will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the Consent Holder.
110.	**Stability of the Site / Neighbouring Sites** All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified by the Consent Holder.
111.	**Construction Storage** All construction machinery or similar must be stored or parked on site at all times and not on surrounding roads, unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee). All storage of materials and loading and unloading of equipment associated with the site works must take place within the site boundaries unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee).
112.	**Construction and Earthworks Activities not to Obstruct Access**

No.	Conditions – LUC-XXX
	There must be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the construction and earthworks activity unless otherwise approved by the HDC Compliance Monitoring Officer (or nominee).
113.	**Geotechnical Works** The Consent Holder must construct all building platforms, stormwater management devices, drainage reserves, stream/channel realignment works, cut and fill batters, and place and compact all fill material, in accordance with the recommendations of the approved Geotechnical Assessment Report referenced in Schedule 1. These works must be supervised by a SQEP.
	Site Works Post Construction Requirements
114.	**Geotechnical Certification** Certification from a suitably qualified person responsible for supervising the works must be provided to HDC, confirming that the works have been completed in general accordance with the approved Geotechnical Investigation Assessment referenced in Schedule 1 within twenty (20) working days following completion. Written certification must be in the form of a GCR, or any other form acceptable to the HDC.
115.	**Geotechnical Completion Report** The GCR and Schedule 2A certificate shall include: (a) Specific requirements for future earthworks, building foundations, retaining walls and other works which may occur in each lot, based on site investigation data, geotechnical analysis, and the results of the engineered fill test data; (b) A statement under Clause 3(e) covering Section 106 of the RMA; (c) Certification of all areas of fill placed, in accordance with the requirements of NZS 4431:2022 Engineered Fill Construction for Lightweight Structures; and (d) In the event the Schedule 2A certificate includes limitations or remedial works against any lot(s) then, unless the Consent Holder undertakes the remedial works identified, the limitations and remedial works required shall be included in a consent notice pursuant to section 221 for the relevant Lots.
116.	**Lizard Salvage and Relocation Reporting** Within 30 working days of completion of lizard salvage and relocation works, the Consent Holder shall provide a Lizard Salvage and Relocation Report to HBRC Manager Compliance (or nominee) in accordance with the reporting requirements of the certified FMP required by Condition [98]. ***Advice Note:*** *If any inconsistencies arise between this consent and a Wildlife Authority issued for the Site, the Wildlife Authority will take precedence.*
117.	**Lizard Post-Translocation Monitoring** Where more than 20 indigenous lizards are salvaged and relocated, post-translocation monitoring shall be undertaken during the following survey season in accordance with the certified FMP required by Condition [105]. A Lizard Translocation Monitoring Report prepared in accordance with the certified FMP shall be provided to HBRC Manager Compliance (or nominee) within 30 days following the conclusion of monitoring. ***Advice Note:***

No.	Conditions – LUC-XXX
	If any inconsistencies arise between this consent and a Wildlife Authority issued for the Site, the Wildlife Authority will take precedence.

7.0 Stream, Wetland and Structure Works: LUS-XXX

Summary of LUS-XXX regional land use, wetlands and stream works activities authorised.

Activities relating to Sections 9 and 13 of the RMA associated with the stream, wetland and stormwater infrastructure required to support the Brookvale Green development, including:

- Permanent structures within 6m of, in, over, under or adjacent to stream beds, including culverts, road crossings, stormwater outlet structures and associated infrastructure.
- Permanent structures and works within a flood control or drainage scheme area.
- Reclamation and modification of stream beds associated with the stream realignment works.
- Wetland reclamation and reinstatement.
- Vegetation planting and management within 6 metres of a stream associated with stream restoration, ecological enhancement and stormwater management functions.

Detailed Design Explanatory Note: *Where detailed design plans have already been prepared and submitted to HDC under Condition [29] of SUB-XXX, the same information may be provided to satisfy Condition [118] and any related detailed design plan conditions in LUS-XXX, provided it meets the certification requirements of HBRC related to the stream works activities authorised by LUS-XXX. Duplicate documentation is not required where alignment across SUB-XXX and LUS-XXX is demonstrated and accepted by HBRC.*

Management Plans Explanatory Note*: The consolidated CEMP prepared under Condition [90] of LUC-XXX may be used to satisfy the management plan requirements of this consent, provided it addresses the stream works activities authorised by LUS-XXX and is certified by HBRC Manager Compliance (or nominee) where required. Separate management plans are not required where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*

No.	Conditions – LUS-XXX
No.	**Pre Construction Requirements**
118.	**Detailed Design Plans** At least 20 working days prior to commencement of the stream works authorised by LUS-XXX, the Consent Holder shall submit detailed design plans and documentation to HBRC Manager Compliance (or nominee) for certification that: (a) Confirm the final location, size, dimensions, profiles and levels of all structures in, on, over or alongside the streams. (b) Confirm that the design, installation and construction methodology for all culverts, crossings and structures as a minimum, maintains existing fish passage. (c) Confirm the final location, earthworks extent and methodology for all associated stream diversion and channel modification earthworks. (d) Detail the proposed landscaping for the stream corridors and wetland reinstatement areas. Include planting methodologies, timing, species selection and indicative planting densities for stream corridor and wetland reinstatement areas and a proposed maintenance plan.

Commented [PB13]: assume this will be the minimum requirement but it could be better

No.	Conditions – LUS-XXX

(e) Identify any specific measures to be undertaken to ensure that the banks and the bed of the stream are protected from erosion and scour both during construction, and post-construction (including, but not limited to, revegetation of worked areas following construction and any protective measures where discharges may be occurring).

(f) Include a Groundwater Protection Assessment (GPA) prepared by a suitably qualified and experienced hydrogeologist. The assessment shall ~~demonstrate~~assess the risk that the proposed stream diversion, wetlands, outlet structures, service trenches and associated excavations could ~~reveal,~~ create, ~~excerbate~~exacerbate or ~~expose or~~ increase a source-water risk to groundwater quality or any downgradient drinking-water supply and if so, the Groundwater Protection Assessment shall ~~demonstrate~~ set out the measures that will be implemented to avoid creating or increasing risk(s) to groundwater quality and the down gradient drinking-water supply~~y~~ies (including Well 4151). ~~Include recommendations and mitigation measures from a suitably qualified hydrogeologist where excavation or channel formation may expose permeable gravels or increase infiltration risk to groundwater~~.

(g) Details of any channel lining or seepage control system proposed as part of the structures within 6m of, in, on, over, under or adjacent to stream beds and wetland reinstatement works, including but not limited to:

(i) the liner or barrier type;

(ii) thickness;

(iii) permeability target;

(iv) performance requirements;

(v) installation methodology;

(vi) design life;

(vii) protection from puncture or desiccation;

(viii) construction quality assurance testing,

(ix) as-built certification;

(x) inspection requirements;

(xi) repair procedures; and

(xii) long-term maintenance requirements;

~~(f)~~ to be implemented for any wetlands, outfall interfaces and any other areas where stormwater or stream water could otherwise enter permeable materials.

~~(e)~~(h) Outline any changes from the report and plans referenced in Schedule 1, including comment on the reasons for the changes and how the plans remain in general accordance with these plans.

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

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

Commented [SH14]: To make the condition more effective and easier to implement, it may be helpful to provide a little more detail on what the Groundwater Protection Assessment is expected to cover.

As drafted, the condition focuses on whether the stream diversion will materially increase seepage losses compared with the existing watercourse configuration. While this is relevant, it does not fully address the source-water protection risk. The key question is not only whether the diversion increases the volume of seepage, but whether any aspect of the works could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supply.

That risk could arise in several ways, including disturbance or removal of low-permeability material, exposure of permeable gravels, erosion or scour, settlement, defective or damaged liners, service trenches, dewatering, outlet structures, construction excavations, or changes to how stormwater is collected, treated, detained and discharged.

It would therefore be helpful for the Groundwater Protection Assessment to consider pathway and source-water risk more broadly. This should include the realigned channel, detention areas, wetlands, raingardens, stormwater treatment devices, outlet structures, service trenches, dewatering works and associated excavations. The assessment should explain how these activities will avoid creating or increasing a risk to groundwater quality and the downgradient drinking-water supply, including Well 4151

Commented [BB15R14]: Have made changes to condition to reflect the above.

Conditions 118(f), c.137(e) and c.153(g) are similar in nature and could potentially be aligned to make it easier for the consent holder when it comes to preparing/providing that information.

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Commented [SH16]: Timeframes appropriate?

No.	Conditions – LUS-XXX
119.	**Construction Environmental Management Plan** At least 20 working days prior to the commencement of any earthworks or construction activity on the site for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a final CEMP prepared in general accordance with the approved preliminary CEMP referenced in Schedule 1 for the relevant stage(s). The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with the wetland and stream works. The CEMP shall include, but not be limited to, the following: ~~(h)~~(i) How construction of the consented activities will be carried out, particularly around any works ~~alongside~~adjacent to, in, on or over the stream in accordance with the plans most recently certified in accordance with Condition [118]. ~~(i)~~(j) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas that shall not be within 20 m of a waterbody. ~~(j)~~(k) A site plan and maintenance inspection regime for temporary and permanent sediment controls. ~~(k)~~(l) A Spill Management Plan (SPMP) in accordance with Condition [121] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill. ~~(l)~~(m) How the construction works will provide for the passage of fish, including details of any diversion works. ~~(m)~~(n) Timing of works within wetted stream areas to avoid, where practicable, fish spawning periods (1 May to 30 September), unless otherwise authorised by this consent or agreed to in writing by HBRC (Manager Compliance or nominee)~~approved under the certified FMP in accordance with Condition [122]~~. ~~(n)~~(o) The contact details of the person responsible for inspecting and maintaining sediment controls. (p) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed. (q) Include a specific Source-Water Protection Plan, consistent with the GPA prepared under condition 118, –setting out the source-water protection measures to be undertaken, including but not limited to: (i) Wet-weather restrictions, (ii) Open excavations, (iii) Dewatering, Unexpected ground conditions, (iv) Fuel and chemical storage, (v) Concrete washout, (vi) Spill response, (vii) Liner protection, (viii) Groundwater or seepage encounters,

Commented [BB17]: Amended so that it doesn't become an item lost within the FMP.

No.	Conditions – LUS-XXX
	(ix) Required hydrogeological inspection points, monitoring and recording and reporting (as required by condition 128) ~~,~~ and ~~(c)~~(x) Communication with HDC and HBRC (Manager Compliance). Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). ~~The plans shall be considered certified unless, within 15 working days of having been supplied with the plans,~~ If in the instance HBRC advises that certification is withheld, HBRC shall ~~and~~ provide~~s~~ written reasons why certification is withheld.
120.	**Erosion and Sediment Control Plan** At least 20 working days prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a finalized copy of the ESCP in general accordance with the certified Infrastructure Report referenced in Schedule 1, Condition [119] and in accordance with the "Hawkes Bay Waterway Guidelines – Erosion and Sediment Control" (April 2009). Alternatively the ESCP may be submitted for certification in stages, based on the staged construction of the project. The ESCP ~~can~~may be amended to suit the appointed Contractor's methodology by providing the amended ESCP to HBRC (Manager Compliance or nominee) for re-certification ~~subject to approval from HBRC's Manager Compliance (or nominee)~~.
121.	**Spill Management Plan** Prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a finalized copy of the SPMP in general accordance with the approved preliminary SPMP referenced in Schedule 1. The SPMP ~~can~~ may be amended to suit the appointed Contractor's methodology subject to the SPMP being provided to ~~approval from~~ HBRC's Manager Compliance (or nominee) for re-certification.
122.	**Fauna Management Plan** Prior to the commencement of site clearance works, a finalized copy of the FMP must be submitted to HBRC Manager Compliance (or nominee) for certification in general accordance with the approved FMP prepared by Stantec New Zealand and referenced in Schedule 1. The FMP can be amended to suit the appointed Contractor's methodology subject to approval from HBRC's Compliance Monitoring Officer (or nominee).
123.	**Ecological Management Plan** At least 20 working days prior to the commencement of any ecological planting or wetland reinstatement works authorised by this consent, the Consent Holder shall submit an Ecological Management Plan (EMP), prepared by a suitably qualified and experienced ecologist, to HBRC Manager Compliance (or nominee) for certification. The purpose of the EMP is to secure the riparian, Watercourse 1 and 2 stream corridors and wetland reinstatement outcomes detailed in the Ecological Assessment Report referenced in Schedule 1. The EMP shall include, but not be limited to: (a) A planting plan consistent with the certified detailed design plans approved under Condition [118], confirming the extent of riparian and stream corridor planting and wetland reinstatement to be established.

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Commented [SH18]: I agree in principle with setting a timeframe for Council certification, as this provides certainty for the consent holder. However, I have concerns with the deemed certification approach, particularly where the plans or assessments relate to groundwater protection, source-water risk, liner design, hydrogeological monitoring, or trigger-action-response procedures.

At this stage, it is not clear what the scope, complexity or volume of information to be supplied will be, and whether 15 working days will be adequate in all cases. If the material is incomplete, technically complex, or raises substantive concerns, there is a risk that the plans could be treated as certified by default before HBRC has completed its review.

I recommend that deemed certification should not apply to the key source-water protection documents.

Commented [BB19R18]: Have made amendments based on this feedback.

Commented [PB20R18]: agree - something this important shouldn't be a deemed certification

Commented [BB21]: Is just a re-certification process.

Commented [BB22]: HBRC wetland ecologist is "largely in support of this condition, especially around securing the wetland reinstatement, pest control and monitoring. Maintenance of ecological values is important once offset goals are achieved, as plantings can fail from weed incursion or browsing when left unchecked. How long is their consent term? If it is longer than 5 years, I would suggest monitoring, and maintenance if required, for a longer term. After the first five years, the monitoring could be done at 5-year intervals, instead of yearly to ensure the ecological values of the offset wetland are sustained."

No.	Conditions – LUS-XXX
	(b) Species selection, sourcing, plant grades, planting densities and planting methodology, including site preparation for planting; (c) Pest plant and pest animal control measures and their frequency, to be undertaken for the full duration of the monitoring period in [Condition 123(e)]; (d) Measurable performance standards to be achieved, including as a minimum: (i) not less than 90% plant survival and 80% canopy closure at the end of year 5; (ii) achievement of the planting densities specified under Condition [123(b)]; and (iii) canopy closure / effective ground cover sufficient to suppress weed re-establishment by year 5; (e) An ecological monitoring and reporting regime, undertaken by a SQEP ecologist, comprising monitoring at least annually for a minimum period of five (5) years following completion of planting and again once every 5 years after that, with a monitoring report provided to HBRC Manager Compliance (or nominee) within 20 working days of each monitoring event; (f) Contingency and remedial measures, including the requirement that where any performance standard in [Condition 123(d)] is not met, the Consent Holder shall undertake replacement planting and/or remedial works in the next available planting season and continue monitoring until the performance standards are achieved; and (g) The name and contact details of the SQEP ecologist responsible for implementing and monitoring the EMP.
124.	**Certification** Unless otherwise specified and excluding Conditions 118 and 119, where a condition requires that a plan or document is to be certified by HBRC, certification shall be obtained from HBRC Manager Compliance (or nominee) prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). The plans shall be considered certified by HBRC unless, within 15 working days of having been supplied with the plans, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.
	During Construction Requirements
125.	**Works in accordance with Certified Documents** All works must be carried out in accordance with the Detailed Design Plans, CEMP, ESCP and SPMP documents certified by Conditions [118] to [121] and the EMP certified by Condition [123].
126.	**Works in accordance with the Fauna Management Plan** All stream works, stream diversion, culvert works, dewatering, reclamation, vegetation clearance within stream margins shall be undertaken in accordance with the ~~finalised~~ certified FMP required by Condition [122]. In particular, the Consent Holder shall ensure that all Native Freshwater Fish Management measures identified in the certified FMP are implemented, including pre-construction inspection, stream isolation where required, fish salvage and relocation, supervised dewatering, maintenance of fish passage, biosecurity procedures, and measures to minimise sediment discharge, adverse effects on aquatic habitat, and fish mortality.

