

# Delmore Fast-Track

04/05/2026 – Auckland Council Response

**Annexure 20:**

**Healthy Waters**

# Delmore Fast Track Application

To: Auckland Council – Healthy Waters

From: Lachlan Van der Meij – McKenzie & Co (MKC)

Date: 17 April 2026

Re: Healthy Waters Response Memorandum

## 1.0 Technical Specialist Memo – Healthy Waters and Flood Resilience

From: Hillary Johnston – Healthy Waters Fast-Track Lead

Qualifications  
& Relevant  
Experience:

I hold the qualification of Bachelor of Science in Environmental Science and Geography and have 12 years of experience in regulatory stormwater assessments.

I am a Certified Environmental Practitioner, a full member of the Environmental Institute of Australia and New Zealand, a member of WaterNZ, and an associate member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation, and fast-track applications, and have appeared as an expert witness for Council before consent authorities and the Environment Court on multiple occasions.

Preparation in  
Accordance  
with the Code  
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

23 April 2026

## 2.0 Original Specialist Review Memo

HWFR original Specialist Review Memo outlined the following information gaps:

### *Operation and Maintenance – Legal Access*

To resolve concerns regarding legal access to stormwater management devices for operation and maintenance purposes, revised scheme plans are required that locate the devices and all its ancillary elements, including the maintenance access, to be located within the Lieu of Reserve – for Drainage Purposes. In the absence of these changes HWFR may not be able to support acceptance of the

stormwater assets for vesting in public ownership.

#### *Overland Flow Paths – Development*

To address concerns relating to the conveyance and protection of OLFPs, further information is required to demonstrate that all proposed OLFP that will traverse private lots will comply with Council's flood hazard safety criteria, including confirmation that depths, velocities and hazard ratings are acceptable for the relevant design events.

Revised scheme plans must also be provided clearly identifying the location and extent of all OLFPs, together with the proposed easements, covenants, consent notices or other legal mechanisms required to secure their function in perpetuity in accordance with the SWCoP, and to ensure the flow paths remain unobstructed and are not compromised by future development or land use.

#### *Overland Flow Paths – Culverts*

To address concerns relating to potential culvert blockage and subsequent overland flow, further information is required to demonstrate how flooding and secondary flows would behave in the event of culvert blockage. This should include an assessment of the relevant blockage scenarios in accordance with SWCoP, supported by appropriate flood modelling, showing the ponding extents upstream of the culverts and confirming flood flows can be safely conveyed without resulting in inundation of future buildings.

#### *Land in Lieu of Reserve – for Drainage Purposes*

Revised scheme plans are required to clearly delineate the extent of land proposed to be vested for drainage purposes, demonstrating that the land is limited to that reasonably necessary to accommodate the public stormwater devices and associated access, and excludes disproportionate areas of adjacent stream corridors and riparian batters.

In addition, where land is proposed to be vested or transferred to Council, conditions have been recommended that require the Applicant to enter into a sale and purchase agreement with Council for the relevant land no later than the time of application for approval of the survey plans under Section 223 of the RMA. This is necessary to confirm Council's agreement in principle to the acquisition and to ensure that vesting outcomes are resolved prior to subdivision approval.

#### *Flood Risk Assessment – Habitable Floors*

The flood model and the Flood Risk Assessment are required to be updated to ensure that the assessments are based on the peak flood levels under the existing NZTA culvert full blockage scenario. In addition, the Flood Risk assessment must reflect the consented landform and finished levels of the Ara Hills development. This is necessary to confirm that flood hazard risk is not increased to the existing consented built environment under the assessed blockage scenario, and to determine whether any additional mitigation measures are required to achieve this outcome, including, but not limited to, the provision of a secondary relief inlet to the existing NZTA culvert.

#### *1% AEP Attenuation – Culverts*

The Applicant must clarify whether 1% AEP attenuation is proposed for this application. In case attenuation is proposed, then the Applicant must provide updated conditions of consent that will ensure the outcomes are achieved in perpetuity, including any necessary corresponding specific design requirements and legal mechanisms.

