

Attachment 3

Attachment 3 – HDC Memos

Planning Comments

Draft Brookvale Comments

I am providing comments on the draft reports for this fast-track application based on the information currently available to me. These comments are made without the benefit of having reviewed any associated planner's report and therefore should be considered in that context.

Additionally, I would add that I have not been given any draft conditions of consent or proposed consent notices. However, councils position would be that in terms of overriding the underlying zoning provisions the proposed residential development aligns with our existing residential zone provisions and do not support numerous bespoke consent notice conditions - these are more appropriately imposed via private covenants.

Geotechnical

There appears to be a disconnect between the engineering design documentation and the geotechnical assessment provided.

In particular, the geotechnical report references and provides design guidance for only a single retaining wall within the western portion of the site, whereas the engineering plans indicate the presence of multiple retaining structures across the development. This raises concern as to whether all retaining elements have been appropriately assessed from a geotechnical perspective, including stability, bearing capacity, and interaction with fill slopes.

It is also unclear if the geotechnical assessment has adequately considered the effects of the proposed subdivision development located upslope/adjacent to the site, including the potential for undermining or destabilisation during earthworks, or the impact of additional surcharge loads on slope stability.

In addition, there is particular concern regarding the stability of land adjacent to Council's reserve strip. The engineering plans indicate that earthworks, including areas of cut, extend up to and through the reserve strip. However, the current geotechnical assessment does not appear to sufficiently test or consider slope stability in this location.

This is a significant issue given it is proposed that Council will ultimately vest and manage land below these areas, including provision for public access. Inadequate assessment of stability along this interface creates potential risk to public safety and future asset management.

There is limited evidence within the report of a comprehensive assessment of global stability that incorporates both the proposed earthworks and adjacent land uses (including the large-scale subdivision to the west of the site), and clarification is required as to whether the analyses undertaken fully capture these cumulative effects. At this stage due to the uncertainty around certain elements of the geotechnical assessment, there is a likelihood that Council will request peer audit of the existing geotechnical report to provide satisfactory assurance that all stability and liquefaction issues have been addressed appropriately.

Reverse Sensitivity (Acoustic Report)

Council is not satisfied that the Acoustic Assessment provides a sufficiently robust basis to conclude that noise effects and reverse sensitivity have been appropriately addressed.

The assessment appears to rely predominantly on computer modelling, assumptions, and existing datasets, rather than site-specific baseline monitoring or noise measurements. Given the scale and sensitivity of the proposed (being a large residential development within a productive rural environment), it would be anticipated that the assessment includes field measurements and/or attended monitoring of existing noise sources.

Given the acknowledged intermittent and sometimes high-level nature of rural noise sources (e.g. bird scarers and frost protection devices), reliance on a primarily desktop exercise introduces uncertainty and risk in the assessment conclusions.

The application concludes that the proposal will not introduce reverse sensitivity effects or constrain existing lawful activities. However, Council does not consider that this conclusion is sufficiently substantiated. The reliance on existing compliance points assumes a static environment and does not reflect the dynamic nature of rural production activities, which may change in intensity, location, or type over time. There is also limited evidence of on-site design mitigation measures (e.g. building orientation, acoustic insulation, no-complaints covenants, or sufficient buffer treatments) specifically targeted at managing these reverse sensitivity effects.

Reverse Sensitivity (Fruition Report)

The Fruition report recommends shelterbelt as a form of mitigation for reverse sensitivity effects, however this also some practical concerns in light of the District Plan's shading and boundary setback provisions (performance standard 6.2.5H Shading of Land, Buildings and Roads):

1. Trees on Boundaries

Trees forming a shelterbelt for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership:

- i. *shall be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and*
- ii. *where planted between 5m and 10m from an adjoining property boundary shall be maintained at a height of no more than their distance from the boundary +4m (e.g. at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13).*

2. Trees Adjoining Public Roads

Trees forming a shelterbelt for a distance of more than 20 metres within 5 metres of a public road shall be maintained at a height of less than 9 metres.

Outcome

*Adjoining land will not be significantly adversely affected by shading or root invasion from trees.
The safety of Roads will be maintained by preventing ice forming in shaded areas.*

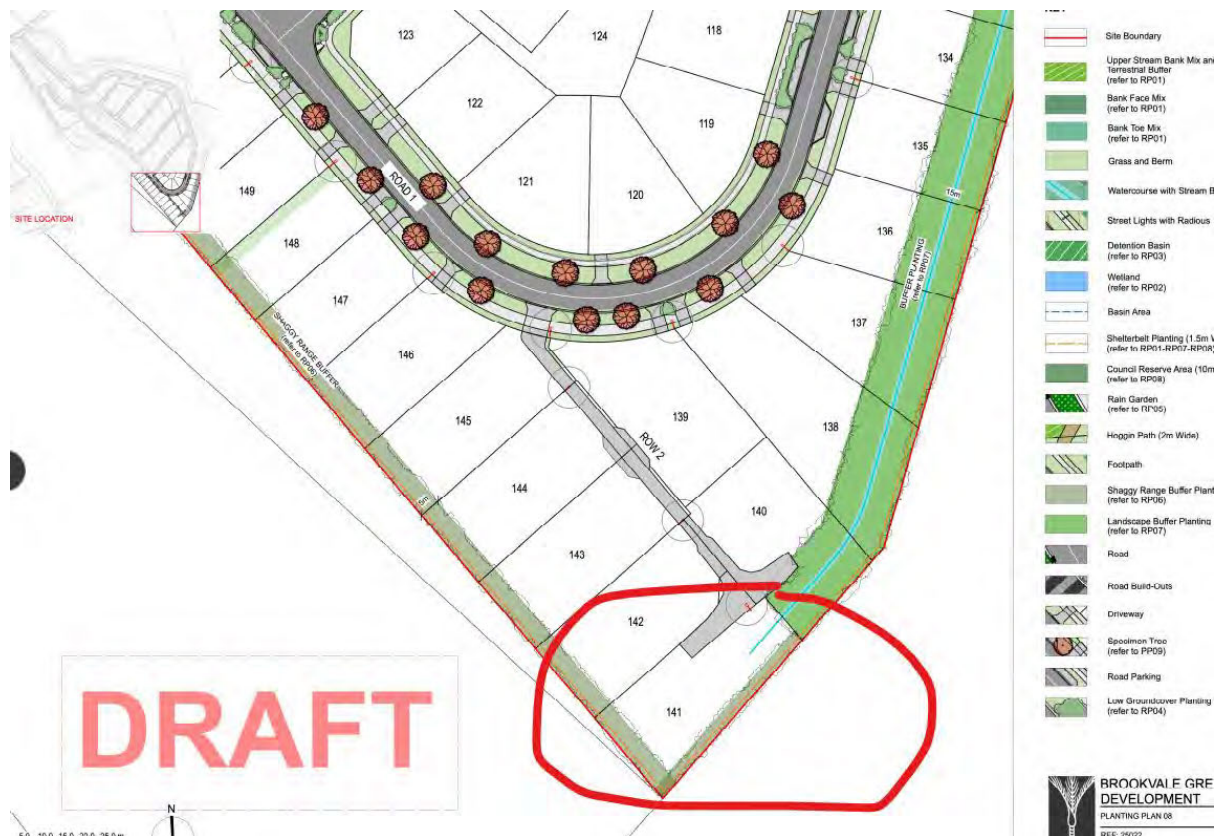
The report recommends shelterbelt planting along all rural interfaces, including planting relatively close to boundaries (with the report suggesting setbacks as low as 2 m) and achieving heights of approximately 3–4 m at maturity. However, the Hastings District Plan requires shelterbelt planting over 20 m in length to be set back at least 5 m from boundaries, with height controls linked to that setback. These provisions generally allow for maintenance of shelterbelts

within horticultural properties. It is noted that the applicant has not addressed the ongoing maintenance of these shelterbelts, particularly the need to provide space to allow appropriate machinery to access the trees. It is requested that the applicant provide details of ongoing maintenance to ensure the proposed mitigation approach is the most appropriate for this development.

While shelterbelts are presented as the primary mitigation measure, the report does not fully address the potential for those plantings to create adverse effects themselves, including shading, root spread, and ongoing maintenance requirements. The District Plan provisions are intended to ensure adjoining land is not significantly adversely affected by such effects, but additionally we have concerns of the internal effects of shelterbelt planting on the residential lots.

The report does not clearly demonstrate how compliance with these standards will be achieved alongside the proposed narrow setbacks and continuous planting approach. As a result, further clarification is needed to show that the shelterbelt design both functions effectively for spray drift mitigation and complies with the relevant boundary, height, and shading controls without creating new reverse sensitivity or amenity issues for neighbouring properties or internally to the subdivision. It is also not suitable to rely on surrounding sites having mitigations on their own site in terms of reverse sensitivity effects (e.g. shaggy range shelter belt), This aspect of the report should be reassessed.

It is noted that proposed lot 141 only shows a 5m buffer landscaping area but the Reverse Sensitivity report recommends a 10m setback from the Vineyard, given the site shape and size it may not be feasible to develop this lot and meet the recommended 10m setback. This needs to be addressed.