Commented [BB23]: Suggest the duration be added/lengthened (say 35 years) so that maintenance of these plants can be effectively maintained. I.e. after earthworks and stream works are complete.

Commented [BB24]: When is the offset wetland planting meant to be carried out? Can see that buffer interface landscaping is planned for the first planting season following stage 1 works, but wasn't clear on whether this includes offset planting too.

Commented [SH25]: See earlier comments

Commented [BB26R25]: Have excluded relevant items

No.	Conditions – LUS-XXX
127.	**Sediment and Contaminant Control** The Consent Holder shall take all practical measures to limit the amount of sediment and prevent contaminants from entering any stream during the construction works. Such measures include, but are not limited to: (a) Any surplus soil, cleared vegetation or debris, shall be deposited at least 20 m from any waterbody or deposited or contained in a manner to reasonably prevent the transportation or deposition of disturbed matter into any waterbody. (b) The wash water from containers and tools shall not be discharged into any waterbody and the washing of equipment shall not occur in any waterbody. (c) As far as practicable, all machinery work shall be undertaken from the banks of any waterbody rather than in a waterbody. (d) Refuelling and machinery maintenance shall be undertaken away from any waterbody. (e) Implementing erosion and sediment control measures in accordance with the ESCP certified under Condition [120].
128.	**Hydrogeological Monitoring** ~~During stream realignment and channel formation works associated with Watercourse 1, the Consent Holder shall ensure that a SQEP hydrogeologist monitors excavation works and provides recommendations regarding groundwater protection measures where required.~~ ~~Any recommendations made by the hydrogeologist for the protection of groundwater quality shall be implemented by the Consent Holder.~~No less than 20 working days prior to commencement of stream diversion and channel formation works associated with Watercourse 1, the Consent Holder shall provide to the HBRC (Manager Compliance or nominee): a) an assessment from a SQEP hydrogeologist and a SQEP civil engineer explaining the following: i. The ground conditions assumed, ii. The proposed channel lining or seepage control measures, iii. Any permeability or liner specifications, and iv. Why the diversion is not expected to materially increase seepage losses to groundwater or create a more direct groundwater path; and b) Written confirmation from a SQEP hydrogeologist and a SQEP civil engineer to the HBRC Manager Compliance (or nominee) that: i. the Detailed Design Plans certified under Condition [118] appropriately address groundwater protection and infiltration risks; ii. any proposed channel lining, seepage control measures or groundwater protection measures are suitable for the site conditions; iii. the proposed diversion is not expected to materially increase seepage losses to groundwater compared with the existing watercourse configuration; and iv. any recommendations required to manage groundwater protection during construction and operation have been incorporated into the certified design documentation.

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Commented [SH27]: A short hydrogeological inspection or completion report to HBRC would also assist, as it would provide a clear record of what was observed, what measures were required, and whether the completed works are consistent with the intended groundwater protection outcome.

It still makes me a little nervous that we are solely relying on judgement of an expert. Why not be safe and just ensure there is some form of engineered barrier to prevent leakage?

Commented [BB28R27]: Have replaced with wording from c.146

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No.	Conditions – LUS-XXX
	Any recommendations made by the SQEP hydrogeologist shall be implemented by the Consent Holder.
129.	**Availability of Certified Management Plans on Site** A copy of all management plans certified under this consent shall be kept on site while works are being undertaken and made available to the Consent Authority (HBRC) upon request.
129A.	**Concrete** Any wet concrete cast on site as part of the stream works shall be fully contained during casting and cast in a dry working area. No wet concrete shall enter the wetted channel of the bed of any stream or wetland.
129B.	**Notice to Drinking Water Supplier** If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Hastings District Council (Brookvale Bore 3) and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs. ***Advice Note:*** *Such an event might include for example a spill of chemicals that may enter groundwater. The Hastings District Council can be contacted on 06 871 5000. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.*
	Post Construction Requirements
130.	**Notification of Completion** The Consent Holder shall advise the HBRC Manager Compliance (or nominee) of having finished the works within 20 working days following their completion.
131.	**Certified As-Builts** Within 20 working days following the completion of any of the stream works, the Consent Holder shall provide certified as-built plans and written certification by a SQEP to the HBRC Manager Compliance (or nominee) that the works have been undertaken and completed in accordance with the plans certified under Condition [118]. Certification must include confirmation of: (a) The final location, size, dimensions and detail of the structures. (b) Stabilisation of all disturbed areas to prevent erosion and sediment loss. (c) The stream channels and associated landform modifications are stable and functioning as designed. (d) Appropriate erosion and scour protection measures have been installed.
132.	**Landscape Maintenance** Watercourse 1 and 2 corridors and wetland reinstatement landscaping required by this consent shall be maintained in accordance with the certified detailed design plans approved under Condition [118].

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Commented [BB29]: In accordance with Reg 12 of NES-Drinking Water.
Applicable both during and after construction.

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No.	Conditions – LUS-XXX
	Landscaping shall be maintained in a healthy and weed-free condition for a minimum period of five years following completion of planting.
133.	**Structure Performance** The stream structures authorised by this consent shall be maintained in good working order and regularly inspected to ensure continued functionality until vested with HDC. Any significant modification or replacement of the structures must be approved in writing by the HBRC Manager Compliance (or nominee) in writing prior to any significant modification or replacement occurring.
134.	**Erosion and Scour Protection** The Consent Holder shall ensure the stream structures and associated works within the margins of the stream are designed, constructed and maintained to incorporate erosion and scour protection measures to prevent destabilisation of the stream channel and banks. These measures shall be maintained in good working order for the duration of the consent. ***Advice note**: HBRC will not be responsible for the operation, maintenance, repair, or replacement of the stormwater structures authorised by this consent.*
135.	**Fish Salvage Reporting** Within 10 working days of completion of fish salvage works associated with stream works, stream diversion, culvert works or dewatering activities, the Consent Holder shall provide a Fish Salvage Summary Report to HBRC Manager Compliance (or nominee) in accordance with the reporting requirements of the certified FMP required by Condition [122].
136.	**Ecological Works Completion Report** Within 3 months of completion of the ecological planting and wetland reinstatement works, the Consent Holder shall provide an Ecological Works Completion Report prepared by a SQEP and submitted to the HBRC Manager Compliance (or nominee). The report shall confirm: (a) The extent of wetland reinstatement and riparian planting completed (b) That planting has been undertaken generally in accordance with the certified plans (c) Any areas requiring replacement planting or ongoing maintenance. (d) Any maintenance or replacement planting required to achieve successful establishment.

Commented [BB30]: Will need a duration to cover this period otherwise is not enforceable if planting occurs in (e.g.) year 4 of works. Have added 35 year duration

Commented [BB31]: HBRC Wetland ecologist:
I am fully in support of this condition. One thing I would like to request from the applicant is the shapefile of the offset wetland areas. This would be very useful for keeping our wetland inventory up to date and accurate. I don't think this needs to be in the conditions necessarily, but if they could provide this with either the EMP or the Ecological Works Completion Report that would be great.

Jo - If you're happy to include this as an item in the Ecological completion report that'd be helpful so that it isn't forgotten.

8.0 Diversion of Streams: WAT-XXX

Summary of WAT-XXX regional land use, wetlands and stream works activities authorised.

Activities relating to section 14 of the RMA associated with the diversion of watercourses required to support the Brookvale Green development, including:

- Diversion and realignment of existing watercourses and flows, including provision for fish passage through the new stream alignments.
- Associated activities necessary to establish, operate and maintain the diversion.

Detailed Design Explanatory Note: *Where detailed design plans have already been prepared and submitted to HDC under Condition [29] of SUB-XXX, the same information may be provided to satisfy Condition [137] and any related detailed design plan conditions in WAT-X, provided it meets the certification requirements of HBRC related to the stream diversion activities authorised by WAT-XXX. Duplicate documentation is not required where alignment across SUB-XXX and WAT-XXX is demonstrated and accepted by HBRC.*

Management Plans Explanatory Note*: The consolidated CEMP prepared under Condition [119] of LUS-XXX may be used to satisfy the management plan requirements of this consent, provided it addresses the stream diversion activities authorised by WAT-XXX and is certified by HBRC where required. Separate management plans are not required where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*

No.	Conditions – WAT-XXX
No.	**Pre Construction Requirements**
137.	**Detailed Design Plans** At least 20 working days prior to commencement of the stream works authorised by WAT-XXX, the Consent Holder shall submit detailed design plans and documentation to HBRC Manager Compliance (or nominee) for certification that: (a) Confirm the final alignment, dimensions, profiles and levels of all diverted watercourses authorised by this consent. (b) Confirm the final location, extent and methodology of all stream diversion and channel modification works authorised by this consent. (c) Demonstrate that the diverted watercourses have been designed to maintain general flow conveyance capacity, channel stability and fish passage. (d) Identify measures to avoid, remedy or mitigate erosion and scour within the diverted watercourses during construction and following completion of the works. (e) Include a Groundwater Protection Assessment prepared by a suitably qualified and experienced hydrogeologist. The assessment shall demonstrate that the proposed stream diversion ~~-~~and associated ~~works~~ excavations could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supply and if so, the Groundwater Protection Assessment shall demonstrate the measures to avoid creating or increasing risk(s) to groundwater quality and the down gradient drinking-water supply (including Well 4151)~~will not materially increase seepage losses to groundwater compared with the existing watercourse configuration~~

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No.	Conditions – WAT-XXX
	~~and shall identify any measures required to protect groundwater quality and minimise infiltration losses during construction and operation of the diverted watercourse~~. (f) Details of any channel lining or seepage control system proposed as part of the stream diversion works, including but not limited to: (i) the liner or barrier type; (ii) thickness; (iii) permeability target; (iv) performance requirements; (v) installation methodology; (vi) design life; (vii) protection from puncture or desiccation; (viii) construction quality assurance testing, (ix) as-built certification; (x) inspection requirements; (xi) repair procedures; and (xii) long-term maintenance requirements; ~~(e)~~ to be implemented for any lined channels and any reconstructed low-permeability channel base. ~~(f)~~(g) Outline any changes from the report and plans referenced in Schedule 1, including comment on the reasons for the changes and how the plans remain in general accordance with these plans. Certification of the above shall be obtained from HBRC Manager Compliance (or nominee) prior to the authorized WAT-XXX stream works being undertaken. ~~The plans shall be considered certified unless, within 15 working days of having been supplied with the plans~~If in the instance~~,~~ HBRC advises that certification is withheld, ~~and~~ HBRC shall provide~~s~~ written reasons why certification is withheld.
138.	**Construction Environmental Management Plan** At least 20 working days prior to the commencement of any earthworks or construction activity on the site for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a final CEMP prepared in general accordance with the approved preliminary CEMP referenced in Schedule 1 for the relevant stage(s). The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with the wetland and stream works. The CEMP shall include, but not be limited to, the following: ~~(g)~~(h) How construction of the consented activities will be carried out, particularly around any works alongside, in, on or over the stream in accordance with the plans most recently certified in accordance with Condition [137].

Commented [SH32]: To make the condition more effective and easier to implement, it may be helpful to provide a little more detail on what the Groundwater Protection Assessment is expected to cover.

As drafted, the condition focuses on whether the stream diversion will materially increase seepage losses compared with the existing watercourse configuration. While this is relevant, it does not fully address the source-water protection risk. The key question is not only whether the diversion increases the volume of seepage, but whether any aspect of the works could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supply.

That risk could arise in several ways, including disturbance or removal of low-permeability material, exposure of permeable gravels, erosion or scour, settlement, defective or damaged liners, service trenches, dewatering, outlet structures, construction excavations, or changes to how stormwater is collected, treated, detained and discharged.

It would therefore be helpful for the Groundwater Protection Assessment to consider pathway and source-water risk more broadly. This should include the realigned channel, detention areas, wetlands, raingardens, stormwater treatment devices, outlet structures, service trenches, dewatering works and associated excavations. The assessment should explain how these activities will avoid creating or increasing a risk to groundwater quality and the downgradient drinking-water supply, including Well 4151

Commented [BB33R32]: Have added conditions to this effect.

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No.	Conditions – WAT-XXX
	~~(h)~~(i) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas that shall not be within 20 m of a waterbody.
	~~(i)~~(j) A site plan and maintenance inspection regime for temporary and permanent sediment controls.
	~~(j)~~(k) How the construction works will provide for the passage of fish, including details of any diversion works.
	~~(k)~~(l) Timing of works within wetted stream areas to avoid, where practicable, fish spawning periods (1 May to 30 September), unless otherwise authorised by this consent or ~~approved~~ agreed to in writing by HBRC (Manager Compliance or nominee)~~under the certified FMP~~.
	~~(l)~~(m) The contact details of the person responsible for inspecting and maintaining sediment controls.
	~~(m)~~(n) A Spill Management Plan (SPMP) in accordance with Condition [140] that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill.
	~~(n)~~(o) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed.
	~~(o) Details of any channel lining or seepage control system proposed as part of the stream diversion works, including:~~ ~~(i) liner specifications and performance requirements;~~ ~~(ii) installation methodology;~~ ~~(iii) quality assurance and quality control procedures;~~ ~~(iv) construction hold points and inspection requirements; and~~
	(p) ~~certification requirements confirming installation in accordance with the certified design documentation~~ include a specific Source-Water Protection Plan setting out the source-water protection measures to be undertaken, including but not limited to: (i) Wet-weather restrictions; (ii) Open excavations; (iii) Dewatering, Unexpected ground conditions; (iv) Fuel and chemical storage; (v) Concrete washout; (vi) Spill response; (vii) Liner protection; (viii) Groundwater or seepage encounters; (ix) Required hydrogeological inspection points; and ~~(x)~~(x) Communication with HDC and HBRC (Manager Compliance).
	Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). ~~The plans~~

Commented [BB34]: Is confusing, makes sense but could this be simpler english?