### **3.0 Updated Response to Applicant's Memo**

HWFR have reviewed the Applicant's Response and have provided comments within Table 1.2 below. Items that have been considered to be addressed have been greyed out within the table. In brief, we

outline the following remaining information gaps:

*Operation and Maintenance – Legal Access*

The changes to the raingardens to ensure all maintenance can be provided via public access are supported by HWFR.

However, HWFR notes that acceptable ground slopes within Lieu of Reserve – for Drainage Purposes land have not been presented. To illustrate, the updated plans 3725-1-4300 and 375-2-4300 are now showing retaining walls and 1 in 1 batter slopes located within Lieu of Reserve – for Drainage Purposes land, some of which are supporting the proposed public stormwater management devices. Similarly, the ability to safely track maintenance vehicles remains unclear as no access gradients are shown on plans, and it appears that limited space has been provided to accommodate turning of maintenance vehicles notably for RG03 but also for RG02, RG06 and RG25.

Should the Panel grant the consent, HWFR would not accept the transfer of land to public ownership and would not be vesting the stormwater management devices and the connecting upstream stormwater network as public infrastructure, where the Council stormwater infrastructure and land requirements cannot be addressed at Engineering Plan approval stage.

*Land in Lieu of Reserve – for Drainage Purposes*

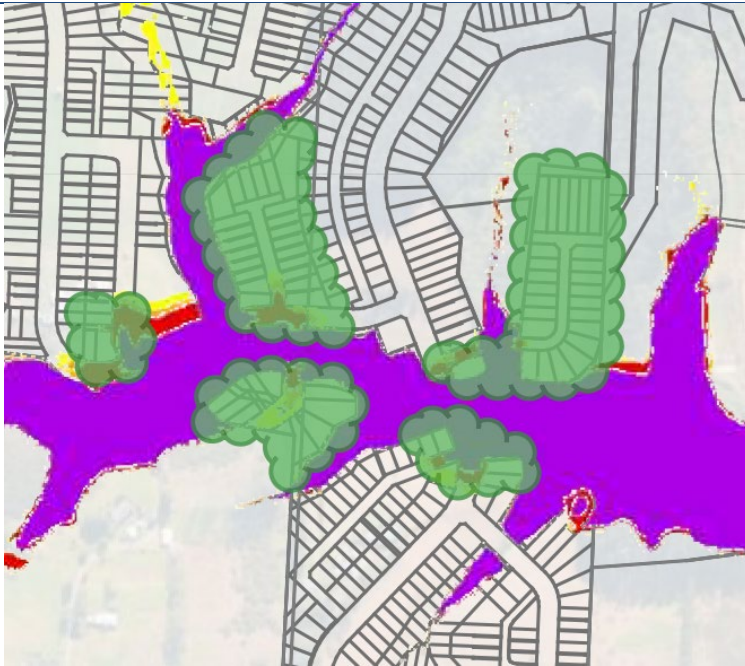
HWFR appreciates the overall reduction in area for the proposed drainage reserves, however there are still areas proposed to be transferred to public ownership which are not acceptable. These include:

- Land (including riparian margins) which is not required to support the device and its function, or accommodate its ancillary elements (including maintenance access, spillways and outfalls).
- Structures (including walls and earth reinforced batters) which are supporting surrounding private land and public roads.

HWFR notes that resource consents cannot obligate the Council to accept or vest land for stormwater management, even at no capital cost, due to the associated financial implications of ongoing maintenance cost in perpetuity. Delegated approval from HWFR must be obtained before land can be transferred or vested. This is consistent with the Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy.

*Flood Risk Assessment – Habitable Floors*

The updated model scenarios have shown that under the NZTA culvert blockage scenario the proposed public roads will be inundated up to approximately 2.5m. This means that several proposed lots cannot safely evacuate under such scenario – these have been highlighted in green in image below.



As the proposed development internal culverts are much larger than the existing NZTA motorway culvert this blockage scenario is considered likely and would result in culvert inundation of over 15m. Unblocking the culvert following such event is expected to be challenging, which means that the subject lots may be affected for a prolonged period.

To ensure safe egress is accommodated for the proposed development, HWFR requests a new condition to be included in the consent that requires the provision of a relief inlet riser or alternative mitigation measures to minimise the risk of NZTA culvert blockages. This condition is proposed in addition to the Culvert Management and Monitoring Conditions 23-25.