There is an inconsistency between the Fruition report and the supporting landscape plans in relation to the Shaggy Range boundary. The Fruition report recommends a setback of only 2 m in this location, whereas the landscape plans submitted with the application show a wider 5 m buffer. This discrepancy creates uncertainty as to what is actually proposed and relied upon as mitigation. Clarification is therefore needed to confirm which setback is intended to be implemented.

While it is unclear what the final proposed setback of lots that sit on the interface with existing rural activities, the significant reduction of the underlying 15m setback requirements does raise concerns. Reduced setbacks will erode the open character and amenity anticipated for the Plains Production Zone and limit effective separation between buildings on adjacent lifestyle sites. The 15 m yard is a consistent and established standard across other rural-based zones, including the Rural Zone, Rural Residential Zone, Havelock North Rural Residential Zone, Tuki Tuki Special Character Zone, and Te Mata Special Character Zone, reflecting a deliberate planning approach to maintaining openness and managing land use conflict. Departing from this framework risks creating a more urbanised environment that is incompatible with surrounding productive land uses and does not achieve the intended outcomes for the zone.

Watercourses within private lots:

Council does not support the inclusion of watercourses within private property as part of subdivision design due to the inherent and unacceptable flood risk this creates. The proposal's reliance on a watercourse, with adjacent native planting as a reverse sensitivity buffer, is therefore not supported.

Watercourses require ongoing maintenance. Where located on private land, there is no certainty this will occur, leading to vegetation overgrowth, and blockages. This reduces channel capacity and increases the likelihood and extent of flooding on-site and to adjoining properties. The addition of planting further exacerbates this risk if not actively managed.

This approach transfers long-term flood risk to future property owners, with potential pressure on Council to intervene. The application does not adequately address maintenance responsibilities, long-term performance, or flood risk implications. As such, this aspect of the proposal is not supported.

Water Supply

HDC holds groundwater consent which allows 18 million m³ per year to be abstracted from the Heretaunga Plains Aquifer to supply the Hastings urban area (currently approximately 65,026 residents).

Given the fully allocated nature of the Aquifer, and the current regional planning settings, there is a low likelihood of additional water being allocated to HDC in the foreseeable future.

Developers should be aware that HDC is operating with a constrained resource and will be carefully considering all development proposals, and their water needs, whether within the FDS identified growth area or outside it, within that constrained context.

Developers are encouraged to proactively identify options to minimise increased demand for water and to discuss these with HDC at the earliest possible stage. Such options should include transferring any privately held water allocation for the subject site to HDC.

Referral position: *Water supply capacity is limited. Addressing this projected shortfall will require much more efficient use of existing water sources, demand management, new ways of securing water supplies. The applicant will need to address this as part of any development proposal and encouraged to discuss options with out 3 waters team.*

Public Spaces Comments

Existing Buffer Strip (Lot 3-4 Deposited Plan 481968):

The buffer strip, held as an amenity reserve under the Reserves Act, was originally established to provide a reverse sensitivity buffer between residential activity and adjacent land-based primary production. Should this application be approved, the purpose and need for the buffer in this location would effectively cease or at least shift elsewhere. Beyond simply meeting ECOP requirements, consideration should be given to whether alternative approaches are available for this land, including the potential for it to be incorporated into adjoining properties given its original function would no longer apply. While the proposed, pink-shaded area appears to meet ECOP requirements, it does not address broader considerations related to achieving good open space outcomes, and there is insufficient detail to enable a clear and robust assessment of what is ultimately being proposed. As part of this we need a very good understanding of any proposed new assets including retaining walls and have thought through how access would be obtained for maintenance purposes. Clarity is needed about whether there is any intention to replace the open space land which is proposed to transfer (275m²) and vest as road.

We share and support comments made on geotechnical matters. The engineering plans indicate crucial engineering works extending through the full length of the buffer strip to the edge of Arataki Extension. Further detail is needed regarding the proposed earthworks and engineering solutions, finished levels and landscaping intentions. Relevant permissions will also be required to undertake works in this area, and these cannot be commented on until sufficient information is provided. Greater detail is needed before any briefings and / or reporting to Council occurs.

Transport

In addition to previous comments and emails the Transportation Policy & Planning Manager notes that the second access (Road 3) will be formed to be two way over its full length i.e. there will be no one way section of road.

Development Engineer

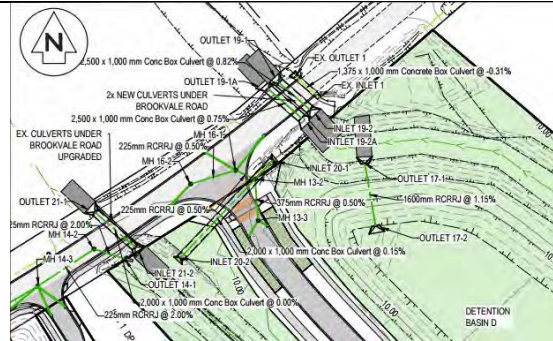
This memorandum provides a consolidated summary of all outstanding engineering matters for the Brookvale Green Fast-Track application. It combines:

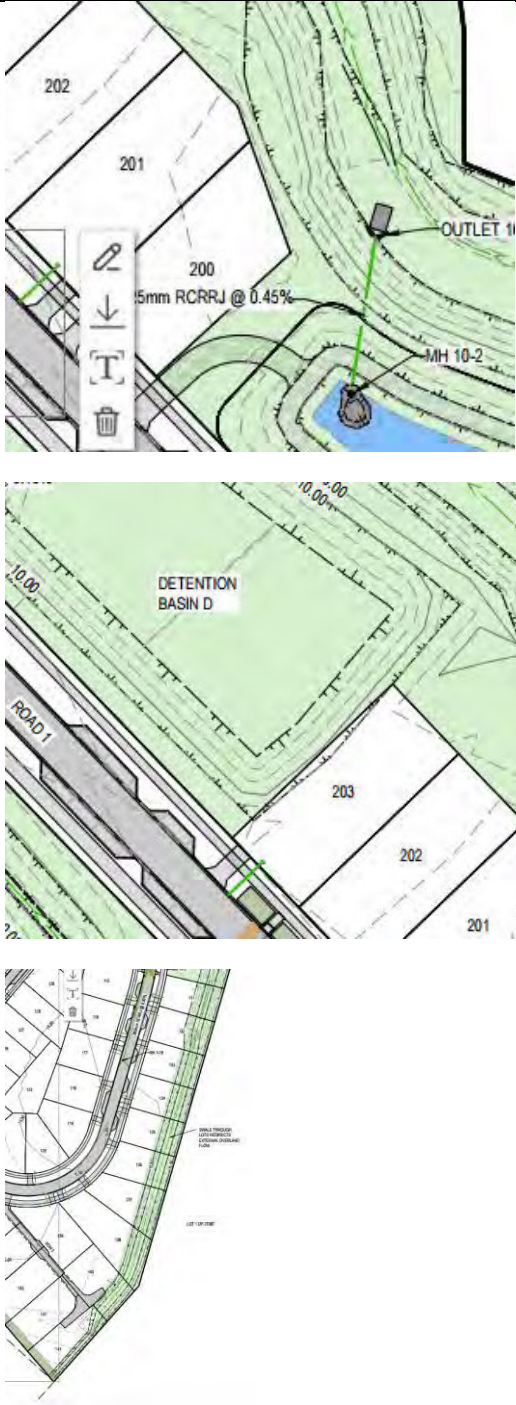
- The critical issues previously raised in the 10/11/2025 memorandum,
- The latest engineering review findings, and
- A structured issue list across Flooding (F), Stormwater (S), Wastewater (W), Earthworks (E), Roding (R), and Water Supply (WS).

The intent is to clearly identify the matters that must be resolved before the application can progress, given the scale of earthworks, watercourse realignment, and the constrained layout of ponds and infrastructure.

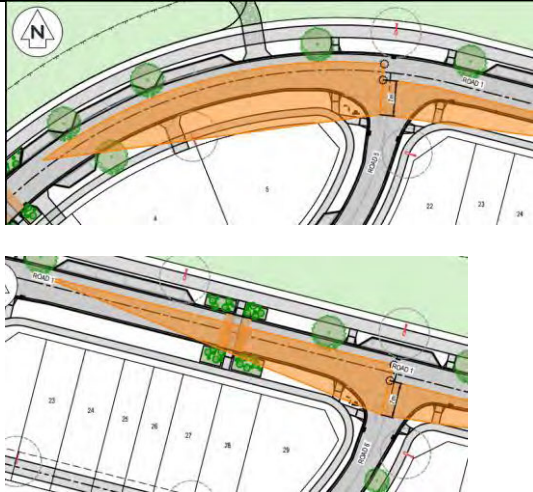
Flooding	
F1	Flood model shows post-development peak flows increasing by +0.9 to +2.1 m ³ /s (6–17%) at Cross-Section F. [REDACTED] Applicant attempts to “net” increases against benefits elsewhere
F2	Wastewater pump station not shown to be flood-resilient. Need a site-specific map to show the extent and depth of flooding in and around the WWPS to understand risk to the access and operating PS in the flooding scenario
F3	The provided plans (C404 set) show the overland flow but not the flood extent. While the flood modelling report shows flooding on the plans, it is hard to understand the extent of flooding within the development and how it will affect the proposed properties. If the applicant can provide a single site plan showing the overland flow path and flooding across the subject site.
F4	No single consolidated flood extent plan; information split between C404 and modelling report.
F5	The scale of the proposal and the watercourse modification warrant independent peer review, as was the case with other recent large developments in HDC.