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No.	Conditions – WAT-XXX
	~~shall be considered certified unless, within 15 working days of having been supplied with the plans~~If in~~,~~ the instance HBRC advises that certification is withheld, HBRC shall ~~and~~ provide~~s~~ written reasons why certification is withheld.
139.	**Erosion and Sediment Control Plan** At least 20 working days prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a finalized copy of the ESCP in general accordance with the certified Infrastructure Report and referenced in Schedule 1, Condition [137] and in accordance with the "Hawkes Bay Waterway Guidelines – Erosion and Sediment Control" (April 2009). Alternatively the ESCP may be submitted for certification in stages, based on the staged construction of the project. The ESCP may ~~can~~ be amended to suit the appointed Contractor's methodology by providing the amended ESCP to HBRC (Manager Compliance or nominee) for re-certification~~subject to approval from the HBRC Manager Compliance (or nominee)~~.
140.	**Spill Management Plan** Prior to the commencement of any earthworks or construction activity for the stream works, the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a finalized copy of the SPMP in general accordance with the approved preliminary SPMP referenced in Schedule 1. The SPMP ~~can~~ may be amended to suit the appointed Contractor's methodology subject to the SPMP being provided to ~~approval from~~ HBRC's Manager Compliance (or nominee) for re-certification.
141.	**Fauna Management Plan** Prior to the commencement of site clearance works, a finalized copy of the FMP must be submitted to HBRC Manager Compliance (or nominee) for certification in general accordance with the approved FMP prepared by Stantec New Zealand and referenced in Schedule 1. The FMP can be amended to suit the appointed Contractor's methodology subject to approval from HBRC Manager Compliance (or nominee).
142.	**Certification** Unless otherwise specified and excluding conditions 137 and 138, where a condition requires that a plan or document is to be certified by HBRC, certification shall be obtained from HBRC Manager Compliance (or nominee) prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). The plans shall be considered certified by HBRC unless, within 15 working days of having been supplied with the plans, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.
142A.	**Notice to Drinking Water Supplier** If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Hastings District Council (Brookvale Bore 3) and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

Commented [BB35]: In accordance with Reg 12 of NES-Drinking Water.
Applicable both during and after construction.

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No.	Conditions – WAT-XXX
	Advice Note: *Such an event might include for example a spill of chemicals that may enter groundwater. The Hastings District Council can be contacted on 06 871 5000. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.*
	During Construction Requirements
143.	**Works in accordance with Certified Documents** All works must be carried out in accordance with the Detailed Design Plans, CEMP, ESCP and SPMP documents certified by Conditions [138] to [140].
144.	**Works in accordance with the Fauna Management Plan** All works within stream margins shall be undertaken in accordance with the certified FMP required by Condition [141]. In particular, the Consent Holder shall ensure that all Native Freshwater Fish Management measures identified in the certified FMP are implemented, including pre-construction inspection, stream isolation where required, fish salvage and relocation, supervised dewatering, maintenance of fish passage, biosecurity procedures, and measures to minimise sediment discharge, adverse effects on aquatic habitat, and fish mortality.
145.	**Sediment and Contaminant Control** The Consent Holder shall take all practical measures to limit the amount of sediment and prevent contaminants from entering any stream during the construction works. Such measures include, but are not limited to: (a) Any surplus soil, cleared vegetation or debris, shall be deposited at least 20 m from any waterbody or deposited or contained in a manner to reasonably prevent the transportation or deposition of disturbed matter into any waterbody. (b) The wash water from containers and tools shall not be discharged into any waterbody and the washing of equipment shall not occur in any waterbody. (c) As far as practicable, all machinery work shall be undertaken from the banks of any waterbody rather than in a waterbody. (d) Refuelling and machinery maintenance shall be undertaken away from any waterbody. (e) Implementing erosion and sediment control measures in accordance with the ESCP certified under Condition [139].
146.	**Hydrogeological Monitoring** No less than 20 working days ~~P~~prior to commencement of stream diversion and channel formation works associated with Watercourse 1, the Consent Holder shall provide to the HBRC (Manager Compliance or nominee): c) an assessment from a SQEP hydrogeologist and a SQEP civil engineer explaining the following: i. The ground conditions assumed, ii. The proposed channel lining or seepage control measures, iii. Any permeability or liner specifications, and iv. Why the diversion is not expected to materially increase seepage losses to groundwater or create a more direct groundwater path;

No.	Conditions – WAT-XXX
	and d) Ww~~w~~ritten confirmation from a SQEP hydrogeologist and a SQEP civil engineer to the HBRC Manager Compliance (or nominee) that: ~~(a)~~v. the Detailed Design Plans certified under Condition [137] appropriately address groundwater protection and infiltration risks; ~~(b)~~vi. any proposed channel lining, seepage control measures or groundwater protection measures are suitable for the site conditions; ~~(c)~~vii. the proposed diversion is not expected to materially increase seepage losses to groundwater compared with the existing watercourse configuration; and ~~(d)~~viii. any recommendations required to manage groundwater protection during construction and operation have been incorporated into the certified design documentation. Any recommendations made by the SQEP hydrogeologist shall be implemented by the Consent Holder.
147.	**Availability of Certified Management Plans on Site** A copy of all management plans certified under this consent shall be kept on site while works are being undertaken and made available to the Consent Authority (HBRC) upon request.
	Post Construction Requirements
148.	**Notification of Completion** The Consent Holder shall advise the HBRC Manager Compliance (or nominee) of having finished the works within 20 working days following their completion.
149.	**Certified As-Builts** Within 20 working days following the completion of any of the stream works, the Consent Holder shall provide certified as-built plans and written certification by a suitably qualified person to the HBRC Manager Compliance (or nominee) that the works have been undertaken and completed in accordance with the plans certified under Condition [137]. Certification must include confirmation of: (a) The final location, levels and detail of the watercourse. (b) Stabilisation of all disturbed areas to prevent erosion and sediment loss. (c) The stream channels and associated landform modifications are stable and functioning as designed. (d) Appropriate erosion and scour protection measures have been installed.
150.	**Fish Salvage Reporting** Within 10 working days of completion of fish salvage works associated with stream diversion activities, the Consent Holder shall provide a Fish Salvage Summary Report to HBRC Manager Compliance (or nominee) in accordance with the reporting requirements of the certified FMP required by Condition [141].
151.	**Completion Report** Within 3 months of completion of the diversion works, the Consent Holder shall provide to HBRC Manager Compliance (or nominee) a completion report prepared by a suitably qualified

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Commented [SH36]: I support the intent of this condition.

As currently drafted, HBRC would receive confirmation that the design has been reviewed, but may not receive the supporting reasoning or assessment. This could make it difficult to determine whether groundwater protection, seepage and infiltration risks have been adequately addressed.

It would be useful for the condition to require a short supporting hydrogeological and engineering assessment to be provided with the written confirmation. This should explain the ground conditions assumed, the proposed channel lining or seepage control measures, any permeability or liner specifications, and why the diversion is not expected to materially increase seepage losses to groundwater or create a more direct groundwater pathway.

This would provide a clearer basis for certification and give HBRC a more complete record of how the groundwater protection outcome has been assessed.

Commented [BB37R36]: Have amended condition based on this input

No.	Conditions – WAT-XXX
	engineer confirming that the diversion has been constructed in accordance with the certified plans.
152.	Channel Integrity Monitoring and Maintenance Following completion of the stream diversion works, the Consent Holder shall ensure that the diverted watercourse and any associated channel lining or seepage control measures are inspected: (a) at least annually; and (b) following any significant rainfall event that results in overtopping, erosion, scour, structural damage or other evidence of channel instability. The inspections shall assess: (c) channel stability; (d) erosion and scour; (e) liner integrity (where applicable); (f) fish passage functionality; and (g) any evidence of excessive seepage or failure of groundwater protection measures. Any defect identified that may compromise channel integrity, fish passage, channel stability or groundwater protection shall be repaired as soon as practicable and under the supervision of a SQEP hydrogeologist (excluding repair works only relating to fish passage). Records of inspections and any maintenance and/or repair undertaken shall be retained and ~~made available~~ be provided to HBRC within 5 working days of the works being complete~~upon request~~.

Commented [SH38]: The intent of this condition is supported.

It may be useful to provide a little more detail on the rainfall or event-based trigger for inspections, as "significant rainfall event" may be open to interpretation. The condition could also clarify the types of defects that may indicate a groundwater protection issue, such as cracking, settlement, erosion, scour, exposed gravels, damaged lining, localised wet areas, ponding, sinkholes or other evidence of increased seepage.

The repair obligation could also be strengthened. Where a defect may compromise groundwater protection, temporary controls should be put in place as soon as possible, with permanent repair completed within a specified timeframe.

9.0 Discharge of Stormwater: DIS-1XX

Summary of DIS-1XX activities authorized by this discharge consent:

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

- Proposed new stormwater management system including attenuation basins, wetland treatment areas, raingardens, conveyance channels, outlet structures and associated infrastructure discharging to Watercourse 1, Watercourse 2 and downstream receiving environments.
- The diversion and discharge of stormwater from roads, reserves, residential lots and other impervious surfaces within the development area.
- The ongoing operation, maintenance and management of the stormwater network and associated treatment devices discharging to Watercourse 1, Watercourse 2 and downstream receiving environments.

Detailed Design Plans Explanatory Note*: Where detailed design plans have already been prepared and submitted to HDC under Condition [29] of SUB-XXX, the same information may be provided to satisfy Condition [153] and any related detailed design plan conditions in DIS-1XX, provided it meets the certification requirements of HBRC Manager Compliance (or nominee) related to the stormwater discharge activities authorised by DIS-1XX. Duplicate documentation is not required where alignment across SUB-XXX and DIS-1XX is demonstrated and accepted by HBRC Manager Compliance (or nominee).*

Management Plans Explanatory Note*: The consolidated CEMP prepared under Condition [xx] of LUC-XXX may be used to satisfy the management plan requirements of this consent, provided it addresses the discharge activities authorised by DIS-1XX and is certified by HBRC Manager Compliance (or nominee) where required. Separate management plans are not required where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*

No.	Conditions – DIS-1XX
No.	**Pre Construction Requirements**
153.	**Detailed Design Plans** At least 20 working days prior to commencement of any of the construction works authorised by DIS-1XX, the Consent Holder shall submit detailed stormwater infrastructure design plans and documentation prepared by a suitably qualified person to the HBRC Manager Compliance (or nominee) for certification for each stage (or combination of stages). The plans shall: (a) Identify the location, storage volumes, levels and dimensions of the stormwater attenuation and treatment devices, any outlet structures, and associated infrastructure. (b) Confirmation of the design of the emergency spillway structures including emergency overflow pathways and a design statement. (c) Design flow rates and discharge volumes for critical rainfall events, including 2-year, 10-year and 1% AEP rainfall events.

No.	Conditions – DIS-1XX

(d) The design details, levels and location of all stormwater services (including treatment systems (wetlands and raingardens), inverts, pipes, sumps, and outfall structures and any secondary overland flow paths).

(e) Demonstrate that maintenance access has been provided to all attenuation devices, treatment wetlands, raingardens, swales, stormwater outfalls, watercourses and associated infrastructure.

(f) CEMP, ESCP, SPMP and ChTMP measures in accordance with Conditions [155] to be implemented.

(g) Include a Groundwater Protection Assessment prepared by a suitably qualified and experienced hydrogeologist. The assessment shall demonstrate that the proposed detention areas, wetlands, raingardens, stormwater treatment devices, service trenches, dewatering works and associated excavations could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supply and if so, the Groundwater Protection Assessment shall demonstrate the measures to avoid creating or increasing risk(s) to groundwater quality and the down gradient drinking-water supply (including Well 4151).

~~(f)~~

(h) Details of any impermeable lining or groundwater protection measures -including but not limited to:

(i) The liner or barrier type;

(ii) Thickness;

(iii) Permeability target;

(iv) Performance Requirements;

(v) Installation methodology;

(vi) Design life;

(vii) Protection from puncture or desiccation;

(viii) Construction quality assurance testing;

(ix) As-built certification;

(x) Inspection requirements;

(xi) Repair procedures; and

(xii) Long-term maintenance requirements;

~~(e)~~ to be implemented for the attenuation and treatment devices, in accordance with the with the recommendations of the approved GAR referenced in Schedule 1.

~~(h)~~(i) How the construction works will provide for the passage of fish, including details of any diversion works.

~~(i)~~(j) Confirmation that the design plans are consistent with the requirements of this consent.

~~(j)~~(k) Outline any changes from the report and plans referenced in Schedule 1, including comment on the reasons for the changes and how the plans remain in general accordance with these plans.

Commented [SH39]: To make the condition more effective and easier to implement, it may be helpful to provide a little more detail on what the Groundwater Protection Assessment is expected to cover.

As drafted, the condition focuses on whether the stream diversion will materially increase seepage losses compared with the existing watercourse configuration. While this is relevant, it does not fully address the source-water protection risk. The key question is not only whether the diversion increases the volume of seepage, but whether any aspect of the works could reveal, create, expose or increase a source-water risk to groundwater quality or the downgradient drinking-water supply.

That risk could arise in several ways, including disturbance or removal of low-permeability material, exposure of permeable gravels, erosion or scour, settlement, defective or damaged liners, service trenches, dewatering, outlet structures, construction excavations, or changes to how stormwater is collected, treated, detained and discharged.

It would therefore be helpful for the Groundwater Protection Assessment to consider pathway and source-water risk more broadly. This should include the realigned channel, detention areas, wetlands, raingardens, stormwater treatment devices, outlet structures, service trenches, dewatering works and associated excavations. The assessment should explain how these activities will avoid creating or increasing a risk to groundwater quality and the downgradient drinking-water supply, including Well 4151

Commented [BB40R39]: Have added conditions to this effect but possibly need to re-think approach to simplify this and make a standard condition for all consents to address.

Commented [PB41R39]: agree - might be simpler to just have the groundwater protection requirements set out in one of the consents (probably the land use one) and then refer back to it in others

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Commented [BB42]: GAR = Geotechnical Assessment Report.
Should this also be influenced by the SQEP hydrogeologist's input too?