#### 4.0 Outstanding Issues

HWFR have reviewed the Applicant's Response and have provided comments within Table 1.2 below. There are remaining information gaps relating to:

##### Response to Further Information Requests / Technical Comments

- *Operation and Maintenance – Legal Access*
- *Land in Lieu of Reserve – for Drainage Purposes*
- *Flood Risk Assessment – Habitable Floors*

HWFR have also reviewed the Applicant's Response to amendments and additions to the proposed conditions of consent and have provided comments within Table 1.3 below. Disagreement remains relating to the following conditions relating to the following information requests.

##### Response to Recommended / Amended Conditions

- *Land in Lieu of Reserve – for Drainage Purposes*: Condition 123, 136, 140, 159
- *Land in Lieu of Reserve – for Drainage Purposes* (relating to Bond specifically): 204A, 204B
- *Flood Risk Assessment – Habitable Floors* (relating to NZTA culvert): NEW condition proposed

## 5.0 Conclusion

Overall, based on the information provided, we consider there is a strong basis for supporting the Application subject to resolution of the S67 items included above, and subject to the recommended amendments and additions to the proposed conditions of consent.

HWFR remains available to work through the remaining issues and proposed conditions with the Applicant's Agents.

# Delmore Fast Track Application

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## 1.1 Introduction

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This memorandum responds to the Technical Specialist Memo prepared by Auckland Council (Healthy Waters) in relation to the above fast-track application (as lodged). This response addresses:

- Further information requests / technical queries; and
- Recommended amendments to consent conditions.

## 1.2 Response to Further Information Requests / Technical Comments

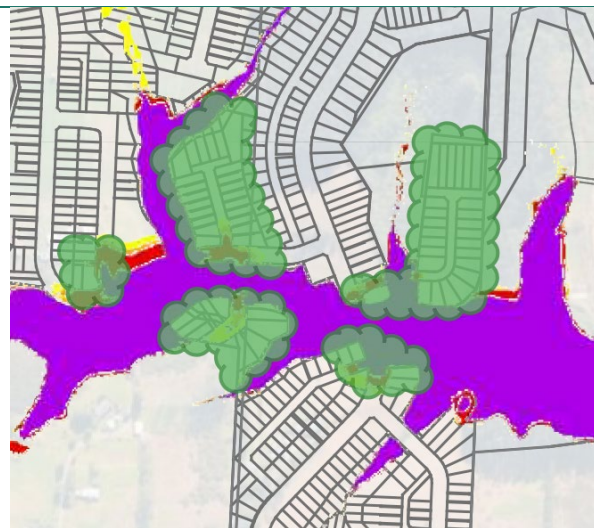
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| Information Request from Council on the lodged material                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Applicant Response                                                                                                                                                                                                                                                                                            | Council Specialist Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p><b>Operation and Maintenance – Legal Access</b></p> <p>To resolve concerns regarding legal access to stormwater management devices for operation and maintenance purposes, revised scheme plans are required that locate the devices and all its ancillary elements, including the maintenance access, to be located within the Lieu of Reserve – for Drainage Purposes. In the absence of these changes HWFR may not be able to support acceptance of the stormwater assets for vesting in public ownership.</p> | <p>The following raingardens have been updated to ensure all maintenance can be provided via public access:</p> <ul style="list-style-type: none"><li>• 03</li><li>• 05</li><li>• 11</li><li>• 23</li><li>• 25</li></ul> <p>This will be shown on the scheme plans to be provided to Council on 20 April.</p> | <p>This change is supported by HWFR.</p> <p>However, HWFR notes that acceptable ground slopes within Lieu of Reserve – for Drainage Purposes land have not been presented. For example, the updated plans 3725-1-4300 and 375-2-4300 now show retaining walls and 1 in 1 batter slopes located within Lieu of Reserve – for Drainage Purposes areas, some of which are supporting the proposed public stormwater management devices. Similarly, the ability to safely track maintenance vehicles remains unclear as no access gradients are shown on plans, and it appears that limited space has been provided to accommodate turning of</p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                        | <p>maintenance vehicles notably for RG03 but also for RG02, RG06 and RG25.</p> <p>Should the Panel grant the consent, HWFR would not accept the transfer of land to public ownership and would not accept vesting of the stormwater management devices, and the connecting upstream stormwater network as public infrastructure, where the Council stormwater infrastructure and land requirements cannot be addressed at Engineering Plan approval stage.</p> |
| <p><b>Overland Flow Paths – Development</b></p> <p>To address concerns relating to the conveyance and protection of OLFPs, further information is required to demonstrate that all proposed OLFP that will traverse private lots will comply with Council's flood hazard safety criteria, including confirmation that depths, velocities and hazard ratings are acceptable for the relevant design events.</p>                                                                           | <p>A memo addressing the OLFP's across the site and focusing on these concerns has been prepared and amended to this response.</p>                                                                                                                                                     | <p>Accepted. The updated assessment in conjunction with the proposed conditions of consent is considered adequate to demonstrate that the flood hazard risk to buildings as associated with OLFPs can be managed to meet the Council flood hazard safety criteria subject to Engineering Plan approval.</p>                                                                                                                                                    |
| <p><b>Overland Flow Paths – Culverts</b></p> <p>To address concerns relating to potential culvert blockage and subsequent overland flow, further information is required to demonstrate how flooding and secondary flows would behave in the event of culvert blockage. This should include an assessment of the relevant blockage scenarios in accordance with SWCoP, supported by appropriate flood modelling, showing the ponding extents upstream of the culverts and confirming</p> | <p>A culvert blockage scenario in line with the SWCoP requirements has been modelled and included in the documentation. Please see drawing 3725-0-4540 attached.</p> <p>This demonstrates that all lots are free of flooding and freeboard requirements of the SWCoP are achieved.</p> | <p>Accepted. The updated assessment in conjunction with the proposed conditions of consent is considered adequate to demonstrate that the flood hazard risk to buildings as associated with internal development culvert blockages can be managed to meet the Council flood hazard safety criteria subject to Engineering Plan approval.</p>                                                                                                                   |