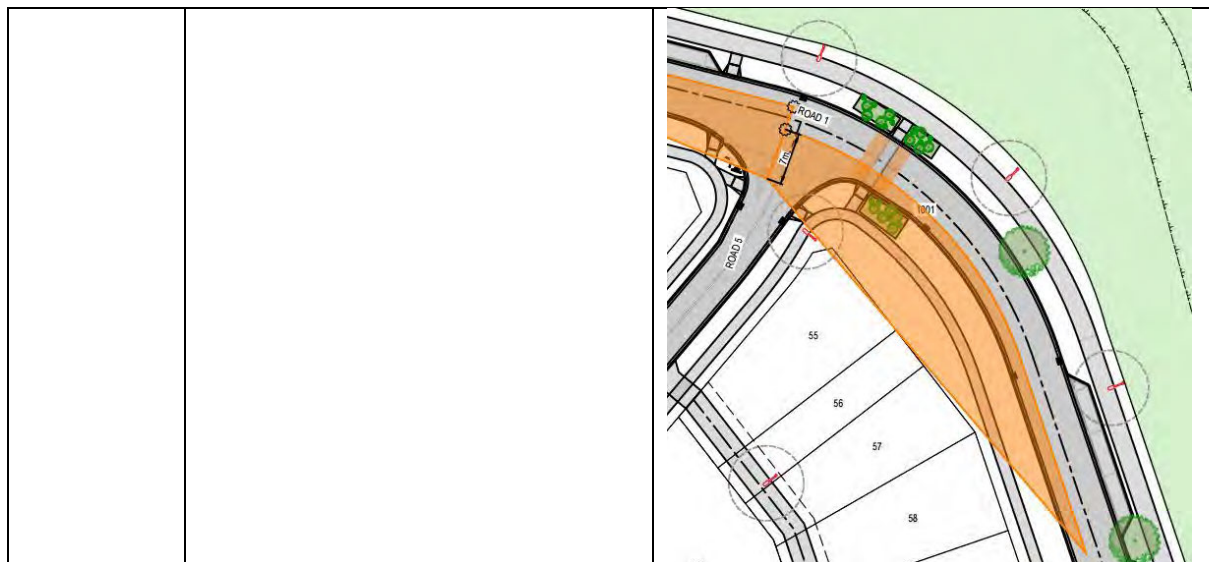
Stormwater	
S1	No defined owner or maintainer for the watercourse section. As this watercourse is within the TANK catchment, the regulatory authority would be HBRC, and consent for the realignment and work within the watercourse would be issued by them. Will this watercourse then be vested in the HBRC, or will HDC still remain unclear? One thing to note is that vested Watercourse 1 and 2 will accept upstream rural catchment and will discharge to the downstream rural catchment.
S2	No defined owner or maintainer for the downstream watercourse from Brookvale Rd to the Crombie Drain. Watercourse 1 vests in Council, but the downstream reach has not been maintained by the HDC or HBRC.
S3	The capacity of the downstream network is unclear. The existing culverts under the road are undersized (hence the requirement for the upgrade); however, it is most likely that the downstream capacity is also undersized.
S4	Rain gardens RG3/4/5 too narrow to fit 1:3 batters;
S5	Some new and some increased culverts under Brookvale Rd. Potential worsening of downstream flooding and effects not addressed. Upgraded/new culverts may create perception of increased discharge to downstream private land.



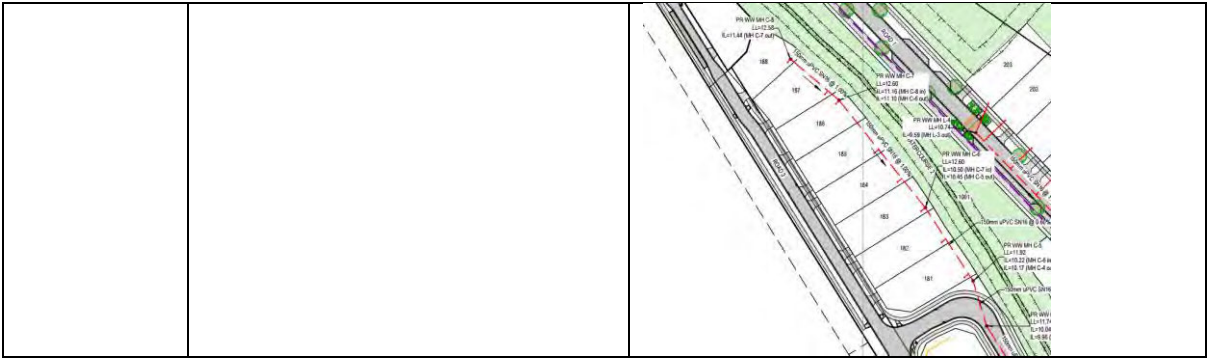
S6	Limited space behind Lots 200–201 for watercourse maintenance. Basin D has no setback from Lot 203. Watercourse 2 (Lots 181–188) has constrained access. In general, HDC would require a 6m setback from the drains and watercourses. This would be applicable in this case.	 The top drawing is a plan view of a watercourse system. It shows lots 200, 201, and 202. A watercourse is shown with a slope of 5mm RCRRJ @ 0.45%. A manhole labeled 'MH 10-2' is shown. The middle drawing is a plan view of 'DETENTION BASIN D' located between 'ROAD 1' and lots 201, 202, and 203. The bottom drawing is a plan view of a watercourse with a 'LOT 181-188' and a 'LOT 189-190'.
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S7	Can the applicant confirm the side slopes for the proposed watercourse, swales, and drains, and assess the maintenance of these elements?	
S8	Rear-lot swale (Lots 131–141) occupies >1/3 of each lot; privately maintained -High long-term failure risk.	
S9	Unclear to what performance the watercourses are modelled; in short grass, some do not have access to maintain design Manning performance. Manning's roughness may increase due to vegetation; only one side is maintainable. Stress test on higher Manning and peer review flood report	
S10	Sw outlets, as bubble-up chambers, indicate constant surcharge operation for the stormwater pipes. This is a bit unusual and will need to be confirmed	
S11	Public stormwater over private properties (169-177). The general approach is that public SW over private property is not preferred. Maybe this can be redesigned for individual private easement over lower properties	

Roading	
R1	Road long-section shows 0.27% grade (below 0.4% minimum).
R2	1:3 berm batters shown on C330-5/6 are too steep for standard mowing; long-reach mowing may not be feasible.
R3	Lots 177–180 have dual-frontage exposure; Lot 180 exposed on three sides.
R4	Visibility Visibility splays at Road 5 are obstructed by the Lot 5 fence and vegetation near Lots 6. Turning Lots 6 - view through the vegetation – confirm the size of the plans Road 5 – view through the Lot 55 boundary 



Wastewater		
W1	Opportunity to extend the gravity main to reduce the rising main length along the Brookvale Road. Connection from the rising main to the gravity main should be on an individual receiving chamber to reduce disturbance of the existing flow.	
W2	Some pipes at minimum grade (0.48%). Self cleaning velocities to be provided.	
W3	Lots 181 to 188 would ideally have public connection on the road rather than at the back of the site, where it is hard to access, and any future inspection and maintenance is challenging. similar comments for the Lots 169-177	