No.	Conditions – DIS-1XX
	~~(k)~~(l) The stormwater management system shall be designed, constructed and maintained such that the diversion and discharge of stormwater does not result in a material increase in the frequency, duration or volume of discharge to Watercourse 1 beyond that assessed in the Infrastructure Report and Stormwater Management Plan referenced in Schedule 1 and certified Detailed Design Plans in accordance with Condition [153]. Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). ~~The plans shall be considered certified unless, within 15 working days of having been supplied with the plans,~~If in the instance ~~the~~ HBRC advises that certification is withheld, HBRC shall ~~and~~ provide~~s~~ written reasons why certification is withheld. ***Advice Note**: The purpose of the final design plans is to demonstrate the detailed design of the stormwater system, its location and specifications, and confirm that design requirements of this consent and application documents will be met.*
154.	**Stormwater Management System Design** The stormwater management system shall be designed, constructed and maintained in general accordance with the approved Infrastructure Report, Stormwater Management Plan and Civil Drawings referenced in Schedule 1 and any subsequent certified detailed design plans in Condition [153] to ensure that: (a) Post-development stormwater discharge rates and volumes are managed in accordance with the hydraulic performance outcomes and modelling assumptions certified by the documentation in Condition [153], including attenuation of peak flows from the developed catchment prior to discharge to the receiving environment. (b) The diversion and discharge of stormwater shall not increase pre-development flood levels, flood hazard or adverse hydraulic effects on any neighbouring properties or downstream receiving environments. (c) The stormwater management system maintains the function of secondary overland flow paths and emergency overflow pathways during critical rainfall events. (d) Stormwater treatment, attenuation and conveyance devices are designed to operate as an integrated stormwater management system in accordance with the certified design documentation.
155.	**Construction Environmental Management Plan** At least 20 working days p~~P~~rior to the commencement of any earthworks or construction activity on the site for the stormwater discharge (including the stormwater basin, extended detention and raingardens), the Consent Holder must submit to HBRC Manager Compliance (or nominee) for certification a final CEMP prepared in general accordance with the approved preliminary CEMP referenced in Schedule 1 for the relevant stage(s). The purpose of the CEMP is to set out the proposed construction methodology and environmental management measures to appropriately manage the potential effects of construction and site works associated with the stormwater discharge. The CEMP shall include, but not be limited to, the following: (a) How construction of the consented activities will be carried out, particularly around any works on the margins of the stream and the key stormwater management and sediment/erosion control features in accordance with the plans most recently certified in accordance with Condition [153].

Commented [BB43]: Will this be able to be achieved? I thought there is potentially an increase of flooding on the neighbour at 163 (or 185?) Brookvale Rd?

Commented [JS44]: Brandon - do we need this in the discharge consent given it is all covered in the CEMP for the stream works? Covered off in detailed design plan condition above.

Commented [BB45R44]: Since the earthworks associated with the stormwater basin, raingardens etc have potential to impact groundwater, yes this will be necessary.

No.	Conditions – DIS-1XX
	(b) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas that shall not be within 20 m of a waterbody. (c) A site plan and maintenance inspection regime for temporary and permanent sediment controls. (d) A SPMP prepared in accordance with the approved preliminary SPMP referenced in Schedule 1, that includes procedures for preventing contaminants such as hydrocarbons or chemicals entering any waterbody in the event of a spill. (e) An ESCP prepared in accordance with the approved preliminary ESCP referenced in Schedule 1 and the "Hawke's Bay Waterway Guidelines – Erosion and Sediment Control" (April 2009). (f) A ChTMP prepared in accordance with the approved preliminary ChTMP referenced in Schedule 1, for the use of chemically treated sediment retention devices. (g) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed. (h) The contact details of the person responsible for inspecting and maintaining sediment controls. (i) Include a specific Source-Water Protection Plan setting out the source-water protection measures to be undertaken, including but not limited to: (i) Wet-weather restrictions, (ii) Open excavations, (iii) Dewatering, Unexpected ground conditions, (iv) Fuel and chemical storage, (v) Concrete washout, (vi) Spill response, (vii) Liner protection, (viii) Groundwater or seepage encounters, (ix) Required hydrogeological inspection points, and ~~(h)~~(x) Communication with HDC and HBRC (Manager Compliance). Certification shall be obtained prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). ~~The plans shall be considered certified unless, within 15 working days of having been supplied with the plans,~~In the instance ~~the~~ HBRC advises that certification is withheld, ~~and~~ HBRC shall provide~~s~~ written reasons why certification is withheld.
156.	**Certification** Unless otherwise specified and excluding conditions 153 and 155, where a condition requires that a plan or document is to be certified by HBRC, certification shall be obtained from HBRC Manager Compliance (or nominee) prior to the works to which they relate being undertaken (noting that works may be undertaken in stages, within stages, or across stages). The plans shall be considered certified by HBRC unless, within 15 working days of having been supplied

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No.	Conditions – DIS-1XX
	with the plans, the HBRC Manager Compliance (or nominee) advises that certification is withheld and provides written reasons why certification is withheld.
157.	**Works Notification** The Consent Holder shall give the HBRC Manager Compliance (or nominee) at least 10 working days' notice of the intention to commence each stage (or combination of stages) of construction of the stormwater system.
	Maintenance and Monitoring
158.	**Stormwater Management and Maintenance Plan** A Stormwater Management and Maintenance Plan (SMMP) shall be provided to the HBRC Manager Compliance (or nominee) for certification at the same time as the Detailed Design Plans required by Condition [153] of this consent. The SMMP shall set out how the complete stormwater management system will be managed and maintained, and how compliance with the conditions of this consent will be achieved. The SMMP shall include the following information: (a) A plan showing the location of the key components of the stormwater system. (b) Finalised OMMs for the attenuation and treatment devices. (c) Details (including frequency) of the inspection and maintenance activities, including inspections after the following critical rainfall events. (d) Details of how maintenance will be undertaken, and who will be responsible for this maintenance. (e) Details of maintenance access routes, easements, access strips and any legal mechanisms required to ensure ongoing access to all stormwater assets. (f) A checklist of maintenance requirements for each component of the stormwater system. (g) Details of how maintenance checks will be recorded. (h) Procedures for inspection and maintenance following major rainfall events and emergency overflow events. (i) Procedures for managing and rectifying any erosion, scour, blockage, vegetation management, reduced storage capacity or asset failure identified during inspections. (j) Contact details for the person(s) who are responsible for the management, maintenance and emergency response procedures of the stormwater system. (k) Details of the process that will be followed to manage the accumulation of sediment in the attenuation areas so that design storage volumes are maintained. (l) Inspection, monitoring and maintenance procedures for any lined channels, seepage control measures, attenuation devices, outlet structures or other infrastructure intended to manage infiltration losses to groundwater or protect groundwater quality. The SMMP shall be reviewed within 3 months of the discharge commencing and every 24 months thereafter, and also upon the transfer of this consent to any other party. If any amendments or updates to the SMMP are required, an updated copy of the SMMP shall be provided to the HBRC Manager Compliance (or nominee) within 1 month of any changes being made.

No.	Conditions – DIS-1XX
159.	**Stormwater Monitoring Programme** #needs further consideration - should be updated to align with Arataki condition 142# At least 20 working days prior to commencement of stormwater discharges authorised by this consent, the Consent Holder shall submit to HBRC Manager Compliance (or nominee) for certification a Stormwater Monitoring Plan (SWMP). The SWMP shall be prepared by a SQEP and shall include: (a) Monitoring locations; (b) Monitoring parameters; (c) Monitoring methodology; (d) Trigger levels for investigation; and (e) Reporting requirements.
	During Construction Requirements
160.	**Works in Accordance** All stormwater discharge works must be carried out in general accordance with the certified Detailed Design Plans, CEMP, ESCP, ChTMP and SPMP documents outlined in Conditions [153 and [155].
161.	**Inspections and Maintenance** The Consent Holder shall undertake inspections and maintenance during the works period in accordance with the CEMP required by Condition [155]. Records of any maintenance undertaken shall be kept and provided to the HBRC Manager Compliance (or nominee) upon request.
	Post Construction Requirements
162.	**Notice of Completion** The Consent Holder shall advise the HBRC Manager Compliance (or nominee) of having ~~finished the works for~~ commenced the discharge of stormwater from each stage (or combination of stages) as soon as practicable, but within 10 working days' following their completion.
163.	**Certified As-Builts** Within 20 working days following the completion of installation of the stormwater management system for each stage (or combination of stages), a suitably qualified person shall provide written certification to the HBRC Manager Compliance (or nominee) that the stormwater management system has been constructed and completed in accordance with the plans certified in accordance with Condition [153]. Certification must include confirmation of location, dimensions and capacity of all stormwater management system culverts, attenuation areas and treatment devices. Information must include: (a) Contributing catchment area and flow path lengths; (b) Size of structures (levels, dimensions, including volume of structure); (c) Position of inlets/outlets; and

Commented [BB46]: Noting Regulations 7 and 8 of the NES-Drinking Water and the proximity to Well 4151. Suggest including parameters within this condition or assessment to satisfy the requirements of those regulations.
Noting that in a regular RMA instance if a discharge were to introduce or increase determinands in the drinking water (or otherwise as described in the NES-DW Regs 7 & 8) that consent would not be able to be granted.

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Commented [BB47]: For the Arataki development the following Water quality monitoring strategy was included (condition 142) given the nature of the site, it'd be appropriate to include the same/similar:

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

a)*Be prepared by a suitably qualified person with experience with stormwater discharges to water.*

b)*Outline the monitoring that the Consent Holder will undertake to characterise and track the effects of stormwater and water runoff discharges on water quality in the receiving environment after reasonable mixing at or shortly downstream of the stormwater discharge point(s) indicatively shown in the SWMP prepared by Woods and referenced in Schedule 1, or as agreed with the HBRC Manager Compliance.*

c)*Identify analytes for monitoring based on the activities being undertaken on site and potential for contamination. This shall include assessment as to whether monitoring should be undertaken for the following analytes, but may include other analytes, providing justification for the inclusion of specific analytes:*
(i) Total suspended solids;
(ii) Total petroleum hydrocarbons;
(iii) Heavy metals;
(iv) Total nitrogen and other nitrogen species;
(v) Total phosphorus and other phosphorus species;
(vi) Total hardness;
(vii) E coli.

d)*Provide environmental limits for the analytes of concern identified by Condition [142(c)] above when monitored d*...

Commented [PB48R47]: agree - it should be a consistent approach. As drafted it seems very light on detail

Commented [PB49]: not sure when completion would be for the stormwater aspect - when all the houses are built in a stage?

Commented [PB50R49]: maybe better to tie it to starting discharge from completed stages? where completion is when construction earthworks and roading is complete?

No.	Conditions – DIS-1XX
	(d) Confirmation of stabilisation of the area of works to prevent sediment loss.
164.	**Discharge Location and Effects** Discharges must occur only at the locations certified in the Detailed Design Plans required by Condition [153] and shall not cause: (a) Erosion or scour in the receiving environment. (b) Flooding or adverse effects on any properties. (c) The production of conspicuous oil or grease films, scums or foams, or floatable materials.
165.	**Erosion and Scour** The Consent Holder shall ensure that the stormwater discharge shall not cause erosion or scour of the beds or banks of any downstream receiving drain or watercourse.
166.	**Erosion and Scour Remediation** Within 10 working days of becoming aware of any scour or other erosion at or downstream of the discharge point that is reasonably attributable to the discharge activity authorised by this consent, the Consent Holder shall prepare and implement appropriate remediation works to repair the scour or erosion. Prior to commencing any remediation works, the Consent Holder shall provide a works methodology to the HBRC Manager Compliance (or nominee) for certification. All works shall be undertaken in accordance with the certified methodology. The Consent Holder shall notify the HBRC Manager Compliance (or nominee) within 5 working days of completing any remediation works and confirm the measures undertaken.
167.	**Implementation of the Stormwater Maintenance and Management Plan** The Consent Holder shall implement and maintain the stormwater management system in accordance with the Stormwater Management and Maintenance Plan (SMMP) ~~provided~~ certified in accordance with Condition [158]. The SMMP shall guide the ongoing operation, maintenance, and monitoring of all stormwater components to ensure the performance of the system and compliance with this consent. Any changes to the approved SMMP must be certified in writing by the HBRC Manager Compliance (or nominee).
168.	**Implementation of the Stormwater Monitoring Plan** The Consent Holder shall ensure all monitoring required for the stormwater management system shall be undertaken in general accordance with the SWMP approved by Condition [159] to confirm the performance of the stormwater management system and to detect any adverse effects on the receiving environment. Any changes to the approved SWMP must be certified in writing by the HBRC Compliance Monitoring Officer (or nominee).
169.	**Inspections and Maintenance** The Consent Holder shall undertake inspections and maintenance in accordance with the SMMP required by Condition [158]. Records of any maintenance undertaken shall be kept and provided to the HBRC Manager Compliance (or nominee) upon request.
170.	**Stormwater System Integrity**

Commented [BB51]: Same comment as c.154 above, can this be achieved?

No.	Conditions – DIS-1XX
	The Consent Holder shall be responsible for ensuring the continued integrity of the stormwater management system and associated structures and shall ensure that these components are maintained to a structurally safe and serviceable standard at all times and continue to operate to the design performance levels.
171.	**Maintenance Inspections** The Consent Holder shall carry out maintenance inspections of all stormwater management system components at least annually or more frequently in accordance with the SMMP (or subsequent updates) required by Condition [158] and ensure that the stormwater management system continues to be maintained for the duration of the consent.
172.	**Maintenance Recording** The Consent Holder shall record the details of all maintenance inspections and works undertaken under Conditions [169] and [171]. Those records shall be made available for inspection by the relevant HDC or HBRC Manager Compliance (or nominee) upon request.
173.	**Reporting and Remediating Damage** The Consent Holder shall advise the HBRC Manager Compliance (or nominee) as soon as practicable, but within 10 working days, of any damage to critical stormwater management components associated with the stormwater management system. Within 10 working days of notifying the HBRC Manager Compliance (or nominee) of the damage, the Consent Holder shall provide the HBRC Manager Compliance (or nominee) with details of how, and within what timeframe, the damage will be repaired. The stormwater management system shall be brought back into functional operation as soon as practicable after any damage occurs.
174.	**Person Responsible** The Consent Holder shall nominate a SQEP who is responsible for the operation and maintenance of the stormwater management system and the return of information as required by this consent. The Consent Holder shall provide the HBRC Manager Compliance (or nominee) with this person's contact details within one month from the date of the discharge first occurring and within ten working days of any change in personnel occurring.
175.	**Roof Materials** The Consent Holder shall ensure that buildings within the area discharging stormwater under this consent shall have: (a) Roofs that are constructed using inert roofing materials such as Colorcote or Colorsteel; or (b) A different roofing material or roof treatment (e.g. painting with non-metal based paints) that will achieve an equivalent performance standard in terms of release of metal contaminants
176.	**Receiving Environment** The Consent Holder shall ensure stormwater discharge (including during construction phases) shall not give rise to all or any of the following effects in any receiving waterbodies, after reasonable mixing: (a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

No.	Conditions – DIS-1XX
	(b) Any conspicuous change in the colour or visual clarity. (c) Any emission of objectionable odour. (d) The rendering of fresh water unsuitable for consumption by farm animals. (e) Any significant adverse effects on aquatic life.
177.	**Access for Maintenance** The Consent Holder shall ensure that access arrangements (including any easements if necessary) are established to enable the person(s) or body responsible for long-term operation and maintenance of the stormwater management systems to carry out their responsibilities under this consent.
177A.	**Notice to Drinking Water Supplier** If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Hastings District Council (Brookvale Bore 3) and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs. ***Advice Note:*** *Such an event might include for example a spill of chemicals that may enter groundwater. The Hastings District Council can be contacted on 06 871 5000. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.*
178.	**Review Under RMA Section 128** The conditions of this consent (DIS-1XX) may be reviewed by HBRC Manager Compliance (or nominee) during the month of May of any year pursuant to sections 128 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes: (a) To deal with any adverse effect on the environment that may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue. (b) To require the adoption of the best practicable option to remove or reduce any effects on the environment. (c) To modify any maintenance or monitoring programme, or to require additional maintenance or monitoring if there is evidence that current maintenance or monitoring requirements are inappropriate or inadequate. (d) To ensure that the consented activity is managed in a manner that is consistent with the provisions of an operative plan.
	Authorisations
179.	**Consent Surrender** DIS-1XX (this consent) shall be surrendered in the following circumstances: (e) Once a decision has been made, and the time for appealing the decision has passed without appeal or any appeal made has been withdrawn, dismissed or resolved on the

Commented [BB52]: In accordance with Reg 12 of NES-Drinking Water. Applicable during and after construction.