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| flood flows can be safely conveyed without resulting in inundation of future buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Land in Lieu of Reserve – for Drainage Purposes</b></p> <p>Revised scheme plans are required to clearly delineate the extent of land proposed to be vested for drainage purposes, demonstrating that the land is limited to that reasonably necessary to accommodate the public stormwater devices and associated access, and excludes disproportionate areas of adjacent stream corridors and riparian batters.</p> <p>In addition, where land is proposed to be vested or transferred to Council, conditions have been recommended that require the Applicant to enter into a sale and purchase agreement with Council for the relevant land no later than the time of application for approval of the survey plans under Section 223 of the RMA. This is necessary to confirm Council’s agreement in principle to the acquisition and to ensure that vesting outcomes are resolved prior to subdivision approval.</p> | <p>Scheme plans have been updated to reduce the area of the proposed drainage reserves to adhere to this request. Where appropriate access to the stream has been maintained along the edge of the devices to ensure that any potential future alteration doesn’t have access issues.</p> | <p>HWFR appreciates the overall reduction in area, however there are still disproportionate areas proposed to be transferred to public ownership which are not acceptable. These include:</p> <ul style="list-style-type: none"> <li>• Land (including riparian margins) which is not required to support the device and its function, or accommodate its ancillary elements (including maintenance access, spillways and outfalls).</li> <li>• Structures (including walls and earth reinforced batters) which are supporting surrounding private land and public roads.</li> </ul> <p>HWFR notes that resource consents cannot obligate the Council to accept or vest land for stormwater management, even at no capital cost, due to the associated financial implications of ongoing maintenance cost in perpetuity. Delegated approval from HWFR must be obtained before land can be transferred or vested. This is consistent with the Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy.</p> |
| <p><b>Flood Risk Assessment – Habitable Floors</b></p> <p>The flood model and the Flood Risk Assessment are required to be updated to ensure that the assessments are based on the peak flood levels under the existing NZTA culvert full blockage</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The models that run the scenarios where NZTA culvert is fully blocked (predevelopment and MPD) have been extended to ensure the peak flood depth is captured. The full extent of the Ara Hills</p>                                                                                     | <p>The updated model scenarios have shown that under the NZTA culvert blockage scenario the proposed public roads will be inundated up to approximately 2.5m. This means that several proposed lots cannot safely evacuate under such</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| <p>scenario. In addition, the Flood Risk assessment must reflect the consented landform and finished levels of the Ara Hills development. This is necessary to confirm that flood hazard risk is not increased to the existing consented built environment under the assessed blockage scenario, and to determine whether any additional mitigation measures are required to achieve this outcome, including, but not limited to, the provision of a secondary relief inlet to the existing NZTA culvert.</p> | <p>final consented landform has also been included in these models.</p> <p>Flood levels for each scenario have been updated on the cross section drawing 3725-1-4815 and it shows all existing and proposed lots west of the NZTA culvert are above the maximum flood level.</p> | <p>scenario – these have been highlighted in green in image below.</p> <p>As the proposed development internal culverts are much larger than the existing NZTA motorway culvert this blockage scenario is considered likely and would result in culvert inundation of over 15m. Unblocking the culvert following such event is expected to be challenging, which means that the subject lots may be affected for a prolonged period.</p> <p>To ensure safe egress is accommodated for the proposed development, HWFR requests for a new condition to be included in the consent that requires the provision of a relief inlet riser or alternative mitigation measures to minimise the risk of NZTA culvert blockages. This condition is proposed in addition to the Culvert Management and Monitoring Conditions 23-25.</p> |
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|                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  <p><i>Note: A new condition provided in Table 1.3</i></p> |
| <p><b>1% AEP Attenuation – Culverts</b></p> <p>The Applicant must clarify whether 1% AEP attenuation is proposed for this application. In case attenuation is proposed, then the Applicant must provide updated conditions of consent that will ensure the outcomes are achieved in perpetuity, including any necessary corresponding specific design requirements and legal mechanisms.</p> | <p>Attenuation of the 1% AEP peak flow is achieved through temporary storage of stormwater upstream of the proposed public culverts, with flows discharged at a controlled rate through the culvert infrastructure.</p> <p>An updated stormwater compliance table is provided confirming for each culvert: the 1% AEP peak inflow, peak outflow, peak water level (HGL), headwater depth, and afflux relative to existing conditions. Pre- and post-development peak flows are also provided to demonstrate that attenuation outcomes are achieved.</p> <p>The applicant accepts a condition in principle and is currently considering potential wording.</p> | <p>Pending updated stormwater compliance table and condition wording from Applicant.</p>                                                      |