Earthworks		
E1	Retaining Wall 2 is located in the road reserve; Council generally does not accept walls in the road reserve due to the Long-term liability for Council.	A cross-section diagram of a road reserve. It shows a proposed retaining wall (labeled 'PROPOSED RETAINING WALL 2') on the left side of a road. The road is labeled 'ROW 1' (Right of Way 1). The diagram includes various levels and dimensions: 'CH 19' (Chainage 19), 'CH 15' (Chainage 15), 'CH 10' (Chainage 10), 'CH 5' (Chainage 5), 'CH 0' (Chainage 0), 'CH 100' (Chainage 100), 'CH 110' (Chainage 110), 'CH 120' (Chainage 120), 'CH 130' (Chainage 130), 'CH 140' (Chainage 140), 'CH 150' (Chainage 150), 'CH 160' (Chainage 160), 'CH 170' (Chainage 170), 'CH 180' (Chainage 180), 'CH 190' (Chainage 190), 'CH 200' (Chainage 200), 'CH 210' (Chainage 210), 'CH 220' (Chainage 220), 'CH 230' (Chainage 230), 'CH 240' (Chainage 240), 'CH 250' (Chainage 250), 'CH 260' (Chainage 260), 'CH 270' (Chainage 270), 'CH 280' (Chainage 280), 'CH 290' (Chainage 290), 'CH 300' (Chainage 300), 'CH 310' (Chainage 310), 'CH 320' (Chainage 320), 'CH 330' (Chainage 330), 'CH 340' (Chainage 340), 'CH 350' (Chainage 350), 'CH 360' (Chainage 360), 'CH 370' (Chainage 370), 'CH 380' (Chainage 380), 'CH 390' (Chainage 390), 'CH 400' (Chainage 400), 'CH 410' (Chainage 410), 'CH 420' (Chainage 420), 'CH 430' (Chainage 430), 'CH 440' (Chainage 440), 'CH 450' (Chainage 450), 'CH 460' (Chainage 460), 'CH 470' (Chainage 470), 'CH 480' (Chainage 480), 'CH 490' (Chainage 490), 'CH 500' (Chainage 500), 'CH 510' (Chainage 510), 'CH 520' (Chainage 520), 'CH 530' (Chainage 530), 'CH 540' (Chainage 540), 'CH 550' (Chainage 550), 'CH 560' (Chainage 560), 'CH 570' (Chainage 570), 'CH 580' (Chainage 580), 'CH 590' (Chainage 590), 'CH 600' (Chainage 600), 'CH 610' (Chainage 610), 'CH 620' (Chainage 620), 'CH 630' (Chainage 630), 'CH 640' (Chainage 640), 'CH 650' (Chainage 650), 'CH 660' (Chainage 660), 'CH 670' (Chainage 670), 'CH 680' (Chainage 680), 'CH 690' (Chainage 690), 'CH 700' (Chainage 700), 'CH 710' (Chainage 710), 'CH 720' (Chainage 720), 'CH 730' (Chainage 730), 'CH 740' (Chainage 740), 'CH 750' (Chainage 750), 'CH 760' (Chainage 760), 'CH 770' (Chainage 770), 'CH 780' (Chainage 780), 'CH 790' (Chainage 790), 'CH 800' (Chainage 800), 'CH 810' (Chainage 810), 'CH 820' (Chainage 820), 'CH 830' (Chainage 830), 'CH 840' (Chainage 840), 'CH 850' (Chainage 850), 'CH 860' (Chainage 860), 'CH 870' (Chainage 870), 'CH 880' (Chainage 880), 'CH 890' (Chainage 890), 'CH 900' (Chainage 900), 'CH 910' (Chainage 910), 'CH 920' (Chainage 920), 'CH 930' (Chainage 930), 'CH 940' (Chainage 940), 'CH 950' (Chainage 950), 'CH 960' (Chainage 960), 'CH 970' (Chainage 970), 'CH 980' (Chainage 980), 'CH 990' (Chainage 990), 'CH 1000' (Chainage 1000).
E2	For the battering, a general movable slope is 1in5 that; anything steeper than that it will have to be accessible with the long reach mover or permanent planting. Please note that long reach mowers do have limited extension so in some cases won't be able to reach other side of the bank, stream or watercourse.	

BE (Civil) CPEng, CMEngNZ

Development Engineer

1. Why does the stream need a wide reserve for the majority of its length and then only need a narrow reserve / width? What attributes of the stream change at this point?
2. How will the rear boundaries of lots that edge public reserves and streams be managed? Re. privacy and safety.
3. How will lots that have dual street frontages be managed? Regarding privacy, activation and safety.
4. Why not incorporate this green space into a proper road and/or the private lots?
5. Where will private outdoor space be located for lots that have a north-facing boundary on a street edge? How will you mitigate this?
6. How wide are the access lanes (3m?) and how will privacy to properties on both sides be managed without creating safety concerns and/or limiting solar access to private outdoor spaces?
7. Have you drawn sections to test how built form, private open space and anticipated fence heights (1.8m for privacy) will work together?
8. Can you reduce yield and provide a typical width lane to these properties? So to avoid a shared driveway for six lots (12+ cars). OR can you bring the street further south (sharper corner) so more properties can have standard street access?

9. Do you anticipate single or double storey houses, particularly in locations where double storey would provide passive surveillance over public spaces?
10. With the 'secondary' road now being increased to standard width (w/c 25/05) it should be anticipated to be used by a large quantity of traffic accessing the site – with this change in function, would you edit the master plan in any way (see suggestions on following page)?
11. Is driveway placement shown in landscape masterplan drawings fixed? Some placements will reduce the quality of the lot, preventing preferred placement of the dwelling and private outdoor space. E.g. lot 174 below.



12. What fencing controls will be used – anything specific for the development or all in keeping with the district plan provisions?
13. Do you propose attached typologies in any locations, to work with the narrow lots proposed? For example, are lots 25 and 26 7.5m wide?

14. Will there be sufficient separation distance between rows of terrace houses and detached houses on neighbouring lots? (Best practice is 15m between walls) e.g. lots 87 and 93.
15. Have you tested lot designs for a-typical shape lots and those with multiple frontages? E.g. lot 5 below.

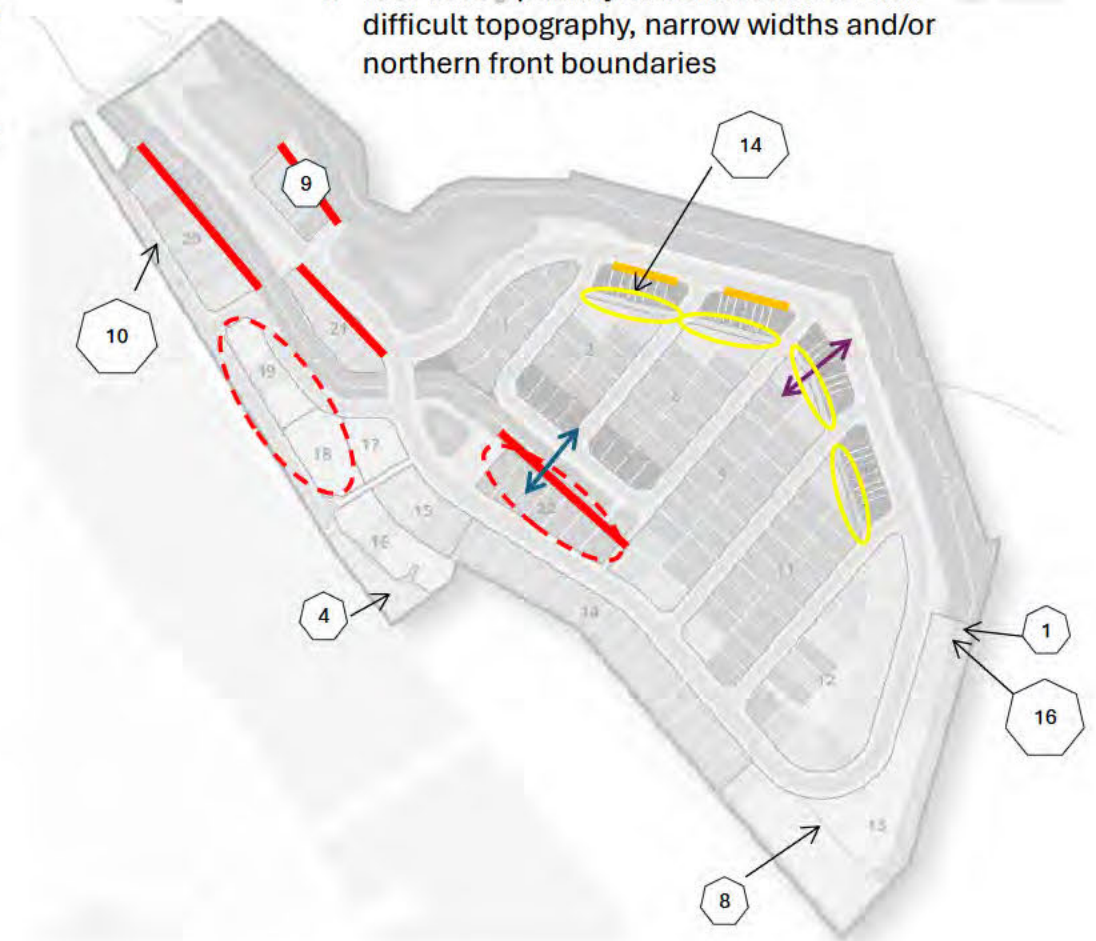


16. What size of developable land area does lot 131 have if the stream corridor needs the expanse shown.

17. Is the stream along the NE edge of the draft masterplan being moved from its current position? Why?
18. If the NE stream is being shifted, why wouldn't you shift the stream and block 22 so those lots can be incorporated into blocks 2 and 6, removing their dual street frontage.