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No.	Conditions – DIS-1XX
	replacement of HDC's Global Stormwater Consent (DP090355Wb / AUTH-118324-03); and (f) The HDC Global Stormwater Consent referred to above includes the entirety of the stormwater discharge(s) ~~and discharge~~ consented by DIS-1XX (this consent).
180.	**Transfer of Consent** In the event that the consent is not surrendered in accordance with Condition [179], DIS-1XX (this consent) shall remain in the name of the Consent Holder (Vermont Street Partners No.4 Limited) until the performance of the vested stormwater management system has been confirmed through a monitoring and proving period. This proving period shall: (a) Commence upon the issuance of section 224(c) certification for the final stage of the subdivision, unless otherwise agreed in writing with HDC and HBRC; (b) Run for a minimum duration of 24 months, covering all four seasons; (c) Be undertaken either by the Consent Holder, or by HDC on behalf of the Consent Holder, and at the Consent Holder's cost; and (d) Include performance monitoring and maintenance of the stormwater system in accordance with the certified SMMP requirements of this consent. (e) Include preparation of a Stormwater System Performance Report prepared by a suitably qualified engineer confirming that the system is operating in accordance with the certified design documentation and this consent. At the conclusion of the proving period, the consent may be transferred to HDC, subject to: (f) Demonstrated compliance with all relevant conditions of this consent; (g) Submission of a performance summary report to HBRC; and (h) Written agreement by HDC to accept the transfer. Any costs associated with the proving period and transfer process shall be borne by the Consent Holder.
181.	**Transfer of Consent** This consent (DIS-1XX) shall only be transferred to an entity that has a legally established right of access to the stormwater management system as necessary to undertake regular and ongoing maintenance and monitoring of the system and to otherwise meet the conditions of this consent.

10.0 Discharge of Contaminants: DIS-2XX

Summary of DIS-2XX discharge of contaminants activities authorised.

Activities relating to section 15 of the RMA associated with discharge of contaminants (flocculant-treated construction stormwater only) during the temporary earthworks and construction phase required to support the Brookvale Green development, including:

- The use of flocculants and associated chemical treatment systems within erosion and sediment control devices, including the discharge of flocculant-treated stormwater during construction of the Project.

***Management Plans Explanatory Note**: The consolidated CEMP prepared under Condition [xx] of LUC-XXX may be used to satisfy the management plan Condition [xx] requirements of this consent, provided it addresses the discharge activities authorised by DIS-2XX and is certified by HBRC. Separate management plans are not required where the relevant HBRC requirements are clearly identified and addressed within the consolidated CEMP.*

No.	Conditions – DIS-2XX
No.	**Pre Construction Requirements**
182.	Chemical Treatment Management Plan Prior to the commencement of any activity authorised by this consent, the Consent Holder shall submit a finalised Chemical Treatment Management Plan (ChTMP) to HBRC Manager Compliance (or nominee) for certification. The ChTMP shall be prepared in general accordance with the preliminary ChTMP referenced in Schedule 1. The ChTMP can be amended to suit the appointed Contractor's methodology subject to approval from HBRC Manager Compliance (or nominee).
183.	Certification The activities authorised by this consent shall not commence until the ChTMP has been certified by HBRC Manager Compliance (or nominee). The ChTMP shall be deemed certified unless, within 15 working days of receipt, HBRC advises in writing that certification is withheld and provides reasons for withholding certification
	During Construction Requirements
184.	Implementation All activities authorised by this consent shall be undertaken in accordance with the ChTMP certified under Condition [182].
185.	Monitoring The Consent Holder shall undertake monitoring of flocculant treatment systems in accordance with the certified ChTMP in Condition [182].
186.	Incident Management Any failure of a flocculant treatment system resulting in an unauthorised discharge shall be reported to HBRC Manager Compliance (or nominee) as soon as practicable and no later than 24 hours after the Consent Holder becomes aware of the incident.

Commented [BB53]: Will de-watering also be required?

Commented [BB54]: Noting Regulations 7 and 8 of the NES-Drinking Water and the proximity to Well 4151. Suggest including parameters within this condition to satisfy the requirements of those regulations.
In a regular RMA instance if a discharge were to introduce or increase determinands in the drinking water (or otherwise as described in the NES-DW Regs 7 & 8) that consent would not be able to be granted.

No.	Conditions – DIS-2XX
	The Consent Holder shall implement appropriate corrective actions following any treatment system failure.
186A.	**Source-Water Risk** The consent holder, and/or any contractor instructed to work on their behalf, shall ensure that the discharge shall not result in contaminants entering groundwater or to a watercourse in a way that could increase risk of contamination to the underlying aquifer.
186B.	**Notice to Drinking Water Supplier** If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Hastings District Council (Brookvale Bore 3) and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs. ***Advice Note:*** *Such an event might include for example a spill of chemicals that may enter groundwater. The Hastings District Council can be contacted on 06 871 5000. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.*
	Post Construction Requirements
187.	**Completion Report** Within 3 months of completion of earthworks and stream works requiring flocculant treatment, the Consent Holder shall provide a completion memorandum to HBRC Manager Compliance (or nominee) confirming: (a) the period during which flocculants were used; (b) the flocculants utilised; (c) monitoring undertaken; (d) any incidents recorded; and (e) confirmation that all treatment systems have been decommissioned or removed.

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Commented [BB55]: In accordance with Reg 12 of NES-Drinking Water.
Applicable both during and after construction.

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11.0 Wildlife Approval: WA-XXX

In accordance with the provisions of the Wildlife Act 1953, precautionary Wildlife Approval is sought for salvage, handling and relocation of indigenous lizards.

- **Approval Holder** Vermont Street Partners No.4 Limited
- **Authorised Activity** To catch alive and relocate lizards for the purpose of protecting the lizards by way of salvage.

No.	Conditions – WA-XXX
WA1	**Term** The Approval shall expire 5 years after the date the Approval is granted.
WA2	**Fauna Management Plan** All fauna management, salvage, relocation, monitoring and associated works undertaken pursuant to this approval shall be carried out in accordance with the Fauna Management Plan titled "*Brookvale Green, 174 and 176 Brookvale Road, Hawkes Bay*", prepared by Stantec New Zealand and dated [xxx].
WA3	**Implementation** The Authorised Activity shall be carried out: (a) By a SQEP; (b) In accordance with the approved FMP; (c) At a suitable time of year, when Lizards are active, as advised by a SQEP; and (d) For catch / capture, within the site boundary, and for relocation, within the Release Area.
WA4	**Discovery of Protected Wildlife** The DOC Operations Manager for Ahuriri/Napier must be contacted immediately (napier@doc.govt.nz) for further advice if lizard species other than those authorised are located within the footprint of the development.
WA5	**Lizard Salvage and Relocation Reporting** Within 30 working days of completion of lizard salvage and relocation works, the Consent Holder shall provide a Lizard Salvage and Relocation Report to DOC in accordance with the reporting requirements in the approved FMP.
WA6	**Lizard Post-Translocation Monitoring** Where more than 20 indigenous lizards are salvaged and relocated, post-translocation monitoring shall be undertaken during the following survey season in accordance with the approved FMP. A Lizard Translocation Monitoring Report prepared in accordance with the approved FMP shall be provided to DOC within 30 days following the conclusion of monitoring.
WA7	**Variations** The Approval Holder may apply to the Director-General for variations to this Approval in accordance with clause 7(2) of Schedule 7 of the FTAA.

No.	Conditions – WA-XXX
WA8	**Costs** The Approval Holder must pay the DOC's standard charge out rates for any staff time and mileage required to monitor compliance with this Approval and to investigate any alleged breaches of the terms and conditions of it.
WA9	**Liabilities** The Approval Holder agrees to exercise the Approval at their own risk and releases, to the full extent permitted by law, the Director-General and the Director-General's employees and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage, or injury occurring to any person or property arising from the Approval Holder's exercise of the Approval.
WA10	**Cancellation** The Director General may revoke this Approval at any time in respect of the whole or any part (pursuant to clause 7(4) of Schedule 7 of the FTAA) if: (a) The Approval Holder breaches any of the conditions of this Approval; or (b) In the Director-General's opinion, the carrying out of the Approval has caused or is likely to cause any unforeseen or unacceptable effects on lizards. If the Director-General intends to revoke this Approval in whole or in part, the Director-General must give the Approval Holder such prior notice as is reasonable and necessary in the circumstances.
WA11	**Compliance with the Director-General's Notices and Directions** The Approval Holder must comply with all statutes, bylaws, and regulations, and all notices, directions, and requisitions of the Director-General and any competent authority relating to the exercise of the Approval.

12.0 Schedule 1: List of Documents

12.1 List of Reports

Commented [JS56]: To add at end of project

Title	Prepared By	Date
[add key management plans and reports referenced in these conditions only]		

12.2 List of Drawings

Title	Prepared By	Date
[include all plans]		

Rules Assessment

Proposal: A residential community in Havelock North, Hawkes Bay, comprising 189–215 new homes with supporting infrastructure and landscaping.

Address: 174 and 176 Brookvale Road, Havelock North

Regional Plan: Hawkes Bay Regional Resource Management Plan

Rule	Compliance	Non-Compliance
6.3 Land Use Activities		
6.3.1 Bore drilling & leaking bores	Rules 1-2 are not relevant to the proposal as no new bores are proposed. Rule 3 is not relevant as the existing bores will be decommissioned once no longer in use. A total of XX bores are located on site which will be removed following the completion of earthworks in accordance with the recommendations of **Appendix XX**. The decommissioning of bores is a **permitted activity** under **Rule 4** subject to compliance with the listed standards.	
6.3.2 Feedlots and feedpads	Rules 5-6 are not relevant as no feedlots and feedpads are proposed.	
6.3.3 Vegetation clearance and soil disturbance	Otherwise complies – The proposal will be undertaken in accordance with the erosion and sediment protection controls set out in **Appendix XX** to achieve compliance with all other conditions of **Rule 7**.	It is proposed to remove exotic vegetation and shelterbelts within 5m of the two streams on site. Vegetation clearance thar does not meet the conditions in Rule 7 are a **restricted discretionary** activity under **Rule 8**.
6.4 Discharges to Air/Land/Water		
6.4.1 Agrichemicals – discharges to air/land/water	N/A – No discharge of agrichemicals is proposed.	
6.4.2 Agricultural activities & other activities on production land – discharges to air/land/water	N/A – None of the listed agricultural activities are proposed.	
6.5 Discharges to Air		

Commented [JS1]: Brandon - we need to work out how many bores are on the site to decommission. Do we rely on the HBRC GIS to determine that number? Is this reliable?

Commented [JS2R1]: Barry Beaurain will update his Infrastructure Report to state the number of bores that will be decommissioned and the process for this.

Commented [BB3R1]: HBRC GIS maps are reasonably accurate but not 100%. There are some bores that we don't know about/not recorded on the GIS maps. Based on the title of AUTH-111429-01 it looks as though there could possible be an unknown bore on site.

6.5.1 Combustion of fuel – discharges to air	N/A – Not relevant to the proposal.	
6.5.2 Burning of waste – discharges to air	N/A – Not relevant to the proposal.	
6.5.3 Management of waste & other matter, excluding industrial & trade premises – discharges to air	N/A – Not relevant to the proposal.	
6.5.4 Abrasive blasting – discharges to air	N/A – Not relevant to the proposal.	
6.5.5 Moveable sources– discharges to air	N/A – Not relevant to the proposal.	
6.5.6 Industrial & trade premises– discharges to air	N/A – Not relevant to the proposal.	
6.5.7 Non-compliance with other rules– discharges to air	N/A – Not relevant to the proposal.	
6.6 Discharges to Land/Water		
6.6.1 Water – discharges to water	N/A – Not relevant to the proposal.	
6.6.2 Drainage water – discharges to land/water	The proposed earthworks are unlikely to encounter groundwater under typical conditions (refer to **Appendix XX**). Notwithstanding, any potential discharge of drainage water will be manged in a way to comply with the conditions of Rule 32 as a permitted activity.	
6.6.3 Bore drilling fluids – discharges to land/water	N/A – No discharge of bore drilling fluids are proposed.	
6.6.4 Domestic sewage – discharges to land	N/A – It is proposed to connect the development to the reticulated network.	
6.6.5 Landfills, transfer stations 7 waste oil – discharges to land/water	N/A – Not relevant to the proposal.	
6.6.6 Stormwater– discharges to land/water	Complies – The subject site is proposed to be serviced by a new stormwater network. The diversion and discharge of stormwater is a **permitted activity** under Rule 42 subject to compliance with the listed standards.	
6.6.7 Generic discharges of contaminants – discharges to land/water	Otherwise complies – The soils at the site are highly unlikely to pose a risk to human health (refer to **Appendix XX**).	It is proposed to temporary discharge water from the retention pond during earthworks, where chemical

Commented [AP4]: Confirming with the contamination specialist that no consent is required.

Commented [BB5R4]: Should note that it was unclear to me as to whether or not rule 48 (c) would be complied with based on reading the Contamination report. Risk to human health appeared to be spoken to however, it didn't appear to conclude whether there is a risk to environmental receptors also.

		treatment will be provided to the pond if 100mm of water clarity is not achieved before discharge, this will be achieved by dossing/flocculation. Discharge of contaminants to land and water that does not comply with the conditions is a **discretionary activity** under Rule 52.
6.6.8 Non-compliance with other rules – discharges to land/water		As per above, the discharge of water from the retention pond during earthworks does not comply with the permitted activity conditions. Discharge of contaminants to land and water that does not comply with the conditions is a **discretionary activity** under Rule 52.
6.7 Water Takes, Uses & Diversions		
6.7.1 Take & Use of water		It is proposed to take groundwater from an existing bore that is located within the water management zones shown in Schedule VI for dust suppression during earthworks. The take and use of groundwater is a **Discretionary Activity** under Rule 55.
6.7.2 Diversion of water	Otherwise complies with Rule 56 as follows: • The diversion shall remain within the same catchment; • The diversion shall not cause any scouring or erosion of any land or any water course beyond the point of discharge; • The diversion shall not adversely affect any lawfully established take, which existed at the time that the diversion commenced; • The activity shall be undertaken in a manner that continues to provide for the existing passage of fish past the diversion; and • There shall be no adverse flooding effects on any property owned or occupied	The proposal seeks to divert a stream at the northern extent of the project area, which does not comply with the following standards of Rule 56: • The diversion will not remain within the bed of the affected water body; • The diversion will divert more than 10% of the flow of the affected water body; and • Wetlands 3 and 4 will be affected by the diversion. Diversion of water which cannot comply with any condition on a permitted activity is a **discretionary activity** under Rule 59.