### 1.3 Response to Recommended / Amended Conditions

| Condition Request from Council on the lodged conditions<br>(Appendix 44 to the AEE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Applicant Response                                                                                                                                                                                                                                                                        | Council Specialist Comment                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>118. The consent holder must design and construct connections to the <del>public reticulated</del> stormwater <del>reticulation</del> network <del>to serve all residential</del> lots in accordance with the McKenzie and Co Stormwater Report and Drawings approved under Condition 1. <u>Where connection to a public stormwater network is proposed, the connection must be designed and constructed to meet and</u> <del>meeting</del> the requirements of the stormwater utility service provider. Certification from the utility provider that <u>any approved public stormwater connection works</u> have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c).</p> | <p>This condition has been accepted and is included within the updated condition set.</p>                                                                                                                                                                                                 | <p>Accepted. No further comments.</p>                                                                                                                                                                                                                                                                                                                                                                         |
| <p>123. The consent holder must submit a survey plan in <u>general</u> accordance with <del>the approved resource consent</del> subdivision scheme plan approved under Condition 1 for Stage 1A. The survey plan must show all lots <u>that have been agreed by Auckland Council to be</u> <del>vested to Auckland Council</del> (including roads and reserves), all easements and amalgamation conditions, required by this subdivision consent.</p> <p>Advice note: The survey plan may be for the whole subdivision stage, or a sub-stage.</p>                                                                                                                                                                              | <p>The proposed approach is not consistent with conditions applied to nearby developments of similar scale and nature (such as Milldale). It is common practice for stormwater drainage reserves to be vested.</p> <p>The drainage reserves are not limited to private JOAL drainage.</p> | <p>The new conditions and the changes to proposed conditions are required and necessary to ensure that the land being transferred to Council is consistent with the Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy.</p> <p>The current proposal has not demonstrated that it complies with the document's relevant Policies and will result in excessive ongoing maintenance</p> |

