

## Milldale - Comments Received on Conditions of Consent from Auckland Council

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This document provides Fulton Hogan Land Development Limited's (**FHLD**) feedback on the requested amendments made by Auckland Council to the proposed conditions of consent for Milldale Stages 10 – 13, 4C and the Temporary Wastewater Treatment Plant (**the Application**).

Requested changes to conditions were included in individual Expert Response Memorandums. These have been compiled in the Tables below as they are relevant to the different sections of the conditions and relevant consent approvals.

## 1.0 Requested Condition Amendments

### 1.1 Greenfield Stages 10 – 13 Conditions of Consent

#### 1.1.1 General Conditions of Consent BUN 200

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
1	<p><b>RETAIN</b></p> <p><i>No objection, standard condition.</i></p> <p><b>Activity in accordance with application</b></p> <p>The proposal must be carried out in general accordance with the plans and all information submitted with the application, as detailed below and referenced by the Council under consent numbers [BUN 200]:</p> <p>a) Application Form and Assessment of Environmental Effects prepared by Woods and B&amp;A, dated 28 February 2025; and</p> <p>b) Reports and Drawings as listed in Section 2.6.</p>	Noted
Annexure 17: Landscape Memo 29 July 2025		
Advice Note	<p><b>AMEND</b></p> <p><i>For all three – while not a landscape and visual effects related matter, I suggest that the section 357 advice notes should be deleted, as these will not be relevant.</i></p>	<p>Agree</p> <p>Advice note deleted</p>
ALL	<p><b>AMEND</b></p> <p><i>Finally, I suggest that reference to the term “landscape planting” in the conditions should be rephrased, as this is not a technically correct term. I suggest a more technically correct reference should simply be to the term “planting” or amend to refer to the specific purpose of the planting.</i></p>	<p>Agree</p> <p>The term “landscape planting” has been removed, all conditions now refer to “planting”.</p>
Annexure 18: Parks Memo 29 July 2025		
ALL	<p><b>NEW PROPOSED</b></p> <p><i>General additional advice note for Land Use conditions noting the sequencing of subdivision and vesting of assets.</i></p> <p><u>Advice note:</u></p> <p><u>Landscaping associated with public roads, open spaces and reserves will be considered for engineering plan approval when the lots are created and land is to be vested at the time of subdivision.</u></p>	<p>Do Not Agree</p> <p>As an advice note, this does not add any benefit to the conditions.</p>

### 1.1.2 Land Use Conditions of Consent LUC 201

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
*HW5	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that the development does not exacerbate flooding on neighbouring properties, maintain existing levels of flood risk, and protect both public and private assets from adverse effects during a range of storm events.</i></p> <p><b>Flood Risk and Nuisance</b></p> <p><u>The consent holder must ensure that the development does not result in any increase in flood risk or flood nuisance to upstream or downstream properties, measured against the existing rainfall and land use conditions for the 50% AEP, 10% AEP, and 1% AEP storm events.</u></p>	<p>Do Not Agree</p> <p>All stormwater discharges are in accordance with the Wainui East SMP. This matter has been adequately assessed in the Application Documentation, including expert reporting addressing flooding. A condition addressing this is not warranted.</p>
Annexure 9: Geotech Memo 29 July 2025		
12	<p><b>AMEND</b></p> <p><i>Change from ‘shall’ to ‘must’ to align with current practice.</i></p> <p><i>We also highlight that the acronym for the settlement monitoring plan (SMP) is similar to the site management &amp; remedial action plan (SMP/RAP) and may cause confusion.</i></p> <p><b>Settlement Monitoring Plan</b></p> <p>A Settlement Monitoring Plan (SMP) for consolidation settlement due to placement of fill must be submitted to the Council prior to commencement of earthworks onsite. The SMP <del>shall</del> <u>must</u> be prepared by a suitably qualified geotechnical engineering professional. Any proposed amendment to the SMP <del>must</del> <u>shall</u> also be submitted to the Council. The SMP <del>must</del> <u>shall</u> include, as a minimum, the following information:</p> <ul style="list-style-type: none"> <li>(a) A monitoring location plan showing the layout and type of all settlement monitoring stations within the fill areas;</li> <li>(a) Timing and frequency of survey of the settlement monitoring stations; and</li> <li>(b) Define the settlement criteria to be met on completion of earthworks.</li> </ul>	<p>Agree</p> <p>All references to “shall” have been replaced with “must”.</p>
26	<p><b>AMEND</b></p> <p><i>Referenced document outdated. Most up to date version is Rev3, dated 24 March 2025</i></p> <p><b>Geotechnical Works - Supervision and Certification</b></p> <p>All earthworks including the construction of retaining walls, building foundations and the placement and compaction of fill material must be supervised by a suitably qualified geo-professional. In supervising the works, the suitably qualified geo-professional must ensure that they are constructed and otherwise completed in general accordance with the <del>“Geotechnical Investigation Report, ref: AKL2024-0257AB, Rev. 2, prepared by CMW Geosciences, dated 25 February 2025”</del> <u>Geotechnical Investigation Report, ref: AKL2024-0257AB, Rev. 3, prepared by CMW Geosciences, dated 24 March 2025”</u> including the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer’s contact details must be provided in writing to the Council at least two weeks prior to earthworks commencing on site.</p>	<p>Agree</p> <p>Condition has been updated to refer to the report referenced in Condition 1.</p>
43 & 44	<p><b>AMEND</b></p> <p><i>We notice that Conditions 43 and 44 appear to be in duplication on what they intend to achieve.</i></p> <p><i>We recommend removing Condition 43 in favour of Condition 44 to make clear on the expected completion documentation requirements.</i></p>	<p>Agree</p> <p>Condition 43 has been deleted. Condition 44 adequately addresses this matter.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
44	<p><b>AMEND</b>  <i>We suggest the inclusion of a statement of professional opinion and certified as-built plans as part of the GCR requirements.</i></p> <p><b>Geotechnical Completion Report</b>            At the completion of each stage of earthworks, a Geotechnical Completion Report (GCR) prepared by suitably qualified engineering professional must be provided to the Council to confirm the suitability of the site for the intended development. The GCR must include (but not to be limited to):</p> <ul style="list-style-type: none"> <li>(a) Earthworks operations (e.g. excavations, filling works, replacement of unsuitable materials etc);</li> <li>(b) Retaining wall and reinforced earth slope construction;</li> <li>(c) Settlement monitoring;</li> <li>(d) Testing; and</li> <li>(e) Inspections.</li> <li>(f) <u>Statement of professional opinion</u></li> <li>(g) <u>Certified as-built plans</u></li> </ul> <p>The GCR must also provide justification on soil expansivity, foundation design parameters, and settlement criteria defined in the SMP (as per condition 10) have been met. The GCR must be provided to the satisfaction of the Council.</p> <p><b>Advice Notes</b></p> <ul style="list-style-type: none"> <li>• <i>Further investigation/testing may be required to determine soil expansivity.</i></li> <li>• <i>A building consent may be required for the construction of retaining walls and reinforced earth slope.</i></li> </ul> <p><i>Please send documents required as a condition of consent for the Council to: <a href="mailto:monitoring@aucklandCouncil.govt.nz">monitoring@aucklandCouncil.govt.nz</a></i></p>	<p>Agree</p> <p>Condition 44 has been amended to address this matter.</p>
69	<p><b>AMEND</b>  <i>Referenced document outdated. Most up to date version is Rev3, dated 24 March 2025</i></p> <p><b>Design and Construction of Earthworks and Retaining Walls</b>            The design and construction of the earthworks and retaining walls must be undertaken in general accordance with the specifications contained in the following documents:</p> <ul style="list-style-type: none"> <li>a) A report titled “Geotechnical Investigation Report, ref: AKL2024-0257AB, Rev. <del>23</del>, prepared by CMW Geosciences, dated <u>24 March 2025</u> <del>25 February 2025</del>” referenced in condition 1.</li> <li>b) Engineering plans “Milldale Fast track Stages 10 - 13”, prepared by Woods, dated Feb 2025” referenced in condition 1.</li> <li>c) A report titled “Earthworks Methodology Report – Milldale Earthworks 10 – 13, Version 1, prepared by Woods, dated 19 March 2025” referenced in condition 1.</li> </ul>	<p>Agree</p> <p>Condition has been amended so that it refers back to Condition 1 which lists the most recent CMW geotechnical report.</p>
Annexure 10: Earthworks Memo 29 July 2025		
4	<p><b>AMEND</b>  <i>Conditions need to refer to “Council” rather than Team Leader Compliance Monitoring North</i></p>	<p>Agree</p> <p>Reference to Council has been added to the advice note in lieu of Team Leader Compliance Monitoring North.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
8	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Condition has been updated to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
8	<b>AMEND</b> <i>The proposed condition that requires provision of an ESCP ahead of works commencing, should state that the ESCP must include reference to any erosion and sediment control measures for any temporary stream diversions necessary to install in-stream structures.</i>	Agree. This has been added to the ESCP condition for Stages 10-13.
9	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Have updated condition to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
11	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Have updated condition to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
11	<b>AMEND</b> <i>Proposed conditions 11 and 14 include reference to condition 1. It’s unlikely that they should reference condition 1</i> <b>Certification of Works</b> Within ten (10) working days following implementation and completion of the specific erosion and sediment control works referenced in condition 1, and prior to the commencement of earthworks activity on the subject site, a suitably qualified and experienced person must provide written certification to the Council that the erosion and sediment control measures have been constructed and completed in general accordance with the plan required by condition 8. Written certification must be in the form of a report or any other form acceptable to the Council. <b>Advice Note:</b> <i>Suitable documentation for certification of erosion and sediment control devices can be obtained in Appendix C of Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 2 (GD05): Erosion and Sediment Control construction quality checklists.</i>	Agree Condition updated to reference plans submitted in Condition 8.
14	<b>AMEND</b> <i>Proposed conditions 11 and 14 include reference to condition 1. It’s unlikely that they should reference condition 1</i> <b>Adaptive Management Plan</b> The earthworks authorised by consent LUC201 must be undertaken in general accordance with the approved Adaptive Management Plan (AMP) referenced in condition 1, a copy of which must be provided at the pre-construction meeting referred to under condition 4 above. This includes but is not limited to: <i>Adaptive Management Response Report (AMRR)</i> Following every rainfall trigger event (as defined in the approved AMP), an AMRR must be prepared to summarise the conditions during and after the rainfall event. If any turbidity triggers are exceeded, then an exceedance notification will be generated. This will outline what exceedance occurred, the extent of the exceedance, any actions taken to mitigate the effects of the event, and a proposed management response if required. The Council (Team Leader Northern Monitoring) will be notified by email within one working day of any threshold breach. A report must be provided to Council within 10 days of the threshold breach.	Do Not Agree. The reference to condition 1 is intentional as this lists the most recent AMP.
14	<b>AMEND</b> <i>Applicant team have confirmed that the AMP will be updated re rainfall trigger events. The relevant condition of consent will also need to be updated.</i>	Agree Condition 1 has been updated to reference the new revision of the AMP

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18	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Have updated condition to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
20	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Have updated condition to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
21	<b>AMEND</b> <i>Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”</i>	Agree Have updated condition to state “GD05 including any amendments”. Any other references to GD05 in the conditions has been updated.
46	<b>AMEND</b> <i>Condition 46 is out of place.</i> <b>Culvert Information Requirements</b> Within twenty (20) working days following completion of works associated with the new road culvert crossings, the Consent Holder must submit to Council the information required by regulations 62 and 63 of the National Environmental Standard for Freshwater (2020).	Agree A heading has been added to this condition to separate it from the above conditions.
Annexure 11: Contamination 29 July 2025		
6	<b>AMEND</b> <b>Dust Management Plan</b> Prior to the commencement of any earthworks or construction activity on the site, the Consent Holder must submit a final Dust Management Plan (DMP) to Council. The purpose of the DMP is to outline the potential causes and effects of dust that could be generated during the earthworks phase of the development, and to outline the mitigation measures that could be incorporated by the nominated contractor to avoid objectionable or nuisance emission of dust beyond the site boundary. The final DMP must be prepared in general accordance with the application documents referenced in condition 1 <u>and the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016).</u>	Disagree. It is not necessary for the condition to refer to a Good Practice Guide. The DMP submitted with the application, and referenced in condition 1, is adequate.
27	<b>RETAIN</b> <b>Contamination Remediation</b> Earthworks must be undertaken in accordance the following documents: (a) “Detailed Site Investigation Milldale Stages 10-13 Wainui, Rev A, prepared by Groundwater and Environmental Services, dated 24 February 2025”. (DSI) (b) “Site Management & Remedial Action Plan Milldale Stages 10-13 Wainui, prepared by Groundwater & Environmental Services, dated 24 January 2025”. (SMP/RAP). Any variations to the SMP/RAP must be submitted to the Council confirming that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent, prior to implementation. <b>Advice Note:</b> <i>The Council acknowledges that the SMP/RAP is intended to provide flexibility of the management of the works. Accordingly, the SMP/ RAP may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the Team Leader. The Council’s acceptance of the RAP</i>	Noted

Cond. #	Requested Condition Amendments	FHLD Feedback
	<i>relates only to those aspects of the plans that are relevant under the RMA. The acceptance does not amount to an approval or acceptance of suitability by the Council of any elements of the management plan that relate to other legislation, for example, the Building Act 2004 or the Health and Safety at Work Act 2015.</i>	
28	<p><b>RETAIN</b></p> <p>In the event of the accidental discovery of contamination during earthworks which has not been previously identified, including asbestos material, the Consent Holder must immediately cease the works in the vicinity of the contamination, notify the Council, and engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) to assess the situation (including possible sampling and revision of the SMP/RAP) and decide on the best option for managing the material.</p> <p><b>Advice Note:</b></p> <p><i>Where unanticipated contamination is discovered during the works, a revision of the SMP/RAP may be required to ensure that the contamination is appropriately managed. Any revision of the SMP/RAP is required to be submitted to Council prior to its implementation.</i></p>	Noted
29	<p><b>RETAIN</b></p> <p>All soil disturbance undertaken where asbestos in soils has been found to be present must be undertaken in accordance with the NZ Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2017) or any updates to this document and the RAP.</p>	Noted
30	<p><b>RETAIN</b></p> <p>Any excavated material that is not re-used on site must be disposed of at an appropriate facility licensed to accept the levels of contamination identified. Evidence of the locations where excavated material has been disposed of must be retained by the Consent Holder during the works and made available to the Council on request.</p>	Noted
45	<p><b>RETAIN</b></p> <p><b>Contamination – Site Validation Report (SVR)</b></p> <p>Within three months of the completion of earthworks on the site, a Site Validation Report (SVR) must be submitted to the Council for review. The SVR must be prepared by a suitably qualified and experienced practitioner, in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment (revised 2021) and must contain sufficient detail to address the following matters:</p> <ul style="list-style-type: none"> <li>(c) A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated.</li> <li>(d) Details and results of any testing undertaken (including validation testing and/or asbestos air monitoring) and interpretation of the results in the context of the NESCS and the AUP(OP) for each proposed lot.</li> <li>(e) Records/evidence of the appropriate disposal for any material removed from the site.</li> <li>(f) Records of any unexpected contamination encountered during the works and response actions, if applicable.</li> <li>(g) Conditions of the final site ground surface and details of any sampling undertaken on materials re-used on site or imported to site.</li> <li>(h) Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and</li> <li>(i) A statement certifying that all works have been carried out in accordance with the requirements of the SMP/RAP and consent, otherwise providing details of relevant breaches, if applicable.</li> </ul> <p><b>Advice Note:</b></p>	Noted

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><i>The SVR shall enable the Council to update the property file information relating to soil contamination, including the files of any newly created lots. If newly created lots are to contain differing levels of soil contamination, the SVR should specifically detail this. Until an SVR is submitted to the Council, the Land Information Memorandum for the property shall not be updated to reflect any soil contamination remediation work undertaken.</i></p> <p><i>If any contamination exceeding the Permitted Activity soil acceptance criteria, set out in Chapter E30 of the AUP(OP), is retained within the site upon the completion of the proposed land-disturbance activity, a long-term contaminant discharge consent under Chapter E30 of the AUP(OP) may be required for the site.</i></p>	
Annexure 14: Freshwater and Terrestrial Ecology Memo 29 July 2025		
41	<p><b>AMEND</b></p> <p><i>It is important that the condition must be prescriptive, subjective and enforceable in order for effects on terrestrial ecological values should be managed effectively.</i></p> <p><b>Fauna Management Plan</b></p> <p>Prior to the commencement of vegetation removal, an Indigenous Fauna Management Plan (FMP) must be submitted to the Council. The purpose of the FMP is to inform management options relating to birds, lizards and bats, during the development of the site. The FMP must be prepared by a suitably qualified and experienced Ecologist and include the following details:</p> <p>i) <del>Bird Management;</del></p> <p>ii) <del>Lizard Management; and</del></p> <p>iii) <del>Bat Management.</del></p> <p><u>Bats</u></p> <p><u>Long-tailed bat management must include the following:</u></p> <p>a. <u>The identification of any tree(s) greater than or equal to 15 cm DBH to be removed, or to be pruned (removal of woody limbs with maximum diameter &gt;30cm, or removal of &gt;10% of the canopy cover) visually assessed for potential roost features by an approved person accredited with NZ Bat Recovery Group Competency 3.3. Should tree climbing be required, the tree climber must inspect all potential roost features using approved methods (endoscope, photography etc.) for evidence of bats (staining, cavities, guano), under the direct supervision of an approved person accredited with Competency 3.3. All footage must be reviewed by the approved person accredited with Competency 3.3 prior to felling and/or pruning.</u></p> <p>b. <u>Any potential roost features (PRF's) present in a tree or group of high-risk trees, as identified in Condition 2, a Specialist Bat Ecologist with the level 3 competencies of the NZ Bat Recovery Group which are required for the task being undertaken must conduct surveys, in accordance with Table 1, immediately prior to felling and/or pruning using one or more of the following methods:</u></p> <ul style="list-style-type: none"> <li><u>visual inspection of PRFs (Competency 3.3 required);</u></li> <li><u>ABM deployment for at least two consecutive valid nights (Competency 3.1 required);</u></li> <li><u>roost watches for at least two consecutive valid nights (Competency 3.2 required).</u></li> </ul> <p><u>Monitoring must be undertaken overnight (from one hour before dusk until dawn), for a minimum of two fine nights using an Automatic Bat Monitor (ABM; or multiple ABMs as required). A fine night is when the temperature is above 8° with no, to very little precipitation during the first four hours after sunset. Surveys must not commence if the dusk temperature is below 8°</u></p>	<p>Disagree</p> <p>A draft Fauna Management Plan prepared by the project Ecologist were submitted with the Application Documents (Refer to Appendix G of the EiA in Appendix 2C). The purpose of the proposed condition as drafted is to submit a finalised FMP to the Council for approval prior to works commencement of vegetation removal.</p>

Cond.  
#

Requested Condition Amendments

FHLD Feedback

<b>Table 1 Summary of timing restriction for bat monitoring and tree felling</b>	
<b>Activity</b>	<b>Season when it can be undertaken</b>
Roost Tree Assessment	All Year
Acoustic monitoring	1 October – 30 April, inclusive
Pre-felling inspections and felling of roost trees	1 October – 30 April, inclusive

**Avifauna (Birds)**

Avifauna management must include the following:

(a) Timing of any construction works must not have adverse effects on avifauna, including Threatened or At-Risk birds.

(b) Those construction works must be undertaken outside of the bird breeding season (September to February); and

(c) Adequate buffers of no less than 20m must be provided where nesting birds have been identified by a suitable qualified ecologist, no less than 5 working days prior to works commencing.

**Native Lizards**

Prior to the commencement of any vegetation removal works the consent holder must submit and have certified by Council, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan must be designed so as to achieve the following two objectives:

i. The population of each species of native lizard present on the site at which vegetation clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site;

and

ii. The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development.

The LMP must address the following (as appropriate):

- Credentials and contact details of the ecologist/herpetologist who will implement the plan.
- Timing of the implementation of the LMP.
- A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols.
- A description and map of the relocation site; including discussion of:
- provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released skinks that have been rescued;

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"> <li>any protection mechanisms (if required) to ensure the relocation site is maintained (e.g. covenants, consent notices etc);</li> <li>any weed and pest animal management to ensure the relocation site is maintained as appropriate habitat.</li> <li>Monitoring methods, including but not limited to: baseline surveying within the site, baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites, ongoing annual surveys to evaluate translocation success, pre and post - translocation surveys, and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control.</li> <li>A post-vegetation clearance search for remaining lizards.</li> </ul> <p><u>Advice Note:</u> Please note that it is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs, and to rescue any skinks from ground cover vegetation and terrestrial retreats.</p> <p>B. A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the Lizard Management Plan (LMP) must certify that the lizard related works have been carried out according to the certified LMP within two weeks of completion of the vegetation clearance works.</p> <p>C. All works on site must comply with the certified Lizard Management Plan.</p> <p>Within five days of completion of vegetation clearance, all findings resulting from the search and rescue during vegetation removal must be recorded by the supervising ecologist on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) and sent to Council.</p>	
59, 60, 61, 63	<b>RETAIN</b> <i>I, Antoinette Bootsma, am in general agreement with the draft proposed conditions 59, 60, 61 and 63.</i>	Noted
Annexure 19: Noise & Vibration Memo 29 July 2025		
ALL	<b>RETAIN</b> <i>All recommended conditions in the 2T Acoustic Assessment are adopted by the applicant</i>	Noted
Annexure 21: Transport Memo 29 July 2025		
*TP	<b>NEW PROPOSED</b> <u>Prior to the completion of an overall of 2800 dwellings within the Milldale area, the Pine Valley Road / Dairy Flat Highway give-way control must be upgraded to a signalised intersection to manage the traffic flow without any congestion.</u>	Agree A new condition has been proposed in LUC02. Refer to condition 54.
Annexure 22: Auckland Transport Memo 29 July 2025		
*AT	<b>NEW PROPOSED</b> <b><u>Pine Valley Road/Dairy Flat Highway Intersection</u></b> <u>Following the completion and occupation of 2800 dwellings, no further dwellings must be occupied until such time as the intersection of Pine Valley Road/Dairy Flat Highway has been signalised and operational in accordance with approved consent BUN60366520.</u>	Agree A new condition has been proposed in LUC02. Refer to condition 54.
*AT	<b>NEW PROPOSED</b> <b><u>Wainui Road Upgrade</u></b> <u>The upgrade of Wainui Road to the east of Lysnar Road as required by the conditions of the approved consent LUC60393114-A, Condition 1, must be undertaken prior to the occupation of any dwellings in Stages 4C and 10-13.</u>	Agree A new condition has been proposed in LUC02. Refer to condition 55.