Commented [AP6]: Brendon - Understand we can not use Rule 53 as we are in the water management zones shown in Schedule VI.

Commented [BB7R6]: Correct, consent pursuant to Rule 55 would be required for a new activity.

Commented [AP8]: Brendon to confirm whether the reclamation of artificial drainage channels requires consent for diversion.

Commented [BB9R8]: Since neither rule 56 nor 59 specifically exclude artificial water courses (or that they only relate to rivers & streams) - agree consent is required if unable to comply with permitted standards of 56.

Commented [AP10]: Confirming contributing catchment with project team - likely to be less than 50ha

	by another person, as a result of the diversion.	
6.7.3 Transfer of water permits	N/A – Water taken from the bores shall remain on site.	
6.8 Use of Rivers & Lake Beds		
6.8.1 Use, repair & maintenance of structures	N/A – It is proposed to upgrade the existing structures within the streams.	
6.8.2 Removal & demolition of structures	The proposal seeks to remove following structures from watercourses: • The ford located on the site within Stream 1; • The piped culvert in Stream 1 located within Brookvale Road; and • All piped structures within Stream 2 located within the site. The removal of structures is a **permitted activity** under Rule 66 subject to compliance with the listed standards. *Note: It is proposed to upgrade the piped culvert in Stream 1 located within Brookvale Road and the central piped culvert within Stream 2.*	
6.8.3 Erection and placement of dams & other barrier structure, & damming of water	N/A – No damming of water within the streams is proposed.	
6.8.4 River control & drainage works & structures		The following activities are a **discretionary activity** under **Rule 71**: • Planting within 6 metres of the bed of Streams 1 and 2; • The erection of buildings, fences, and other structures within 6 metres of the bed of Streams 1 and 2; • The deposition of earth within 6 metres of the bed Streams 1 and 2; • The reclamation of Stream 1 at the northern extent of the project area and the artificial watercourse on site; and

Commented [JS11]: We are currently still working through whether it is proposed to use the bore or if there is another more straight forward option. I.e. possible permitted take of 5m3 - see below.

Noted that one of the consented water takes on site is still active and the consent holder is Brookvale Land Limited who own the site. Possibility it could be transferred to VSP.

Commented [BB12R11]: I've had a quick look and it appears a few of the water take consents for this site were meant to expire in 2022, however the recent RMA extension extended those until the end of 2027.

Have quickly broken these down as follows:
AUTH-111427-01 (Historic reference: WP000744T) now expiries 31/12/2027
AUTH-111429-01 (historic ref: WP000746T) now expiries 31/12/2027
AUTH-113145-01 (historic ref: WP030248T) now expiries 31/12/2027
AUTH-111428-01 (Historic Ref: WP000745T) now expiries 31/12/2027

INTERIM take as follows:
AUTH-131631-01 (Historic ref: WP181657T) now expiries 31/12/2027
AUTH-131633-01 (Historic ref: WP181676T) now expiries 31/12/2027

I note that the expiry dates have been updated in our system but may not have been updated formally on each individual consent document. This could be causing some confusion.

Commented [BB13R11]: The most straight forward option (avoiding a consent) may likely be water trucks given no permitted activity pathway for takes is available. Otherwise a consent to take from impounded rain water on site may be an option.

		• Land disturbance within 6 metres of the bed Streams 1 and 2.
6.8.5 Erection & placement of other structures (including access structures)	Otherwise complies with the standards of Rule 72.	It is proposed to replace an existing access structure within Stream 2, which does not comply with the following standards of Rule 72: • The upgraded culvert within Brookvale Road will occupy an area greater than 10m^2 within the bed of Stream 1; and • The access structure within the site across Stream 2 will occupy an area greater than 10m^2 within the bed of Stream 2. Any activity which cannot comply with any of the rules in section 6.8 of the plan is a discretionary activity under Rule 69.
6.8.6 River bed gravel extraction	N/A – River bed gravel extraction is not proposed.	
6.8.7 Other disturbances of river and lake beds	N/A – The proposed stream diversion is sought under Rule 71 and upgrade to the existing structure is sought under Rule 74.	
6.8.8 Introduction & planting of plants	N/A – The proposed riparian planting is sought under Rule 71.	
6.9 Tukituki River Catchment specific rules		
Rule TT1-TT5	N/A – The site is not located within the Tukituki Catchment.	

TANK Plan Change 9 Rules Assessment

Rule	Compliance	Non-Compliance
6.10 - Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment Rules (TANK)		
TANK – 1-5 Use of Farm Land	N/A – The site is not for the use of production land.	
TANK 6 – Surface water take	N/A – No surface water take is proposed.	
TANK 7-8 – Groundwater take		It is proposed to take groundwater from an existing bore that for dust suppression during earthwork. Replacement of an existing Resource Consent to take and use water from the Heretaunga Plains

Rule	Compliance	Non-Compliance
		Groundwater Quantity Area is a **Restricted Discretionary** under TANK 8.
TANK 9 - Surface and groundwater takes (abstraction at low flows)	N/A – The take and use of groundwater is not proposed.	
TANK 10 - Groundwater and Surface water take (low flow)	N/A – The take and use of groundwater is not proposed.	
TANK 11 – Groundwater take	N/A – The take and use of groundwater is not proposed.	
TANK 12 – Groundwater and surface water take	N/A – The take and use of surface or groundwater is not proposed.	
TANK 13 – Taking water high flows	N/A – The taking and use of surface water is not proposed.	
TANK 14-18 – Damming water and take and use from storage	N/A – Damming water and take and use from storage is not proposed.	
TANK 19-20 – Stream Flow Maintenance and Habitat Enhancement Scheme	N/A – The take and use of groundwater is not proposed.	
TANK 21-22 – Stormwater diversion and discharge		The permitted activity standards of this rule cannot be met as the discharge is within 10m of the Heretaunga Plains Aquifer System and tributaries that flow to the Karamū River. Approval as a restricted **discretionary activity** under TANK 22 is required.
TANK 23 - Stormwater Diversion and discharge from local authority networks		Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water is a **controlled activity** under Tank 23.
TANK 24 - Stormwater discharge from industrial or trade premises	N/A – Not relevant to the proposal.	
TANK 25 – Stormwater activities	N/A – As noted above, the proposed stormwater discharge does not comply with the requirements of TANK 22 and approval is required as a restricted discretionary activity.	
6.3 Land Use Activities		
6.3.1 Bore drilling & leaking bores	Where the bore is in a Source Protection Zone, information to confirm compliance with	

Commented [AP14]: Brendon - Understand we can not use TANK 7 as we are in the Heretaunga Plains Groundwater Quantity Area. Please let us know if they are not mutually exclusive and we can take 5 cubic metres per day under TANK 7.

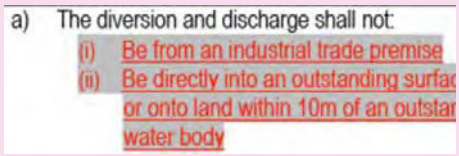
Commented [BB15R14]: TANK only has legal weight as it is not yet operative. If it were operative then rules 53 - 55 wouldn't apply to it. So at this point in time both rules apply.

Also Rule TANK 8 wouldn't be the applicable rule planning to replace existing consents and use for construction purposes. Rule TANK 10 would as Rule TANK 8(b) wouldn't be complied with for change in use.

Commented [BB16R14]: Noting the consents mentioned below don't currently appear to be in ownership of your client, these would need to be transferred to your client if you are looking to include this as part of the substantive.

Commented [BB17]: If applying for a renewal of an existing consent under Rule TANK 8 to then use that water for construction/dust suppression purposes, Rule TANK 10 would be the applicable rule as you'd need to change the use from the consent's current purposes (pasture irrigation or for mushroom farming purposes) for not complying with Rule TANK 8(b). POL TANK 45 then comes into consideration.

Commented [AP18]: Brandon - We note the consent order removed the 1,000m2 standard, however, included a)(i) which requires discharge to not be to an outstanding surface water body. Could you please confirm if this includes tributaries to the water body as we have applied for?



Commented [JS19R18]: Karamu Stream is an outstanding waterbody as we understand it but is downstream from our site.

Commented [BB20R18]: The wording (a)(ii) specifies the discharge be directly into an outstanding water body, so no I don't believe a discharge to a tributary in this instance would trigger a non-compliance with (a)(ii).

Commented [BB21R18]: Consent would likely be needed for both construction and operational stormwater discharges.

Commented [BB22]: Looks as though this is a duplication of 6.3 above.

Rule	Compliance	Non-Compliance
	conditions Rule 4 (a) to (d) shall be provided to Council.	
6.3.2 Feedlots and feedpads	N/A – No feedlots and feedpads are proposed.	
6.3.3 Vegetation clearance and soil disturbance		Requirements introduced under the TANK plan change are not met as matters under f relating to native vegetation being removed within 10m of a stream will not be met. Consent is required under Rule 8 as a **restricted discretionary** activity.
6.4 Discharges to Air/Land/Water		
6.4.2 Agricultural activities & other activities on production land – discharges to air/land/water	N/A – None of the listed agricultural activities are proposed.	
6.6 Discharges to Land/Water		
6.6.1 Water – discharges to water	N/A – Not relevant to the proposal.	
6.6.2 Drainage water – discharges to land/water	The proposed earthworks are unlikely to encounter groundwater under typical conditions (refer to **Appendix XX**). Notwithstanding, any potential discharge of drainage water will be manged in a way to comply with the conditions of Rule 32 as a permitted activity.	
6.6.3 Bore drilling fluids – discharges to land/water	N/A – No discharge of bore drilling fluids are proposed.	
6.6.4 Domestic sewage – discharges to land	N/A – It is proposed to connect the development to the reticulated network.	
6.6.6 Stormwater – discharges to land/water	Rules 42-46 do not apply within the Karamū River Catchment.	
6.7 Water Takes, Uses & Diversions		
6.7.1 Take & Use of water	Rules 53-55 do not apply in the Karamū River Catchment.	
6.7.3 Transfer of water permits	N/A – Water taken from the bores shall remain on site.	
6.8 Use of Rivers & Lake Beds		
6.8.1 Use, repair & maintenance of structures	N/A – It is proposed to upgrade the existing structures within the streams.	

Commented [AP23]: We are currently still working through whether it is proposed to use the bore. Jo will give you a call to discuss shortly.

Commented [JS24R23]: See above comments

Rule	Compliance	Non-Compliance
6.8.3 Erection and placement of dams & other barrier structure, & damming of water	N/A – No damming of water within the streams is proposed.	

Attachment 2

Attachment 2 – HBRC Minutes

Meeting Minutes

Project: Brookvale Green Fast Track – 174 and 176 Brookvale Road, Havelock North

Date: 25 February 2026

Time: 1:00pm – 2:00pm

Location: MS Teams

Apologies: [redacted] (Barker & Associates).

Attendees:

Name	Role/Organisation
[redacted]	Applicant – Vermont Street Partners No 4. Ltd (VSP)
[redacted]	Planning Consultant – Barker & Associates (B&A)
[redacted]	Consents Team, Hawkes Bay Regional Council (HBRC)
[redacted]	Consents Team, Hawkes Bay Regional Council (HBRC)

Item	Detail
1	Introductions & Purpose: (a) [redacted] outlined the approach – early engagement with HBRC and other stakeholders, prior to lodgement (currently targeted for end of May 2025). This is the first high level catch up, with more opportunities for feedback to be provided prior to lodgement – outlined further below. Reaffirmed a keenness to work with HBRC early to identify issues, risks and opportunities early so they can be proactively addressed within the substantive application, rather than raised later during the application process, noting the tight timeframes that apply and examples of other Fast Tracks around the country
2	Referral Decision: (a) David briefly talked through the referral decision and masterplan.
3	CDL Substantive Application and Draft Decision: (a) [redacted] highlighted that he and VSP have been closely watching the substantive application process for the CDL Arataki extension site, noting the approved decision released the day be 24/2 (b) [redacted] and [redacted] briefly highlighted the key points of feedback from HBRC perspective on the CDL fast track: (i) Stormwater management and addressing potential contamination risk. – lining of stormwater (ii) Reverse sensitivity – largely as it related to spray drift. Referenced generally consider effect of conflicting land uses to be a matter the Territorial Authority would assess (e.g., Hastings District Council). Referred to the Northland Regional Council standards on spray drift and buffers, shelter belts. (iii) [redacted] noted that reverse sensitivity has already been identified as a key focus, with a similar approach (e.g., 10m setback, landscaped buffer) being proposed for Brookvale Green and the provision of accompanying reverse sensitivity technical assessments – particularly for spray drift.

Item	Detail
4	New / Amended National Direction: (a) NPS-Highly Productive Land: [redacted] briefly highlighted the changes to the NPS-HPL and in particularly clause 3.5(7)(iii). This has the effect of removing the LUC-3 issue for Brookvale Green as a resource consent (in this case a Fast Track Substantive Application) will be lodged. David confirmed that this will be addressed in the application via a planning assessment. (b) NPS-Natural Hazards: David highlighted awareness of the new NPS, and in particular the risk matrix / assessment requirement.
5	Brookvale Green Substantive - Key technical evidence / assessments: (a) Economics (Insight Economics – [redacted] – May be of interest to HBRC's policy team and may be interested in providing feedback. Please retain this in your list of items of interest to HBRC to review and comment on prior to lodgement. (b) Engineering (Maven – [redacted] (i) [redacted] and [redacted] noted that a lot of detailed work has been undertaken by Maven on stormwater and flooding solutions. [redacted] noted that there is concern expressed by neigbouring properties to the north of Brookvale Green, suggesting that HDC and HRBC are not doing enough to manage existing stormwater / flooding concerns. There is an opportunity through Brookvale Green to address these issues and ensure that existing flooding and stormwater issues are at least no worse, and actually likely to be better given interventions on the Brookvale Green Site. (ii) [redacted] also highlighted that would VSP would like to look at stream clean up opportunities. Sophia and Brandon highlighted that in principle there would be support from HBRC for this, notwithstanding identification of the correct resource consent triggers and requirements and finer details as to what is likely to be involved (iii) [redacted] highlighted that ownership of stormwater assets would also be a key matter to address in the substantive. (iv) HBRC would like the opportunity to review and comment on the engineering assessment prior to lodgement. (c) Transport (East Cape Consulting – [redacted] (i) HBRC are responsible for public transport (bus). [redacted] identified that there could be an opportunity for future provisions of a bus stop within the development if it can be suitably accommodated. (ii) [redacted] expressed a desire to do so as an additional positive effect of the development. Sophia and Brandon will provide contact details of the HBRC transport team re public transport connection. (iii) Opportunities for cycle and pedestrian connectivity were also discussed. [redacted] referred to the cycle and pedestrian opportunities identified on the masterplan which provide an opportunity for wider connectivity. HBRC can provide contact for cycleways coordination at HBRC to discuss opportunities. (d) Ecology (Wild Ecology – [redacted] (i) There is an opportunity to look at the ecological restoration / clean up of stream corridor to the north. (ii) [redacted] highlighted that the ecological assessment can be expanded to include assessment of restoration (iii) [redacted] highlighted that this will need to consider possible wetlands and any consenting triggers in the HB Regional Plan or NES-Freshwater. (iv) The ecological assessment will be a key focus for HBRC. (e) Landscape (LA4 Landscape Architects – [redacted] – confirmed not of particular relevance or concern for HBRC.