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| <p>136. The consent holder must submit a survey plan in <u>general</u> accordance with the <u>approved resource consent</u> subdivision scheme plan approved under Condition 1 for Stage 1B. The survey plan must show all lots <u>that have been agreed by Auckland Council to be</u> <del>vested to Auckland Council</del> (including roads and reserves), all easements and amalgamation conditions, required by this subdivision consent.</p> <p>Advice note: The survey plan may be for the whole subdivision stage, or a sub-stage.</p>                                                                                                                                                                                                                                                                                                                           | <p>They form an integral part of the stormwater network, including the conveyance, treatment, and attenuation of runoff from roads to vest in Auckland Transport.</p> <p>As such, these reserves provide a public stormwater function and support infrastructure that will ultimately form part of the public network. It is not appropriate for stormwater infrastructure that services public roads to be owned and maintained privately.</p> | <p>costs in perpetuity. This includes but not limited to:</p> <ul style="list-style-type: none"> <li>• Land that is not required to accommodate the operation and ongoing maintenance of stormwater management devices</li> <li>• Retaining walls (including earth reinforced walls) and batters supporting surrounding private land and public roads</li> </ul> <p>HWFR would not accept the transfer of land to public ownership and would not accept vesting of stormwater management devices, and connecting upstream stormwater network as public infrastructure, where the relevant Council requirements cannot be met.</p> |
| <p>204A. Lots 1601-1604 and 1616 on the scheme plans approved under Condition 1 <del>must shall</del> be <del>vested transferred</del> to Auckland Council as land in lieu of reserve – for drainage purposes <u>if by the time of application for the survey plan for Stage 1A to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of those lots.</u></p> <p><u>If no agreement is in place by the time of application for the survey plan for Stage 1A to be approved under section 223, Lots 1601–1604 and 1616 and associated stormwater management devices shall remain in private ownership. An appropriate legal mechanism must be established to ensure ongoing operation and maintenance of the stormwater management devices in accordance with their intended design.</u></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>140. Lots 1605, 1606 and 1609 on the scheme plans approved under Condition 1 <del>must shall</del> be <del>vested transferred</del> to Auckland Council as land in lieu of reserve – for drainage <u>purposes if by the time of application for the survey plan for Stage 1B to be approved under Section 223, the Consent Holder has entered into</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p><u>an agreement with Auckland Council for the sale and purchase of those lots.</u></p> <p><u>If no agreement is in place by the time of application for the survey plan for Stage 1A to be approved under section 223, Lots 1605, 1606 and 1609 and associated stormwater management devices shall remain in private ownership. An appropriate legal mechanism must be established to ensure ongoing operation and maintenance of the stormwater management devices in accordance with their intended design.</u></p>                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                       |
| <p>159. Lots 161-620, 1621, 1623, 1624, 1627 and 1629 on the scheme plans approved under Condition 1 <del>must shall</del> be <del>vested transferred</del> to Auckland Council as land in lieu of reserve – for drainage <u>purposes if by the time of application for the survey plan for Stage 2 to be approved under Section 223, the Consent Holder has entered into an agreement with Auckland Council for the sale and purchase of those lots.</u></p> <p><u>If no agreement is in place by the time of application for the survey plan for Stage 1A to be approved under section 223, Lots 161-620, 1621, 1623, 1624, 1627 and 1629 and associated stormwater management devices shall remain in private ownership. An appropriate legal mechanism must be established to ensure ongoing operation and maintenance of the stormwater management devices in accordance with their intended design.</u></p> |                                    |                                       |
| <p>Operation and Maintenance <del>Plan</del></p> <p>204. An Operation and Maintenance Plan (OMP) for all stormwater management devices proposed to be vested in Council shall be submitted to Auckland Council Healthy Waters Operations Team for certification at the time of Engineering Plan</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>This amendment is accepted.</p> | <p>Accepted. No further comments.</p> |