Cond. #	Requested Condition Amendments	FHLD Feedback
97	<p><b>AMEND</b></p> <p><b>Public Roads and Accessways</b></p> <p><u>The consent holder must design and construct all public roads, pedestrian accessways and intersections in accordance with the requirements of Auckland Transport’s relevant engineering standards. Certification from Auckland Transport that the works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</u></p> <p><u>Advice Notes</u></p> <ul style="list-style-type: none"> <li>• <u>Acceptable forms of evidence of certification include Engineering Approval Completion Certificates.</u></li> <li>• <u>Construction of public roading requires an Engineering Plan Approval.</u></li> <li>• <u>Design of public roads must include (but is not limited to), road pavement, pedestrian footpaths, cycle ways, street lighting, street furniture, road marking, traffic calming devices, road stormwater drainage, raingardens, etc. where required. Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public works in the absence of that approval.</u></li> <li>• <u>On the scheme plan, bridges 2,3 and 4 must be shown as a "public accessway" so that they can be vested as an Auckland Transport asset.</u></li> <li>• <u>The consent holder is advised that the New Zealand Addressing Standard (AS/NZS 4819:2011) requires all new public roads and all extensions to existing roads to have a road name. A</u></li> </ul>	<p>Do Not Agree in part</p> <p>This is covered by the existing condition in relation to public roads and the EA approval process which refers to the requirements of AT. The existing proposed conditions are consistent with all previous Milldale stages. However, reference to pedestrian accessways has been added to the proposed the condition.</p> <p>With respect to wording proposed by AT relating to bridges 2, 3, and 4, the bridges are included within the drainage reserves and it is considered unnecessary to change the parcel type proposed through the scheme plan. This is consistent with Waterloo Reserve, the Local Centre consent and other previous stages of Milldale.</p>
Annexure 26: Environmental Monitoring Memo 29 July 2025		
4	<p><b>AMEND</b></p> <p><i>Pre commencement meeting (C4) wording feels confusing.</i></p> <ul style="list-style-type: none"> <li>• <i>A little confusing with "construction and earthworks." Recommend we amend to "Prior to the each/both earthworks and construction phase?"</i></li> </ul>	<p>Disagree.</p> <p>This recommendation is adequately addressed by current wording.</p>
5	<p><b>AMEND</b></p> <p><i>CMP (C5) – Recommend this to just be titled Management Plans. Recommend we just include the relevant plans required for the prestart (points c-h) and move the rest (points a-b) into Condition 4? Should a CMP also be its own standalone condition?</i></p> <ul style="list-style-type: none"> <li>• <i>If a CMP is required, it should be its own standalone condition.</i></li> <li>• The condition ideally needs to be entitled “management plans” and the existing bullet points under this condition can be highlighted for submission, and/or the requirements of a construction management plan need to be outlined in this condition.</li> <li>• “A Construction Management Plan must be made available at the pre-start meeting...” dependant on what is being requested here, may need to be reworded to ensure the document(s) are submitted prior to the pre-start meeting to ensure consistency with the subsequent conditions and allow Monitoring time to review the documents.</li> </ul>	<p>Disagree.</p> <p>This recommendation is adequately addressed by current wording. There is a strong track record of working closely with the Council compliance staff to ensure all conditions are met and that the necessary management plans are in place before construction commences.</p>
6, 7, 8, 9, 12, 41, 58, 62	<p><b>AMEND</b></p> <p><i>DMP (C6), CTMP (C7), ESCP (C8), ChTMP (C9), SMP (C12), FMP (C41) NFCRP (C58), SWMP (C62) - Needs to be approved by Auckland Council.</i></p>	<p>Agree</p> <p>Conditions have been updated to include an approval clause.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
6	<b>AMEND</b> <i>DMP (C6) – Given the frequency of dust-related complaints received by Council on similar sites, it is recommended that the conditions or associated management plans provide clear and detailed requirements for dust mitigation measures. Eg: Dust mitigations, monitoring frequencies, and responses to complaints etc? Dust has been a common issue with a lot of complaints come through to council. A well-defined DMP can support the site in implementing effective controls and demonstrate a proactive approach to minimising nuisance effects during construction.</i>	Disagree. The matters raised are adequately addressed by current wording and by the draft DMP submitted with the application.
6	<b>AMEND</b> <i>CTMP (C6) – The wording “Prior to the commencement of “any earthworks or construction activity” should be clarified. Recommend we change to “any works” or just “earthworks?” Site can make amendments to the CTMP at construction phase if required.</i>	Disagree. This recommendation is adequately addressed by current wording.
7	<b>AMEND</b> <i>CTMP (C7) – Recommend we include contractors vehicle parking locations to ensure they are not blocking private road/footpaths, or beside protected trees (if any)?</i>	Disagree. This is not relevant to the application.
8	<b>AMEND</b> <i>ESCP (C8) - Retitle to "Erosion and Sediment Control Plan" to align with the Management Plans referenced under the pre start conditions (C5).</i> <ul style="list-style-type: none"> <li>Reword “earthworks construction season” in line with earlier comments. “Each earthworks stage” may be more appropriate.</li> </ul>	Disagree. This recommendation is adequately addressed by current wording.
12	<b>AMEND</b> <i>SMP (C12) – clarification around the wording “prior to the commencement of earthworks onsite” is required or needs to be reworded. Can this be reworded more along the lines of “x days prior to the commencement of earthworks onsite” to allow time for monitoring to receive and send the document off for review – the current wording only requires them to send through a document.</i>	Disagree. This recommendation is adequately addressed by current wording.
*EM1	<b>NEW PROPOSED</b> <i>Due to the amount of works happening, recommend CH provide a CNVMP.</i> <ul style="list-style-type: none"> <li>Excavation works are noted to commence under WAT 102. Would having a CNVMP be of benefit? CNVMP is requested under LUC 301 for Stage 4C but not Stages 10-13</li> </ul>	Disagree A CNVMP is not required for Stages 10 – 13 as the works will comply with the AUP(OP) standards for construction noise and vibration. Refer to the expert report in the application documents.
17	<b>AMEND</b> <i>AMP (C17) - Should include the need for certification/reapproval.</i>	Disagree. As above.
19	<b>AMEND</b> <i>ESCs (C19) – Reword to condition 8. ESCP is being submitted for review and acceptance under condition 8, so erosion and sediment controls should be installed and maintained as per this plan rather than the plan from condition 1.</i>	Agree Condition has been updated to reference the approved ESCP under condition 8.
26	<b>AMEND</b> <i>Geotechnical Supervision (C26) - Recommend the “Certification” word to be removed from the title as Condition 43-44 already requests certification as a post completion requirement</i>	Agree Condition has been updated.
35	<b>AMEND</b> <i>C35 missing a title – Construction Storage?</i>	Agree Title added to condition.
42	<b>AMEND</b>	Agree

Cond. #	Requested Condition Amendments	FHLD Feedback
	<i>Lizard Findings (C42) – Query around “Ecologist” title – does this need to be more specific (ie: herpetologist). Condition does not have a title but requires documentation for lizard salvage and then discusses fish capture. Reads like this could be broken up into two separate conditions but it is unclear as to what the fish capture aspect is requiring (ie: must they submit a methodology or some report to confirm there is no habitat for fish?)?</i>	This condition has been amended with a title added, and reference to fish capture removed. Fish management is addressed in condition 59 of the streamworks consent.
*EM2	<b>NEW PROPOSED</b> <i>I didn’t sight any during earthworks generic sediment control conditions except for progressive stabilisation as per C18 and sediment control onto public road as per C20.</i> <i>Recommend adding a condition for this:</i> <ul style="list-style-type: none"> <li><i>General sediment control conditions: All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works must cease immediately and the discharge must be mitigated and/or rectified to the satisfaction of Council.</i></li> </ul>	Disagree. The proposed conditions and the associated specialist reporting submitted with the application, addresses this recommendation.
65	<b>AMEND</b> <i>SWMP Completion Confirmation (C65) – Are any memo/reports required?</i>	Disagree. This is an implementation condition.
67	<b>AMEND</b> <i>FPMMP (C67) – Needs to be approved.</i> <ul style="list-style-type: none"> <li><i>Recommend we include additional points around follow up actions including the preparation of as-built plans and supporting information, further steps, and remediation measures?</i></li> <li><i>Condition needs to specify what is expected to be included in the FPMMP.</i></li> </ul>	Agree in part. See directly above rationale.

### 1.1.3 Streamworks and Wetlands Conditions of Consent LUS 201, WAT 201 & WAT 202

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 8: Surface Water Memo 29 July 2025		
	<p><b>NEW PROPOSED</b></p> <p><i>I suggest the following condition:</i></p> <p><u>The consent holder is required to monitor the stability of the diverted stream channels and stream 21, both vertical and horizontal, for the first five years and until the banks are fully vegetated.</u></p> <p><u>a) Any scour or erosion should be remediated, and the risk of future scour and erosion should be mitigated by the consent holder.</u></p> <p><u>b) Any sediment deposition that has the potential to reduce the channel conveyance in frequent to rare flood events should be remediated, and the risk of future deposition should be mitigated by the consent holder.</u></p>	<p>Agree in part.</p> <p>Refer to the stream erosion report appended to Volume 7. The recommended condition is contrary to the expected characteristics of intermittent streams as defined in the AUP(OP) which identifies “scour and deposition” as a defining criteria of an intermittent stream. However a condition has been added to ensure the consent holder must design and construct new stream channel alignment in accordance with the recommendations of the Stream Erosion Assessment.</p>
Annexure 14: Freshwater and Terrestrial Ecology Memo 29 July 2025		
58	<p><b>AMEND/REPLACE</b></p> <p><i>It is important that management final plans must be submitted to Council for certification.</i></p> <p><b><u>Native Fish Capture and Relocation Plan</u></b></p> <p><u>Prior to the commencement of any works relating to stream reclamation, stream diversion, culvert removal, or construction of culverts, a Native Fish Capture and Relocation Plan must be submitted to the Council for certification. The purpose of the Native Fish Capture and Relocation Plan is to ensure fish will be appropriately removed prior to commencement of works from an area subject to the streamworks, to avoid fish mortality.</u></p> <p><u>The Native Fish Capture and Relocation Plan must be prepared by a suitably qualified and experienced Freshwater Ecologist and include the following details:</u></p> <p><u>a. Methodologies to capture fish within the impact stream and/or wetland habitat, or justification there is no habitat for native fish present at the time of construction;</u></p> <p><u>b. Fishing effort;</u></p> <p><u>c. Details of the relocation site;</u></p> <p><u>d. Storage and transport measures including prevention of predation and death during capture;</u></p> <p><u>e. Euthanasia methods for diseased or pest species; and</u></p> <p><u>f. Confirmation on the habitat availability of the relocation site to support fish at the time of streamworks.</u></p> <p><u>g. An accidental discovery protocol for aquatic fauna (including endangered species) which require specialised handling and relocation effort that is not otherwise covered in the standard methodologies (i.e. mudfish). This includes a protocol to implement the following actions:</u></p> <p><u>i. Immediately cease streamworks (including dewatering) upon accidental discovery of any unexpected aquatic fauna and notify the Council.</u></p> <p><u>ii. Ensure aquatic fauna are left in a suitable environment where they will be unharmed while the NFCRP is updated.</u></p> <p><u>iii. Update the NFCRP to address handling and relocation of the unexpected aquatic fauna to be submitted to Council for re-certification.</u></p> <p><u>iv. Only re-commence the capture and relocation upon re-certification of the NFCRP.</u></p>	<p>Disagree.</p> <p>See previous commentary regarding the existing condition for the NFCRP.</p>
62	<p><b>AMEND</b></p> <p><i>Given that no assessment of wetland hydrology has been provided to support the proposal for creation of 2.81 ha wetland on steep slopes where no wetland habitat currently exists, I consider that more stringent monitoring should be imposed on the new wetland to confirm that a sustainable, permanent wetland is in fact achievable.</i></p>	<p>Agree in Part</p> <p>Clause (f) has been amended to include reference to hydrology. New clause (g) has been added.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><i>While I acknowledge that plants are indicators of wetland hydrology and within 5 years it should be evident that wetland plants persist or fail (and therefore wetland hydrology has established, or failed), I am concerned that the creation of berms to trap runoff to artificially create a new wetland may erode away over the long-term and consequently, wetland habitat may not persist along steep sections of the proposed new wetland area. I consider that, since this area is proposed to achieve an offset target, sufficient monitoring to confirm this outcome to be important.</i></p> <p><b>Stream and Wetland Management Plan - Milldale North Offset and Compensation Site</b></p> <p>Prior to the stream enhancement and riparian planting works, along with the creation of the new wetland and associated enhancement planting, a Stream and Wetland Management Plan (SWMP) must be submitted to Council <u>for certification</u>. The SWMP shall be prepared in consultation with Ngāti Manuhiri and Te Kawerau ā Maki.</p> <p>The SWMP must be prepared by a suitably qualified and experienced ecologist and give effect to the enhancement planting and wetland creation (totalling 2.81ha), culvert removals, and stream riparian planting detailed in the “Ecological Impact Assessment Milldale – Stages 10-13, Rev Final 1, prepared by Viridis Environmental Consultants, dated 26 February 2025” and “Milldale Wetland Offset Planting Plans, prepared by Beca, dated 26.02.25”, both referenced in Condition 1.</p> <p>The SWMP must include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(a) How the implementation of stream and wetland enhancement works at the Offset Site will be staged proportional with the extent of wetland and stream reclamation at each stage of earthworks within Milldale Stages 10-13 [<i>noting that the phases of compensation works will be completed within 24 months of reclamation</i>];</li> <li>(b) Extent of compensation required at the Milldale Stages 10-13 site, and timing of stream enhancement works and riparian planting in relation to subdivision stages [<i>noting that a portion of the compensation works required for stream and wetland reclamation will be undertaken within proposed local purpose (drainage) reserves that will be vested with Council as the subdivision stages progress</i>];</li> <li>(c) Planting plan of stream and wetland and buffer planting detailing species diversity outcomes relative to historic site conditions, expected wetland ecosystem, and regional biodiversity targets. Planting plans shall be in general accordance with the “Milldale Wetland Offset Planting Plans, drawing no. 4672100-AL-1000 and drawing no. 4672100-AL-1001 prepared by Beca, dated 26.02.25” referenced in Condition 1;</li> <li>(d) Site preparation details and approaches to weed suppression;</li> <li>(e) Implementation of planting, weed control and pest control; and</li> <li>(f) Detailed monitoring timeframes and outcomes spanning planting and vegetation establishment, and to ensure the new wetland’s predicted ecological values are achieved or maintained, with specific 2-year and 5-year outcomes.</li> <li>(g) <u>Detailed monitoring timeframes and outcomes spanning planting, new hydrology creation and vegetation establishment, and to ensure that the new wetland is a stable, permanent aquatic habitat, with specific 2-year, 5-year and 10-year outcomes.</u></li> <li>(h) <u>Protocols for corrective action should monitoring indicate that wetland establishment is not achieved,</u></li> </ul>	
63	<p><b>AMEND</b></p> <p><i>It is important that management final plans must be submitted to Council for certification.</i></p> <p><b>Implementation of the SWMP</b></p> <p>The Consent Holder must complete the stream and wetland enhancement works (involving any disturbance, deposition, and / or associated diversion of water under this consent) in general accordance with the <u>certified</u> SWMP, to the stage of finalised re-vegetation / and or</p>	<p>Agree.</p> <p>Condition amended to refer to approved SWMP.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	stabilisation of the new wetlands within 24 months of the wetland reclamation being completed <i>[noting that staging of stream and wetland reclamation may occur as the earthworks/subdivision progresses as detailed in the SWMP referred to above].</i>	
64	<b>AMEND</b> <i>It is important that management final plans must be submitted to Council for certification</i> <b>Wetland Monitoring</b> The Consent Holder must monitor the new wetland in general accordance with the Wetland Monitoring methodology detailed in the <u>certified</u> SWMP, and the monitoring results must be made available within five (5) working days following written request from the Council.	Agree Condition has been updated
65	<b>AMEND</b> In general accordance with the implementation staging detailed in the <u>certified</u> SWMP, written confirmation must be provided to the Council, within 30 days of the stream and wetland enhancement works being completed, confirming that all compensation works have been completed in general accordance with the SWMP at the Milldale North wetland offset site.	Agree Condition has been updated
66	<b>AMEND</b> <i>Since there is a substantial risk that the wetland offset may not be successful in the long-term, a mechanism must exist to ensure that an amended wetland area, as identified through a rigorous monitoring protocol, is protected in perpetuity in order to achieve offset for the permanent loss of wetlands resulting from this application</i> The areas of stream and wetland enhancement works (including planning, buffers and fencing) illustrated within “Milldale Wetland Offset Planting Plans, drawing no. 4672100-AL-1000 prepared by Beca, dated 26.02.25” referenced in Condition 1, <u>or an amended area resulting from corrective action taken in response to monitoring in accordance with the certified SWMP,</u> must be protected and maintained in perpetuity by way of a land covenant prepared under section 108(2)(d) of the RMA on the Record of Title of Part Allot 74 Parish of Waiwera and Pt Allot 74 Psh Of Waiwera SO 1693B, Pt Allot 182 Psh Of Waiwera SO 836 to the satisfaction of Council. The land covenant shall be registered within 6 months of the completion of the final extent of stream and wetland enhancement works at the Offset Site.	Disagree
Annexure 24: Māori Heritage Memo 29 July 2025		
62	<b>AMEND</b> <b>Stream and Wetland Management Plan - Milldale North Offset and Compensation Site</b> Prior to the stream enhancement and riparian planting works, along with the creation of the new wetland and associated enhancement planting, a Stream and Wetland Management Plan (SWMP) must be submitted to Council. The SWMP shall be prepared in consultation with Ngāti Manuhiri and Te Kawerau ā Maki. <u>The SWMP must accurately reflect the consultation and feedback received from Ngāti Manuhiri and Te Kawerau ā Maki, in particular with regard to location and selection of vegetation to be included in the SWMP.</u> The SWMP must be prepared by a suitably qualified and experienced ecologist and give effect to the enhancement planting and wetland creation (totalling 2.81ha), culvert removals, and stream riparian planting detailed in the “Ecological Impact Assessment Milldale – Stages 10-13, Rev Final 1, prepared by Viridis Environmental Consultants, dated 26 February 2025” and “Milldale Wetland Offset Planting Plans, prepared by Beca, dated 26.02.25”, both referenced in Condition 1. The SWMP must include, but not be limited to: <ul style="list-style-type: none"> <li>(a) How the implementation of stream and wetland enhancement works at the Offset Site will be staged proportional with the extent of wetland and stream reclamation at each stage of earthworks within Milldale Stages 10-13 <i>[noting that the phases of compensation works will be completed within 24 months of reclamation];</i></li> <li>(b) Extent of compensation required at the Milldale Stages 10-13 site, and timing of stream enhancement works and riparian planting in relation to subdivision stages <i>[noting that a portion of the compensation works required for stream and wetland reclamation will be undertaken within proposed local purpose (drainage) reserves that will be vested with Council as the subdivision stages progress];</i></li> </ul>	Disagree The current condition wording satisfies this request.

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>(c) Planting plan of stream and wetland and buffer planting detailing species diversity outcomes relative to historic site conditions, expected wetland ecosystem, and regional biodiversity targets. Planting plans shall be in general accordance with the “Milldale Wetland Offset Planting Plans, drawing no. 4672100-AL-1000 and drawing no. 4672100-AL-1001 prepared by Beca, dated 26.02.25” referenced in Condition 1;</p> <p>(d) Site preparation details and approaches to weed suppression;</p> <p>(e) Implementation of planting, weed control and pest control; and</p> <p>Detailed monitoring timeframes and outcomes spanning planting and vegetation establishment, and to ensure the new wetland’s predicted ecological values are achieved or maintained, with specific 2-year and 5-year outcomes.</p>	
*MH1	<p><b>NEW PROPOSED ADVICE NOTE</b></p> <p><i>Condition 62 by reflecting the consultation with Ngāti Manuhiri and Te Kawerau ā Maki provides for their cultural associations and relationships to the waterways and wetlands within the application boundaries.</i></p>	<p>Disagree</p> <p>The current condition wording satisfies this request.</p>

1.1.4 Groundwater Conditions of Consent WAT 202

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 7: Groundwater Memo 29 July 2025		
	<p><b>AMEND</b></p> <p><i>I have reviewed the Conditions of Consent (68 to 75 in Volume 6 of the Application documents), for the Water Permit and consider that they are appropriate, provided that the Definitions and Table 1 attached to this Technical Specialist Memo are included. The “Specialist Tracker” states: “The definitions will be included into the recommended conditions”.</i></p> <p><u>Refer to Annexure 7 for definitions table proposed to be included.</u></p>	<p>Agree</p> <p>Definitions table has been added to the conditions.</p>