Item	Detail
	(f) Urban Design (B&A – [redacted] – confirmed not of particular relevance or concern for HBRC. (g) Geotech – (Hawkes Bay Geotech) – HBRC considers a risk of groundwater contamination as mentioned above and in comment on referral application as a matter of interest (h) Noise / Reverse sensitivity (i) Noise – Styles Group (ii) Spray Drift – Fruition – HBRC will be interested in seeing this for consistency with CDL position and decision.
6	Iwi / hapu Engagement – Tamatea Pokai Whenua + entities listed in referral letter (a) [redacted] briefly summarised the existing engagement from the referral and that early contact has already been made with these entities.
7	Other Stakeholder Engagement: (a) Hastings District Council – confirmed that a meeting was already held on 18-2. (b) Adjoining and adjacent properties - [redacted] highlighted that a proactive approach to engagement has been taken, with [redacted] leading contact to flush out any issues early. A record of consultation is being kept to include in the Application. (c) General public – as above.
8	Referral Feedback from HBRC and any other issues to address in Substantive: (a) FDS – [redacted] reiterated that this was addressed in VSP's submission and evidence on the FDS and fast track referral application. (b) LUC3 – addressed above. (c) TANK Plan Change – [redacted] noted that this is still subject to Environment Court Appeals and objectives, policies and rules will have legal effect. Will need to be addressed at the time of development. (d) Ecology - as above. (e) AUTH-129909-01 – [redacted] referred to the Email 19/11 from [redacted] identifying previous issues with activities penetrating confining layers of aquifer at the site and potential for contamination. (f) Brandon highlighted that this will need to be addressed in the substantive accordingly.
9	Next Steps and Timeframes (a) Working towards end of May 2026 for lodgement. (b) Putting in a placeholder for a further meeting in April to discuss preliminary findings of technical reports.
10	Any other matters: (a) [redacted] referenced a preference to use the HBRC condition suites for any regional conditions requiring monitoring and compliance by HBRC. [redacted] were comfortable with that suggestion. (b) [redacted] referred to cost recovery for engagement prior to the substantive and the use of interim invoicing. [redacted] requested that an upfront indication of costs be provided (e.g., approximately what was required for CDL site) so it can be factored into the budget for Brookvale Green. (c) [redacted] highlighted a preference for HBRC being sent relevant information with targeted requests as to what VSP are seeking feedback on. [redacted] agreed that this made sense and helps focus feedback on the issues that matter.

Minutes

Project: Brookvale Green Fast Track – Substantive Application Update to HBRC

Date: 7 May 2026

Time: 2:00 – 3:00pm

Location: HBRC offices and Online Teams

Attendees:

Name	Role/Organisation
Applicant Team	
[redacted]	Vermont Street Partners No 4. Ltd (VSP)
[redacted]	Planning Consultant / Barker & Associates (B&A)
[redacted]	Planning Consultant / B&A (Online)
[redacted]	Civil Engineer / Maven (Online)
Hawkes Bay Regional Council	
[redacted]	Senior Consents Planner / Hawkes Bay Regional Council (HBRC)
[redacted]	Team Leader Consents / HBRC
[redacted]	Senior Design Engineer / HBRC

Item	Discussion	Actions
1.0	**Project Overview Update**	
1.1	The project team provided an update on the Brookvale Green Fast Track substantive application. The current masterplan provides for 203 lots.	Noted
1.2	**Collaboration** HBRC and VSP acknowledged the constructive direction of the project and the benefit of continuing to work collaboratively ahead of lodgement.	Noted
1.3	**Draft Reports & Drawings** B&A to upload draft reports and plans to OneDrive asap for HBRC review ahead of lodgement.	HBRC to review documents by 29 May 2026
2.0	**Stormwater & Stream Works**	
2.1	**Stormwater Management Strategy** The strategy is lot-level kerb discharge into rain gardens or catchpits, with a wetland doing the heavy lifting on treatment and extended detention, and the northern dry basin acting as flood buffer behind the channel. Two further rain gardens at the northern entries pick up the residual catchment. All devices will	Applicant team to ensure reporting addresses scour and erosion effects within the assessment documentation and supporting technical reports.

Item	Discussion	Actions
	be clay-lined as required for this area. The Brookvale Road culvert and roadside drain are being upsized so we can safely pass a 100-year event without hazardous ponding or impact upstream or downstream. On the streams themselves, both watercourses are ephemeral and we have not observed flowing water in any major rain event we have monitored, including the recent 100 mm-in-20-hour and 25 mm-in-45-minute events. Watercourse A is being realigned to remove the rooster-tail at Brookvale Road and provide a clean development edge; Watercourse B is being daylighted from concrete and re-established as an ecological feature with a stormwater function. Both will have 10 m riparian buffers, and the construction sequence stabilises the new channel with coconut fibre matting, grass and planting before any flow is diverted. We will note the no-observed-flow finding as background in the application. HBRC officers indicated general agreement in principle with the proposed stormwater management and stream restoration approach, subject to detailed technical assessment through the application process, noting the concerns previously raised re the underlying hydrogeology being identified as sensitive to contamination and being addressed as part of the technical documents. It was agreed that scour and erosion effects associated with the stream works should be specifically addressed within the assessment documentation and supporting technical reports.	
2.2	**Fish Passage and Culvert Upgrades** Upgrades to the Brookvale Road culverts and associated fish passage requirements were discussed. HBRC officers confirmed fish passage would be required for the new culvert design. Under the provisions of the NES-F, where this cannot be provided, consent would be required.	Maven / Wild Ecology to ensure fish passage requirements incorporated into the civil and ecological documentation.
2.3	**Stream Works Adjacent to Boundaries** The proximity of proposed stream works to adjoining property boundaries was discussed (possibly 1-2 metres), including whether any setback requirements may apply under the Hastings District Plan.	B&A to review Hastings District Plan provisions to confirm whether any setback controls apply to the proposed works.
3.0	**Civil Works**	
3.1	**Aquifer Protection and Groundwater Effects** Previous aquifer impacts associated with the site were discussed. The applicant team confirmed all proposed works involving potential groundwater interaction will incorporate clay liners and supporting technical reporting (LWP) is being prepared to confirm	Noted.

Item	Discussion	Actions
	no adverse aquifer impacts. Inspection during construction will involve the hydrogeologist, geotech engineer and engineer-to-contract. HBRC officers acknowledged the proposed mitigation approach involving clay liners and supporting expert reporting.	
3.2	**Wastewater Pumping and Emergency Overflow Contingencies** Capacity confirmed by HDC's third-party assessments; HDC's [redacted] is comfortable with the proposal. Discussion held regarding the proposed on-site wastewater pump system and contingency measures in the event of overflow or discharge to the stream environment. It was discussed and acknowledged that emergency management provisions under the RMA s330 would likely apply in the event of an emergency overflow or spill situation. BB also confirmed that the system has been designed with resilience built in, in the event of a power outage etc.	Noted.
3.3	**Construction Management and Earthworks** Construction timeframe, bulk earthworks and construction management requirements discussed. HBRC confirmed there is no specific earthworks season restriction applying to the proposal. HBRC confirmed that standard construction management plans were anticipated as part of the application.	Applicant team to ensure suite of management plans addressed in documentation.
3.4	**Water Take Consents** Existing water take consents and potential use for construction water supply and dust suppression discussed. HBRC advised the existing consents (possible expiry December 2027) should be reviewed to determine ongoing applicability, noting TANK Plan change has identified overallocation of these catchments.	B&A to investigate status and applicability of existing water take consents.
3.5	**Settlement Monitoring** Settlement monitoring recommendations within the geotechnical reporting discussed. HBRC acknowledged the proposed monitoring approach.	Noted.
4.0	**Ecology**	
4.1	**Ecology Reporting** Ecology reporting and agency review responsibilities discussed. HBRC acknowledged the proposed stream restoration and ecological enhancement approach in principle. HDC has also expressed interest in reviewing the ecology reporting.	[redacted] to discuss ecology review responsibilities with HDC.
4.2	**DOC Engagement**	Applicant team to continue engagement with DOC and

Item	Discussion	Actions
	Riparian restoration works, fauna management measures and ongoing DOC engagement discussed.	finalise ecological documentation.
5.0	**Transport**	
5.1	Proposed road network and future public transport integration discussed. HBRC recommended Road 1 be designed to accommodate future bus movements if required.	Maven to confirm Road 1 can accommodate bus tracking.
6.0	**Planning Framework & Consenting**	
6.1	**RRMP Rules and Additional Consents** Applicable RRMP rules and potential additional regional consents, including diversion and reclamation consents, discussed. [redacted] agreed to continue working through the applicable consent framework with [redacted]. This will inform the s30 letter response.	[redacted] to meet with [redacted] to confirm applicable RRMP rules and consent requirements next week.
6.2	**Existing Discharge Consents** Existing Te Mata Mushrooms discharge consents discussed. HBRC advised the consents are attached to the existing consent holder, Te Mata Mushrooms Limited. Need to understand whether the permits need to relinquished and tied to the substantive application in any capacity.	B&A to investigate potential relinquishment or transfer mechanisms.
6.3	**Conditions Suite** HBRC recommended the use of the Arataki conditions suite as the basis for the Brookvale Green conditions framework discussed. Noted that other consents may be required, including diversion.	B&A to use Arataki conditions suite as base. HBRC to provide any additional draft consent templates for any other required approvals (i.e. diversion).
6.4	**HBRC Policy Position** Based on previous FT experience, B&A recommended that HBRC prepare a policy position memo to accompany the application. This could be a short up-front planning memo on reverse sensitivity / land use / urban growth policy to sit in the application and would reduce the queries through the Panel RFI process. Even an "agree to disagree" position is helpful at the front end if this is the case.	HBRC to prepare reverse sensitivity planning position memo to accompany the substantive application.
7.0	**Stakeholder engagement**	
7.1	Update provided regarding engagement with HDC, mana whenua and adjoining landowners. Noted that [redacted] have applied for subdivision of the adjacent neighbouring landholding to the east.	Noted.
8.0	**Timeframes / Programme**	

Item	Discussion	Actions
8.1	Proposed programme and timeframes were discussed, including provision of draft technical reports to HBRC ahead of lodgement to assist in streamlining the review process. Indicative timing discussed included circulation of reports, approximately three weeks for review feedback by 29 May 2026, and target lodgement around 12 June 2026. HBRC officers were supportive of receiving draft technical reports ahead of lodgement to assist with early review and reducing later information requests	Applicant team to provide a Dropbox link containing draft reports to HBRC for review 8 May 2026. HBRC to come back with comments by 29 May 2026.

Minutes

Project: Brookvale Green Fast Track – Substantive Application Update to HBRC

Date: 7 May 2026

Time: 2:00pm

Location: HBRC offices and Online Teams

Attendees:

Name	Role/Organisation
Applicant	
[redacted]	Vermont Street Partners No 4. Ltd (VSP)
[redacted]	Planning Consultant / Barker & Associates (B&A)
[redacted]	Planning Consultant / B&A (Online)
[redacted]	Civil Engineer / Maven (Online)
[redacted]	Principal Land Development / Maven (Online)
[redacted]	Wild Ecology (Online)
HBRC	
[redacted]	Senior Consents Planner / Hawkes Bay Regional Council (HBRC)
[redacted]	Manager Consents / HBRC
[redacted]	Senior Design Engineer / HBRC
[redacted]	Asset Engineer / HBRC
[redacted]	Scientist - Water Quality and Ecology / HBRC
[redacted]	*Scientist - Terrestrial Ecology / HBRC*

1. Purpose

The meeting was convened to work through HBRC's pre-lodgement feedback on the Brookvale Green substantive fast-track application. Actions highlighted in red in this set of minutes.

2. Ecology and Watercourse Realignment

[redacted] presented a detailed baseline assessment of Watercourse 1 that reframed the ecology discussion substantially (refer to attached presentation material). Key findings:

- Watercourse 1 has been a highly modified drainage channel since at least the early 1980s. It has been channelised and straightened, and no flow evidence has been observed since.
- Based on a site visit in January 2025, no flow was observed and there was minimal evidence of even ephemeral flows. The channel has rooted terrestrial vegetation, and in some instances hydrophytic vegetation assessed as natural inland wetlands.
- The channel is a channelised dry weed dominated drain, essentially, with no flowing water evidence since the 1980s.

- The existing and proposed sinuosity are effectively the same – both functionally straight. Sinuosity has limited ecological value in a dry channel.

The design response is therefore not to create an engineered stream with pool-riffle sequences or in-stream habitat features but to plant the corridor as a wetland vegetation corridor that develops habitat through natural processes over time.

[redacted] explained that the channel functions as a flood conveyance path for the upstream catchment during major rainfall events. While it may convey flood flows during large storm events, there is insufficient regular flow for it to function as a stream.

[redacted] confirmed the presentation changed her understanding of the ecological report substantially. [redacted] has updated the ecology report to respond to the feedback received in the HBRC memo. [redacted] to circulate copies of the presentation and updated ecology report for further review by [redacted]

3. Wetlands

[redacted] confirmed the wetland baseline and offset:

- All five identified wetlands sit within or alongside modified channel beds, induced by old culverted crossings and ephemeral ponding. All are exotic species dominated and of very low ecological value.
- Wetlands 3 and 4 will be disturbed by the Watercourse 1 realignment: approximately 437 m^2 of wetland loss.
- Gain: approximately 6,439 m^2 of indigenous wetland margin planting will be reinstated – an ecological compensation ratio of approximately 14:1.

4. Fish Passage

Fish were not recorded in Watercourse 1 during surveys due to no water being present. Shortfin eel were recorded in Watercourse 2.

[redacted] raised the question of NES culvert embedment standards. He clarified the intent is not to create a depression but to naturalise the surface through the culvert.

[redacted] acknowledged this and confirmed that the design will achieve that outcome.

5. Stormwater and Downstream Flooding

[redacted] summarised the flood modelling outcome for the two affected downstream properties (163 and 185 Brookvale Road). The strategy is to increase culvert capacity under Brookvale Road, concentrating flows through the channel rather than allowing sheet flow over the road.

[redacted] advised that the proposed stormwater design reduces flooding around the existing dwellings and outbuildings at 163 and 185 Brookvale Road and provides an overall net benefit to both properties.

While not an RMAS process, written support has been obtained from both downstream property owners. Maven and [redacted] have worked with both neighbours to improve the existing situation. [redacted] noted that this is helpful.