Recommendations

1. Amend master plan so to reduce dual frontage lots/blocks and reduce lots with northern boundary on edge of street or public space
2. If acceptable to move the northern stream, would moving the central stream help facilitate the above objective?
3. Check cross sections where adjacent lots have different orientation
4. Test developability of individual lots with difficult topography, narrow widths and/or northern front boundaries



BROOKEVALE GREEN LANDSCAPE PLAN FEEDBACK

POU AHUREA

RP02 POND WETLAND	
Edge Mix	Harakeke cultivar: use 'Tapamangu' Add Nīkau palms x10 Add Tōi <i>Mountain Cabbage</i> Remove Knobby Clubrush and replace with Wharawhara Add Kākā Beak
Shallow Mix	Add Harakeke cultivar 'Awahou' good for water filtration
Deep Mix	<i>Eleocharis Sphacelata</i> = Kuta. Comment only: this is great to see, kuta is a part of the natural habitat of the Havelock Hills.
RP03 DETENTION BASIN	Add Lancewood
STREETSCAPE BERM & BUILDOUTS	Add Rengarenga lilies
RP04-05 RAINWATER GARDENS	Add Wharawhara
SHAGGY RANGE BUFFER PLANTING	Remove Evergreen Elder and replace with Hinau Remove Mountain Flax and replace with Harakeke cultivar 'Te Mata'
TERRESTRIAL BUFFER EASTERN BOUNDARY 15m width	Remove <i>Coprosma Robusta</i> and replace with <i>Coprosma Grandifolia</i> Harakeke cultivar: use 'Tāpoto'
COUNCIL RESERVE STRIP 10m width	Harakeke cultivar: use 'Tapamangu' Remove <i>Coprosma Robusta</i> and replace with <i>Coprosma Grandifolia</i>
RIPARIAN STREAM BANKS	
Upper Stream Bank Mix 6m width	Remove Kahikatea and replace with Tawa Harakeke cultivar: use 'Tāpoto' Remove Koromiko and replace with <i>Clanthus Maximus</i> Remove <i>Coprosma Robusta</i> and replace with <i>Coprosma Grandifolia</i>

	Remove <i>Cordyline Australis</i> and replace with <i>Cordyline Indivisa</i>
Bank Face Mix 2m width	Remove <i>Coprosma Robusta</i> and replace with <i>Coprosma Grandifolia</i> Harakeke cultivar: use 'Awahou'
Bank toe 2m width	Add rengarenga lilies
Shelterbelt	No feedback

Cultural use varieties:

<i>Coprosma Grandifolia</i>	Kāramuramu	textile dyes
<i>Phormium Tenax</i>	Tapamangu	stripped fibres
	Awahou	basket weaving (water filtration)
	Tāpoto	stripped fibres
	Te Mata	mat weaving
<i>Cordyline Indivisa</i>	Tōi	warriors cloaks
<i>Eleocharis Sphacelata</i>	Kuta	mattresses

Comments – Brookvale Green

29 June 2026

Council acknowledges and appreciates the opportunity to review and provide early feedback on the draft reports associated with this proposal, ahead of any substantive application under the Fast-track Approvals Act.

At the outset, we note that Council does not support development in this location, as it is not consistent with the Napier Hastings future growth strategy. Accordingly, the comments provided at this stage are intended to assist the applicant in identifying the key planning issues and information requirements associated with any future application. They should not be interpreted as indicating Council's support for the proposal or as prejudging the outcome of any subsequent fast track application.

For completeness, it should also be noted that the absence of comment on any particular aspect of the draft proposal or supporting reports should not be interpreted as indicating that Council has no concerns in relation to those matters. A more comprehensive assessment will be undertaken if a substantive application is lodged, once Council has the benefit of a complete application and supporting technical information.

Geotechnical Report:

The updated material appears to address aspects of slope stability in further detail. Notwithstanding this, given the extent of earthworks and cut heights and as the associated assets are proposed to be vested in Council, we would still have a preference for an independent peer review. This reflects the significant challenges in providing for development around the Western slopes, Council's responsibility to assume ownership and ongoing maintenance of these assets, and the need to ensure appropriate independent assurance in the interests of ratepayers.

By way of context, this approach would be standard practice under a typical plan change process. It recognises the Council do not have the in-house expertise to properly analyse this report, in an area where there are significant hazards that need full understanding. While we acknowledge that this proposal is being advanced under the Fast-track Approvals framework, there are parallels which support adopting a similar level of rigor in this instance.

Future Development Strategy:

From a growth and development strategy perspective, we note that the proposed development sits outside of the Havelock North urban area as determined in Hastings District Council's Future Development Strategy (FDS). The FDS was developed via a public engagement process and technical hearing and was adopted last year. The development proposes the existing urban area extend onto land not earmarked for growth and actively discounted from the FDS. If residential development was to occur on the subject site it would be at odds with the council's infrastructure investment strategy and may take residential growth from locations provided or planned for within the FDS and supporting programmes.

Other:

At a broader level, it is noted that there are a number of inconsistencies across the various technical reports, and in some instances the assessments do not align or fully reconcile with one another. It is recommended that these discrepancies are carefully reviewed and resolved to ensure a consistent and coherent evidential basis.

Addressing these matters prior to lodging any substantive application would assist in providing greater clarity and efficiency in the assessment process.

Drinking Water Comments –

HDC acknowledge that there is a pathway to transfer allocation of water from the existing property to the HDC municipal water supply consent and are willing to explore this option. This comes with no guarantee of being granted and would be subject to the necessary regulatory assessment for such an approval once an application is lodged to HBRC.

We encourage the applicant to continue to engage with both HDC and HBRC water engineers to ensure a consistent approach to the provision of water for the proposal.

We advise the applicant to frame the application as a positive outcome to HBRC in regard to a reduction in allocation and demonstration of efficient use as this will provide the best opportunity for success.

In addition, HDC strongly encourage the applicant to proactively adopt a water efficient design alongside the application for transfer of allocation. This approach would both support the application for transfer and ideally meet HDC demand management objectives from the outset of their development.

Public Spaces Planning Comments –**Applicants Request to Use Council Land (see email dated 23 June 2026)**

The applicant has requested use of 277m² of Council reserve land to construct a compliant vehicle access to Brookvale Road. This access is required by Council's Transportation team to ensure network resilience. Rather than granting only the portion of reserve land required for the access, officers recommend that the entire Local Purpose Reserve be vested as road reserve. This is considered the most appropriate long-term outcome, as the reserve's original purpose to provide a buffer between residential and rural land would become redundant should the surrounding land be developed for residential use.

The applicant will be responsible for obtaining any necessary approvals under the Reserves Act 1977, including any required approval from the Minister of Conservation, either through or as part of the Fast-track Approvals Act 2024 process. The applicant has requested a letter for inclusion with the application outlining Council's preferred approach to the reserve land. In any letter it would be made it clear that its confined to the reserve land and access arrangements matter and does not prejudice, predetermine, or imply support for the substantive development

proposal, which will be considered on its own merits through the relevant assessment and approval processes and for which Council will provide inputs into as sought.

The land proposed for vesting represents Council's contribution toward achieving a resilient transport solution that complies with the Engineering Code of Practice and enables the development, if approved, to proceed to substantive assessment. However, as noted in the Growth team's comments, the proposal is not aligned with Council's residential growth sequencing. Both the development proposal and the associated land requirements have arisen solely at the applicant's initiative. As a result, no budget provision has been made for the ongoing maintenance and management of the land or any infrastructure associated with the development. Officers therefore consider it appropriate to investigate mechanisms, through the Fast-track approvals process and associated consent conditions, to recover ongoing maintenance costs from the developer for a period. Preferably, these arrangements should be established upfront, either through consent conditions or an alternative legal agreement. Cost recovery should encompass, as a minimum, the ongoing maintenance of planting, routine inspections, and any remedial works required for retaining walls identified through those inspections.

Council has progressed seeking legal advice to identify the most appropriate and legally robust mechanism for considering cost recovery and to ensure that any ongoing obligations can be effectively secured and enforced.

Local Purpose (Amenity) Reserve – Effects and Matters which need Addressing

The affected reserve land is characterised by steep topography associated with a natural terrace, mature gum trees, and known geotechnical constraints that require detailed assessment and design. Works associated with the proposal, including earthworks, batter treatment, retaining structures, stormwater management, vegetation removal, replanting, landscaping, and treatment of the reserve-development interface, will need to be addressed through subsequent design processes, approvals, and any consent conditions should the proposal be approved.

Any works within Council owned land, including retaining structures and earthworks, will be subject to Council review and approval. The applicant will need to demonstrate that the final design appropriately addresses geotechnical stability, public safety, amenity values, asset protection, and long-term maintenance requirements.

All works within the reserve interface and the Local Purpose (Amenity) Reserve, including tree and fence removal, earthworks, retaining structures, stormwater management infrastructure, replanting, landscaping, and any associated mitigation measures, are to be undertaken at the applicant's expense. Specific conditions and requirements can be developed following completion of the geotechnical peer review and receipt of legal advice regarding ownership and ongoing maintenance responsibilities (refer to comments in Section A above).

Streetscape / Public Space Items

- Please delete the proposed Low Groundcover Planting (RP09) within streetscape berms & the associated buildouts. These can be replaced with grass to simplify the streetscape palette and reduce ongoing maintenance requirements.