### 1.1.5 Subdivision Conditions of Consent SUB 201

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
80	<p><b>AMEND</b></p> <p><i>Areas proposed for vesting must be offered as ‘Land in Lieu of Reserve – for Drainage Purposes’. Amendments are proposed as follows.</i></p> <p><b>Land to Vest in Council</b></p> <p>Lots 6000-6022 on the approved resource consent subdivision plans referenced in Condition 1 must vest in the Council as a <del>Local Purpose (Drainage) Reserve</del> <u>Land in Lieu of Reserve – for Drainage Purposes</u>. The Consent Holder must meet all costs associated with the vesting of the <del>Local Purpose (Drainage) Reserves</del> <u>Land in Lieu of Reserve</u>.</p> <p><u><i>Advice note:</i></u></p> <p><u><i>Detail on the final extent of land proposed to be vested must be Agree by Council prior to lodgement of Engineering Plan Approval</i></u></p>	<p>Disagree</p> <p>Refer to Volume 7 for response to this matter. For consistency reasons, the reserve classification should remain the same as previous Milldale stages. There is no ability to vest land as Land in Lieu of Reserve for drainage purposes. This will not be accepted by LINZ as it not a ‘parcel intent usage’ and survey approval will not be granted by LINZ.</p>
84	<p><b>RETAIN</b></p> <p><i>An additional condition regarding the operation and maintenance of stormwater management devices within JOALs has been recommended within Appendix B for Stages 10-13 Subdivision Conditions of Consent SUB 201 as Condition 84A.</i></p> <p><b>Operation and Maintenance of Stormwater Management Devices within JOALs</b></p> <p>The Consent Holder must provide a copy of the draft land covenant document to the Council, Legal Team. The draft covenant document shall include provision for the following items:</p> <p>a) specifies ownership, operation, and maintenance of the private stormwater systems for JOALs in each respective stage;</p> <p>b) specifies responsibilities together with an acceptable method of management of the stormwater systems, and for the raising of funds from shareholders or members from time to time to adequately finance future maintenance and renewal obligations of the stormwater system; and</p> <p>c) in relation to the private stormwater device(s), specifies the operation and maintenance of the private stormwater system to be in general accordance with relevant sections of the OMM supplied to Council and any other relevant consents (as detailed in Condition 93).</p> <p>d) Supply a solicitor’s undertaking that the land covenants above as approved by Council will be registered with LINZ.</p>	<p>Noted</p>
84A	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that private stormwater management devices within JOALs for Stages 10-13 continue to function as intended and remain compliant with the hydrology mitigation requirements of the SMP. As these devices will not be publicly maintained, it is essential that legal mechanisms such as land covenants and consent notices clearly define long-term maintenance responsibilities and performance expectations. This provides assurance that stormwater runoff from JOALs will be managed appropriately over the life of the development and will ensure ongoing compliance with the SMP.</i></p> <p><b><u>Consent Notice – Private Stormwater Compliance</u></b></p> <p><u>A consent notice must be registered on the record of title for each lot that contains or is served by a private stormwater management device within a JOAL. The consent notice must require that:</u></p> <p><u>a) The stormwater device be maintained in accordance with the approved Operation and Maintenance Manual required by Condition 99, and</u></p> <p><u>b) The device must continue to meet the hydrology mitigation requirements (retention and/or detention) set out in the Wainui East SMP (Version 4, dated 7 September 2016) in perpetuity; and</u></p> <p><u>c) Evidence of maintenance (e.g. inspection reports, service logs) must be made available to Auckland Council on request.</u></p>	<p>Disagree.</p> <p>The proposed covenant condition adequately addresses this. Council should not be required to be a third party to private stormwater maintenance requirements. The covenant has adequate provisions embedded in its wording to enable Council to enforce maintenance requirements should owners not comply. A consent notice is not required in addition to the covenant.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
92	<p><b>RETAIN</b> <i>No objection, standard condition.</i></p> <p><b>Connection to the Public Network</b> The Consent Holder must design and construct connections to the public stormwater reticulation network to serve all Lots in general accordance with the requirements of the stormwater utility service provider and in general accordance with the approved plans referenced in Condition 1. Confirmation from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</p> <p>Advice Note:</p> <ul style="list-style-type: none"> <li>Acceptable forms of evidence include Engineering Approval (EA) Completion Certificates.</li> <li>Stormwater utility provider is the Auckland Council Healthy Waters Department.</li> <li>Public connections are to be constructed in general accordance with the Stormwater Code of Practice.</li> <li>Alterations to the public stormwater reticulation network require Engineering Approval.</li> </ul> <p>Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.</p>	Noted
93	<p><b>RETAIN</b> <i>No objection, standard condition.</i></p> <p><b>Public Stormwater Outfalls</b> The Consent Holder must design and construct stormwater outfall structures in general accordance with the requirements of the utility service provider and in general accordance with the approved plans referenced in Condition 1. Confirmation from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</p> <p>Advice Note:</p> <ul style="list-style-type: none"> <li>Stormwater outfalls shall be designed in general accordance with “Auckland Council publication Technical Report 2013/018”.</li> <li>Acceptable forms of evidence include Engineering Approval Completion Certificates. • Utility service provider is the Auckland Council Healthy Waters Department</li> <li>Construction of public outfall structures require Engineering Approval.</li> <li>Engineering Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.</li> <li>Please be aware of any other conditions and requirements pertaining to outfalls, including regional consenting conditions and requirements.</li> </ul>	Noted
94	<p><b>AMEND</b> <i>Amendments proposed.</i></p> <p><b>Stormwater Devices</b> All public stormwater treatment and/or attenuation devices (<u>including</u> dry basins, rain gardens, <u>and any proposed alternatives</u>) and the private stormwater detention tanks within JOALs must be designed and constructed in general accordance with the “Infrastructure Report Milldale Stages 10–13,” ref P24-128, rev 1, prepared by Woods, dated 28/03/2025 and “Stormwater Management Devices in the Auckland Region,” December 2017, Guideline Document 2017/001, <del>referenced in Condition 1</del> and in general accordance with the approved plans referenced in Condition 1.</p>	<p>Disagree</p> <p>Given all works need to be undertaken in accordance with the SMP, this condition is not required. The detailing of the stormwater devices will be finalised at EA stage. The specialist reporting and plans submitted with the application ensures the management of stormwater for Stages 10-13 and JOALs have been designed in general accordance with the SMP.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
	<p><u>Where there is any inconsistency between the Infrastructure Report and the adopted Wainui East Stormwater Management Plan (Version 4, dated 7 September 2016), the SMP shall take precedence unless otherwise Agree in writing by Auckland Council Healthy Waters.</u></p> <p><u>Advice Notes:</u></p> <ul style="list-style-type: none"> <li><u>Refinements to stormwater devices, including changes to type, layout, and function, such as the potential conversion of dry basins to wetlands (e.g. Basins H and I, may be undertaken during the detailed design phase, where appropriate and in consultation with Auckland Council Healthy Waters.</u></li> <li><u>Any proposed changes from the consented design must remain consistent with the overarching stormwater management strategy set out in the Wainui East SMP (V4, September 2016) and be approved by Auckland Council Healthy Waters prior to Engineering Plan Approval.</u></li> <li><u>Opportunities to optimise the design for long-term operation, maintenance, and asset management should be explored as part of the detailed design process in consultation with Auckland Council Healthy Waters. This includes ensuring adequate access, minimisation of maintenance burden, and consolidation of devices where practicable.</u></li> <li><u>Safety in Design documentation must be submitted to Auckland Council Healthy Waters for review, and any residual risks must be Agree upon prior to the issue of Engineering Plan Approval.</u></li> </ul>	<p>It is not necessary to introduce wording that could potentially change the scope of the approval and undermine the management of stormwater as detailed in the application documents.</p>
99	<p><b>RETAIN</b></p> <p><i>An additional condition regarding operation and maintenance manual requirements for public stormwater devices has been recommended within Appendix B for Stages 10-13 Subdivision Conditions of Consent SUB 201 as Condition 99A.</i></p> <p><b>Operation and Maintenance Manual for Public and Private Stormwater Devices</b></p> <p>An Operation and Maintenance Plan (OMM) must be provided to Council to address all public and private stormwater management systems. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <ul style="list-style-type: none"> <li>a) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</li> <li>b) a programme for regular maintenance and inspection of the stormwater management system;</li> <li>c) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</li> <li>d) a programme for post storm inspection and maintenance;</li> <li>e) a programme for inspection and maintenance of the outfall;</li> <li>f) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</li> <li>g) a programme for inspection and maintenance of any vegetation associated with the stormwater management devices.</li> </ul>	<p>Noted</p>
99A	<p><b>NEW PROPOSED</b></p> <p><i>The additional condition will ensure that all stormwater management devices proposed for vesting in Auckland Council are supported by an OMP that aligns with Healthy Waters current operational standards.</i></p> <p><i>Requiring the OMP to be submitted prior to the time of Engineering Plan Approval allows the Healthy Waters Operations Team to confirm that the design put forward for EPA supports safe, efficient, and cost-effective long-term maintenance.</i></p> <p><b>Operation and Maintenance Manual for Public Stormwater Devices</b></p> <p><u>An Operation and Maintenance Plan (OMP) for all stormwater management devices proposed to be vested in Council shall be submitted to Auckland Council Healthy Waters Operations Team for approval prior to the lodgement of Engineering Plan Approval. The OMP must be prepared to the satisfaction of Auckland Council Healthy Waters Operations Team and comply with Healthy Waters Operation and Maintenance Plan Template.</u></p>	<p>Disagree.</p> <p>OMMs are provided as part of the EA stage. The condition has been amended to include reference to timing of this Manual being provided. The standard wording of this condition is for it to be submitted to Council, we do not consider it necessary to also refer to Healthy Waters Team in this condition.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
115	<p><b>AMEND</b> <i>Amendments proposed.</i></p> <p><b>Site-Wide Stormwater Management</b> <del>All stormwater from buildings and paved areas on all residential lots within the development must be collected and disposed of in general</del> <u>Hydrology mitigation of runoff from buildings and paved areas on all residential lots within the development must be achieved at-source within the individual lots, and in accordance with the requirements of the 'Wainui Stormwater Management Plan, Ref: Job No.31720, dated 07-09-2016' and 'Auckland Council GD01'. The collection and disposal system stormwater management system must be installed in conjunction with the erection of any buildings and must be maintained to the specified capacity and standard.</u></p>	<p>Disagree. This is adequately addressed by the current wording.</p>
*HW2	<p><b>NEW PROPOSED</b> <i>The recommended condition will ensure any communal stormwater devices are properly maintained during development and handed over to Council in a functional and compliant state.</i></p> <p><b>Maintenance of Communal Stormwater Management Devices</b> <u>The consent holder must maintain the communal stormwater management devices serving the subdivision in accordance with the following requirements:</u></p> <p><u>a) The consent holder must maintain the communal devices until the earlier of:</u> <u>(i.) 80% of the building sites discharging to the devices have been developed, or</u> <u>(ii.) A period of five (5) years has passed from the date of issue of the final section 224(c) certificate under the Resource Management Act 1991 for the subdivision,</u></p> <p><u>b) The consent holder must remove any sediment from the communal device that has resulted from development activities within the subdivision, if required by the Council, prior to acceptance of the device(s) by Council for ongoing maintenance.</u></p> <p><u>c) At the time of transfer of any stormwater management devices to Council for ongoing maintenance, all planted areas associated with the stormwater management devices must achieve a minimum plant survival rate of 95%.</u></p> <p><u>d) Updated Operation and Maintenance Manuals for all communal stormwater management devices must be provided to the Council at the time of transfer of any stormwater management devices to Council for ongoing maintenance.</u></p> <p><u>e) A bond must be provided at the time of application for the section 224(c) certificate to ensure the ongoing maintenance of the communal stormwater management devices until transfer of any stormwater management devices to Council for ongoing maintenance.</u></p>	<p>Disagree. The applicant is responsible for the construction of the devices and is vested with Council at s224(c) in an acceptable state. Inspections by Council as part of the s224(c) approval process ensures this is the case. The responsibility for maintenance passes to Council at that point on the basis it is managing stormwater from public roads.</p>
*HW3	<p><b>NEW PROPOSED</b> <i>A condition requiring establishment of a bond will secure proper maintenance and completion of any communal stormwater management devices, protecting the Council from costs if the consent holder fails to meet their obligations.</i></p> <p><b>Requirement for Bond</b> <u>Prior to the issue of the section 224(c) certificate under the RMA, the consent holder must provide a bond to the Council in accordance with Section 222 of the RMA to ensure the performance of the proposed stormwater management devices.</u> <u>The bond must:</u></p> <p><u>a) Be calculated at a rate of communal device area;</u> <u>b) Be provided in the form of a cash deposit, a bank bond guaranteed by a New Zealand-registered bank, or another form of security (e.g., an encumbrance) as Agree with the Council.</u></p>	<p>Disagree The applicant is responsible for the construction of the devices and is vested with Council at s224(c) in an acceptable state. Inspections by Council as part of the s224(c) approval process ensures this is the case. The responsibility for maintenance passes to Council at that point on the basis it is managing stormwater from public roads. Furthermore, this would represent another unnecessary cost to the development. The previous nine stages have not required such a condition and there have been no negative issues arising from not having such a condition.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>c) Be documented and executed by the Council’s solicitor. All legal and administrative costs associated with preparation, execution, variation, administration, or release of the bond must be met by the consent holder.</u></p> <p><u>d) Be released once the relevant condition(s) have been satisfied and all associated Council costs have been paid.</u></p> <p><u>Advice Notes:</u></p> <p><u>The Council may use the bond to restore the communal stormwater device(s) to comply with Auckland Council’s GD01 standards if the consent holder fails to meet the condition requirements.</u></p> <p><u>The final bond amount will be confirmed and Agree by Council prior to Engineering Plan Approval. It will be calculated based on a per-square-metre rate of communal raingarden area, with the rate to be determined at that time. The bond value will be adjusted for inflation using the Reserve Bank inflation calculator or another method Agree with Council.</u></p>	
*HW4	<p><b>NEW PROPOSED</b></p> <p><i>A condition clarifying ownership of retaining walls is important to ensure that long-term ownership and maintenance responsibilities are clearly defined. Retaining structures are not stormwater assets and are not maintained by Healthy Waters due to their structural complexity, ongoing maintenance requirements, and associated liability.</i></p> <p><b><u>Exclusion of Retaining Walls from Vesting</u></b></p> <p><u>No retaining walls shall be vested in Auckland Council’s Healthy Waters department. All retaining structures shall remain in private ownership and maintenance responsibility unless otherwise Agree in writing by Auckland Council.</u></p>	<p>Disagree</p> <p>This condition is not required. As detailed in the Application Drawings, all retaining walls have been contained within private lots. Note this excludes retaining associated with culvert headwalls which will be public assets.</p>
*HW6	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that any stormwater management devices intended for public ownership and maintenance are assessed and accepted by Auckland Council’s Healthy Waters team before progressing to detailed engineering design or legal subdivision.</i></p> <p><b><u>Stormwater Asset Acceptance</u></b></p> <p><u>Prior to the submission of any Engineering Plan Approval and prior to Auckland Council approving a survey plan pursuant to s223 of RMA for any stage, the consent holder must confirm and agree with Auckland Council Healthy Waters, acceptance in respect of all stormwater devices, and the extent of any associated land, proposed to vest to Healthy Waters.</u></p> <p><u>Should any stormwater devices, or associated land, not be accepted by Healthy Waters for vesting, the relevant plan must be updated, and it must show was a separate allotment on the survey plan and must be owned by a common entity.</u></p>	<p>Disagree</p> <p>The proposed stormwater devices and associated land is detailed on the Application Drawings. The extent of land to vest is determined at the consent approval stage. It is important to note any updates to plans prior to EPA and s223 stage would invalidate the resource consent approval.</p>
*HW7	<p><b>NEW PROPOSED</b></p> <p><i>This condition is proposed to ensure that the stormwater management strategy aligns with the intent of the Wainui East Stormwater Management Plan (SMP), which prioritises hydrology mitigation at source. The current reliance on offset mitigation for some catchments poses a risk of underperformance and non-compliance with SMP objectives.</i></p> <p><i>Requiring a re-evaluation of the strategy, supported by a robust Best Practicable Option (BPO) assessment where direct mitigation is not feasible will ensure compliance with the SMP.</i></p> <p><b><u>Best Practicable Option Assessment</u></b></p> <p><u>Prior to Engineering Plan Approval, the Consent Holder must submit a final stormwater management strategy, supported by a Best Practicable Option (BPO) assessment, to Auckland Council Healthy Waters for review and approval.</u></p> <p><u>The BPO assessment shall demonstrate that:</u></p> <p><u>a) Flows from public roads are directed to a stormwater basin, or to an alternative stormwater device, designed and sized for the contributing catchment area; or</u></p>	<p>Disagree</p> <p>The proposed stormwater devices are detailed on the Application Drawings and in the supporting Application Documentation. The proposal is in general accordance with the Wainui SMP.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>b) The use of offset mitigation is consistent with the principles and requirements of the Wainui East Stormwater Management Plan (Version 4, dated 7 September 2016)</u></p> <p><u>The BPO assessment must be approved by Auckland Council Healthy Waters prior to Engineering Plan Approval.</u></p> <p><b>Advice Note:</b></p> <p><u>Structural tree pit is considered to be an appropriate alternative stormwater device subject to Engineering Plan Approval.</u></p>	
*HW8	<p><b>NEW PROPOSED</b></p> <p><i>This condition is recommended to ensure that riparian setbacks and stream protection measures are based on a clear understanding of how the stream network is likely to respond to the proposed urban development.</i></p> <p><i>Without this assessment, there is a risk of long-term erosion, channel instability, and infrastructure damage. A Geomorphic Risk Assessment will determine whether the design of setbacks and mitigation measures are fit-for-purpose.</i></p> <p><b><u>Geomorphic Risk Assessment</u></b></p> <p><u>Prior to lodgement of Engineering Plan Approval, the Consent Holder must provide a Geomorphic Risk Assessment to Auckland Council Healthy Waters for review and approval. The assessment must evaluate the condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation and increased stormwater runoff.</u></p> <p><u>The Geomorphic Risk Assessment must include, but not be limited to:</u></p> <p><u>a) An assessment of soil strength and resistance to erosion;</u></p> <p><u>b) Analysis of flow energy, stream power, and sediment transport potential; and</u></p> <p><u>c) Identification of areas at risk of stream widening, incision, or lateral migration over the design life of the development.</u></p> <p><u>The outcomes of the assessment must inform the design of riparian setbacks, planting, and any stream protection measures to ensure long-term stability and resilience of the stream corridors.</u></p>	<p>Disagree</p> <p>This condition is not required as a Geomorphic Risk Assessment has been provided in Volume 7.</p>
*HW9	<p><b>NEW PROPOSED</b></p> <p><i>Providing the full stormwater model is needed to enable Healthy Waters to verify that the proposed design aligns with the Wainui East Stormwater Management Plan (Version 4, 2016) and does not result in increased flood risk or adverse downstream effects.</i></p> <p><b><u>Stormwater Model</u></b></p> <p><u>The Consent Holder must provide a copy of the full stormwater model to Auckland Council Healthy Waters for review, verification, and endorsement prior to application for Engineering Plan Approval. The model must include both pre- and post-development scenarios, with all relevant parameters, assumptions, and input data clearly documented.</u></p> <p><u>The model must enable assessment of downstream effects and include, at a minimum, the following areas:</u></p> <p><u>a) The Wainui Road bridge crossing above Waterloo Creek;</u></p> <p><u>b) Properties located downstream between the Wainui Road bridge and Lysnar Road; and</u></p> <p><u>c) 147 Argent Lane and its immediate receiving environment.</u></p> <p><u>The model must demonstrate that the proposed stormwater management approach does not increase flood risk or result in adverse effects on downstream properties or infrastructure in accordance with the Wainui East Stormwater Management Plan (V4, September 2016).</u></p>	<p>Disagree</p> <p>This condition is not required as a copy of the Stormwater Model has been provided in Volume 7.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 4: Development Engineering Memo 29 July 2025		
94	<p><b>AMEND</b>  <i>Recommend removing specific wording “rain gardens” from the proposed stormwater device condition as the public stormwater devices are not just limited to Rain Gardens.</i></p> <p><b>Stormwater Devices</b>  All public stormwater treatment and/or attenuation devices <del>(dry basins and rain gardens)</del> and the private stormwater detention tanks within JOALs must be designed and constructed in general accordance with the “Infrastructure Report Milldale Stages 10-13 ref P24-128, rev 1, prepared by Woods, dated 28/03/2025” and “Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001” referenced in Condition 1, and in general accordance with the approved plans referenced in Condition 1.</p> <p><b>Advice Note:</b> <i>Safety in design documents will need to be reviewed by Healthy Waters and the residual risks will need to be Agree prior to issuing approvals.</i></p>	<p>Agree  Condition has been updated</p>
99	<p><b>AMEND</b>  <i>Recommend splitting up the Operation and Maintenance Manual conditions into 1) private devices and 2) public devices. The JOAL owners won’t need the requirements of the Dry Basins / Rain Gardens and similarly Council won’t need the requirements of the Private Stormwater Reticulation and SMAF Tanks in JOALs.</i></p> <p><b>Operation and Maintenance Manual for Public and Private Stormwater Devices</b>  An Operation and Maintenance Plan (OMM) must be provided to Council to address all public and private stormwater management systems. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <ul style="list-style-type: none"> <li>(c) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</li> <li>(d) a programme for regular maintenance and inspection of the stormwater management system;</li> <li>(e) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</li> <li>(f) a programme for post storm inspection and maintenance;</li> <li>(g) a programme for inspection and maintenance of the outfall;</li> <li>(h) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</li> <li>(i) a programme for inspection and maintenance of any vegetation associated with the stormwater management devices.</li> </ul>	<p>Agree  This condition has been split into two</p>
Annexure 9: Geotech Memo 29 July 2025		
	<p><b>AMEND</b>  <i>Referenced document seems to be in error as this is the geotechnical report for Stage 4C works</i></p> <p><b>Geotechnical</b>  The Consent Holder must construct retaining walls, construct reinforced earth slopes and place and compact material in general accordance with the recommendations of the “Geotechnical Assessment Report, ref AKL2024-0257AD, Rev. 1 prepared by CMW Geosciences, dated 20 February 2025” and subsequent Council approved versions to ensure the site is stable and suitable for development.</p>	<p>Agree  Condition has been updated to reference Condition 1.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 11: Contamination Memo 29 July 2025		
88	<p><b>RETAIN</b></p> <p><b>Contamination – Site Validation Report (SVR)</b></p> <p>Within three months of the completion of earthworks on the site, a Site Validation Report (SVR) must be submitted to the Council for review. The SVR must be prepared by a suitably qualified and experienced practitioner in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment (revised 2021) and must contain sufficient detail to address the following matters:</p> <ul style="list-style-type: none"> <li>(a) A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated;</li> <li>(b) Details and results of any testing undertaken (including validation testing and/or asbestos air monitoring) and interpretation of the results in the context of the NESCS and the AUP(OP) for each proposed lot;</li> <li>(c) Records/evidence of the appropriate disposal for any material removed from the site;</li> <li>(d) Records of any unexpected contamination encountered during the works and response actions, if applicable;</li> <li>(e) Conditions of the final site ground surface and details of any sampling undertaken on materials re-used on site or imported to site;</li> <li>(f) Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and</li> <li>(g) A statement certifying that all works have been carried out in accordance with the requirements of the SMP/RAP and consent, otherwise providing details of relevant breaches, if applicable.</li> </ul> <p><b>Advice Note:</b></p> <p><i>The SVR shall enable the Council to update the property file information relating to soil contamination, including the files of any newly created lots. If newly created lots are to contain differing levels of soil contamination, the SVR should specifically detail this. Until an SVR is submitted to the Council, the Land Information Memorandum for the property shall not be updated to reflect any soil contamination remediation work undertaken.</i></p> <p><i>If any contamination exceeding the Permitted Activity soil acceptance criteria, set out in Chapter E30 of the AUP(OP), is retained within the site upon the completion of the proposed land-disturbance activity, a long-term contaminant discharge consent under Chapter E30 of the AUP(OP) may be required for the site.</i></p>	Noted
Annexure 17: Landscape Memo 29 July 2025		
100	<p><b>AMEND</b></p> <p><i>Conditions 100 and 101 include a superfluous “a” word in the first sentence.</i></p> <p><b>Streetscape and Public Accessway Landscaping</b></p> <p>The Consent Holder must submit a detailed streetscape landscaping plans for all public roads and public accessways to the Council. In particular, the plans must:</p> <p>....</p>	<p>Agree</p> <p>Condition has been updated</p>
101	<p><b>AMEND</b></p> <p><i>Conditions 100 and 101 include a superfluous “a” word in the first sentence.</i></p> <p><b>Drainage Reserves and Parks</b></p>	<p>Agree</p> <p>Condition has been updated</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>The Consent Holder must submit a detailed engineering and landscape plans (including all hard assets/park furniture/fixtures/planting/turfing) for all local purpose drainage reserves and land in lieu of a reserve as shown on the approved scheme plans referenced in Condition 1. The plans must:</p> <p>...</p>	
105	<p><b>AMEND</b></p> <p><i>Condition 105 – I suggest the two-year maintenance period should be at least three-years (or possibly five-years).</i></p> <p>The Consent Holder must undertake maintenance of streetscape and accessway landscaping in general accordance with the approved Maintenance Plan for a <del>two</del> <b>three - year period</b> commencing on the date that the section 224(c) certificate is issued. If any damage/theft to the streetscape and accessway planting occurs during the maintenance period, the Consent Holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting.</p>	<p>Disagree</p> <p>A two year maintenance period is consistent with all previous Milldale stages.</p>
Annexure 18: Parks Memo 29 July 2025		
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Additional s223 survey condition required for vesting classifications.</i></p> <p><b>Survey Plan Approval (s223) Condition – All Stages</b></p> <p><u>The consent holder must ensure that the following matters have been complied with for the survey plan where parks and reserves are proposed to be vested:</u></p> <p>(a) <u>Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002 must be shown as Land in Lieu of Reserve (for the purpose of recreation)</u></p> <p>(b) <u>That a right of way easement, in favour of Auckland Council, is established over any lots required for the purposes of public access and/or reserve maintenance to allow access to Council staff and contractors</u></p>	<p>Disagree</p> <p>Refer justification above relating to how reserves will be vested.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Additional condition so all assets are vested Council free of encumbrances</i></p> <p><u>Where vesting of reserve is to occur, all reserves must vest in accordance with s239 of the RMA and free of easements, encumbrances and with no utility devices, pipes, transformers, structures or the like on the land or on any of its road frontages or berms.</u></p>	<p>Agree in Part</p> <p>The proposed conditions addresses the s239 certification (ref conditions 81 and 84). Utility devices, pipes and/or structures may be included in the reserves if agreed with Council at EA stage, so including the wording as proposed may not be able to be achieved by the Applicant. Revised wording has been included.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Inclusion of weed control for neighbourhood parks and drainage reserves for future maintenance and appropriate handover.</i></p> <p><u>Weed control for Neighbourhood Parks (Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002) and Drainage Reserves (Lots 6000–6006, 6009–6022)</u></p> <p><u>a) The consent holder must submit a Weed Control Programme for certification to the Manager of Parks Planning within 2 months of the issue of this consent. The certified Weed Control Programme must be implemented to the satisfaction of the Manager Parks Planning and prior to the issue of the certificate under s224(c). The programme needs to include:</u></p> <p><u>b) An inventory of the weed species to be removed;</u></p> <p><u>c) Removal techniques to be utilised; weed disposal methods;</u></p> <p><u>d) Time frames for work and whether the weed removal needs to be staged (particularly relevant for sensitive areas such as coastal edges or riparian margins);</u></p>	<p>Disagree</p> <p>This is addressed in the conditions already under Condition 103.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>e) Any re-vegetation programme required to prevent re-infestation of weeds;</u></p> <p><u>f) An assessment of any ecological issues around the removal of vegetation;</u></p> <p><u>g) Methods for addressing stability and erosion and sediment control methods.</u></p>	
102	<p><b>AMENDED</b></p> <p><i>Additional condition wording relating to species lots and sequencing.</i></p> <p><u>Streetscape (Lots 801-803, 807-808, 804-806, 807,810, 818, 821- 824, 811-816 &amp; 819-8202 and Public Accessway (Lots 3001-3009)</u></p> <p><u>Landscaping</u></p> <p><u>Prior to the implementation of works and as part of the engineering plan approval,</u> the Consent Holder must submit a detailed streetscape landscaping plans for all public roads and public accessways to the Council. In particular, the plans must:</p> <ul style="list-style-type: none"> <li>(a) Be prepared by a suitably qualified landscape architect;</li> <li>(b) Be in general accordance with the relevant landscape plans <u>prepared by LASF Landscape Architects, revision 2, dated 18/03/2025 reference in Condition 1.</u></li> <li>(c) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points;</li> <li>(d) Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in general accordance with the AT Code of Practice;</li> <li>(e) Include hard landscaping details for accessways;</li> <li>(f) Include planting methodology;</li> <li>(g) Include all lighting details within the proposed streets and accessways; and</li> <li>(h) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscaping.</li> <li>(i) Have Phormium tenax replaced in the planting schedule for the proposed accessway batters by more suitable alternative species to better address maintenance of batter areas.</li> </ul> <p><u>Advice note:</u></p> <p><u>Plans approved under Resource Consent do not constitute an Engineering Plan approval and should not be used for the purposes of constructing public works in the absence of that approval.</u></p>	<p>Disagree</p> <p>Proposed wording adds unnecessary detail.</p>
83	<p><b>AMEND</b></p> <p><i>Removal of applicants condition to preserve future open space outcomes.</i></p> <p><b><del>Parks to Vest as Land in Lieu of Reserve</del></b></p> <p><del>Lots 7000 and 7002 must vest in Council as land in lieu of reserve to be held by Council as a park pursuant to Section 138 of the Local Government Act 2002 provided an unconditional agreement has been entered into (as outlined later in this condition).</del></p> <p><del>Lots 7000 and 7002 must be vested only if by the time of application for the survey plan to be approved under Section 223 of the RMA the applicant has entered into an agreement for sale and purchase of Lots 7000 and 7002</del></p> <p><del>If no agreement is in place by the time of Section 223 application, the land will become a balance lot and any conditions relating to vesting, landscaping and ground conditions will become redundant.</del></p> <p><u>Neighbourhood Parks (Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002)</u></p>	<p>Disagree</p> <p>The neighbourhood park network has been planned and agreed to in consultation with Auckland Council. The condition as proposed is standard wording that requires the reserves to be vested and a suitable mechanism for compensation.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002 shall be transferred to Auckland Council as land in lieu of reserve to vest if by the time of application for the survey plan for Stage 10 and Stage 12 to be approved under section 223 the consent holder has entered into an agreement with Auckland Council for sale and purchase.</u></p>	
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Ensures reserve land is free of infrastructure and suitable for future public use. Supports safe and functional park development. Be in lined with s239.</i></p> <p><u>Lots 7000 and 7002 must vest in accordance with s239 and be free of any easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms.</u></p>	<p>Agree in part</p> <p>Wording has been updated</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Removal of applicants condition to preserve future open space outcomes if open space lots are not acquired by Council.</i></p> <p><u>If no agreement is in place in accordance with Condition X by the time of application for the survey plan for Stage 10 and 12 to be approved under section 223, then Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002 will remain as a balance for the purposes of a neighbourhood park to meet the need for open space to the community it is located within and have registered a consent notice for that purpose.</u></p> <p><u>Advice Note:</u></p> <p><u><i>If a sale and purchase agreement is not entered into, the intended outcome for park and open green space, as outlined in the RFI – Change Plan (referenced A-RFI-1-01, prepared by Terra Studio), will still be achieved by the consent holder through the provision of a privately owned and managed open space made available for public use via a common entity.</i></u></p>	<p>Disagree</p> <p>The neighbourhood park network has been planned and agreed to in consultation with Auckland Council. The public park network is funded by development contributions and it is unacceptable for there to be an expectation on the Applicant to provide a privately owned and managed open space for the purpose of public use.</p>
*Parks	<p><b>AMEND</b></p> <p><i>If no agreement is in place, this condition ensures that the future residents’ society will be responsible for the ongoing management and maintenance of the publicly accessible open space.</i></p> <p><b><u>Balance lots for Neighbourhood Park purposes Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002)</u></b></p> <p><u>Prior to the issue of a s.224(c) certificate, the Consent Holder must establish an Incorporated Society (or equivalent legal body) to own, manage and maintain any communal lots, and all associated communal infrastructure, (if any) not accepted by Auckland Council for vesting under condition X. The following requirements must be met in order to satisfy the condition:</u></p> <p><u>(a) The common assets are required to remain in the ownership of the Incorporated Society (or equivalent legal body), except with the prior approval of Auckland Council.</u></p> <p><u>(b) The structure, functions and rules of the Incorporated...</u></p> <p><u>(c) The common assets are required to remain in the ownership of the Incorporated Society (or equivalent legal body), except with the prior approval of Auckland Council.</u></p> <p><u>(d) The structure, functions and rules of the Incorporated Society must include provision for the following:</u></p> <p><u>i. All lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;</u></p> <p><u>ii. All lot owners fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></p> <p><u>iii. The Incorporated Society will be responsible for the maintenance of landscaping, infrastructure, asset management plans, and similar matters as they pertain to the common assets.</u></p> <p><u>iv. Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council, and</u></p>	<p>Disagree</p> <p>Refer to justification above.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
	<p><u>v. An acceptable method of management of the Incorporated Society's (or equivalent legal body) future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules must identify a process for setting, collecting and enforcing the payment of levies.</u></p> <p><u>(e) All costs associated with the establishment and maintenance of the Incorporated Society (or equivalent legal body) must be borne by the Consent Holder.</u></p> <p><u>(f) A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society (or equivalent legal body) must be provided to Auckland Council for certification that the infrastructure and assets will be properly maintained over time. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>This condition secures the long-term maintenance of shared open spaces and infrastructure by requiring future lot owners to be members of an Incorporated Society. It ensures these areas are managed and funded by residents if not vested in Council.</i></p> <p><u>In accordance with section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Record(s) of Title to be issued for each lot requiring that for so long as they are a registered proprietor of the Lot, the owners of the Lot must be members of the established Incorporated Society (or equivalent legal body) that jointly owns and is responsible and liable for the ongoing management and maintenance of the common assets.</u></p>	<p>Disagree</p> <p>Refer to justification above.</p>
101	<p><b>AMEND</b></p> <p><i>Split of Condition 101 to be specific in references to land in lieu of reserves (parks) and drainage reserves.</i></p> <p><b><u>Parks and Reserve Development (Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002))</u></b></p> <p><u>Prior to the implementation of works and as part of the engineering plan approval, the Consent Holder must submit a detailed engineering and landscape plans (including all hard assets/park furniture/fixtures/planting/grassing) for all land in lieu of reserves (Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002) as shown on the approved scheme plans referenced in Condition 1. The plan(s) and supporting planting methodology, to be submitted for certification must:</u></p> <p><u>(a) Be in general accordance with the landscape plans prepared by LASF Landscape Architects, revision 2, dated 18/03/2025.</u></p> <p><u>(b) Be prepared by suitably qualified person/s</u></p> <p><u>(c) Design and details of any retaining walls in the park(s)/reserve(s) or adjacent to the park(s)/reserve(s), and any other structures in the reserves.</u></p> <p><u>(d) Include a weed and pest management plan detailing weed eradication and control methods for the park, prior to and after planting.</u></p> <p><u>(e) Identify all new planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.</u></p> <p><u>(f) Include specifications for plant condition and a written specification detailing the planting methodologies to be used.</u></p> <p><u>(g) Identify the existing species to be retained.</u></p> <p><u>(h) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscape.</u></p> <p><u>(i) Demonstrate a topographic overlay to illustrate suitable gradient levels within the reserve.</u></p> <p><u>(j) Identify flood-prone areas within the reserve to demonstrate usability in accordance with its purpose.</u></p> <p><u>(k) Locate stormwater outfalls and retaining walls outside reserve areas and naturalised to reduce visual effects.</u></p> <p><u>(l) No transformers are to be located within or on the boundary of the reserve.</u></p>	<p>Disagree</p> <p>Refer to justification above.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
101	<p><b>AMEND</b>  <i>Split of Condition 101 to be specific in references to land in lieu of reserves (parks) and drainage reserves.</i></p> <p><b><u>Parks condition only where drainage reserves are acceptable to Healthy Waters:</u></b>  <b><u>Drainage reserves landscaping (Lots 6000–6006, 6009–6022)</u></b>  Prior to the implementation of works and as part of the engineering plan approval, the consent holder must submit a detailed landscaping plan(s) for drainage reserves for the certification of the Manager Parks Planning. The plans must:</p> <ul style="list-style-type: none"> <li>a) <u>Be prepared by a suitably qualified landscape architect.</u></li> <li>b) <u>Be in general accordance with the Landscape Plans prepared by LASF Landscape Architects, revision 2, dated 18/03/2025.</u></li> <li>c) <u>Show all planting including details of intended species, location, plant sizes at time of planting and likely heights.</u></li> <li>d) <u>Include planting methodology.</u></li> <li>e) <u>Demonstrate a topographic overlay to illustrate proposed gradient levels within the reserve.</u></li> <li>f) <u>Demonstrate a flood overlay identifying flood-prone areas within the reserve.</u></li> <li>g) <u>Demonstrate all outfalls and retaining walls, including visual assessments within the reserve.</u></li> <li>h) <u>An annotated pavement plan and related specifications, detailing proposed site levels and the materiality and colour of all proposed hard surfacing.</u></li> <li>i) <u>Provide a Safety in Design Register for shared pathway connections within the drainage reserves.</u></li> <li>j) <u>Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscape.</u></li> <li>k) <u>Planting within the Upper and Lower Riparian Zones must consist of species that are suited to the environmental conditions and functional requirements of each respective zone.</u></li> </ul> <p><u>Advice note:</u></p> <ul style="list-style-type: none"> <li>i. <u>Plans approved under Resource Consent do not constitute an Engineering Plan approval and should not be used for the purposes of constructing public works in the absence of that approval.</u></li> <li>ii. <u>Any structures and encumbrances, including but not limited to retaining walls and easements, are to receive the approval from Healthy Waters.</u></li> <li>iii. <u>Recreational infrastructure, including but not limited to seating, rubbish bins, play equipment etc. will require local board approval.</u></li> </ul>	<p>Disagree</p> <p>Already provided for in the conditions</p>
102	<p><b>AMEND</b>  <i>Implementation condition which acts as a ‘proof condition’ at the s224c stage and for appropriate asset handover.</i></p> <p><b><u>Implementation of Streetscape (Lots 801–803, 807–808, 804–806, 807, 810, 818, 821–824, 811–816 &amp; 819–820) and Public Accessway (Lots 3001–3009) Landscape Works</u></b>  Prior to issue of section 224(c) certification, all street landscaping must be implemented on Lots 801–803, 807–808, 804–806, 807, 810, 818, 821–824, 811–816, 819–820, 3001–3009, 2000–2006, 2008 and 2100–2106 in accordance with the certified planting and streetscape plans and implemented as certified to the satisfaction of the Manager of Parks Planning and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape, and in particular the following:</p> <ul style="list-style-type: none"> <li>a) <u>The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition.</u></li> </ul>	<p>Disagree</p> <p>Already provided for in the conditions</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
	<p><u>b) Should site factors preclude compliance with any of these conditions, the Manager Parks Planning must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed by the consent holder to the satisfaction of Manager Parks Planning.</u></p> <p><u>c) Grassing must only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the Agree programme which prevents areas being planted, the consent holder must inform the Manager Parks Planning immediately.</u></p>	
103	<p><b>AMEND</b></p> <p><i>Implementation condition which acts as a ‘proof condition’ at the s224c stage and for appropriate asset handover.</i></p> <p><b><u>Implementation of Neighbourhood park (Stage 10 Park Lot 7000 and Stage 12 Park Lot 7002) and drainage reserve (Lots 6000–6006, 6009–6022) Landscape Works</u></b></p> <p><u>Prior to the issue of section 224(c) certification, all hard and soft landscape works within the neighbourhood parks in Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002) and the drainage reserves (Lots 6000–6006, 6009–6022) must be implemented in accordance with the certified landscape plans and implemented as certified to the satisfaction of the Manager of Parks Planning and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape, and in particular:</u></p> <p><u>a) All areas of the reserve that have been grassed must have a 90 percent strike rate, in a mowable condition, and be weed and rubbish free.</u></p> <p><u>b) Planted slopes to be a maximum 1:3 grade and grassed slopes to be a maximum 1:5 grade.</u></p> <p><u>c) Grassing and planting must be carried out by a suitably qualified landscape contractor in the planting season (April to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable. Where delays occur in the Agree programme which prevents areas being planted, the consent holder must inform the Council immediately.</u></p> <p><u>d) At practical completion auditing, a chartered professional engineer engaged by the applicant must provide certificates of compliance and producer statements as relevant and certify that the parks construction works have been carried out in accordance with the approved plans and comply with the requirements in condition (s) – above. Written manufacturers guarantee must be supplied for any products where warranties are available or applicable.</u></p> <p><u>e) Any defects identified at the practical completion audit are to be remedied by the applicant. The practical completion of the works will be determined by the Manager Parks Planning to their satisfaction, and this indicates the commencement of the maintenance period.</u></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Implementation and certification condition which acts as a ‘proof condition’ at the s224c stage and for appropriate asset handover.</i></p> <p><u>The application for a certificate under section 224(c) of the RMA for the neighbourhood parks in Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002) and the drainage reserves (Lots 6000–6006, 6009–6022) must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with, and that in respect of those conditions that have not been complied with:</u></p> <p><u>(a) a completion certificate has been issued in relation to any conditions to which section 222 applies;</u></p> <p><u>(b) a consent notice has been issued in relation to any conditions to which section 221 applies; and</u></p> <p><u>(c) a bond has been entered into by the subdividing owner in compliance with any condition of subdivision consent imposed under section 108(2)(b).</u></p>	<p>Disagree</p> <p>This has already been provided for in the conditions.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
57	<p><b>NEW PROPOSED</b></p> <p><i>Required for councils asset mappers to appropriately detail relevant assets for future maintenance.</i></p> <p><u>Prior to the issue of the 224(c) certificate, the consent holder will provide to the Development Engineer and Manager Parks Planning as-built plans for landscape works (hard and soft) within all proposed parks, reserves and streets in the following format:</u></p> <p><u>a) For vested assets from a new development, as-built plans must be provided in digital format (DWG, DXF or GIS shape files on CD or via e-mail) as well as a pdf copy of the signed as-built plan(s).</u></p> <p><u>b) The following requirements apply to digital formats:</u></p> <p><u>i. All dimensions are to be in millimetres, and all levels and lengths in metres.</u></p> <p><u>ii. All locational data must be plotted in New Zealand Transverse Mercator 2000 (NZTM 2000) coordinates in terms of New Zealand Geodetic Datum 2000 (NZGD 2000) datum as approved by Land Information New Zealand (LINZ).</u></p> <p><u>c) All graphical data to be located/plotted to the following accuracy:</u></p> <p><u>i. X &amp; Y coordinates +/-100mm</u></p> <p><u>ii. Z coordinates +/-50mm (e.g. lid level) in terms of the NZTM 2000 coordinates</u></p> <p><u>iii. Invert levels +/- 20mm.</u></p> <p><u>iv. Digital plans must show all required information, including specific asset information shown in the Legend of the as-built files. If external reference files, overlay or non-standard font shape files are required for this, then these should also be provided.</u></p> <p><u>d) The as-built plan (generated from the digital format) and structural drawings must include a signed certification statement by a Licenced Cadastral Surveyor or a Registered Surveyor responsible for the as-built.</u></p> <p><u>e) The as-built plans must be submitted on standard ISO metric plan sheets, drawn at scales 1:100, 200, 250, 500 or 1:1000 as appropriate or as specified by the Council. The information should fit on one sheet where possible. If this is not possible at A3 size, multiple plan sheets must be submitted with an index sheet. On agreement with Auckland Council, hard copy plans may be saved and submitted in portable document format (pdf) for ease of transmission.</u></p> <p><u>f) Existing assets must be validated by providing asset information demonstrating appropriate dimensions of the existing known assets via sketch, aerial photo, and location of the assets.</u></p> <p><u>g) Details of tree and plant types, including new and established trees and plants on land to vest in Council, using scientific (Latin) names and referencing any cultivars.</u></p> <p><u>h) Existing assets and assets to be removed or abandoned must be shown on as-built plans.</u></p> <p><u>i) Copies of the following documents are required, where these assets will be maintained by Auckland Council:</u></p> <p><u>i. All assets / Operation and maintenance manuals or asset owner manuals, and any other documentation provided by a supplier for use by an asset owner, e.g. warranty, guarantee.</u></p> <p><u>ii. Additional documentation will be required for project records. These will be specified in project contract documents or Auckland Council project management manuals.</u></p>	<p>Disagree</p> <p>As-built information will be provided in accordance with the operative Auckland Council as-built standard at the time of vesting.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p>Relevant maintenance and s224c stage condition for appropriate asset handover.</p> <p><b>POST DEVELOPMENT</b></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><b><u>Maintenance – Streetscape (Lots 801–803, 807–808, 804–806, 807, 810, 818, 821–824, 811–816, 819–820) and Accessways (Lots 3001–3009)</u></b></p> <p><i>Prior to the issue of the section 224(c) certificate, the consent holder must provide for the certification of the Manager of Parks Planning a Maintenance Plan, for all planting and landscaping to be established in the streetscape and accessways (Lots 801–803, 807–808, 804–806, 807, 810, 818, 821–824, 811–816, 819–820, 3001–3009). The Maintenance Plan must include:</i></p> <p><i>a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.</i></p> <p><i>b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.</i></p> <p><i>c) Vandalism eradication policies.</i></p>	
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition which includes maintenance period for appropriate asset handover.</i></p> <p><u>The consent holder must undertake maintenance, in accordance with the certified Maintenance Plan for a two-year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Manager of Parks Planning during this period must be remedied by the consent holder at their expense.</u></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover.</i></p> <p><u>If any damage/theft to the planting occurs during the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting, to the satisfaction of the Manager of Parks Planning.</u></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><b><u>Monitoring Report – (2-year maintenance period) Streetscape (Lots 801–803, 807–808, 804–806, 807, 810, 818, 821–824, 811–816, 819–820) and Accessways (Lots 3001–3009)</u></b></p> <p><u>Following the issue of the completion certificate under s224(c), the consent holder must submit a Monitoring Report to the Manager of Parks Planning, for certification every 3 months for the duration of the 2 years maintenance period. The Monitoring Report must include but is not to be limited to the following information in respect of Lots 2000–2006, 2008 and 2100–2106:</u></p> <p><u>a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);</u></p> <p><u>b) State of protection barriers where required;</u></p> <p><u>c) Canopy maturity, beginnings of natural ecological process–s – natural regeneration in understorey, use by native birds, etc.</u></p> <p><u>d) A running record of fertilisation, animal and weed pest control and replacement of dead plants;</u></p> <p><u>e) Details on the condition of, and recommendations for maintenance of, the fencing; and</u></p> <p><u>f) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work).</u></p> <p><u>Any recommended remediation work must include a start date for replanting.</u></p> <p><u>The first measure of the survival rate of plants must not be measured any sooner than 12 months following planting.</u></p>	<p>Disagree</p> <p>This is not consistent with current practices and places onerous requirements on the consent holder. FHLD have successfully completed extensive amounts of landscaping to date at Milldale with this being progressively handed over to and accepted by Council without such a condition being required.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>Advice Note:</u></p> <p><u>This condition requires monitoring reports to be submitted for a minimum of 2 years following planting. This condition will be deemed satisfied upon a satisfactory final inspection after the maintenance period and subsequent bond release.</u></p>	
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><b><u>Monitoring Report – (5-year maintenance period) Neighbourhood Parks in Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002) and the drainage reserves (Lots 6000–6006, 6009–6022)</u></b></p> <p><u>Following the written confirmation that the landscaping works have been implemented to the satisfaction of the Manager of Parks Planning, the consent holder must submit a Monitoring Report to the Manager of Parks Planning, for approval every 3 months for the first 18 months, then 6 monthly thereafter for a minimum period of five years. The Monitoring Report must include but is not to be limited to the following information in respect of Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002) and the drainage reserves (Lots 6000–6006, 6009–6022):</u></p> <p><u>a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);</u></p> <p><u>b) State of protection barriers where required;</u></p> <p><u>c) Canopy closure, beginnings of natural ecological process – natural regeneration in understorey, use by native birds, etc;</u></p> <p><u>d) A running record of fertilisation, animal and weed pest control and replacement of dead plants;</u></p> <p><u>e) Details on the condition of, and recommendations for maintenance of, the fencing; and</u></p> <p><u>f) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work).</u></p> <p><u>Any recommended remediation work must include a start date for replanting.</u></p> <p><u>The first measure of the survival rate of plants must not be measured any sooner than 12 months following planting.</u></p> <p><u>Advice Note:</u></p> <p><u>This condition requires monitoring reports to be submitted for a minimum of 5 years following planting. This condition will be deemed satisfied upon a satisfactory final inspection after the maintenance period and subsequent bond release.</u></p>	<p>Disagree</p> <p>This is not consistent with current practices and places onerous requirements on the consent holder that are not warranted.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><b><u>Maintenance – Reserve planting (subdivision) neighbourhood parks in Stage 10 (Park Lot 7000) and Stage 12 (Park Lot 7002) and the drainage reserves (Lots 6000–6006, 6009–6022)</u></b></p> <p><u>Prior to the issue of the section 224(c) certificate, the consent holder must provide for the certification of the Manager of Parks Planning a Maintenance Plan, for all planting and landscaping to be established in the reserves (neighbourhood Parks being Park Lot X (Stage 1) and Park Lot 5020 (Stage 2) and drainage reserves lots 1601–1609, 1616, 1621–1627)). The Maintenance Plan must include:</u></p> <p><u>a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.</u></p> <p><u>b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.</u></p> <p><u>c) Vandalism eradication policies.</u></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p>	<p>Disagree</p> <p>Refer to justification above.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<u>The consent holder must undertake maintenance, in accordance with the certified Maintenance Plan for a five-year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Manager of Parks Planning during this period must be remedied by the consent holder at their expense.</u>	
*Parks	<p><b>NEW PROPOSED</b></p> <p>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</p> <p>If any damage/theft to the planting occurs during the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting, to the satisfaction of the Manager of Parks Planning.</p>	<p>Disagree</p> <p>This is already provided for in the conditions.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</p> <p><b><u>SECTION 224(C) REQUIREMENTS</u></b></p> <p><u>Boundary treatments</u></p> <p>Retaining Walls adjacent to lots to vest neighbourhood park Stage 12 (Park Lot 7002) and the drainage reserve (Lot 6020)</p> <p><u>Any retaining wall(s) and ancillary and supporting structures adjacent to any lots to vest must be entirely located within the residential lots and must be clear of the boundary of any reserve(s) (Lots 7002 and 6020). The retaining walls must be no higher than 1.5m above existing ground level. A certificate from a licensed cadastral surveyor must be provided certifying the compliance with this requirement at the lodgement of the survey plan for approval.</u></p>	<p>Disagree</p> <p>This is already addressed in the Application Drawings as lodged. As set out above, all retaining walls are located within private lots.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</p> <p><b><u>Fencing to adjacent neighbourhood parks in Stage 12 (Lot 7002)</u></b></p> <p><u>Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of Park Lot 7002 must be low height (1.2m) and at least 50% visually permeable. A consent notice will be required to be registered on Lots 1022. The consent notices will be prepared by the Council's solicitor at the consent holder's cost.</u></p>	<p>Disagree</p> <p>This has been addressed in the Application Drawings. Refer to updated Application Drawings and Engineering Memo appended to Volume 7 which addresses this. Interface with reserves is already addressed in the consent notices in the proposed conditions.</p>
*Parks	<p><b>NEW PROPOSED</b></p> <p>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</p> <p><b><u>Fencing to adjacent drainage reserves (Lots 6000–6006, 6009–6022) and accessways to vest (Lots 3001–3009)</u></b></p> <p><u>Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of the drainage reserves (Lots 6000–6006, 6009–6022) and accessways to vest (Lots 3001–3009) must be low height (1.2m) and at least 50% visually permeable. Landscape planting may be implemented on the private lot and must be maintained to ensure 50% visual permeability. A consent notice will be required to be registered on Lots 1, 19, 25, 30, 36, 45, 53, 61, 124–129, 142–149, 152, 153, 162, 163, 168, 169, 188, 193, 198, 229, 230, 236, 266, 282, 291, 323, 335, 336, 356, 4017, 4018, 468, 472, 474, 482, 483–490, 492, 545, 595, 1001, 1004, 1005, 1022, 1024, 1025, 1026 and 1027. The consent notices will be prepared by the Council's solicitor at the consent holder's cost.</u></p>	<p>Disagree</p> <p>This has been addressed in the Application Drawings. Refer to updated Application Drawings and Engineering Memo appended to Volume 7 which addresses this. Interface with reserves is already addressed in the consent notices in the proposed conditions.</p>
*Parks	<b>NEW PROPOSED</b>	Disagree