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| Approval. The OMP must comply with Healthy Waters Operation and Maintenance Plan Template.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                       |                                 |
| <p><u>204A. Where communal stormwater management devices are proposed be vested to Council, the consent holder must maintain the devices in accordance with the following requirements:</u></p> <p><u>a. The Consent Holder must maintain the communal stormwater management devices until the earlier of either:</u></p> <p><u>i. 80% of the building sites within the subdivision discharging to the devices have been developed, or;</u></p> <p><u>ii. For a period of five (5) years from the date of the final section 224(c) RMA certificate for the subdivision.</u></p> <p><u>b. The consent holder must remove any sediment from the communal device that has resulted from development activities within the subdivision, if required by the Council, prior to acceptance of the device(s) by Council for ongoing maintenance.</u></p> <p><u>c. At the time of transfer of any stormwater management device, all planted areas associated with the stormwater management devices must achieve a minimum plant survival rate of 95%.</u></p> <p><u>d. A bond must be provided at the time of application for the section 224(c) certificate to ensure the ongoing maintenance of the communal stormwater management devices until transfer of any stormwater management devices to Council for ongoing maintenance.</u></p> | The applicant accepts a bond condition in principle and is currently reviewing the wording of these conditions. An update will be provided to Council once available. | Pending updates from Applicant. |
| <p><u>204B. Prior to the issue of the section 224(c) certificate under the RMA, the consent holder must provide a bond to the Council in accordance with Section 222 of the RMA to ensure the performance of the communal devices.</u></p> <p><u>The bond must:</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                       | Pending updates from Applicant. |

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| <p>a. <u>Be provided in the form of a cash deposit, a bank bond guaranteed by a New Zealand-registered bank, or another form of security (e.g., an encumbrance) as agreed with the Council.</u></p> <p>b. <u>Be documented and executed by the Council's solicitor. All legal and administrative costs associated with preparation, execution, variation, administration, or release of the bond must be met by the consent holder.</u></p> <p>c. <u>Be released once the relevant condition(s) have been satisfied and all associated Council costs have been paid.</u></p> <p><u>Advice Notes:</u></p> <p><u>The Council may use the bond to restore the communal stormwater device(s) to comply with Auckland Council's GD01 standards if the consent holder fails to meet the condition requirements.</u></p> <p><u>The final bond amount will be confirmed and agreed by Council prior to Engineering Plan Approval. It will be calculated based on a per-square-metre rate of communal device area, with the rate to be determined at that time. The bond value will be adjusted for inflation using the Reserve Bank inflation calculator or another method agreed with Council.</u></p> |  |                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | <p>To ensure safe egress is accommodated for the proposed development, HWFR requests for a new condition to be included in the consent that requires the provision of a relief inlet riser or alternative mitigation measures to minimise the risk of NZTA culvert blockages.</p> <p>NEW CONDITION</p> |

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|  |  | <p><b>X. NZTA Culvert</b></p> <p>Prior to section 224(c) certification for Stage 1A-1, Stage 1A-2, Stage 1A-3, Stage 1A-4, and Stage 1B-2, the consent holder must, to the satisfaction of Council, design and install the following on the NZTA culvert:</p> <ol style="list-style-type: none"> <li>1. a relief inlet riser; OR</li> <li>2. an alternative debris control structure.</li> </ol> <p><i>Advice Note:</i></p> <p><i>The consent holder is advised to consult with NZTA prior to undertaking any works on the culvert. All necessary approvals, permits, or other authorisations required by NZTA must be obtained directly from NZTA.</i></p> |
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**List of Attachments:**

Mckenzie & Co Drawing series 3725-1-100

Mckenzie & Co Drawing series 3725-2-141

Mckenzie & Co Drawing series 3725-1-4300

Mckenzie & Co Drawing series 3725-2-4300

Mckenzie & Co Drawing 3725-0-4540

Mckenzie & Co Drawing series 3725-1-4800

Mckenzie & Co Drawing 3725-1-4815

Mckenzie & Co Stormwater Report

Mckenzie & Co Flooding Report