- Berm Raingardens : Please investigate and provide alternative stormwater drainage solutions that would allow the removal of the three small, narrow rain gardens located within the roadside berms at the Brookvale Road entry points. The berm areas in these locations should be retained as grassed areas rather than landscaped rain gardens.
- Wastewater Pump Station : Given the pump station's prominent location at an intersection, further information on its design and appearance within the streetscape would be appreciated. In particular, details on any landscaping or screening measures intended to mitigate visual effects and integrate the facility into the surrounding environment would assist in assessing its streetscape and amenity impacts.
- Masterplan : on the masterplan there is a dashed grey line which starts at proposed lot 177 around the corner of lot 180, what is its purpose please?
- Connections / ROW's :
 - Proposed connection between Lots 168, 169, 173, and 175 : Further clarification is requested on the purpose and intended benefits of this link. Given the relatively short distance between these lots and the connectivity already provided by the surrounding road network, it would be helpful to understand the specific function the connection is intended to serve and the rationale for its inclusion.
 - ROW Vehicle Accesses : The proposed layout appears to result in footpaths being located directly adjacent to a 1.8 m-high boundary fence along the western side, while the eastern side is largely characterised by driveway crossings (refer to Landscape Plans PP03, PP05 and PP06). Further clarification is requested regarding how this edge treatment is intended to function and the quality of the resulting environment.
- Fencing : I note that the fencing plan is a draft and would prefer to comment collectively once finalised but to inform have the following queries :
 - In several locations, retaining structures appear to be proposed adjacent to walkways, with fencing installed on top of these. It would be useful to understand the combined height to be able to assess the scale and appearance in these locations.
 - What does the black line indicate (proposed Lot 188)?
 - I need to better understand the intended front fencing treatment for Blocks 14 and 15. The draft fencing plan indicates that further refinement may be needed to maximise opportunities for north-facing outdoor living areas. Can the final proposed fencing in this location please be provided for consideration.

Street Tree Planting

- Generally comfortable with allocation of street trees and their layout regarding sight lines & location of driveways except for:
 - Roads 6, 8, 9. Is there a reason why trees are not evenly allocated on each side of these roads?
 - Road 1 corner adjacent to Row 2 (See PP08). Reason for intensification of tree numbers on this corner?

- An amendment to the proposed street tree species selection is recommended as they aren't optimally suited to the site's climatic conditions due to the sites low lying typography and exposure to frost. Previous feedback (email dated 18 May 2026) suggested reviewing the suitability of frost-sensitive species, including *Metrosideros* and *Alectryon*, and considering alternative species which are better suited to inland rather than coastal locations.

The current landscape plans continue to identify *Metrosideros* varieties as the predominant street tree, with 70 proposed, alongside 17 *Alectryon* trees. Collectively, these species comprise 87 of the 137 proposed street trees.

Exerts of the feedback provided on LA4's proposed tree list 18 May by Councils Public Spaces Landscape Manager :

Generally our preference would usually be for large street trees to be deciduous to allow for winter sun into residential lots & onto footpaths/grass berms, species that don't produce large crops (acorns/larger seedballs), have a form that is suitable for lifting to 2-2.5m and be more upright than wide spreading (this being dependant on the berm width). Once we have the updated masterplan, we can discuss this further with our arborist.

*Regarding the secondary roads, I suggest avoiding species sensitive to frost such as the *Planchonella* & *Dysoxylum*. Although frost tender species can be seen in pockets in Havelock North, past developments have lost many *Alectryon* & *Metrosiderous*, so I would suggest consideration of more inland rather than coastal species.*

And to later queries 18 May:

The HDC CoP requires that the trees be planted in a concrete tree pit. We are currently amending this to show MetroGreen RDC900s where possible or RDC600's (for smaller trees/narrower sites). The RDC's are a lot more tree & user friendly for installation & future replacement if required. RootStop/ReRoute may also be used to protect services. This may have already been considered but if not may alleviate engineers concerns somewhat regarding the proximity of the trees to services.

*The tree pictured below s a *Quercus palustris*. The Pin Oaks do very well in Hastings & Havelock. Their natural pyramidal habitat with slightly drooping laterals does mean we often have limb them higher than that which gives best form on many main arterial routes (due to trucks). Happy to approve them if the berm width allows & I expect truck numbers will be limited. Our arborist prefers *Platanus orientalis* for main routes as it can be limbed without them looking misshapen along with the fastigiate *Liriodendron*, *Quercus* & *Platanus*. He has also suggested *Fraxinus Green Glow* instead of the larger growing varieties.*

- It is difficult to assess the allocation of some street tree varieties because the shading and key symbols are very similar (see PP09), for example *Fagus*, *Pyrus*, *Tilia* and *Ginkgo*. Please add letter codes to the plans, such as Fs for *Fagus sylvatica*. Once this is provided, feedback can be given.
- Substitute *Pyrus calleryana* 'Bradford' with *Pyrus calleryana* 'Aristocrat', as it is less prone to heavy limb failure.

d. **Proposed Tree & Shrub Planning**

- As previously advised on 18 May, recommend substituting frost-sensitive tree species proposed such as Alectryon (8), Corynocarpus (210), Melycitus (820) & Vitex (202) (See RP01).
- Suggest review/decreasing spacing of some of the native grasses proposed for detention basin such as Carex comans & Apodasimilis (See RP03)
- Remove Dietes grandiflora from native planting mix in Shaggy Range Buffer Planting (See RP06).

Urban Design Comments –

The subject site presents some challenges for a high yield medium density development. The proposed master plan is primarily influenced by the sensitive edge of the site's Nth/NW boundary, the topography of its NW edge and the two streams present on the site. The challenges for the master plan's design, and the focus of my review, are where design decisions have been made in response to these site conditions. There are aspects of the master plan that are very well designed, and I anticipate subsequent development will achieve positive outcomes for both public and private realms. There are also areas within the master plan that are weaker and will create outcomes that could have been avoided. If the proposed scheme is approved, these areas will require a greater level of detailed resolution to manage the various tensions. This memo identifies such issues.

The street network focuses on a loop road and dissecting connecting roads, with the need for a secondary road to provide access to land along the site's NW edge. Having two roads entering/exiting the site is positive from an urban design perspective, increasing legibility and choice. The site's topography at the NW corner creates the need for some duplication of streets, which leads to several compromised outcomes in the master plan.

- Blocks 19,20,21,22 and 23 all being single loaded blocks, with dual public edges. This creates tension between the objectives of safety and passive surveillance over public spaces and visual privacy (and sense of privacy) for private outdoor space. The pedestrian walkway proposed between roads 1 and 2, between blocks 15/16 and 17/18. I assume the walkway is proposed so to provide pedestrian access to the public green spaces at the centre and far edge of the development. Equally I assume this access is proposed as a walkway only, rather than a street, because the width of land needed for a street would reduce yield by two lots. Access to and multiple routes through a site are positive objectives but I am concerned that the nature of the walkway proposed brings challenges that might outweigh the positives.

The walkway is 6.2m wide and approximately 50m long. It has a level change of approximately 8m over its length and 5.7m within the three flights of steps proposed at its centre. It is proposed to have 1.2m high fences along its length, at the boundaries with the four adjacent lots. [Excerpts from the design team's development plan documents are provided at the end of this memo.] These characteristics raise concerns about lack of privacy for the four lots from people using the walkway and safety / CPTED concerns for people for people using the walkway, especially at night. The walkway would provide a more direct route, over the street network, to the centre of the

development site for 7-8 lots (lots 172-177 and potentially 178). Therefore, the benefit of access might be limited in contrast to tensions it creates.

- Long shared driveways (JOALs) to rear lots are proposed to provide access into blocks 13 and 16 (accessing six and eight lots respectively) would ideally be avoided for similar reasons as described in the two items above. Equally long shared driveways introduce the potential for pedestrian safety from vehicles. If shared driveways are unavoidable because of site constraints, best practice would limit them in length, servicing only one or two rear lots.

As mentioned above, the primary weakness of the master plan from an urban design perspective is the five single-loaded blocks, where lots are bound by the public realm on both sides – blocks 19, 20, 21, 22 and 23. Some blocks flats have roads on both boundaries and some have a road on one boundary and a publicly accessible open space on the other. This puts pressure on the subsequent design and use of the lots so to achieve realistic visual privacy for residents while balancing safety and activation needs of the public space and streets. Typically, this outcome is avoided by creating sufficient space for full blocks, with two adjoining rows of lots, creating an urban block (i.e. 'backs to backs, fronts to fronts'). Sectional drawings of some of these conditions are provided in the landscape drawing pack but equivalent and longer sections have been requested from the applicant's urban designer so to check the conditions created across the proposed lots and when taking buildings and fencing into account. Therefore, further urban design comments will be provided when this information is received.

Three dwelling densities are proposed - 81 % of lots will be 400m² or larger, 4% of lots will be 400m² or less and 31 lots or 15% will be approximately 200m² (intended to use a terrace house typology).