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><i>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</i></p> <p><u>The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots 1, 19, 25, 30, 36, 45, 53, 61, 124–129, 142–149, 152, 153, 162, 163, 168, 169, 188, 193, 198, 229, 230, 236, 266, 282, 291, 323, 335, 336, 356, 4017, 4018, 468, 472, 474, 482, 483–490, 492, 545, 595, 1001, 1004, 1005, 1022, 1024, 1025, 1026 and 1027. The consent notice/s must record that condition/s X–X are to be complied with on a continuing basis.</u></p> <p><u>(a) Any retaining wall(s) and ancillary and supporting structures adjacent to any lots to vest must be entirely located within the residential lots and must be clear of the boundary of any reserve(s) (Lots 7002 and 6020). The retaining walls must be no higher than 1.5m above existing ground level.</u></p> <p><u>(b) Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of Park Lot 7002 must be low height (1.2m) and at least 50% visually permeable. A consent notice will be required to be registered on Lots 1022. The consent notices will be prepared by the Council’s solicitor at the consent holder’s cost.</u></p>	<p>This has been addressed in the Application Drawings. Refer to updated Application Drawings and Engineering Memo appended to Volume 7 which addresses this. Interface with reserves is already addressed in the consent notices in the proposed conditions.</p>
109	<p><b>DELETE</b></p> <p><i>Not relevant for Parks Planning given standard condition update which no longer requires bond conditions. S224c stage will require bonding quotes in the discretion of council where required to address matters in accordance with s222.</i></p> <p><b><del>Uncompleted Works Bond</del></b></p> <p><del>An uncompleted works bond will be entered into where any landscape works required by the conditions of this consent have not been completed in general accordance with the approved plans. This may apply to matters such as street tree planting and riparian planting so that planting can be implemented at the most appropriate planting season. The bond amount shall be 1.5 x the contracted rate of any outstanding works and shall be Agree in consultation with the Council prior to lodging the bond. The liability of the Consent Holder shall not be limited to the amount of the bond.</del></p>	<p>Disagree</p> <p>This is a standard condition of consent that has been imposed on previous Milldale Stages.</p>
110	<p><b>DELETE</b></p> <p><i>Not relevant for Parks Planning given standard condition update which no longer requires bond conditions. S224c stage will require bonding quotes in the discretion of council where required to address matters in accordance with s222.</i></p> <p><b><del>Maintenance Bonds for Landscaping on Public Roads and Accessway</del></b></p> <p><del>Prior to the issue of the 224(c) certificate, and in general accordance with section 108(2)(b) of the RMA, the Consent Holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issue of the certificate under s224(c) for all public roads and accessways. The amount of the bond will be 1.5 x the contracted rate for two years’ maintenance.</del></p>	<p>Disagree</p> <p>This is a standard condition of consent that has been imposed on previous Milldale Stages.</p>
111	<p><b>DELETE</b></p> <p><i>Not relevant for Parks Planning given standard condition update which no longer requires bond conditions. S224c stage will require bonding quotes in the discretion of council where required to address matters in accordance with s222.</i></p> <p><b><del>Maintenance Bonds for Landscaping on Drainage Reserves and Parks</del></b></p> <p><del>Prior to the issue of the 224(c) certificate, and in general accordance with section 108(2)(b) of the RMA, the Consent Holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The</del></p>	<p>Disagree</p> <p>This is a standard condition of consent that has been imposed on previous Milldale Stages.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><del>maintenance bond will be held for a period of three years from the issue of the certificate under s224(c) for drainage reserves and parks. The amount of the bond will be 1.5 x the contracted rate for three years' maintenance.</del></p>	
*Parks s224c	<p><b>NEW PROPOSED</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><b><u>Monitoring Report – Streetscape (2-year maintenance period) (Lots 8000, 8001 and 8002)</u></b></p> <p>Following the issue of the completion certificate under s224(c), the consent holder must submit a Monitoring Report to the Manager of Parks Planning, for certification every 3 months for the duration of the 2 years maintenance period. The Monitoring Report must include but is not to be limited to the following information in respect of Lots 2000–2006, 2008 and 2100–2106:</p> <p><u>a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);</u></p> <p><u>b) State of protection barriers where required;</u></p> <p><u>c) Canopy maturity, beginnings of natural ecological processes – natural regeneration in understorey, use by native birds, etc;</u></p> <p><u>d) A running record of fertilisation, animal and weed pest control and replacement of dead plants;</u></p> <p><u>e) Details on the condition of, and recommendations for maintenance of, the fencing and</u></p> <p><u>f) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work).</u></p> <p><u>Any recommended remediation work must include a start date for replanting.</u></p> <p><u>The first measure of the survival rate of plants must not be measured any sooner than 12 months following planting.</u></p> <p><u>Advice Note:</u></p> <p><u>This condition requires monitoring reports to be submitted for a minimum of 2 years following planting.</u></p>	<p>Disagree</p> <p>Refer to justification above.</p>
Annexure 25: Subdivision Memo 29 July 2025		
32 - 37	<p><b>RETAIN</b></p> <p>The applicant provided conditions as included within the Volume 6 – Fast Track, Conditions of Consent 32 to 37 are generally acceptable as is from a subdivision perspective.</p>	Noted
Annexure 26: Environmental Monitoring Memo 29 July 2025		
88	<p><b>AMEND</b></p> <p><i>SVR (C88) – Recommend this be provided under the LUC?</i></p> <ul style="list-style-type: none"> <li><i>This needs to be approved by Auckland Council.</i></li> </ul>	<p>Disagree</p> <p>As with previous Milldale stages, providing the SVR at 224C stage for Council's records that the site contamination remediation has been carried out is appropriate.</p>
100	<p><b>AMEND</b></p> <p><i>Landscape Plan (C100) – Recommend this be provided under the LUC. Or keep under SUB?</i></p> <ul style="list-style-type: none"> <li><i>This needs to be approved by Auckland Council.</i></li> </ul>	<p>Agree</p> <p>It is appropriate for this to be a 224C condition. Condition has been updated to reference plan to be submitted for approval.</p>
*EM1	<p><b>AMEND</b></p> <p><i>Ensure capital "C's" in monitoring@aucklandCouncil.govt.nz are lowercase. – There are a few within General Advice Notes on page 58.</i></p>	Noted
Annexure 22: Auckland Transport Memo 29 July 2025		
*AT	<b>NEW PROPOSED</b>	Disagree