[redacted] confirmed all stormwater from the site is treated. Road runoff goes through rain gardens; Detention Basin D receives no direct discharge and all flows are treated. [redacted] will add additional commentary on the private pipe network in the final report to address [redacted] question about modelling completeness.

6. Groundwater and Source Water Protection

A separate meeting is scheduled for Monday 8 June to address HBRC groundwater feedback.

HDC raised in meeting this morning water capacity concerns and this is a new and live issue. [redacted] (HBRC consent manager) noted the Heretaunga Aquifer is over-allocated under the TANK Plan provisions and that HDC's groundwater consent is approaching its limit. Monday meeting will cover off this discussion. [redacted] will invite HDC's policy planner to this meeting.

7. Contaminated Land

The applicant's contaminated land expert confirmed no contamination at risk levels and no consent required. [redacted] confirmed this does not trigger any Regional Plan provisions or NESCS requirements.

8. Discharge Consent Conditions

[redacted] advised that draft discharge consent conditions will be circulated to both councils next week. [redacted] has been assisting with their development and will provide comment on detail once received.

9. Asset Ownership and Discharge Pathway

An unresolved question was identified regarding who manages the stormwater discharge once the site is developed: the stormwater channel traverses from rural (privately owned & maintained) through the urbanised site (HDC jurisdiction) back to rural and then into an asset currently maintained by HBRC (Crombie Drain will be transferred to HDC in the future).

[redacted] will organise a three-way meeting between HDC, HBRC, and the applicant team to clarify the asset ownership, consenting responsibilities, and discharge consent pathway before lodgement.

10. Lodgement Timing

[redacted] confirmed 12 June as the stated lodgement target but acknowledged that HDC's feedback from this morning's workshop will require the team to revisit the programme. [redacted] to come back to HBRC with a revised timeline.

Minutes

Urban & Environmental

Project:	Brookvale Green FT Substantive Application
Date:	10 June 2026
Time:	1pm
Location:	Online
Purpose:	Discuss cross jurisdiction HDC & HBRC matters relating to water supply for the Brookvale Green development and source water protection in light of sensitivity of the nearby municipal water supply.
Attendees:	Note: Actions in **bold**

Name	Role/Organisation
Applicant Team	
[redacted]	Applicant / Vermont Street Partners No.4 Ltd
[redacted]	Civil Engineer / Maven
[redacted]	Principal / Maven
[redacted]	Water Resource Scientist / Land Water People
[redacted]	Planner / Barker & Associates
Hawkes Bay Regional Council	
[redacted]	Senior Consents Planner
[redacted]	Team Leader Consents
[redacted]	Team Leader - Hydrology and Groundwater Science
Hastings District Council	
[redacted]	Drinking Water Manager
[redacted]	Team Leader Environmental Policy

Item	Detail	Action
1	**Meeting Purpose / Overview:** • Discuss groundwater/source water protection matters associated with the Brookvale Green development • Identify a pathway forward regarding water supply capacity constraints. • [redacted] provided an overview of the Brookvale Green Fast-track application provided by the Applicant team, including the location of the site on the eastern edge of Havelock North, the former Te Mata Mushrooms operation, the proposed residential development for 203 dwelings, and the associated stream	Noted – no action required

	realignment works. Plans were shared to provide context for the discussion.	
2	**Groundwater and Source Water Protection** • [redacted] outlined HBRC's concerns regarding source water protection and provided background on the Havelock North drinking water contamination event. [redacted] noted the vulnerability of the aquifer system in parts of the Heretaunga Plains due to thin confining layers and potential pathways for contaminants to enter groundwater via surface water features and poorly constructed bores. • This context was reiterated by [redacted] (HDC). [redacted] noted that a preventative risk management approach is required, having regard to the vulnerability of the municipal well, potential effects on downstream users, the wider risks associated with earthworks, stormwater and wastewater infrastructure, and the need to avoid any increase in bacteriological or chemical contamination risk given the site's documented vulnerabilities. • [redacted] discussed the hydrogeological setting and modelling undertaken to date for Brookvale Green. It was agreed that existing knowledge of the site indicates potential hydraulic connectivity between the stream corridor and the municipal water supply well. • Technical experts from all parties acknowledged the importance of ensuring that stream realignment and development activities do not create contamination risks. • The group discussed potential mitigation measures, including installation of an engineered liner within the realigned stream channel, stream design measures to prevent ponding and infiltration, construction quality assurance requirements, and ongoing monitoring and maintenance provisions. Also discussed conditions being a key mitigation factor for the application. • [redacted] emphasised the importance of taking a practical and collaborative risk-management approach. [redacted] advised that HBRC had developed an initial risk matrix and list of key questions to assist in identifying and managing potential risks. Agreed that these would be circulated to the applicant team to inform updated hydrogeological assessment. • [redacted] acknowledged that all development activities have the potential to present water quality risks, but noted that such risks can be appropriately managed through engineering design, construction methodologies, and long-term asset management. [redacted] advised that it would be useful to review [redacted] detailed comments against the proposed consent conditions and engineering responses to determine whether the identified	[redacted] to circulate draft consent conditions addressing source water protection matters to HDC and HBRC for review. [redacted]er to provide the source water protection risk matrix and associated questions to the project team. [redacted] to coordinate any updates to construction methodology and engineering design. [redacted] to update Hydrogeology Assessment once risk matrix information received from Simon. HBRC and HDC officers to review proposed conditions and provide feedback to applicant team.

	concerns, including those relating to the stream realignment and wider site infrastructure, have been adequately addressed. • [redacted] advised that draft consent conditions had been prepared to address source water protection matters and would be circulated for review by both councils this week. • Overall, the group agreed that source water protection issues appear capable of being appropriately addressed through a combination of engineering design, construction controls and consent conditions.	
3	Water Supply Capacity • [redacted] introduced the discussion regarding water supply capacity following recent advice from HDC that available municipal supply capacity in Havelock North is constrained. • HDC's [redacted] and [redacted] discussed the constraints on water allocation in the district and the need for water efficiency measures to now be considered in development. The legal letter outlining this position was sent to the applicant during the meeting. • Noted that HDC currently have an active global consent currently being processed by HBRC for the municipal water supply. • The group discussed two potential pathways to address the issue: (i) Transfer of existing groundwater take allocations associated with the Brookvale Land Limited's water applications to HDC for municipal supply purposes. (ii) Incorporation of water demand management measures within the development, including bulk water metering, water-efficient fixtures and fittings, and consideration of lower-pressure servicing approaches. • [redacted] outlined the process for obtaining approval for a transfer of groundwater allocation and the associated assessment requirements. Noted that: o [redacted] has provided via email background information of the consent status of the Brookvale Land Limited water take applications. o The site benefits from an existing groundwater allocation associated with the former Te Mata Mushrooms operation. The current consent framework comprises historic groundwater take consents, a replacement consent application (APP-127296), and two interim permits, with a potential pathway available under the TANK framework to transfer an assessed ARU volume to HDC's municipal supply network, subject to approval.	Applicant team to prepare and lodge a groundwater allocation transfer application with HBRC as soon as practicable. HBRC to provide guidance on information requirements associated with the transfer application where required. HDC to advise consenting pathway to transfer allocation to global consent. Maven to consider options for water demand management measures as part of detailed design.

	○ Need to understand what consenting pathway will apply in relation to the global consent – will a s127 be required for the current HDC global water consent or can it be wrapped up in to the current application as it stands. • [redacted] [redacted] advised that preliminary water demand calculations indicate that the existing allocation associated with the site should be sufficient to service the proposed development if transferred. Water demand management can be considered as part of future engineering approvals phase. • The group agreed that a transfer application should be progressed as soon as practicable to provide greater certainty around servicing capacity. The applicant team to get underway with consent application and engage water take specialist. • Representatives from both councils indicated a willingness to work collaboratively with the applicant team to identify a practical and workable solution. It was acknowledged that both servicing pathways may need to be outlined within the Fast-track application, with the final servicing solution dependent on the outcome of the transfer process.	
4	Programme and Next Steps • The meeting concluded with agreement that ongoing collaboration between the applicant team, HDC and HBRC will be important to resolving both source water protection and water supply matters ahead of lodgement and through the subsequent assessment process.	[redacted] [redacted] to coordinate circulation of draft conditions. [redacted] to provide risk assessment information to applicant team. Applicant team to revisit groundwater source protection considering meeting discussion points today. Applicant team to progress water allocation transfer consent application.

Minutes

Project: Brookvale Green Substantive Application – SW Asset / Discharge Meeting

Date: 11 June 2026

Time: 10am-10:45am

Location: Online

Purpose: Discuss asset consent holder, vesting, regulatory, and monitoring / maintenance responsibilities for the Brookvale Green stormwater management system with both HBRC & HDC given cross boundary jurisdiction.

Attendees:

Name	Role/Organisation
Applicant Team	
[redacted]	Planner / B&A
[redacted]	Civil Engineer / Maven
[redacted]	Principal / Maven
Hastings District Council	
[redacted]	3 Waters Manager
[redacted]	Development Engineer
[redacted]	Acting Team Leader Environmental Consents
[redacted]	Team Leader Environmental Policy
[redacted]	Stormwater & Wastewater Asset Manager
Hawkes Bay Regional Council	
[redacted]	Senior Consents Planner
[redacted]	Team Leader Consents
[redacted]	Senior Civil Engineer
[redacted]	Regional Assets Manager
[redacted]	Strategic Assets Planner

Item	Detail	Action
1	**Project Overview**: • The applicant team presented the Brookvale Green development proposal comprising 203 residential lots. The site contains two existing dry channel systems that currently convey stormwater during rainfall events. The proposal includes retaining the internal stream corridor and realigning the	No action required.

	northern stream around the site boundary to facilitate development while maintaining stormwater function. • Maven outlined the proposed stormwater management approach, including rain gardens, a treatment wetland, upgraded culverts beneath Brookvale Road, and a detention basin adjacent to Brookvale Road. The detention basin is intended to provide 1% AEP (100-year) flood attenuation rather than water quality treatment. Stormwater will be treated through rain gardens and wetlands before discharging to the receiving stream network	
2	Discharge Consent Requirements: • [redacted] confirmed that a regional stormwater discharge consent will be required from Hawke's Bay Regional Council (HBRC) under TANK provisions. • Discussion focused on the nature/location of the discharge points, the receiving environment, and the regulatory basis for the consent. • HBRC officers confirmed the affected stream corridors are privately managed watercourses rather than part of a Regional Council river control scheme. • Noted that Hastings District Council (HDC) local network discharge consent is lodged with HBRC and is awaiting approval. The site is not currently in the authorised local network area. • HDC noted that, following a successful proving period, the intention would likely be for the stormwater assets and associated discharge consent responsibilities to transfer to HDC and ultimately be incorporated into HDC's wider stormwater consent framework. It was acknowledged that this would be subject to future discussions between HDC and HBRC but was considered consistent with the approach taken for other council-managed stormwater infrastructure.	**Applicant team** to ensure discharge consent application and draft conditions clearly describes discharge locations, receiving environments, and management framework.
3	Vesting and Ownership Arrangements: • The proposal is for stormwater infrastructure to ultimately vest in Hastings District Council (HDC), with the applicant initially holding the discharge consent. • A two-year proving and maintenance period was discussed, during which the applicant would remain responsible for system performance before vesting occurs. • The applicant proposes to achieve clear ownership and operational responsibilities through robust conditions around transfer of ownership, vesting requirements, etc. • The applicant is willing to work with HDC on an appropriate time period and conditions to achieve the above.	[redacted] to provide draft consent conditions to HDC and HBRC for review. **HDC and HBRC** to provide comments back on draft conditions relating to ownership, consent transfer, monitoring and maintenance.

4	Monitoring and Maintenance: • HDC raised concerns regarding future accountability for water quality and the need to distinguish stormwater effects generated by the development from any existing upstream contaminants which passes through rural land. HDC emphasised the need to ensure any future monitoring regime assesses stormwater generated by the development itself and does not capture contaminants originating from the wider upstream catchment which is rural. • The parties discussed locating monitoring points at the outlet of treatment devices, at the site boundary where Watercourse 1 first enters the site and development discharge points to demonstrate the performance of the Brookvale Green stormwater system independently of upstream influences. • HDC raised questions regarding future maintenance access to both sides of the stream corridors, noting that access is currently more readily available from the road side than from adjoining private land. Discussion also covered how future vegetation establishment may influence channel performance and maintenance requirements. • HDC requested further information on the hydraulic modelling assumptions, including channel roughness coefficients and how the proposed planting regime has been accounted for.	**Applicant team** to work with Kelly Nikora to identify appropriate monitoring and discharge locations. **Applicant team** to consider proposed corridor vegetation and future maintenance requirements in light of comments made at the meeting.
5	Jurisdiction and Regulatory Responsibilities: • HBRC confirmed that the streams affected by the proposal are not part of any HBRC-maintained drainage scheme and are currently under private ownership and management. HDC queried why a discharge consent from HBRC was required in these circumstances. • While HBRC does not own or maintain the watercourses, it remains the regulatory authority responsible for administering the relevant TANK provisions and assessing stormwater discharge consents. • Discussion also acknowledged that any future transfer of the discharge consent into HDC's wider stormwater consent framework would be a separate process. • The need for clear delineation of responsibilities was acknowledged to ensure efficient consent implementation and long-term management. The stream passes through rural land at the top of the catchment, then through the future urbanised Brookvale Green land, then through private rural land at 163 Brookvale Road, and on to the Taco and Crombie drains. • The need for a clear long-term management solution was acknowledged. This would need to be driven by HDC and HBRC	**HDC and HBRC** to continue discussions regarding regulatory and operational responsibilities related to wider network separate from Brookvale Green application.

	and considered separate from the Brookvale Green application as part of the wider changes to the HDC network discharge consent that is currently processing.	
7	Downstream Effects: • HDC noted that the proposed culvert upgrades would increase conveyance capacity beneath Brookvale Road and could alter flooding patterns downstream. While modelling indicates an overall reduction in flood risk for downstream properties, some localised increases in flood depth or extent may occur. Maven confirmed these matters are being assessed and that engagement has occurred with affected landowners. • Maven noted owners of 163 and 185 Brookvale Road would likely want to engage with HDC and HBRC regarding any potential improvements to the stream system through their sites. They are motivated to assist with a coordinated solution to water flow through this area.	HDC / HBRC to consult with neighbours at 163 & 185 Brookvale Rd regarding any proposed changes to stormwater management north of Brookvale Road in the future.
9	Summary of Key Actions • Maven to work with [redacted] (HDC) to identify monitoring and discharge locations. • Maven to revisit engineering design to reflect comments made during meeting regarding vegetation and maintenance access. • [redacted] to ensure proposed draft conditions contain robust conditions to set out the stormwater system, vesting arrangements, monitoring framework, and proving period. • [redacted] to confirm vesting boundaries with [redacted]. • HDC / HBRC are encouraged to engage with the owners of 163 Brookvale Road regarding future ownership and management of downstream stream corridors in the future.	