- a. It is unclear why the middle category (<400m²) is used when used so sparingly. However, the larger lot sizes are more typical to both the Havelock North suburb and for an urban edge development and therefore considered appropriate as the primary size category.
- b. The smallest lots are proposed to result in four rows of terrace housing on the NW edge of the site. This design move appears counterintuitive on one-hand, placing the more intensive development typology on the outer edge of the site, which would also become the outer edge of Havelock North's urban area. However, the proposed terraces are intended to benefit from the amenity and outlook of their position on the site next to the proposed location of stream 1 and the proposed landscape design that will be implemented here. If the stream corridor and adjacent green space are developed as proposed and vegetation grows at a height and density as proposed, the unusual proposal to place terrace housing where urban transitions to rural Land use will likely be absorbed within the attributes of the development site. Equally, future residents of these Lots will enjoy a high amenity outlook both over the site and beyond.
- c. If the vegetation and Landscape design proposed here is not successful [and I understand concern regarding the vegetation proposed is raised in HDC's Landscape Architect's feedback on the proposed scheme], there is a risk that the proposed row of

terraces (likely to be three-storeys) will be highly visible. This would result in quite an unusual built form for a Location where the urban environment transitions to rural environment. It is not possible to be specific about the appropriateness nor impact, from an urban design perspective, of this proposed form due to the subject application relating to subdivision only. Therefore, at this point it is important to flag the potential risk, albeit one that may not eventuate.

d. The primary query about the proposed rows of terraces is their interaction with the public street to their north / NE and the Lower height and density properties to their south / SW. The master plan presents a risk to privacy (both actual and perceived) between the public and private realms and adjacent private-to-private realms and shading from the taller terraces over the outdoor spaces of the adjacent Lots. Sections, shading studies and further consideration of fencing strategies have been requested from the applicant team and further urban design comments will be provided when this information is received.

Development controls for the master plan's build out are proposed in the DRAFT lot testing pack provided by the applicant's team. The majority of controls proposed are direct use of controls from the Hastings District Plan. One exception is setbacks for the terrace housing anticipated on the super Lot blocks. The Medium Density Residential Zone, which is the zone the proposed super Lot controls draw from, sets building setbacks at 3m from the front boundary and 1 m from the side and rear boundaries [see attachment]. The proposed development retains the 1 m side and rear boundaries but reduces the front setback to 1.5m. From an urban design perspective this does not raise concern because:

- This relates to only the four blocks, which are in a contained part of the development and on a single-loaded street, meaning the forward position of buildings on these sites will not impact the privacy of homes on the adjacent side of the street
- The public realm is Loaded towards the far side of the streets the four blocks front being the stream walkway, and therefore the majority of pedestrian's passing the proposed buildings will likely be on the other side of the street
- The design of the future houses can manage privacy via floor Levels, sill height, solid to void façade ratio etc.
- 16 of the proposed Lots (blocks 4 and 5) are intended to have private outdoor space in the front yards, which will default in the terrace houses placed back from the front boundary further than the proposed 1.5m front setback.

Note: The proposed development controls table in the DRAFT Lot testing document proposes the terrace house super Lots will use the Medium Density Residential Zone standard MRZ-S11 to manage 'variety in building design and visual appearance'. The table also highlights this cell in pink, which flags it as an item where District Plan standards that will not be applied. These two things contradict and I suspect are a 'typo' in the draft document. This can be checked when final documentation is provided.

7. A fencing plan is proposed within the DRAFT Lot testing document. This is an important Layer of design decisions for any medium density development, as fencing decisions can help or hinder objectives of visual privacy, sense of privacy, activation and passive surveillance. The

direction of the fencing plan is supported but the proposed boundary treatments of specific sites are queried. The drawing attached highlights these areas.

The majority of the highlighted boundaries are where it is recommended fencing is further considered and changes made. The specifics of the highlighted lots and boundaries can be provided if required. The base drawing also identifies the location of proposed retaining walls, which is helpful. However, the drawing's information only notes the potential height of the fence that will be on top of the retaining wall and does not provide the height of the retaining wall itself. Therefore, the full 3D condition that will be created at these locations can not be understood. Further urban design comments will be provided when this information is received.

In summary, from an urban design perspective, the primary concern are the difficult lots created in the master plan that will require both bespoke responses when designed for development and may have compromised qualities. This concern relates to single-loaded blocks / lots, the two long JOALS, the potential impact of a combined height of retaining walls and fences and privacy, overlooking and shading impacts between the four rows of terraces and adjacent lots.

Roading, 3 waters, source protection

There have been no specific additional comments from our roading and development engineers from what was previously provided. Additional commentary will likely be provided as part of the substantive application following additional review of the application in its entirety.

Please also note that we are still working on the combined Source protection commentary and this will be sent separately upon completion.

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 [REDACTED], 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 [REDACTED] 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.

Brookvale Green - Conditions



[title page]

Commented [1]: Insert title page at end of project once title known.

DRAFT

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Contents

1.0	Introduction	3
2.0	Glossary of Terms	4
3.0	Consent Overview	6
4.0	General Conditions: All Consents	7
5.0	Subdivision: SUB-XXX	12
6.0	Land Use: LUC-XXX	28
7.0	Stream, Wetland and Structure Works: LUS-XXX	35
8.0	Diversion of Streams: WAT-XXX	41
9.0	Discharge of Stormwater: DIS-1XX	47
10.0	Discharge of Contaminants: DIS-2XX	56
11.0	Wildlife Approval: WA-XXX	58
12.0	Schedule 1: List of Documents	60
12.1	List of Reports	60
12.2	List of Drawings	60

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

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	[REDACTED]
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	<u>LUC-XXX:</u> - Proposed yield of 203 residential dwellings as part of a comprehensive urban development (RMA s9) <u>SUB-XXX:</u> - 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) <u>LUS-XXX:</u> - 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) <u>WAT-XXX:</u> - Diversion of watercourses and artificial drains (RMA s14) <u>DIS-1XX:</u> - Discharge of stormwater into watercourses (new discharge points to stream channel) (RMA s15) <u>DIS-2XX:</u> - Temporary discharge of contaminated water during construction (RMA s15) <u>WA-XXX:</u> - Precautionary Wildlife Approval sought for salvage, handling and relocation of indigenous lizards (Wildlife Act 1953)

Commented [REDACTED]: Confirm site legal description once Reserve Land discussions completed.

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: <table><tr><th>Consent Reference & Activity</th><th>Lapse Date</th><th>Expiry Date</th></tr><tr><td>SUB-XXX (s11 Subdivision)</td><td>5 years</td><td></td></tr><tr><td>LUC-XXX (s9 Land Use)</td><td>5 years</td><td></td></tr><tr><td>LUS-XXX (s9 and s13 Stream, Wetland and Structure Works)</td><td>5 years</td><td></td></tr><tr><td>WAT-XXX (s14 Stream Diversion and Realignment)</td><td>5 years</td><td>35 years</td></tr><tr><td>DIS-1XX (s15 Discharge of stormwater)</td><td>5 years</td><td>35 years</td></tr><tr><td>DIS-2XX (s15 Discharge of contaminants)</td><td>5 years</td><td>7 years</td></tr></table> (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	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		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
Consent Reference & Activity	Lapse Date	Expiry Date																				
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DIS-2XX (s15 Discharge of contaminants)	5 years	7 years																				

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 [REDACTED] (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: <u>Routine Monitoring</u> <i>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.</i> <u>Non-Routine Monitoring</u> <i>"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.</i> <i>Section 17(1) of the RMA states:</i> <i>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</i> (a) <i>a national environmental standard, a rule, a resource consent, or a designation.</i> (b) <i>Consent Impact Monitoring</i> <i>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.</i> <u>Debt Recovery</u>

No.	Conditions - General
	<i>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.</i>
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, 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. <i>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.</i>
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. <i>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.</i>
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 [redacted]: 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: (f) Wastewater Reticulation and Wastewater Pump Station (WWPS) infrastructure, including telemetry, emergency storage, power supply, maintenance access and operational requirements (g) 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 (h) Stormwater Reticulation (i) Overland flow paths, ensuring no changes to adjoining landowners boundaries (j) Fire Fighting in accordance with SNZ PAS 4509:2008 (k) Geometric Road Design (l) All Rights of way, vehicle crossings and complying passing bays (m) Road signage and markings (n) Existing bores to be sealed (o) Street Lighting Design Report and AS/NZS 1158 (p) Street trees in accordance with LD1 and LD2 of the HDC ECoP (q) 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). (r) 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 [REDACTED]: Include retaining wall design?

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).

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: <i>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.</i> <i>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.</i>
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: <i>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.</i> <i>Note 2: The Consent Holder is encouraged to engage with Tamatea Pōkai Whenua regarding opportunities for Māori cultural names for roads.</i>
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.