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>Prior to the commencement of any engineering works, the consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval. The engineering plans shall include but not be limited to the information regarding the following engineering works:</u></p> <ul style="list-style-type: none"><li>• <u>Visibility assessment for all intersections, crossings in accordance with Auckland Transport’s engineering team requirements</u></li><li>• <u>Roading gradients, long sections, k-values and intersections to the satisfaction Auckland Transport’s engineering team requirements</u></li><li>• <u>Tracking detail design for all roads, road endings, and intersection to the satisfaction Auckland Transport’s engineering team requirements;</u></li><li>• <u>Detailed design for streetlighting;</u></li><li>• <u>Detailed design for roading elements including back berms, footpaths, front berms, and road carriageway; and</u></li><li>• <u>NSAAT lines.</u></li></ul> <p><u>As part of the application for Engineering Plan Approval, a registered engineer must certify that all public roads and associated structures/facilities or access ways have been designed in accordance with Auckland Transport’s Transport Design Manual. (a) will depend on that asset being provided, revise the wording to suit your application). Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset. Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.</u></p>	<p>All of these matters are resolved at Engineering Approval stage. The design of public roads are addressed in the conditions of consent as proposed (Condition 97).</p>

## Stage 4C Conditions of Consent

### 1.1.6 Phase 1 Civil Works Land Use Conditions of Consent LUC 301

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
1	<p><b>RETAIN</b></p> <p><i>No objection, standard condition.</i></p> <p><b>Activity in accordance with application</b></p> <p>The proposal must be carried out in general accordance with the plans and all information submitted with the application, as detailed below and referenced by the Council under consent numbers [BUN 200]:</p> <p>a) Application Form and Assessment of Environmental Effects prepared by Woods and B&amp;A, dated 28 February 2025; and</p> <p>b) Reports and Drawings as listed in Section 3.3.</p>	Noted
*HW2	<p><b>NEW PROPOSED</b></p> <p><i>The recommended condition will ensure any communal stormwater devices are properly maintained during development and handed over to Council in a functional and compliant state.</i></p> <p><b><u>Maintenance of Communal Stormwater Management Devices</u></b></p> <p><u>The consent holder must maintain the communal stormwater management devices serving the subdivision in accordance with the following requirements:</u></p> <p><u>a) The consent holder must maintain the communal devices until the earlier of:</u></p> <p><u>(i.) 80% of the building sites discharging to the devices have been developed, or</u></p> <p><u>(ii.) A period of five (5) years has passed from the date of issue of the final section 224(c) certificate under the Resource Management Act 1991 for the subdivision,</u></p> <p><u>b) The consent holder must remove any sediment from the communal device that has resulted from development activities within the subdivision, if required by the Council, prior to acceptance of the device(s) by Council for ongoing maintenance.</u></p> <p><u>c) At the time of transfer of any stormwater management devices to Council for ongoing maintenance, all planted areas associated with the stormwater management devices must achieve a minimum plant survival rate of 95%.</u></p> <p><u>d) Updated Operation and Maintenance Manuals for all communal stormwater management devices must be provided to the Council at the time of transfer of any stormwater management devices to Council for ongoing maintenance.</u></p> <p><u>e) A bond must be provided at the time of application for the section 224(c) certificate to ensure the ongoing maintenance of the communal stormwater management devices until transfer of any stormwater management devices to Council for ongoing maintenance.</u></p>	<p>Disagree</p> <p>This request is addressed in the OMM conditions and associated covenant.</p>
*HW5	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that the development does not exacerbate flooding on neighbouring properties, maintain existing levels of flood risk, and protect both public and private assets from adverse effects during a range of storm events.</i></p> <p><b><u>Flood Risk and Nuisance</u></b></p> <p><u>The consent holder must ensure that the development does not result in any increase in flood risk or flood nuisance to upstream or downstream properties, measured against the existing rainfall and land use conditions for the 50% AEP, 10% AEP, and 1% AEP storm events.</u></p>	<p>Disagree</p> <p>Given all works need to be undertaken in accordance with the SMP, this condition is not required. The detailing of the stormwater devices will be finalised at EA stage. The specialist reporting and plans submitted with the application ensures the management of stormwater for Stage 4C have been designed in general accordance with the SMP.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 9: Geotech Memo 29 July 2025		
14	<p><b>AMEND</b></p> <p><i>Change from ‘shall’ to ‘must’ to align with current practice.</i></p> <p><i>We also highlight that the acronym for the settlement monitoring plan (SMP) is similar to the site management &amp; remedial action plan (SMP/RAP) and may cause confusion.</i></p> <p><b>Settlement Monitoring Plan</b></p> <p>A Settlement Monitoring Plan (SMP) for consolidation settlement due to placement of fill must be submitted to the Council prior to commencement of earthworks onsite. The SMP <del>shall</del> <u>must</u> be prepared by a suitably qualified geotechnical engineering professional. Any proposed amendment to the SMP <del>shall</del> <u>must</u> also be submitted to the Council. The SMP <del>shall</del> <u>must</u> include, as a minimum, the following information:</p> <ul style="list-style-type: none"> <li>(a) A monitoring location plan showing the layout and type of all settlement monitoring stations within the fill areas;</li> <li>(b) Timing and frequency of survey of the settlement monitoring stations; and</li> <li>(c) Define the settlement criteria to be met on completion of earthworks.</li> </ul>	<p>Agree</p> <p>Condition has been updated</p>
29	<p><b>AMEND</b></p> <p><i>We suggest the inclusion of certified as-built plans as part of the GCR requirements.</i></p> <p><b>Geotechnical Completion Report</b></p> <p>A Geotechnical Completion Report (GCR) which includes a statement of professional opinion for the suitability of the site for the intended development, signed by a chartered geo-professional must be provided to the Council. The GCR must include (but not to be limited to):</p> <ul style="list-style-type: none"> <li>(a) Earthworks operations (e.g. excavations, filling works, replacement of unsuitable materials etc);</li> <li>(b) Retaining walls;</li> <li>(c) Settlement monitoring;</li> <li>(d) Testing; and</li> <li>(e) Inspections.</li> <li>(f) <u>Certified as-built plans</u></li> </ul> <p>The GCR must also provide justification on soil expansivity, building and/or earthworks limitations, and foundation design parameters. The GCR must be provided to the satisfaction of the Council.</p> <p><b>Advice Notes</b></p> <ul style="list-style-type: none"> <li>• <i>Further investigation/testing may be required to determine soil expansivity.</i></li> <li>• <i>A building consent may be required for the construction of retaining walls.</i></li> </ul> <p><i>Please send documents required as a condition of consent for ‘The Council’ to: <a href="mailto:monitoring@aucklandCouncil.govt.nz">monitoring@aucklandCouncil.govt.nz</a></i></p>	<p>Agree</p> <p>Condition has been updated</p>
Annexure 10: Earthworks Memo 29 July 2025		
4	<p><b>AMEND</b></p> <p><i>Conditions need to refer to “Council” rather than Team Leader Compliance Monitoring North</i></p>	<p>Agree</p> <p>Condition has been updated</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
8	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
11	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
15	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
17	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
18	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
Annexure 11: Contamination Memo 29 July 2025		
*CON	<b>NEW PROPOSED</b> <u>Prior to the commencement of earthworks within Stage 4, the consent holder is required to provide to the satisfaction of council a site validation report confirming that the site has been appropriately remediated for the proposed landuse and that the validation has been certified by the council.</u> <u>Advice notes:</u> <u>1. The documents mentioned above should be prepared according to the Contaminated Land Management Guidelines No 1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, 2021</u> <u>2. Asbestos Containing Materials</u> <u>If you are demolishing any building that may have asbestos containing materials (ACM) in it:</u> <u>You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.</u> <u>Work may have to be carried out under the control of a person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.</u> <u>If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.</u> <u>Information on asbestos containing materials and your obligations can be found at <a href="http://www.worksafe.govt.nz">www.worksafe.govt.nz</a>.</u> <u>If ACM is found on site following the demolition or removal of the existing buildings, you may be required to remediate the site and carry out validation sampling.</u>	Disagree The SVR has been provided with Volume 7.
Annexure 26: Environmental Monitoring Memo 29 July 2025		
4	<b>AMEND</b> <i>Pre commencement meeting (C4) wording feels confusing.</i> <ul style="list-style-type: none"> <li><i>A little confusing with "construction and earthworks." Recommend we amend to "Prior to the each/both earthworks and construction phase."</i> </li> </ul>	Disagree. This recommendation is adequately addressed by current wording.
5	<b>AMEND</b> <i>CMP (C5) – Recommend this to just be titled Management Plans. Recommend we just include the relevant plans required for the prestart (points c-h) and move the rest (points a-b) into Condition 4?</i> <ul style="list-style-type: none"> <li><i>If a CMP is required, it should be its own standalone condition.</i> </li> </ul>	Disagree. This recommendation is adequately addressed by current wording. There is a strong track record of working closely with the Council compliance staff to ensure all conditions

Cond. #	Requested Condition Amendments	FHLD Feedback
		are met and that the necessary management plans are in place before construction commences.
6, 7, 8, 9,11, 14	<b>AMEND</b> <i>DMP (C6), CTMP (C7), ESCP (C8), CNVMP (C9), ChTMP (C11), SMP (C14) - Needs to be approved by Auckland Council.</i>	Agree Conditions have been updated
6	<b>AMEND</b> <i>DMP (C6) – Given the frequency of dust-related complaints received by Council on similar sites, it is recommended that the conditions or associated management plans provide clear and detailed requirements for dust mitigation measures. Eg: Dust mitigations, monitoring frequencies, and responses to complaints etc? Dust has been a common issue with a lot of complaints come through to council. A well-defined DMP can support the site in implementing effective controls and demonstrate a proactive approach to minimising nuisance effects during construction.</i>	Disagree. The matters raised are adequately addressed by current wording and by the draft DMP submitted with the application.
6	<b>AMEND</b> <i>CTMP (C6) – The wording “Prior to the commencement of “any earthworks or construction activity” should be clarified. Recommend we change to “any works” or just “earthworks?” Site can make amendments to the CTMP at construction phase if required.</i>	Disagree. This recommendation is adequately addressed by current wording.
7	<b>AMEND</b> <i>CTMP (C7) – Recommend we include contractors vehicle parking locations to ensure they are not blocking private road/footpaths, or beside protected trees (if any)?</i>	Disagree. This recommendation is adequately addressed by current wording.
8	<b>AMEND</b> <i>ESCP (C8) - Retitle to "Erosion and Sediment Control Plan" to align with the Management Plans referenced under the pre start conditions (C5)</i>	Agree Condition has been updated
22	<b>AMEND</b> <i>Geotechnical Supervision (C22) - Recommend the “Certification” word to be removed from the title as Condition 29 already requests GCR as a post completion requirement.</i> <ul style="list-style-type: none"> <li><i>The wording of the title of conditions are not consistent. Eg: C26 under LUC201 says: “Geotechnical Works - Supervision and Certification” but C22 under LUC 301 says “Supervision and Certification of Geotechnical Works.”</i></li> </ul>	Agree Condition has been updated
29	<b>AMEND</b> <i>GCR (C29) – Needs to be approved by Auckland Council.</i>	Disagree This is a technical report following completion of works. An approval clause is not considered to be necessary.

### 1.1.7 Phase 1 Civil Works Subdivision Conditions of Consent SUB 301

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
30	<p><b>RETAIN</b></p> <p><i>No objection, standard condition.</i></p> <p><b>Activity in accordance with application</b></p> <p>The proposal must be carried out in general accordance with the plans and all information submitted with the application, as detailed below and referenced by the Council under consent numbers [BUN 200]:</p> <p>a) Application Form and Assessment of Environmental Effects prepared by Woods and B&amp;A, dated 28 February 2025; and</p> <p>b) Reports and Drawings as listed in Section 3.3.</p>	Noted
38	<p><b>RETAIN</b></p> <p><i>An additional condition regarding the operation and maintenance of stormwater management devices within JOALs has been recommended within Appendix B for</i></p> <p><i>Phase 1: Civil Works Subdivision - Conditions of Consent SUB 301 as Condition 38A.</i></p> <p><b>Operation and Maintenance of Stormwater Management Devices within JOALs</b></p> <p>The Consent Holder must provide a copy of the draft land covenant document to the Council, Legal team. The draft covenant document shall include provision for the following items:</p> <p>a) specifies ownership, operation, and maintenance of the private stormwater systems for JOALs in each respective stage;</p> <p>b) specifies responsibilities together with an acceptable method of management of the stormwater systems, and for the raising of funds from shareholders or members from time to time to adequately finance future maintenance and renewal obligations of the stormwater system; and</p> <p>c) in relation to the private stormwater device(s), specifies the operation and maintenance of the private stormwater system to be in general accordance with relevant sections of the OMM supplied to Council and any other relevant consents (as detailed in Condition 49); and</p> <p>d) Supply a solicitor's undertaking that the land covenants above as approved by Council will be registered with LINZ.</p>	Noted
38A	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that private stormwater management devices within JOALs for Stage 4C continue to function as intended and remain compliant with the hydrology mitigation requirements of the SMP. As these devices will not be publicly maintained, it is essential that legal mechanisms such as land covenants and consent notices clearly define long-term maintenance responsibilities and performance expectations. This provides assurance that stormwater runoff from JOALs will be managed appropriately over the life of the development and will ensure ongoing compliance with the SMP.</i></p> <p><b><u>Consent Notice – Private Stormwater Compliance</u></b></p> <p><u>A consent notice must be registered on the record of title for each lot that contains or is served by a private stormwater management device within a JOAL. The consent notice must require that:</u></p> <p><u>a) The stormwater device be maintained in accordance with the approved Operation and Maintenance Manual required by Condition 52, and</u></p> <p><u>b) The device must continue to meet the hydrology mitigation requirements (retention and/or detention) set out in the Wainui East SMP (Version 4, dated 7 September 2016) in perpetuity; and</u></p>	<p>Disagree</p> <p>This is already addressed in Condition 38.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<u>c) Evidence of maintenance (e.g. inspection reports, service logs) must be made available to Auckland Council on request.</u>	
40	<p><b>AMEND</b></p> <p><i>Minor changes are proposed to this condition to ensure that the adopted SMP has precedence over the Infrastructure Report.</i></p> <p><b>Overland Flow Path Protection</b></p> <p>Lot 4007 is subject to a land covenant for the 1-in-100-year overland flow path. No obstructions, including buildings, structures, or hard landscaping other than permeable fencing, shall be placed within the designated overland flow path. Compliance must be maintained in accordance with the recommendations of “Infrastructure Report Milldale Stage 4C, ref P240128, rev 0, prepared by Woods, dated 28/03/2025” and any subsequent reports.</p> <p><u>Where there is any inconsistency between the Infrastructure Report and the adopted Wainui East Stormwater Management Plan (Version 4, dated 7 September 2016), the SMP shall take precedence unless otherwise Agree in writing by Auckland Council Healthy Waters.</u></p> <p>This covenant must be registered on the record of title to be issued for Lot 4007 to ensure that it is complied with on a continuing basis.</p>	<p>Disagree</p> <p>Given all works need to be undertaken in accordance with the SMP, this condition is not required. The detailing of the stormwater devices will be finalised at EA stage. The specialist reporting and plans submitted with the application ensures the management of stormwater for Stages 10-13, Stage 4C including JOALs have been designed in general accordance with the SMP.</p> <p>It is not necessary to introduce wording that could potentially change the scope of the approval and undermine the management of stormwater as detailed in the application documents.</p>
46	<p><b>RETAIN</b></p> <p><i>No objection, standard condition.</i></p> <p><b>Connection to Public Network</b></p> <p>The Consent Holder must design and construct connections to the public stormwater reticulation network to serve all Lots in general accordance with the requirements of the stormwater utility service provider and in general accordance with the approved plans referenced in Condition 1. Confirmation from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</p> <p><b>Advice Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Acceptable forms of evidence include Engineering Approval Completion Certificates.</i></li> <li>• <i>Stormwater utility provider is the Auckland Council Healthy Waters Department.</i></li> <li>• <i>Public connections are to be constructed in general accordance with the Stormwater</i></li> <li>• <i>Code of Practice.</i></li> <li>• <i>Alterations to the public stormwater reticulation network require Engineering Approval.</i></li> <li>• <i>Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.</i></li> </ul>	<p>Noted</p>
47	<p><b>AMEND</b></p> <p><i>Amendments proposed as follows</i></p> <p><b>Stormwater Devices</b></p> <p>All public stormwater treatment and/or attenuation devices (rain gardens) and the private stormwater detention tanks within JOALs must be designed and constructed in general accordance with the “Infrastructure Report Milldale Stage 4C, ref P24-128, rev 0, prepared by Woods, dated 28/03/2025” referenced in Condition 1, and any subsequent reports, and “Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001” and in general accordance with the approved plans referenced in Condition 1.</p> <p><u>Where there is any inconsistency between the Infrastructure Report and the adopted Wainui East Stormwater Management Plan (Version 4, dated 7 September 2016), the SMP shall take precedence unless otherwise Agree in writing by Auckland Council Healthy Waters.</u></p> <p><b>Advice Notes:</b></p>	<p>Disagree</p> <p>Given all works need to be undertaken in accordance with the SMP, this condition is not required. The detailing of the stormwater devices will be finalised at EA stage. The specialist reporting and plans submitted with the application ensures the management of stormwater for Stages 10-13, Stage 4C including JOALs have been designed in general accordance with the SMP.</p> <p>It is not necessary to introduce wording that could potentially change the scope of the approval and undermine the management of stormwater as detailed in the application documents.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"> <li>• <u>Refinements to stormwater devices, including changes to type, layout, and function, such as the potential conversion of dry basins to wetlands (e.g. Basins H and I, may be undertaken during the detailed design phase, where appropriate and in consultation with Auckland Council Healthy Waters.</u></li> <li>• <u>Any proposed changes from the consented design must remain consistent with the overarching stormwater management strategy set out in the Wainui East SMP (V6, September 2016) and be approved by Auckland Council Healthy Waters prior to Engineering Plan Approval.</u></li> <li>• <u>Opportunities to optimise the design for long-term operation, maintenance, and asset management should be explored as part of the detailed design process in consultation with Auckland Council Healthy Waters. This includes ensuring adequate access, minimisation of maintenance burden, and consolidation of devices where practicable.</u></li> <li>• <u>Safety in Design documentation must be submitted to Auckland Council Healthy Waters for review, and any residual risks must be Agree upon prior to the issue of Engineering Plan Approval.</u></li> </ul>	
52	<p><b>RETAIN</b></p> <p><i>An additional condition regarding operation and maintenance manual requirements for public stormwater devices has been recommended within Appendix B for Phase 1: Civil Works Subdivision - Conditions of Consent SUB 301 as Condition 52A.</i></p> <p><b>Operation and Maintenance Manual for Public and Private Stormwater Devices</b></p> <p>An Operation and Maintenance Plan (OMM) must be provided to Council to address all public and private stormwater management systems. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <ul style="list-style-type: none"> <li>a) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</li> <li>b) a programme for regular maintenance and inspection of the stormwater management system;</li> <li>c) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</li> <li>d) a programme for post storm inspection and maintenance;</li> <li>e) a programme for inspection and maintenance of the outfall;</li> <li>f) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</li> <li>g) a programme for inspection and maintenance of any vegetation associated with the stormwater management devices</li> </ul>	Noted
52A	<p><b>NEW PROPOSED</b></p> <p><i>The additional condition will ensure that all stormwater management devices proposed for vesting in Auckland Council are supported by an OMP that aligns with Healthy Waters current operational standards.</i></p> <p><i>Requiring the OMP to be submitted prior to the time of Engineering Plan Approval allows the Healthy Waters Operations Team to confirm that the design put forward for EPA supports safe, efficient, and cost-effective long-term maintenance.</i></p> <p><b>Operation and Maintenance Manual for Public Stormwater Devices</b></p> <p><u>Operation and Maintenance Manual for Public Stormwater Devices An Operation and Maintenance Plan (OMP) for all stormwater management devices proposed to be vested in Council shall be submitted to Auckland Council Healthy Waters Operations Team for approval prior to the lodgement of Engineering Plan Approval. The OMP must be prepared to the satisfaction of Auckland Council Healthy Waters Operations Team and comply with Healthy Waters Operation and Maintenance Plan Template.</u></p>	<p>Disagree</p> <p>OMMs are provided as part of the EA stage. The condition has been amended to include reference to timing of this Manual being provided. The standard wording of this condition is for it to be submitted to Council, we do not consider it necessary to also refer to Healthy Waters Team in this condition.</p>
65	<p><b>NEW PROPOSED</b></p> <p><i>This condition is recommended to ensure that stormwater runoff from individual residential lots is managed in a way that aligns with the hydrology mitigation requirements of the Wainui East SMP, which requires at-source management.</i></p>	<p>Disagree</p> <p>Given all works need to be undertaken in accordance with the SMP, this condition is not required. The detailing of the stormwater devices will be finalised at EA stage. The</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><b>Site Wide Stormwater Management</b></p> <p>Hydrology mitigation of runoff from buildings and paved areas on all residential lots within the development must be achieved at-source within the individual lots, and in accordance with the requirements of the ‘Wainui Stormwater Management Plan, Ref: Job No.31720, dated 07-09-2016’ as well as ‘Auckland Council GD01’. The stormwater management system must be installed in conjunction with the erection of any buildings and must be maintained to the specified capacity and standard.</p>	<p>specialist reporting and plans submitted with the application ensures the management of stormwater for Stages 10-13, Stage 4C including JOALs have been designed in general accordance with the SMP.</p> <p>It is not necessary to introduce wording that could potentially change the scope of the approval and undermine the management of stormwater as detailed in the application documents.</p>
*HW1	<p><b>NEW PROPOSED</b></p> <p><i>A condition is recommended specifying raingarden media compliance and verification requirements. These requirements will ensure that the media of any communal raingardens meets council standards and that its infiltration performance is verified before final planting and ongoing use.</i></p> <p><b><u>Raingarden Media Specification</u></b></p> <p><u>The media of the proposed communal raingardens must comply with the following:</u></p> <p><u>a) The consent holder must provide raingarden media specification along with lab test results conforming the media to be compliant with the GD01 requirements. The media specification must be provided at least 5 (five) working days prior to placing the material within the constructed raingarden, to obtain Healthy Waters confirmation on the media material.</u></p> <p><u>b) Upon completion of the bio-filtration media placement, the consent holder must organise for infiltration testing of the bio-filtration media at developers costs to conform minimum required infiltration rate is achievable. The infiltration testing must be undertaken by a third-party engineer and in accordance with ‘Adoption Guidelines for Stormwater Biofiltration Systems Appendix I – Measurement of hydraulic conductivity – Using in situ and ex-situ (laboratory) sampling methods, produced by CRC for Water Sensitive Cities, Belinda Hatt, Sebastien Le Coustumer June 2009 (updated April 2015)’ or similar testing guidelines document, as Agree by Healthy Waters. The infiltration testing must be performed in presence of a Healthy Waters specialist or as Agree by Healthy Waters at time of the Pre-Construction Meeting.</u></p> <p><u>c) The consent holder must provide mulch layer and raingarden planting after obtaining clearance from Healthy Waters on acceptance of the infiltration testing results. The mulch material and planting must conform to GD01 or as specified by the Council landscape specialists</u></p> <p><b><u>Advice Note:</u></b></p> <p><u>All infiltration tests results must be reported in ‘mm/hr’ and certified by a Chartered Professional Engineer.</u></p>	<p>Disagree</p> <p>Final raingarden details will be designed at Engineering Approval stage</p>
*HW3	<p><b>NEW PROPOSED</b></p> <p><i>A condition requiring establishment of a bond will secure proper maintenance and completion of any communal stormwater management devices, protecting the Council from costs if the consent holder fails to meet their obligations.</i></p> <p><b><u>Requirement for Bond</u></b></p> <p><u>Prior to the issue of the section 224(c) certificate under the RMA, the consent holder must provide a bond to the Council in accordance with Section 222 of the RMA to ensure the performance of the proposed stormwater management devices.</u></p> <p><b><u>The bond must:</u></b></p> <p><u>a) Be calculated at a rate of communal device area;</u></p> <p><u>b) Be provided in the form of a cash deposit, a bank bond guaranteed by a New Zealand-registered bank, or another form of security (e.g., an encumbrance) as Agree with the Council.</u></p> <p><u>c) Be documented and executed by the Council’s solicitor. All legal and administrative costs associated with preparation, execution, variation, administration, or release of the bond must be met by the consent holder.</u></p>	<p>Disagree</p> <p>This is not considered appropriate for communal stormwater devices that will be treating stormwater from public roads. Plants will be maintained for a period of two-years following 224C. There will be a bond in place for the planting.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>d) Be released once the relevant condition(s) have been satisfied and all associated Council costs have been paid.</u></p> <p><u>Advice Notes:</u></p> <p><u>The Council may use the bond to restore the communal stormwater device(s) to comply with Auckland Council's GD01 standards if the consent holder fails to meet the condition requirements.</u></p> <p><u>The final bond amount will be confirmed and Agree by Council prior to Engineering Plan Approval. It will be calculated based on a per-square-metre rate of communal raingarden area, with the rate to be determined at that time. The bond value will be adjusted for inflation using the Reserve Bank inflation calculator or another method Agree with Council.</u></p>	
*HW4	<p><b>NEW PROPOSED</b></p> <p><i>A condition clarifying ownership of retaining walls is important to ensure that long-term ownership and maintenance responsibilities are clearly defined. Retaining structures are not stormwater assets and are not maintained by Healthy Waters due to their structural complexity, ongoing maintenance requirements, and associated liability.</i></p> <p><b><u>Exclusion of Retaining Walls from Vesting</u></b></p> <p><u>No retaining walls shall be vested in Auckland Council's Healthy Waters department. All retaining structures shall remain in private ownership and maintenance responsibility unless otherwise Agree in writing by Auckland Council.</u></p>	<p>Disagree</p> <p>No land is to be vest with Auckland Council for drainage purposes as part of Stage 4C.</p>
*HW6	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that any stormwater management devices intended for public ownership and maintenance are assessed and accepted by Auckland Council's Healthy Waters team before progressing to detailed engineering design or legal subdivision.</i></p> <p><b><u>Stormwater Asset Acceptance</u></b></p> <p><u>Prior to the submission of any Engineering Plan Approval and prior to Auckland Council approving a survey plan pursuant to s223 of RMA for any stage, the consent holder must confirm and agree with Auckland Council Healthy Waters, acceptance in respect of all stormwater devices, and the extent of any associated land, proposed to vest to Healthy Waters.</u></p> <p><u>Should any stormwater devices, or associated land, not be accepted by Healthy Waters for vesting, the relevant plan must be updated, and it must show was a separate allotment on the survey plan and must be owned by a common entity.</u></p>	<p>Disagree</p> <p>No land is to be vest with Auckland Council for drainage purposes as part of Stage 4C.</p>
*HW7	<p><b>NEW PROPOSED</b></p> <p><i>This condition is proposed to ensure that the stormwater management strategy aligns with the intent of the Wainui East Stormwater Management Plan (SMP), which prioritises hydrology mitigation at source. The current reliance on offset mitigation for some catchments poses a risk of underperformance and non-compliance with SMP objectives.</i></p> <p><i>Requiring a re-evaluation of the strategy, supported by a robust Best Practicable Option (BPO) assessment where direct mitigation is not feasible will ensure compliance with the SMP.</i></p> <p><b><u>Best Practicable Option Assessment</u></b></p> <p><u>Prior to Engineering Plan Approval, the Consent Holder must submit a final stormwater management strategy, supported by a Best Practicable Option (BPO) assessment, to Auckland Council Healthy Waters for review and approval.</u></p> <p><u>The BPO assessment shall demonstrate that:</u></p> <p><u>a) Flows from public roads are directed to a stormwater basin, or to an alternative stormwater device, designed and sized for the contributing catchment area; or</u></p> <p><u>b) The use of offset mitigation is consistent with the principles and requirements of the Wainui East Stormwater Management Plan (Version 4, dated 7 September 2016)</u></p> <p><u>The BPO assessment must be approved by Auckland Council Healthy Waters prior to Engineering Plan Approval.</u></p>	<p>Disagree</p> <p>This has been addressed in the Engineering Response Memo for Stage 4C attached in Volume 7.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><b>Advice Note:</b></p> <p><i>Structural tree pit is considered to be an appropriate alternative stormwater device subject to Engineering Plan Approval.</i></p>	
*HW8	<p><b>NEW PROPOSED</b></p> <p><i>This condition is recommended to ensure that riparian setbacks and stream protection measures are based on a clear understanding of how the stream network is likely to respond to the proposed urban development.</i></p> <p><i>Without this assessment, there is a risk of long-term erosion, channel instability, and infrastructure damage. A Geomorphic Risk Assessment will determine whether the design of setbacks and mitigation measures are fit-for-purpose.</i></p> <p><b>Geomorphic Risk Assessment</b></p> <p><u>Prior to lodgement of Engineering Plan Approval, the Consent Holder must provide a Geomorphic Risk Assessment to Auckland Council Healthy Waters for review and approval. The assessment must evaluate the condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation and increased stormwater runoff.</u></p> <p><u>The Geomorphic Risk Assessment must include, but not be limited to:</u></p> <p><u>a) An assessment of soil strength and resistance to erosion;</u></p> <p><u>b) Analysis of flow energy, stream power, and sediment transport potential; and</u></p> <p><u>c) Identification of areas at risk of stream widening, incision, or lateral migration over the design life of the development.</u></p> <p><u>The outcomes of the assessment must inform the design of riparian setbacks, planting, and any stream protection measures to ensure long-term stability and resilience of the stream corridors.</u></p>	<p>Disagree</p> <p>There are no streams in Stage 4C so this is not relevant.</p>
Annexure 4: Development Engineering Memo 29 July 2025		
47	<p><b>AMEND</b></p> <p><i>Recommend removing specific wording “rain gardens” from the proposed Stormwater device condition as the public stormwater devices are not just limited to raingardens.</i></p> <p><b>Stormwater Devices</b></p> <p>All public stormwater treatment and/or attenuation devices (<del>rain gardens</del>) and the private stormwater detention tanks within JOALs must be designed and constructed in general accordance with the “Infrastructure Report Milldale Stage 4C, ref P24-128, rev 0, prepared by Woods, dated 28/03/2025” referenced in Condition 1, and any subsequent reports, and “Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001” and in general accordance with the approved plans referenced in Condition 1.</p>	<p>Agree</p> <p>Condition has been updated</p>
52	<p><b>AMEND</b></p> <p><i>Recommend splitting up the Operation and Maintenance Manual conditions into 1) private devices and 2) public devices. The JOAL owners won’t need the requirements of the Dry Basins / Rain Gardens and similarly Council won’t need the requirements of the Private Stormwater Reticulation and SMAF Tanks in JOALs.</i></p> <p><b>Operation and Maintenance Manual for Public and Private Stormwater Devices</b></p> <p>An Operation and Maintenance Plan (OMM) must be provided to Council to address all public and private stormwater management systems. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <p>(j) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</p>	<p>Agree</p> <p>Condition has been split into two conditions.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>(k) a programme for regular maintenance and inspection of the stormwater management system;</p> <p>(l) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</p> <p>(m) a programme for post storm inspection and maintenance;</p> <p>(n) a programme for inspection and maintenance of the outfall;</p> <p>(o) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</p> <p>a programme for inspection and maintenance of any vegetation associated with the stormwater management devices.</p>	
*DE	<p><b>NEW PROPOSED</b> <i>Recommended additional conditions:</i></p> <p><b>Stage 4C</b>  <u>Future owners of Super Lots 4001 – 4004, 4006, 4008 – 4012, 4014 – 4015 and 4017 – 4021 shall be advised that the lot(s) have not been provided with a public stormwater connection. The lot(s) are serviced by way of private stormwater reticulation system, held within a body-corporation/resident society, and therefore the homeowners need to be aware they are in a bodycorp/resident society and of the requirements of the private ownership, operation &amp; maintenance.</u>  <u>In order to support private servicing, the applicant shall provide with information to satisfy Council that the lots can be appropriately serviced in perpetuity prior to granting of resource consent. Items required include:</u></p> <ul style="list-style-type: none"> <li><u>Network Utility Operator Approval for connection of Private Stormwater System into public stormwater network. (this appears to form part of the Stormwater Servicing condition imposed already)</u></li> <li><u>Body-corporation/Resident Society to be formed, involving Super Lots 4001 – 4004, 4006, 4008 – 4012, 4014 – 4015 and 4017 – 4021. To Own, Operate and Maintain the Private Stormwater System. Proposed Conditions Below.</u></li> <li><u>Operation &amp; Maintenance Manual for the Private Stormwater System. (this appears to form part of the Stormwater Servicing condition imposed already)</u></li> <li><u>Easements on Scheme Plans for the affected lots with Private Stormwater System.</u></li> <li><u>Consent Notices placed on the Titles of Super Lots 4001 – 4004, 4006, 4008 – 4012, 4014 – 4015 and 4017 – 4021, advising future homeowners of their obligations and requirements of the Private Stormwater System in alignment with the Operation &amp; Maintenance Manual. Proposed Conditions Below.</u></li> <li><u>Advice Note: Private drainage would be subject to Building Consent, rather than Engineering Plan Approval. (this appears to form part of the Stormwater Servicing condition imposed already)</u>  <u>[insert table with JOAL and LOT numbers]</u></li> </ul>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets. No Incorporated Societies have been required in the previous nine stages of the Milldale development.</p>
*DE	<p><b>NEW PROPOSED</b> <i>Recommended additional conditions:</i></p> <p><b>Asset(s) owned by Incorporated Society (Lots 4001 and 4004)</b>  <u>Lots 4001 &amp; 4004 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4101. To ensure that Lot 4001 &amp; 4004 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4101.</u></p>	<p>Disagree.</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p>a. <u>Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4001 &amp; 4004 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p>b. <u>The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p>c. <u>The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>• Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4001 &amp; 4004;</u></li> <li><u>• Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>• Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>• Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>• Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>• An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p>d. <u>All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p>e. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4001 &amp; 4004)</u></b></p> <p><u>Lots 4001 &amp; 4004 are served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4101. For so long as they are a registered proprietor of that Lot, the owners of Lot 4001 &amp; 4004 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4101.</u></p> <p><u>Advice Note:</u></p> <p><u><i>This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</i></u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4002)</u></b></p> <p><u>Lot 4002 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4102. To ensure that Lot 4002 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4102.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>f. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4002 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>g. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>h. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4002;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>i. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>j. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4002)</u></b></p> <p><u>Lot 4002 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4102. For so long as they are a registered proprietor of that Lot, the owners of Lot 4002 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4102.</u></p> <p><u>Advice Note:</u></p> <p><u>This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4003)</u></b></p> <p><u>Lot 4003 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4103. To ensure that Lot 4003 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4103.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>k. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4003 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>l. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>m. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>• Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4003;</u></li> <li><u>• Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>• Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>• Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>• Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>• An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>n. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>o. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4003)</u></b></p> <p><u>Lot 4003 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4103. For so long as they are a registered proprietor of that Lot, the owners of Lot 4003 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4103.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lots 4006 &amp; 4009)</u></b></p> <p><u>Lot 4006 &amp; 4009 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4107. To ensure that Lot 4006 &amp; 4009 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4107.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>p. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4006 &amp; 4009 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>q. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>r. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"> <li>• <u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4006 &amp; 4009;</u></li> <li>• <u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li>• <u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li>• <u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li>• <u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li>• <u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p>s. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</p> <p>t. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the <u>requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lots 4006 &amp; 4009)</u></b></p> <p><u>Lots 4006 &amp; 4009 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4107. For so long as they are a registered proprietor of that Lot, the owners of Lot 4006 &amp; 4009 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4107.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4008 &amp; 4011)</u></b></p> <p><u>Lot 4008 &amp; 4011 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4104. To ensure that Lot 4008 &amp; 4011 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4104. The following requirements must be met in order to satisfy this condition:</u></p> <p>u. <u>Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4008 &amp; 4011 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p>v. <u>The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p>w. <u>The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li>• <u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4008 &amp; 4011;</u></li> <li>• <u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li>• <u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> </ul>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"> <li>• <u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li>• <u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li>• <u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p>x. <u>All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p>y. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4008 &amp; 4011)</u></b></p> <p><u>Lots 4008 &amp; 4011 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4104. For so long as they are a registered proprietor of that Lot, the owners of Lot 4008 &amp; 4011 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4104.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4010)</u></b></p> <p><u>Lot 4010 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4105. To ensure that Lot 4010 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4105.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>z. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4010 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>aa. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>bb. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li>• <u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4010;</u></li> <li>• <u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li>• <u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li>• <u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li>• <u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> </ul>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"> <li><u>An acceptable method of management of the Incorporated Society’s future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p>cc. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</p> <p>dd. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4010)</u></b></p> <p><u>Lot 4010 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4105. For so long as they are a registered proprietor of that Lot, the owners of Lot 4010 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4105.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4012)</u></b></p> <p><u>Lot 4012 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4108. To ensure that Lot 4012 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4108.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p>ee. <u>Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4012 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p>ff. <u>The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p>gg. <u>The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4012;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society’s future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p>hh. <u>All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>ii. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b>  <i>Recommended additional conditions:</i>  <b><u>Incorporated Society (Lot 4012)</u></b>  <u>Lot 4012 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4108. For so long as they are a registered proprietor of that Lot, the owners of Lot 4012 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4108.</u>  <u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b>  <i>Recommended additional conditions:</i>  <b><u>Asset(s) owned by Incorporated Society (Lot 4014)</u></b>  <u>Lot 4014 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4109. To ensure that Lot 4014 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4109.</u>  <u>The following requirements must be met in order to satisfy this condition:</u>  <u>jj. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4014 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u>  <u>kk. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u>  <u>ll. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4014;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <u>mm. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>nn. <u>A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	
*DE	<p><b>NEW PROPOSED</b>  <i>Recommended additional conditions:</i>  <b><u>Incorporated Society (Lot 4014)</u></b>  <u>Lot 4014 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4109. For so long as they are a registered proprietor of that Lot, the owners of Lot 4014 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4109.</u>  <u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b>  <i>Recommended additional conditions:</i>  <b><u>Asset(s) owned by Incorporated Society (Lot 4015)</u></b>  <u>Lot 4015 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4110. To ensure that Lot 4015 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4110.</u>  <u>The following requirements must be met in order to satisfy this condition:</u>  <u>oo. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4015 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u>  <u>pp. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u>  <u>qq. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4015;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>rr. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u>  <u>ss. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4015)</u></b></p> <p><u>Lot 4015 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4110. For so long as they are a registered proprietor of that Lot, the owners of Lot 4015 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4110.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4017)</u></b></p> <p><u>Lot 4017 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4111. To ensure that Lot 4017 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4111.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>tt. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4017 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>uu. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>vv. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4017;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>ww. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>xx. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4017)</u></b></p> <p><u>Lot 4017 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4111. For so long as they are a registered proprietor of that Lot, the owners of Lot 4017 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4111.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4018)</u></b></p> <p><u>Lot 4018 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4112. To ensure that Lot 4018 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4112.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>yy. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4018 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>zz. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>aaa. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4018;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>bbb. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>ccc. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4018)</u></b></p> <p><u>Lot 4018 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4112. For so long as they are a registered proprietor of that Lot, the owners of Lot 4018 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4112.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4019)</u></b></p> <p><u>Lot 4019 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4113. To ensure that Lot 4019 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4113.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>ddd. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4019 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>eee. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>fff. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4019;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>ggg. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>hhh. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification.</u></p> <p><u>The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4019)</u></b></p> <p><u>Lot 4019 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4113. For so long as they are a registered proprietor of that Lot, the owners of Lot 4019 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4113.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4020)</u></b></p> <p><u>Lot 4020 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4114. To ensure that Lot 4020 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4114.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>iii. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4020 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>iii. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>kkk. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4020;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>lll. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>mmm. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification.</u></p> <p><u>The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b>Incorporated Society (Lot 4020)</b></p> <p>Lot 4020 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4114. For so long as they are a registered proprietor of that Lot, the owners of Lot 4020 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4114.</p> <p>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Asset(s) owned by Incorporated Society (Lot 4021)</u></b></p> <p><u>Lot 4021 share common assets; private stormwater collection &amp; detention system, which is located within Lot 4021. To ensure that Lot 4021 remain adequately serviced and connected, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common assets within Lot 4021.</u></p> <p><u>The following requirements must be met in order to satisfy this condition:</u></p> <p><u>nnn. Ownership of the common assets; private stormwater collection &amp; detention system, must be transferred to the Incorporated Society before any of Lots 4021 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.</u></p> <p><u>ooo. The Incorporated Society must not be disestablished without the prior written consent of the Council.</u></p> <p><u>ppp. The structure, functions and rules of the Incorporated Society must include provision for the following items:</u></p> <ul style="list-style-type: none"> <li><u>Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of Lot 4021;</u></li> <li><u>Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;</u></li> <li><u>Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;</u></li> <li><u>Details of how the common assets (stormwater collection &amp; detention system) will be managed and maintained, including reference to any operation manuals or management plans;</u></li> <li><u>Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;</u></li> <li><u>An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;</u></li> </ul> <p><u>qqq. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.</u></p> <p><u>rrr. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
*DE	<p><b>NEW PROPOSED</b></p> <p><i>Recommended additional conditions:</i></p> <p><b><u>Incorporated Society (Lot 4021)</u></b></p> <p><u>Lot 4021 is served or serviced by common assets [private stormwater collection &amp; detention system] which is located within Lot 4021. For so long as they are a registered proprietor of that Lot, the owners of Lot 4021 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets [private stormwater collection &amp; detention system] located within Lot 4021.</u></p> <p><u>Note: This condition shall be complied with on a continuing basis and shall be recorded in a Consent Notice issued pursuant to s.221 of the Act.</u></p>	<p>Disagree</p> <p>The requirement for an incorporated society is not an RMA matter. It is up to the respective owners/build partners to decide how they structure the administration of shared infrastructure (i.e. detention tanks and accessways). The amalgamation conditions and OMM covenants provide an adequate legal mechanism for shared maintenance responsibilities of common assets.</p>
Annexure 17: Landscape memo 29 July 2025		
53	<p><b>AMEND</b></p> <p><i>Condition 53 includes a superfluous “a” word in the first sentence</i></p> <p><b>Streetscape and Public Accessway Landscaping</b></p> <p>The Consent Holder must submit a detailed streetscape landscaping plans for all public roads and public accessways to the Council. In particular, the plans must:</p> <p>...</p>	<p>Agree</p> <p>Condition has been updated</p>
56	<p><b>AMEND</b></p> <p><i>Condition 56 – I suggest the two-year maintenance period should be at least three-years (or possibly five-years).</i></p> <p><b>Landscape Maintenance</b></p> <p>The Consent Holder must undertake maintenance of streetscape and accessway landscaping in general accordance with the approved Maintenance Plan for a <del>two</del><u>three</u>-year period commencing on the date that the section 224(c) certificate is issued. If any damage/theft to the streetscape and accessway planting occurs during the maintenance period, the Consent Holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting.</p>	<p>Disagree</p> <p>A two year maintenance period is consistent with previous Milldale stages and there is no evidence to suggest that the two year period is not achieving the outcomes sought.</p>
Annexure 18: Parks memo 29 July 2025		
53	<p><b>AMEND</b></p> <p><i>Additional condition wording for sequencing and detailed design.</i></p> <p><b><u>Streetscape and Public Accessway Landscaping (Lots 4200, 8000, 8001 and 8002)</u></b></p> <p><u>Prior to the implementation of works and as part of the engineering plan approval,</u> the Consent Holder must submit a detailed streetscape landscaping plans for all public roads and public accessways to the Council. In particular, the plans must:</p> <p>(a) Be prepared by a suitably qualified landscape architect;</p> <p>(b) Be in general accordance with the relevant landscape plans <u>prepared by Bespoke Landscape Architects, revision A, dated February 2025 referenced in Condition 1;</u></p> <p>(c) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points;</p>	<p>Disagree</p> <p>This is considered to be unnecessary detail.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>(d) Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in general accordance with the AT Code of Practice;</p> <p>(e) Include hard landscaping details for accessways;</p> <p>(f) Include planting methodology;</p> <p>(g) Include all lighting details within the proposed streets and accessways; and</p> <p>(h) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Landscaping.</p> <p><u>Advice note:</u></p> <p><u>Plans approved under resource consent do not constitute and Engineering Plan approval and should not be used for the purposes of constructing public works in the absence of that approval.</u></p>	
54	<p><b>AMEND</b>  <i>Implementation condition which acts as a ‘proof condition’ at the s224c stage and for appropriate asset handover</i></p> <p><u>Prior to issue of section 224(c) certification, all street landscaping must be implemented on Lots 2000–2006, 2008 and 2100–2106 in accordance with the certified planting and streetscape plans and implemented as certified to the satisfaction of the Manager of Parks Planning and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape, and in particular the following:</u></p> <p><u>a) The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition.</u></p> <p><u>b) Should site factors preclude compliance with any of these conditions, the Manager Parks Planning must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed by the consent holder to the satisfaction of Manager Parks Planning.</u></p> <p><u>c) Grassing must only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the Agree programme which prevents areas being planted, the consent holder must inform the Manager Parks Planning immediately.</u></p> <p><b>Implementation of Public Roads and Public Accessway Landscape Works</b>  <del>Prior to issue of section 224(c) certification, all landscaping for public roads and accessways must be implemented in general accordance with the approved streetscape plans and in general accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscaping.</del></p> <p><b>Advice note:</b>  <del>Practical completion will be determined by Council prior to the issue of the certificate required under 224(c) to demonstrate reserve development has been satisfactorily implemented and to formalise the commencement of the maintenance period.</del></p>	<p>Disagree</p> <p>Already provided for in the conditions</p>
55	<p><b>AMEND</b>  <i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring</i></p> <p><b><del>Landscape Maintenance Plan (Public Roads and Accessway Landscaping)</del></b>  <del>Prior to the issue of the section 224(c) certificate the Consent Holder must provide a Maintenance Plan for all planting and landscaping to be established in public roads and accessways to the Council. The Maintenance Plan must include:</del></p>	<p>Disagree</p> <p>Wording as proposed by the applicant is consistent with previous Milldale stages.</p>