No.	Conditions – SUB-XXX
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 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

No.	Conditions – SUB-XXX
	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 (c) Evidence of planting completion and maintenance arrangements shall be provided to the HDC Compliance Monitoring Officer (or nominee) upon request.
	Fencing

No.	Conditions – SUB-XXX
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: - 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). - 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: <u>Site-Wide Geotechnical</u> 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: <u>Site-Wide Fencing:</u> 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: <u>Fencing next to Hastings District Council Reserve or Reserve Link</u> 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: - That a mowing strip shall be constructed with any fence. - HDC is not liable for any costs associated with erecting, replacing or maintaining any fence bounding the reserve.

Commented [redacted]: Update to reference final lodged report.

Commented [redacted]: Given condition 54 for a Geotechnical Completion report following all the earthworks would this not be better to be in accordance with that??

No.	Conditions – SUB-XXX
	(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: <u>Fencing next to Lot 1 DP 28543 Hastings District Council Water Asset Facility</u> 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: <u>No Complaints – Dog Day Care Activity</u> 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: <u>No Build Area:</u> 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".

Commented [redacted] Without having reviewed any planning reports to understand decisions on condition recommendations, I would anticipate the Reverse Sensitivity Consent notice would be for the wider plains zone and not just restricted to Shaggy range.

Commented [redacted]: Should also include lot 164. In previous meeting Barkers stated would be a no-buildings or structure area? The proposed says no habitable building?

Commented [redacted]: 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
	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: <u>Landscaping Buffer Requirements:</u> 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: <u>Landscaping Buffer Requirements:</u> 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: <u>Landscaping Buffer Requirements:</u> 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.

Commented [REDACTED]: Do lots 131 and 132 not have larger than 15m buffer areas?

No.	Conditions – SUB-XXX
	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: <u>Landscaping Buffer Requirements:</u> 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: <u>Fencing Requirements:</u> 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: (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)

No.	Conditions – SUB-XXX
	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: <u>Fencing Requirements:</u> 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: <u>Fencing Requirements</u> 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: <u>Havelock North General Residential Zone:</u> 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 (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:

No.	Conditions – SUB-XXX
	<u>Havelock North Medium Density Residential Zone:</u> 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: <u>Development Design Guidelines:</u> 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: <i>This condition is not intended to:</i> (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.

Commented [GU11]: [REDACTED] Medium Density Residential Zone (not specific to Havelock North).

Commented [REDACTED]: Have not seen Development Guidelines so cannot comment on this condition but from Urban design meeting these should align with HDC guidelines for easy of use.

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: <i>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.</i>
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: <i>If any inconsistencies arise between this consent and a Wildlife Authority issued for the Site, the Wildlife Authority will take precedence.</i>
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
	<i>If any inconsistencies arise between this consent and a Wildlife Authority issued for the Site, the Wildlife Authority will take precedence.</i>

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, 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: - Confirm the final location, size, dimensions, profiles and levels of all structures in, over or alongside the streams. - Confirm that the design, installation and construction methodology for all culverts, crossings and structures maintains fish passage. - Confirm the final location, earthworks extent and methodology for all associated stream diversion and channel modification earthworks. - 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.

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 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) 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. The plans shall be considered certified unless, within 15 working days of having been supplied with the plans, HBRC advises that certification is withheld and provides written reasons why certification is withheld.
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: (a) 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 [118]. (b) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas. (c) A site plan and maintenance inspection regime for temporary and permanent sediment controls. (d) 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. (e) How the construction works will provide for the passage of fish, including details of any diversion works. (f) 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 under the certified FMP in accordance with Condition [122]. (g) The contact details of the person responsible for inspecting and maintaining sediment controls.

No.	Conditions – LUS-XXX
	(h) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed. 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, the HBRC advises that certification is withheld and provides 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 be amended to suit the appointed Contractor's methodology 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 be amended to suit the appointed Contractor's methodology subject to approval from HBRC's Manager Compliance (or nominee).
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. (b) Species selection, sourcing, plant grades, planting densities and planting methodology, including site preparation for planting;

No.	Conditions – LUS-XXX
	(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, 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, 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 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.
127.	Sediment and Contaminant Control

No.	Conditions – LUS-XXX
	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.
129.	Availability of Certified Management Plans on Site
	A copy of all management plans certified under this consent shall be kept on site and made available to the Consent Authority upon request.
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-Built
	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

No.	Conditions – LUS-XXX
	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]. 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 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 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. <i>Advice note: HBRC will not be responsible for the operation, maintenance, repair, or replacement of the stormwater structures authorised by this consent.</i>
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.

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: - Confirm the final alignment, dimensions, profiles and levels of all diverted watercourses authorised by this consent. - Confirm the final location, extent and methodology of all stream diversion and channel modification works authorised by this consent. - Demonstrate that the diverted watercourses have been designed to maintain general flow conveyance capacity, channel stability and fish passage. - Identify measures to avoid, remedy or mitigate erosion and scour within the diverted watercourses during construction and following completion of the works. - 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 will not materially increase seepage losses to groundwater compared with the existing watercourse configuration and shall identify any measures required to protect groundwater quality and minimise infiltration losses during construction and operation of the diverted watercourse.

No.	Conditions – WAT-XXX
	(f) 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, HBRC advises that certification is withheld and provides 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: (a) 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]. (b) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas. (c) A site plan and maintenance inspection regime for temporary and permanent sediment controls. (d) How the construction works will provide for the passage of fish, including details of any diversion works. (e) 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 under the certified FMP. (f) The contact details of the person responsible for inspecting and maintaining sediment controls. (g) 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. (h) Frequency of site inspections and monitoring (including after extreme weather events), and reporting to be undertaken, and any other construction quality assurance measures proposed. (i) 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;

No.	Conditions – WAT-XXX
	(iii) quality assurance and quality control procedures; (iv) construction hold points and inspection requirements; and (v) certification requirements confirming installation in accordance with the certified design documentation. 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, the HBRC advises that certification is withheld and provides 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 can be amended to suit the appointed Contractor’s methodology 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 be amended to suit the appointed Contractor’s methodology subject to approval from HBRC’s Manager Compliance (or nominee).
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, 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
143.	Works in accordance with Certified Documents

No.	Conditions – WAT-XXX
	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 finalised 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 Prior to commencement of stream diversion and channel formation works associated with Watercourse 1, the Consent Holder shall provide written confirmation from a SQEP hydrogeologist and a SQEP civil engineer to the HBRC Manager Compliance (or nominee) that: (a) the Detailed Design Plans certified under Condition [137] appropriately address groundwater protection and infiltration risks; (b) any proposed channel lining, seepage control measures or groundwater protection measures are suitable for the site conditions; (c) the proposed diversion is not expected to materially increase seepage losses to groundwater compared with the existing watercourse configuration; and (d) any recommendations required to manage groundwater protection during construction and operation have been incorporated into the certified design documentation. Any recommendations made by the hydrogeologist shall be implemented by the Consent Holder.
147.	Availability of Certified Management Plans on Site

No.	Conditions – WAT-XXX
	A copy of all management plans certified under this consent shall be kept on site and made available to the Consent Authority 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-Built 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 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

No.	Conditions – WAT-XXX
	(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. Records of inspections and any maintenance undertaken shall be retained and made available to HBRC upon request.

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 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: - Identify the location, storage volumes, levels and dimensions of the stormwater attenuation and treatment devices, any outlet structures, and associated infrastructure. - Confirmation of the design of the emergency spillway structures including emergency overflow pathways and a design statement. - 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), invert, 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) Details of any impermeable lining or groundwater protection measures 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) How the construction works will provide for the passage of fish, including details of any diversion works. (i) Confirmation that the design plans are consistent with the requirements of this consent. (j) 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. (k) 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, the HBRC advises that certification is withheld and provides written reasons why certification is withheld. Advice Note: <i>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.</i>
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.

No.	Conditions – DIS-1XX
	(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 Prior to the commencement of any earthworks or construction activity on the site for the stormwater discharge, 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]. (b) The location of materials, machinery and works equipment storage when not in use, and the location of any maintenance or servicing areas. (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. 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, the HBRC advises that certification is withheld and provides written reasons why certification is withheld.
156.	Certification Unless otherwise specified, 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

Commented [JS13]: [REDACTED] - 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.

No.	Conditions – DIS-1XX
	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 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

No. Conditions – DIS-1XX	
	provided to the HBRC Manager Compliance (or nominee) within 1 month of any changes being made.
159.	Stormwater Monitoring Programme 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 each stage (or combination of stages) as soon as practicable, but within 10 working days' following their completion.
163.	Certified As-Built 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

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 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

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 Coloursteel; 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.
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: (a) Once a decision has been made, the time for appealing the decision has passed without appeal or any appeal made has been withdrawn, dismissed or resolved on the replacement of HDC's Global Stormwater Consent (DP090355Wb / AUTH-118324-03); and (b) The HDC Global Stormwater Consent referred to above includes the entirety of the stormwater discharges 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:

No.	Conditions – DIS-1XX
	(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 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. The Consent Holder shall implement appropriate corrective actions following any treatment system failure.

No.	Conditions – DIS-2XX
	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.

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 “ <i>Brookvale Green, 174 and 176 Brookvale Road, Hawkes Bay</i> ”, 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 [JS14]: 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]		