Cond. #	Requested Condition Amendments	FHL D Feedback
	<p><del>(a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates/frequencies;</del></p> <p><del>(b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth; and</del></p> <p><del>(c) Vandalism eradication policies.</del></p> <p><b><u>Maintenance – Streetscape (Lots 8000, 8001 and 8002)</u></b></p> <p><u>Prior to the issue of the section 224(c) certificate, the consent holder must provide for the certification of the Manager of Parks Planning a Maintenance Plan, for all planting and landscaping to be established in the streetscape (Lots 2000–2006, 2008 and 2100–2106). The Maintenance Plan must include:</u></p> <p><u>(a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates/frequencies.</u></p> <p><u>(b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.</u></p> <p><u>(c) Vandalism eradication policies.</u></p>	
57	<p><b>AMEND</b></p> <p><i>Required for Council’s asset mappers to appropriately detail relevant assets for future maintenance.</i></p> <p><b><u>As-Built Plan Requirements for Landscape Works</u></b></p> <p><u>Prior to the issue of the 224(c) certificate, the consent holder must provide to the Development Engineer and Manager Parks Planning as-built plans for landscape works (hard and soft) within all proposed streets and accessways in the following format:</u></p> <p><u>(a) For vested assets from a new development, as-built plans must be provided in digital format (DWG, DXF or GIS shape files on CD or via e-mail) as well as a PDF copy of the signed as-built plan(s).</u></p> <p><u>(b) The following requirements apply to digital formats:</u></p> <p><u>a. All dimensions are to be in millimetres, and all level and lengths in metres.</u></p> <p><u>b. All locational data must be plotted in New Zealand Transverse Mercator 2000 (NZTM 2000) coordinates in terms of New Zealand Geodetic Datum 2000 (NZGD 2000) datum as approved by Land Information New Zealand (LINZ).</u></p> <p><u>(c) All graphical data to be located/plotted to the following accuracy:</u></p> <p><u>c. X &amp; Y coordinates +/-100mm</u></p> <p><u>d. Z coordinates +/-50mm (e.g. lid level) in terms of the NZTM 2000 coordinates</u></p> <p><u>e. Invert levels +/-20mm</u></p> <p><u>f. Digital plans must show all required information, including specific asset information shown in the...</u></p> <p><u>(d) The as-built plan (generated from the digital format) and structural drawings must include a signed certification statement by a Licensed Cadastral Surveyor or a Registered Surveyor responsible for the as-built.</u></p> <p><u>(e) The as-built plans must be submitted on standard ISO metric plan sheets, drawn at scales 1:100, 1:200, 1:250, 1:500 or 1:1000 as appropriate or as specified by the Council. The information should fit on one sheet where possible. If this is not possible at A3 size, multiple plan sheets must be submitted with an index sheet. On agreement with Auckland Council, hard copy plans may be saved and submitted in portable document format (pdf) for ease of transmission.</u></p> <p><u>(f) Existing assets must be validated by providing asset information demonstrating appropriate dimensions of the existing known assets via sketch, aerial photo, and location of the assets.</u></p> <p><u>(g) Details of tree and plant types, including new and established trees and plants on land to vest in Council, using scientific (Latin) names and referencing any cultivars.</u></p>	<p>Disagree</p> <p>As-built information will be provided in accordance with the operative Auckland Council as-built standard at the time of vesting.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><u>(h) Existing assets and assets to be removed or abandoned must be shown on as-built plans.</u></p> <p><u>(i) Copies of the following documents are required, where these assets will be maintained by Auckland Council:</u></p> <p>i. <u>All assets   Operation and maintenance manuals or asset owner manuals, and any other documentation provided by a supplier for use by an asset owner (e.g. warranty, guarantee).</u></p> <p>ii. <u>Additional documentation will be required for project records. These will be specified in project contract documents or Auckland Council project management manuals.</u></p> <p><del>As-built Plans</del></p> <p><del>The Consent Holder must provide as built plans of completed landscape works (hard and soft) within all public roads and the public accessway in CAD (NZTM 2000) and pdf form in general accordance with the Development Engineering as-built requirements v1.3. Plans must be provided to the Council and include the following details:</del></p> <p><del>(a) Asset names;</del></p> <p><del>(b) All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting annotated;</del></p> <p><del>(c) All underground services and drainage; and;</del></p> <p><del>All paint colours, pavers, and concrete types with names of products to be included on the assets schedule.</del></p>	
58	<p><b>DELETE</b></p> <p><i>Not relevant for Parks Planning given standard condition update no longer requiring bond conditions. Section 224(c) stage will require bonding quotes at the discretion of Council where needed to address matters in accordance with section 222.</i></p> <p><b><del>Uncompleted Works Bond</del></b></p> <p><del>An uncompleted works bond will be entered into where any landscape works required by the conditions of this consent have not been completed in general accordance with the approved plans. This may apply to matters such as street tree planting and riparian planting so that planting can be implemented at the most appropriate planting season. The bond amount shall be 1.5 x the contracted rate of any outstanding works and shall be Agree in consultation with the Council prior to lodging the bond. The liability of the Consent Holder shall not be limited to the amount of the bond.</del></p>	<p>Disagree</p> <p>The applicant is responsible for the construction of the devices and is vested with Council at s224(c) in an acceptable state. Inspections by Council as part of the s224(c) approval process ensures this is the case. The responsibility for maintenance passes to Council at that point on the basis it is managing stormwater from public roads. Furthermore, this would represent another unnecessary cost to the development. The previous nine stages have not required such a condition and there have been no negative issues arising from not having such a condition.</p>
59	<p><b>DELETE</b></p> <p><i>Not relevant for Parks Planning given standard condition update no longer requiring bond conditions. Section 224(c) stage will require bonding quotes at the discretion of Council where needed to address matters in accordance with section 222.</i></p> <p><b><del>Maintenance Bonds for Landscaping on Public Roads and Accessway</del></b></p> <p><del>Prior to the issue of the 224(c) certificate, and in general accordance with section 108(2)(b) of the RMA, the Consent Holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issue of the certificate under s224(c) for all public roads and accessways. The amount of the bond will be 1.5 x the contracted rate for two years' maintenance.</del></p>	<p>Disagree</p> <p>The applicant is responsible for the construction of the devices and is vested with Council at s224(c) in an acceptable state. Inspections by Council as part of the s224(c) approval process ensures this is the case. The responsibility for maintenance passes to Council at that point on the basis it is managing stormwater from public roads. Furthermore, this would represent another unnecessary cost to the development. The previous nine stages have not required such a condition and there have been no negative issues arising from not having such a condition</p>
*Parks	<p><b>AMEND</b></p> <p><i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><u>The consent holder must maintain all landscaping for two years following the issuance of the 224(c) certificate, in accordance with the certified Maintenance Plan. Any maintenance issue identified as unsuitable by the Manager of Parks Planning during this time must be remedied at the consent holder's cost.</u></p>	<p>Disagree</p> <p>Addressed in Condition 56.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
*Parks	<p><b>AMEND</b>  <i>Relevant maintenance and s224c stage condition for appropriate asset handover and monitoring.</i></p> <p><u>If any damage/theft to the planting occurs during the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting, to the satisfaction of the Manager of Parks Planning.</u></p>	<p>Disagree</p> <p>Addressed in Condition 56</p>
*Parks s224c	<p><b>NEW PROPOSED</b>  <i>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</i></p> <p><b>Boundary treatments</b>  <b>Retaining Walls adjacent to accessway (Lot 4200)</b>  <u>Any retaining wall(s) and ancillary and supporting structures adjacent to any lots to vest must be entirely located within the residential lots and JOALs and must be clear of the boundary of any accessway (Lots 4200). The retaining walls must be no higher than 1.5m above existing ground level. A certificate from a licensed cadastral surveyor must be provided certifying the compliance with this requirement at the lodgement of the survey plan for approval.</u></p>	<p>Disagree</p> <p>All retaining walls within Stage 4C are located within private lots. Retaining wall detail is provided on the Application Drawings and are required to provide adequate ground levels for the proposed dwellings.</p>
*Parks s224c	<p><b>NEW PROPOSED</b>  <i>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</i></p> <p><b>Fencing to adjacent accessway (Lot 4200)</b>  <u>Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of accessway Lot 4200 must be low height (1.2m) and at least 50% visually permeable. A consent notice will be required to be registered on Lot 4015 (506–512). The consent notices will be prepared by the Council’s solicitor at the consent holder’s cost.</u></p>	<p>Disagree</p> <p>All retaining walls within Stage 4C are located within private lots. Retaining wall detail is provided on the Application Drawings and are required to provide adequate ground levels for the proposed dwellings.</p> <p>A consent notice condition is already included which addresses fencing and landscaping on the common boundary.</p>
*Parks s224c	<p><b>NEW PROPOSED</b>  <i>Additional detailed boundary treatment conditions for appropriate passive surveillance and to decrease visual dominance.</i></p> <p><b>Consent Notices</b>  <u>The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lot 4015 (506–512). The consent notice/s must record that condition/s X-X are to be complied with on a continuing basis.</u></p> <p><u>a) Any retaining wall(s) and ancillary and supporting structures adjacent to any lots to vest must be entirely located within the residential lots and must be clear of the boundary of the accessway Lot 4200. The retaining walls must be no higher than 1.5m above existing ground level.</u></p> <p><u>b) Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of Lot 4200 must be low height (1.2m) and at least 50% visually permeable. The consent notices will be prepared by the Council’s solicitor at the consent holder’s cost.</u></p>	<p>Disagree</p> <p>All retaining walls within Stage 4C are located within private lots. Retaining wall detail is provided on the Application Drawings and are required to provide adequate ground levels for the proposed dwellings.</p> <p>A consent notice condition is already included which addresses fencing and landscaping on the common boundary.</p>
Annexure 22: Auckland Transport Memo 29 July 2025		
	<p><b>NEW PROPOSED</b>  <u>Prior to the commencement of any engineering works, the consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval. The engineering plans shall include but not be limited to the information regarding the following engineering works:</u></p>	<p>Disagree</p> <p>All of these matters are resolved at Engineering Approval stage. The design of public roads are addressed in the conditions of consent as proposed</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<ul style="list-style-type: none"><li>• <u>Visibility assessment for all intersections, crossings in accordance with Auckland Transport’s engineering team requirements</u></li><li>• <u>Roading gradients, long sections, k-values and intersections to the satisfaction Auckland Transport’s engineering team requirements</u></li><li>• <u>Tracking detail design for all roads, road endings, and intersection to the satisfaction Auckland Transport’s engineering team requirements;</u></li><li>• <u>Detailed design for streetlighting;</u></li><li>• <u>Detailed design for roading elements including back berms, footpaths, front berms, and road carriageway; and</u></li><li>• <u>NSAAT lines.</u></li></ul> <p><u>As part of the application for Engineering Plan Approval, a registered engineer must certify that all public roads and associated structures/facilities or access ways have been designed in accordance with Auckland Transport’s Transport Design Manual. (a) will depend on that asset being provided, revise the wording to suit your application). Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset. Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.</u></p>	
Annexure 26: Environmental Monitoring Memo 29 July 2025		
52	<b>AMEND</b> <i>OMM (C52) – References to a “Plan”, however abbreviation is referencing a “Manual.” – Typo?</i>	Agree Condition has been updated
Advice Notes	<b>AMEND</b> <i>Ensure capital “C’s’ in monitoring@aucklandCouncil.govt.nz are lowercase. – There are a few within General Advice Notes on page 96.</i>	Noted
Advice Notes	<b>AMEND</b> <i>Hyperlink may not have been accurately pasted within General Advice Notes on page 96.</i>	Noted
Advice Notes	<b>AMEND</b> <i>Wording re EPA within General Advice Notes on page 96 may not make sense</i>	Noted

### 1.1.8 Phase 2 Comprehensive Residential Development Land Use Conditions of Consent LUC 302

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
1	<p><b>RETAIN</b></p> <p><i>No objection, standard condition.</i></p> <p>The proposal must be carried out in general accordance with the plans and all information submitted with the application, as detailed below and referenced by the Council under consent numbers [BUN 300]:</p> <p>a) Application Form and Assessment of Environmental Effects prepared by Woods and B&amp;A, dated 28 March 2025; and</p> <p>b) Reports and Drawings as listed in Section 3.6.</p>	Noted
Annexure 9: Geotech Memo 29 July 2025		
20	<p><b>AMEND</b></p> <p><i>We suggest the inclusion of a statement of professional opinion and certified as-built plans as part of the GCR requirements.</i></p> <p><b>Geotechnical Completion Report</b></p> <p>A Geotechnical Completion Report (GCR) prepared by suitably qualified engineering professional must be provided to the Council to confirm the suitability of the site for the intended development. The GCR must include (but not to be limited to):</p> <ul style="list-style-type: none"> <li>(a) Earthworks operations (e.g. excavations, filling works, replacement of unsuitable materials etc);</li> <li>(b) Retaining wall;</li> <li>(c) Settlement monitoring;</li> <li>(d) Testing; and</li> <li>(e) Inspections.</li> <li>(f) <u>Statement of professional opinion</u></li> <li>(g) <u>Certified as-built plans</u></li> </ul> <p>The GCR must also provide justification on soil expansivity, building and/or earthworks limitations, and foundation design parameters. The GCR must be provided to the satisfaction of the Council.</p> <p><b>Advice Notes</b></p> <ul style="list-style-type: none"> <li>• <i>Further investigation/testing may be required to determine soil expansivity.</i></li> <li>• <i>A building consent may be required for the construction of retaining walls.</i></li> <li>• <i>Please send documents required as a condition of consent for 'The Council' to: <a href="mailto:monitoring@aucklandCouncil.govt.nz">monitoring@aucklandCouncil.govt.nz</a></i></li> </ul>	<p>Agree</p> <p>Condition has been updated</p>
Annexure 10: Earthworks Memo 29 July 2025		
4	<p><b>AMEND</b></p> <p><i>Conditions need to refer to "Council" rather than Team Leader Compliance Monitoring North</i></p>	<p>Do Not Agree</p> <p>This is an advice note and standard wording that has been on previous Milldale Consents has been adopted.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
7	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
8	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
9	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
12	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
13	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or “GD05, including any amendments”	Agree Condition has been updated
Annexure 18: Parks Memo 29 July 2025		
22	<b>AMEND</b> <i>Additional advice note for Land Use conditions noting the sequencing of subdivision and vesting of assets.</i>  <b>Landscape Design</b> Prior to the commencement of the construction of dwellings (other than preparatory earthworks and civil infrastructure works), if there are any changes to the landscape design from what is shown on the approved plans referenced in condition 1, the Consent Holder must provide the Council with an updated set of landscape design drawings.  <u>Advice note:</u> <u>Landscaping associated with public roads, open spaces and reserves will be considered for engineering plan approval when the lots are created and land is to be vested at the time of subdivision.</u>	Disagree This condition relates to planting associated with private lots. The suggested advice note is not relevant to this condition.
Annexure 19: Noise & Vibration Memo 29 July 2025		
ALL	<b>RETAIN</b> <i>All recommended conditions in the 31 Acoustic Assessment are adopted by the applicant</i>	Noted
Annexure 20: Waste Management Memo 29 July 2025		
27 & 28	<b>RETAIN</b> The proposed conditions 27 and 28 are suitable. These conditions relate to the Waste Management Plan (27) and Waste Collection for the development (28). The conditions require that any changes to the waste management plan are to be provided to Council for approval prior to the occupation of the dwellings and are suitable.	Noted
Annexure 21: Transport Memo 29 July 2025		
*TP	<b>NEW PROPOSED</b> <u>Prior to the occupation of residential units, the consent holder must ensure to maintain a 0.6m fence/ &gt;50% permeable fence/ low level landscape design at the southwest and from the northeast on Local Road 02 (in front of Stage 4c- lot 491), will have sufficient visibility and sight distance as they approach the driveway.</u>	Disagree Landscaping and fencing plans have been submitted for approval as part of the Stage 4C Application Drawings and take into account pedestrian and traffic safety.

Cond. #	Requested Condition Amendments	FHLD Feedback
	<b>NEW PROPOSED</b> <u>Prior to the occupation of residential units, the consent holder must ensure maintaining a 2.0m separation is maintained between adjacent vehicle crossings as noted in AUP E27.6.4.2.1.</u>	Disagree Landscaping and fencing plans have been submitted for approval as part of the Stage 4C Application Drawings and take into account pedestrian and traffic safety.
27	<b>AMEND</b> <i>Additional point to Item#27- Waste Management Plan</i> <b>Waste Management Plan</b> Prior to the occupation of dwellings, if there are any changes to the waste management plan (WMP) from what is shown on the approved plans referenced in Condition 1, the Consent Holder must submit to Council an updated WMP for approval. The information must include the following: a) Proposed waste truck collection route to service the site; b) Identify the location of street / JOAL infrastructure, furniture and landscaping along the collection route and ensure that these do not impede the collection of waste; c) The location of food waste, refuse and recycling collection point(s) for each residential unit; d) Confirm how the waste collection point(s) will be identified (i.e. through signage if a communal collection point proposed) and communicated to future residents; and e) Provide Council appointed waste management contractors with the authority to access private land (JOALs) to collect waste i.e. through a signed waiver. f) <u>The information regarding the JOALs with no turnaround area/ D-area or loading bay must be provided to the Council-appointed waste management contractors to ensure safe vehicle tracking.</u> g) <u>In case of any change in decision regarding the vehicle access or bin collection, this must be coordinated with residents, Auckland Council and Auckland Council-appointed waste management contractors.</u>	Disagree The condition proposed by the applicant was developed in consultation with Auckland Council Waste Management Team.
Annexure 26: Environmental Monitoring Memo 29 July 2025		
4	<b>AMEND</b> <i>Pre commencement meeting (C4) wording feels confusing.</i> <ul style="list-style-type: none"> <li>A little confusing with "construction and earthworks." Recommend we amend to "Prior to the each/both earthworks and construction phase?"</li> </ul>	Disagree. This recommendation is adequately addressed by current wording.
5	<b>AMEND</b> <i>CMP (C5) – Recommend this to just be titled Management Plans. Recommend we just include the relevant plans required for the prestart (points c-h) and move the rest (points a-b) into Condition 4? Should a CMP also be its own standalone condition?</i> <ul style="list-style-type: none"> <li>If a CMP is required, it should be its own standalone condition.</li> </ul>	Disagree This recommendation is adequately addressed by current wording. There is a strong track record of working closely with the Council compliance staff to ensure all conditions are met and that the necessary management plans are in place before construction commences.
6, 7	<b>AMEND</b> <i>CTMP (C6), ESCP (C7) – Needs to be approved by Auckland Council.</i>	Agree Conditions have been updated to include an approval clause.
6	<b>AMEND</b> <i>CTMP (C6) – The wording “Prior to the commencement of “any earthworks or construction activity” should be clarified. Should we change to “any works” or just “earthworks?” Site can make amendments to the CTMP at construction phase if required.</i>	Disagree This recommendation is adequately addressed by current wording.
6	<b>AMEND</b> <i>CTMP (C6) - Recommend we include contractors vehicle parking locations to ensure they are not blocking private road/footpaths, or beside protected trees (if any)?</i>	Disagree. This is not relevant to the application.

Cond. #	Requested Condition Amendments	FHLD Feedback
7	<b>AMEND</b> <i>ESCP (C7) - Retitle to "Erosion and Sediment Control Plan" to align with the Management Plans referenced under the pre start conditions (C4)</i>	Disagree. This recommendation is adequately addressed by current wording.
15	<b>AMEND</b> <i>Geotechnical Supervision (C15) - Recommend the "Certification" word to be removed from the title as Condition 29 already requests GCR as a post completion requirement.</i> <ul style="list-style-type: none"><li><i>The wording of the title of conditions are not consistent. Eg: C26 under LUC201 says: "Geotechnical Works - Supervision and Certification" but C22 under LUC 301 says "Supervision and Certification of Geotechnical Works."</i></li></ul>	Agree Condition has been updated.
29	<b>AMEND</b> <i>GCR (C29) – Needs to be approved by Auckland Council.</i>	Disagree This is a technical report following completion of works. An approval clause is not considered to be necessary.

### 1.1.9 Phase 2 Comprehensive Residential Development Subdivision Conditions of Consent SUB 302

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 2: Healthy Waters 29 July 2025		
34	<p><b>AMEND</b></p> <p><i>Minor amendments to the heading of this condition are suggested for consistency with other stages.</i></p> <p><i>An additional condition regarding the operation and maintenance of stormwater management devices within JOALs has been recommended within Appendix B for Phase 2: Comprehensive Residential Development Subdivision - Conditions of Consent SUB 302 as Condition 34A.</i></p> <p><b>Operation and Maintenance Manual (OMM) for of Private Stormwater Management Device within JOAL 4150</b></p> <p>The Consent Holder must provide a copy of the draft land covenant document to the Council, Legal team. The draft covenant document shall include provision for the following items:</p> <ul style="list-style-type: none"> <li>a) specifies ownership, operation, and maintenance of the private stormwater system for JOAL 4150;</li> <li>b) specifies responsibilities together with an acceptable method of management of the stormwater systems, and for the raising of funds from shareholders or members from time to time to adequately finance future maintenance and renewal obligations of the stormwater system; and</li> <li>c) in relation to the private stormwater device(s), specifies the operation and maintenance of the private stormwater system to be in general accordance with relevant sections of the OMM supplied to Council and any other relevant consents (as detailed in Condition 40)</li> <li>d) Supply a solicitor's undertaking that the land covenants above as approved by Council will be registered with LINZ.</li> </ul>	<p>Agree</p> <p>Condition has been updated.</p>
34A	<p><b>NEW PROPOSED</b></p> <p><i>This condition will ensure that private stormwater management devices within JOALs for Stage 4C continue to function as intended and remain compliant with the hydrology mitigation requirements of the SMP. As these devices will not be publicly maintained, it is essential that legal mechanisms such as land covenants and consent notices clearly define long-term maintenance responsibilities and performance expectations. This provides assurance that stormwater runoff from JOALs will be managed appropriately over the life of the development and will ensure ongoing compliance with the SMP.</i></p> <p><b>Consent Notice – Private Stormwater Compliance</b></p> <p>A consent notice must be registered on the record of title for each lot that contains or is served by a private stormwater management device within a JOAL. The consent notice must require that:</p> <ul style="list-style-type: none"> <li>a) The stormwater device be maintained in accordance with the approved Operation and Maintenance Manual required by Condition 52, and</li> <li>b) The device must continue to meet the hydrology mitigation requirements (retention and/or detention) set out in the Wainui East SMP (Version 4, dated 7 September 2016) in perpetuity; and</li> <li>c) Evidence of maintenance (e.g. inspection reports, service logs) must be made available to Auckland Council on request.</li> </ul>	<p>Disagree</p> <p>This is addressed through proposed covenant</p>
41	<p><b>RETAIN</b></p> <p><i>No objection, standard condition</i></p> <p><b>Connection to Public Network</b></p> <p>The Consent Holder must design and construct connections to the public stormwater reticulation network to serve all Lots in general accordance with the requirements of the stormwater utility service provider and in general accordance with the approved plans referenced in Condition 1. Confirmation from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</p>	<p>Noted</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><b>Advice Note:</b></p> <ul style="list-style-type: none"> <li>• Acceptable forms of evidence include Engineering Approval Completion Certificates.</li> <li>• Stormwater utility provider is the Auckland Council Healthy Waters Department.</li> <li>• Public connections are to be constructed in general accordance with the Stormwater Code of Practice.</li> <li>• Alterations to the public stormwater reticulation network require Engineering Approval.</li> <li>• Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.</li> </ul>	
42	<p><b>RETAIN</b></p> <p>Unlike with other Stages and Phases, the Operation and Maintenance Manual proposed under this condition is not intended to be applicable to any private devices. Therefore, no objection.</p> <p><b>Operation and Maintenance Manual for the Private Stormwater Device in JOAL 4150</b></p> <p>An Operation and Maintenance Plan (OMM) must be provided to Council to address the private stormwater management system in JOAL 4150. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <ul style="list-style-type: none"> <li>a) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</li> <li>b) a programme for regular maintenance and inspection of the stormwater management system;</li> <li>c) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</li> <li>d) a programme for post storm inspection and maintenance;</li> <li>e) a programme for inspection and maintenance of the outfall;</li> <li>f) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</li> <li>g) a programme for inspection and maintenance of any vegetation associated with the stormwater management devices.</li> </ul>	Noted
Annexure 4: Development Engineering Memo 29 July 2025		
34	<p><b>AMEND</b></p> <p>Recommend splitting up the Operation and Maintenance Manual conditions into 1) private devices and 2) public devices. The JOAL owners won't need the requirements of the Dry Basins / Rain Gardens and similarly Council won't need the requirements of the Private Stormwater Reticulation and SMAF Tanks in JOALs.</p> <p><b>Operation and Maintenance Manual for Public and Private Stormwater Devices</b></p> <p>An Operation and Maintenance Plan (OMM) must be provided to Council to address all public and private stormwater management systems. The OMM must set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The OMM must include:</p> <ul style="list-style-type: none"> <li>(p) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;</li> <li>(q) a programme for regular maintenance and inspection of the stormwater management system;</li> <li>(r) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;</li> <li>(s) a programme for post storm inspection and maintenance;</li> </ul>	<p>Agree</p> <p>This condition has been split out into two.</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p>(t) a programme for inspection and maintenance of the outfall;</p> <p>(u) general inspection checklists for all aspects of the stormwater management system, including visual checks; and</p> <p>a programme for inspection and maintenance of any vegetation associated with the stormwater management devices.</p>	
47	<p><b>AMEND</b></p> <p><i>Recommend removing specific wording ‘rain gardens’ from the proposed stormwater device conditions as the public stormwater devices are not just limited to raingardens.</i></p> <p><b>Stormwater Devices</b></p> <p>All public stormwater treatment and/or attenuation devices (<del>rain gardens</del>) and the private stormwater detention tanks within JOALs must be designed and constructed in general accordance with the “Infrastructure Report Milldale Stage 4C, ref P24-128, rev 0, prepared by Woods, dated 28/03/2025” referenced in Condition 1, and any subsequent reports, and “Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001” and in general accordance with the approved plans referenced in Condition 1.</p>	<p>Agree</p> <p>Condition has been updated</p>
Annexure 26: Environmental Monitoring Memo 29 July 2025		
42	<p><b>AMEND</b></p> <p><i>OMM (C42) – References to a “Plan”, however abbreviation is referencing a “Manual.” – Typo?</i></p>	<p>Agree</p> <p>Condition has been updated</p>

## 1.2 Temporary WWTP Conditions of Consent

### 1.2.1 Temporary WWTP General Conditions of Consent BUN 400

### 1.2.2 Temporary WWTP Land Use Conditions of Consent LUC 401

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 10: Earthworks Memo 29 July 2025		
6	<b>AMEND</b> <i>Conditions need to refer to "Council" rather than Team Leader Compliance Monitoring North</i>	Disagree This is an advice note and standard wording that has been included on previous Milldale Consents.
10	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or "GD05, including any amendments"	Agree Condition has been updated
16	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or "GD05, including any amendments"	Agree Condition has been updated
18	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or "GD05, including any amendments"	Agree Condition has been updated
19	<b>AMEND</b> Conditions that refer to GD05 must refer to amendment 3, not Amendment 2. Or "GD05, including any amendments"	Agree Condition has been updated
*19A	<b>NEW PROPOSED</b> <i>The following additional condition is proposed for the earthworks associated with the WWTP site.</i> <b><u>Seasonal Restriction</u></b> <u>No earthworks on the WWTP site must be undertaken between 01 May and 30 September in any year without the submission of a 'Request for winter works' to Council. All requests must be renewed prior to the approval expiring and no works must occur until written confirmation has been received from the Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and may be revoked by Council upon written notice to the Consent Holder.</u>	Disagree The extent and scale of earthworks proposed is of a level that a seasonal restriction is not considered to be necessary.
Annexure 13: Hazardous Substances Memo 29 July 2025		
39	<b>AMEND</b> <i>Change shall to must</i> <b>Hazardous Substances</b> Where required by Hazardous Substances and New Organisms Act 1996, and prior to the WWTP becoming operational, the Consent Holder <del>shall</del> <b>must</b> provide copies of Location and Stationary Container Compliance certificates issued by an authorised Compliance Certifier to the Council.	Agree Condition has been updated
40	<b>AMEND</b> <i>Change shall to must</i> <b>Environmental Management Plan</b> The Consent Holder <del>shall</del> <b>must</b> prepare an Environmental Management Plan (EMP) which to be provided for Council approval as part of the building consent application process for the WWTP (or sooner if available). <b>Advice note:</b>	Agree Condition has been updated

Cond. #	Requested Condition Amendments	FHLD Feedback
	<i>The purpose of the Environmental Management Plan is to ensure the risks from the site are managed appropriately.</i>	
41 - 47	<b>RETAIN</b> <i>Retain as per lodged conditions version.</i>	Noted
Annexure 26: Environmental Monitoring Memo 29 July 2025		
6	<b>AMEND</b> <i>Pre commencement meeting (C6) wording feels confusing.</i> <ul style="list-style-type: none"> <li><i>A little confusing with "construction and earthworks." Recommend we amend to "Prior to the each/both earthworks and construction phase?"</i></li> <li><i>Ensure capital "C's" in monitoring@aucklandCouncil.govt.nz are lowercase.</i></li> </ul>	Disagree. This recommendation is adequately addressed by current wording.
7	<b>AMEND</b> <i>CMP (C7) - Should just be titled Management Plans. Recommend we just include the relevant plans required for the prestart (points c-h) and move the rest (points a-b) into Condition 4?</i> <ul style="list-style-type: none"> <li><i>If a CMP is required, it should be its own standalone condition.</i></li> </ul>	Disagree. This recommendation is adequately addressed by current wording. There is a strong track record of working closely with the Council compliance staff to ensure all conditions are met and that the necessary management plans are in place before construction commences.
8, 9, 10a, 10b, 11, 12, 69, 70, 73	<b>AMEND</b> <i>CTMP (C8), DMP (C9), ESCP (C10a), ChTMP (C10b), SMP (C11), FMP (C12), OMP (C69), ERP (C70), OMP (C73) – Needs to be approved by Auckland Council.</i>	Agree Conditions have been updated to include an approval clause.
8	<b>AMEND</b> <i>CTMP (C8) – The wording "Prior to the commencement of "any earthworks or construction activity" should be clarified. Recommend we change to "any works" or just "earthworks?" Site can make amendments to the CTMP at construction phase if required.</i>	Disagree This recommendation is adequately addressed by current wording.
8	<b>AMEND</b> <i>CTMP (C8) – Recommend we include contractors vehicle parking locations to ensure they are not blocking private road/footpaths, or beside protected trees (if any)?</i>	Disagree. This is not relevant to the application.
9	<b>AMEND</b> <i>DMP (C9) – Given the frequency of dust-related complaints received by Council on similar sites, it is recommended that the conditions or associated management plans provide clear and detailed requirements for dust mitigation measures. Eg: Dust mitigations, monitoring frequencies, and responses to complaints etc? Dust has been a common issue with a lot of complaints come through to council. A well-defined DMP can support the site in implementing effective controls and demonstrate a proactive approach to minimising nuisance effects during construction.</i>	Disagree. The matters raised are adequately addressed by current wording and by the draft DMP submitted with the application.
57	<b>AMEND</b> <i>Commencement Notice – Should the title be "Performance Monitoring" as it doesn't align with what is referenced within C54. Recommend amending to "Notice of Commencement."</i> <ul style="list-style-type: none"> <li><i>The current condition states "The Consent Holder must give the Council no less than 10 working days' notice of the commencement this consent." Recommend amending to "The Council must be advised in writing at least ten (10) working days prior to the date of commencement." This ensures the conditions written aligns with similar conditions referenced in other consents. Eg: Please refer to WAT 202 C68.</i></li> </ul>	Agree Condition has been updated

Cond. #	Requested Condition Amendments	FHLD Feedback
10	<b>AMEND</b> <i>ESCP (C10) - Retitle to "Erosion and Sediment Control Plan" to align with the Management Plans referenced under the pre start conditions (C4)</i>	Agree Condition has been updated
10b	<b>AMEND</b> <i>ChTMP (C10b) – Should be its own individual condition.</i>	Agree Condition has been updated
13	<b>AMEND</b> <i>Lizard Findings (C13) as per feedback for conditions 42 of LUC 201.</i>	Agree Condition has been updated
17	<b>AMEND</b> <i>ESCs (C17) – reference back to condition 8 instead of condition 1.</i>	Agree Condition has been updated
95	<b>AMEND</b> <i>OMM (C95) – Recommend moving this condition up (before C82). C82 talks about being in general accordance with this document. As this is also a pre start condition, it makes more sense to be moved up.</i>	Disagree
	<b>AMEND</b> <i>Construction Park and Loading: - Would be beneficial to refer back to approved CTMP (C8).</i> <ul style="list-style-type: none"> <li>Should “Park” be “Parking?”</li> </ul>	Disagree
	<b>New Proposed</b> <i>Recommend adding a condition that the CH shall monitor the daily total discharge and report to the Council shall any exceedance within 24 hours of the exceedance occurs.</i>	Disagree WWTP experts have agreed on the proposed monitoring conditions for the treated wastewater discharge.
24	<b>AMEND</b> <i>Dust and odour (C24) – 24(d) should not restrict top-soiling and grass stockpiling to only being undertaken if no works are occurring for more than 1 month – does not need to be so specific. Advice note to be reviewed as this refers to noise rules.</i>	Agree Condition has been updated Advice note has been removed
27	<b>AMEND</b> <i>GCR (C27) – Needs to be approved by Auckland Council.</i>	Disagree This is a technical report following completion of works. An approval clause is not considered to be necessary.
36	<b>AMEND</b> <i>Acoustic Assessment (C36) – Should “evidence” required be clarified?</i>	Disagree Evidence is an acceptable term to use in this condition.
40	<b>AMEND</b> <i>Environmental Management Plan (C40) – States the plan must be submitted as a part of the building consent application process but makes no reference to this needing to be submitted and certified by Environmental Monitoring. It is a resource consent requirement needs to be submitted to Environmental Monitoring (not left to BC process).</i>	Agree Condition has been updated
41	<b>AMEND</b> <i>EMP (C41) – An Operation and Maintenance Plan is requested as per “point h” requirements. Recommend this be its own condition.</i>	Disagree The OMP sits logically under the EMP
	<b>New Proposed</b> <i>Do we need a post construction meeting?</i>	Disagree

Cond. #	Requested Condition Amendments	FHLD Feedback
74	<p><b>AMEND</b></p> <p><i>Annual Report (C74) – Recommended to mention that the report should be prepared by a suitably qualified person experienced in wastewater engineering and wastewater treatment?</i></p> <ul style="list-style-type: none"> <li>• <i>Recommend “point b” also reference any incidents received. Or this could be another separate point.</i></li> <li>• <i>Could “point e” be elaborated? Are we asking for just the reports or should CH also include an assessment of monitoring results and environmental effects of the discharges based on the results of the monitoring completed? This is to include assessment of any trends in the monitoring results an comparison of results to consent limited and related environmental standards.</i> <ul style="list-style-type: none"> <li>○ <i>Could also include any description of any other system performance, maintenance and general compliance issues and remedial measures taken and proposed to ensure compliance over the coming year?</i></li> </ul> </li> </ul>	Disagree
Annexure 19; Noise and Vibration		
36 & 37	<p><b>RETAIN</b></p> <p><i>All recommended conditions in the 4N Acoustic Assessment are adopted by the applicant and two additional conditions 36 and 37 are proposed. Condition 36 is supported. Condition 37 is supported subject to amendment as discussed below.</i></p>	Noted
37	<p><b>AMEND</b></p> <p><i>As reported and consistent with the 4N Acoustic Assessment, I note that condition 37 includes an error as the permitted E25 noise levels within the Residential Zone are daytime 50 dB LAeq and night time 40 dB LAeq (not 55 / 45). This condition should be amended.</i></p>	<p>Agree</p> <p>Condition has been updated</p>

1.2.3 Temporary WWTP Wastewater Discharge Conditions of Consent DIS 401

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 5: Wastewater Memo 29 July 2025		
59	<b>NEW PROPOSED</b> <i>Condition 59: I recommend an additional condition requiring that Council be advised, within five working days of the receipt of the final sample result, if three consecutive samples exceed the 12 monthly median limits.</i>	Agree A new condition has been added.
69	<b>AMEND</b> <i>Condition 69: I recommend that the Operation and Management Plan be required to include three monthly monitoring and maintenance of the infiltration basin.</i>	Agree Condition has been updated
Annexure 9: Geotech Memo 29 July 2025		
27	<b>AMEND</b> <i>Given the relatively small scale of work, we consider it may not be necessary to condition a full geotechnical completion report as outlined in Condition 27. We recommend revising it to be more akin to Condition 43 for the Stage 10-13 works.</i>  <b><u>Geotechnical Supervision and Certification</u></b> <b>Delete Condition 27 in entirety and replace with:</b> <u>Certification from a suitably qualified engineering professional responsible for supervising the works must be provided to Council, confirming that the works have been completed in general accordance with the “Geotechnical Investigation Report, ref: AKL2024-0257AB, Rev. 3, prepared by CMW Geosciences, dated 24 March 2025”, within twenty (20) working days following completion. Written certification must be in the form of a geotechnical completion report, or any other form acceptable to the Council.</u>	Agree Condition has been updated

#### 1.2.4 Temporary WWTP Air Discharge Conditions of Consent DIS 402

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 12: Air Discharge Memo 29 July 2025		
79	<p><b>NEW PROPOSED</b>  <i>Delete 79 if proposed AQ1 is adopted below.</i></p> <p><del>Beyond the boundary of Lot 4 DP 353309, there must be no odour and/or dust caused by the discharge which, as verified by the Council assessor, is the cause of a noxious, dangerous, offensive or objectionable effect. [Could be deleted if AQ1 below is adopted].</del></p> <p><u>AQ1. Beyond the boundary of the Site, there must be no dust and/or odour caused by discharges from the Site, which in the opinion of the council, is the cause of a noxious, dangerous, offensive or objectionable effect.</u></p>	<p>Disagree</p> <p>The current condition wording is adequate</p>
80-95	<p><b>RETAIN</b>  Retain as per lodged conditions version.</p>	<p>Noted</p>
96	<p><b>NEW PROPOSED</b>  <i>[Could be deleted if AQ2 is adopted].</i></p> <p><del>96. The Consent Holder must notify the Council as soon as practicable, and as a minimum requirement within 24 hours, of the Consent Holder becoming aware of any accidental discharge, mechanical failure, or other circumstances which has resulted in, or is likely to result in, a breach of any condition of this consent.</del></p> <p><u>AQ2. The council must be notified as soon as practicable in the event of any significant discharge to air, which results or has the potential to result in a breach of air quality conditions or adverse effects on the environment. The following information must be supplied:</u></p> <p><u>a. Details of the nature of the discharge;</u></p> <p><u>b. An explanation of the cause of the incident; and</u></p> <p><u>c. Details of remediation action taken.</u></p>	<p>Disagree</p> <p>The current condition wording is adequate</p>
97	<p><b>NEW PROPOSED</b>  <i>[Could be deleted if AQ2 is adopted]</i></p> <p><del>The Consent Holder must, within 7 days of the incident occurring, provide a written report to the Council, identifying the condition breached, possible causes, steps undertaken to remedy the effects of the incident and measures that will be undertaken to ensure future compliance.</del></p> <p><u>AQ2. The council must be notified as soon as practicable in the event of any significant discharge to air, which results or has the potential to result in a breach of air quality conditions or adverse effects on the environment. The following information must be supplied:</u></p> <p><u>a. Details of the nature of the discharge;</u></p> <p><u>b. An explanation of the cause of the incident; and</u></p> <p><u>c. Details of remediation action taken.</u></p>	<p>Disagree</p> <p>The current condition wording is adequate</p>
98	<p><b>RETAIN</b>  Retain as per lodged conditions version.</p>	<p>Noted</p>
	<p><b>AMEND</b>  <i>[Could be deleted if AQ3 is adopted].</i></p>	<p>Disagree</p> <p>The current condition wording is adequate</p>

Cond. #	Requested Condition Amendments	FHLD Feedback
	<p><b>Review of Conditions</b></p> <p><del>The Council may, within one month following each anniversary of commencement of this consent, serve notice on the Consent Holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:</del></p> <p class="list-item"><del>(a) Deal with any significant adverse effects on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.</del></p> <p class="list-item"><del>(b) Consider the adequacy of conditions which prevent nuisance and adverse effects beyond the boundary of the Site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.</del></p> <p class="list-item"><del>(c) Consider developments in control technology and management practices that would enable practical reductions in the discharge of contaminants to air.</del></p> <p class="list-item"><del>iv) Alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.</del></p> <p><del>Or, the consent may be reviewed by the Manager Resource Consents at any time, if it is found that the information made available to the Council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.</del></p> <p><u>AQ3. Under section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder’s cost in September 2025 and annually thereafter in order to:</u></p> <p class="list-item"><u>a. Deal with any significant adverse effects on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.</u></p> <p class="list-item"><u>b. Consider the adequacy of conditions which prevent nuisance and adverse effects beyond the boundary of the Site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.</u></p> <p class="list-item"><u>c. Consider developments in control technology and management practices that would enable practical reductions in the discharge of contaminants to air.</u></p> <p class="list-item"><u>d. Alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.</u></p> <p class="list-item"><u>e. Take into account any Act of Parliament, regulation, national policy statement, regional policy statement or relevant regional plan that relates to limiting, recording or mitigating emissions by this consent.</u></p> <p><u>Or, the consent may be reviewed by the Manger Resource Consents at any time, if it is found that the information made available to the council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.</u></p>	

1.3 Archaeological Authority Conditions

Cond. #	Requested Condition Amendments	FHLD Feedback
Annexure 12: Heritage & Archaeology Memo 29 July 205		
ALL	<b>RETAIN</b> <i>I agree that the nominated conditions have been set out to reflect what would otherwise be imposed by Heritage New Zealand Pouhere Taonga if the project was approved under the Heritage New Zealand Pouhere Taonga Act 2014.</i>	Noted