

Kaipara District Council - Draft Conditions of Consent

Murphy Property Developments Limited RM250119

Pursuant to Sections 108 and 220 of the Act, RM250119 is granted subject to the following conditions:

General Conditions

1. The activity shall be carried out in general accordance with the following plan(s) and documents:
 - a) Assessment of Environment Effects prepared by Barker and Associates Limited ('BAL') dated 7th May 2025
 - b) Scheme plans prepared by Maven Associates Limited referenced as Sheets C150-15 Revision D dated 12/2025
 - c) A full set of civil engineering drawings referenced as Sheets C200-208 Revision B, C220-228 Revision B, C230-A Revision B, C231-238 Revision A, C240-244 Revision A, C301 – 308, 310, 301-1, 310-2, C311, C311-1, C311-2, C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B, C331-C335 Revision A, C340-C341 Revision A, C400-C408 Revision B, C490-C491 Revision B, C430-C431 Revision A, C470 Revision B, C480-C484 Revision B, C500-C507 Revision C.
 - d) A Design Statement prepared by BAL dated 24/4/2025
 - e) A Design Guidelines Document prepared by BAL dated 24/4/2025
 - f) Assessment of Landscape and Visual Effects prepared by Evolve Planning and Landscape Architecture Limited dated April 2025
 - g) Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and subsequent Section 92 advice dated 17 December 2025 and 10 June 2026
 - h) Civil Engineering Report prepared by Maven Associates Limited dated 23 April 2025
 - i) Geotechnical Assessment Report prepared by Earthtech Consulting Limited dated 6 May 2025, and subsequent Technical Memorandum prepared by Envitech Projects NZ Limited dated 8 June 2026
 - j) Flood Assessment Report prepared by Maven Associates Limited dated 10 June 2026
 - k) Transport Assessment Report prepared by Traffic Planning Consultants Limited dated April 2025 and Supplementary Traffic Assessment prepared by Traffic Planning Consultants Limited dated 10 June 2026
 - l) Soil and Resource Report prepared by Hanmore Land Management Limited dated 5 May 2025

Note: Where there is any apparent conflict between the application and the consent conditions, the consent conditions shall prevail.

2. The consent holder shall pay any subsequent further charges imposed under Section 36 of the Act relating to the receiving, processing, granting and monitoring of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under Section 36(5) of the Act that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant final invoice.
3. The staged conditions set out below are based on the approved scheme plans approved under Condition 1 above. The stages may be completed sequentially or in any combination but cannot be undertaken separately where any stage is dependent on conditions of any subsequent stage.

4. Under Section 125 of the Act, this consent lapses five years after the date it is granted unless:
 - a) A survey plan is submitted to Council for approval under Section 223 of the Act before the consent lapses, and that plan is deposited within three years of the approval date in accordance with Section 224 of the Act; or
 - b) An application under Section 125 of the Act is made to the Council before the consent lapses (five years) to extend the period after which the consent lapses and the Council grants an extension.

Note: For avoidance of doubt, any one or more of the stages in this consent will lapse where no Section 223 has been submitted for approval within the 5 year period.

5. All works forming part of this consent shall comply with the Heritage New Zealand Pouhere Taonga Act 2014. In the event of an 'accidental discovery' of sub-surface archaeological material (shell, midden, hangi, storage pits, etc), work must cease in the immediate vicinity of the remains and immediate steps must be taken to secure the site (tape it off). The Consent Holder must notify Council, Heritage New Zealand Pouhere Taonga and representative tangata whenua of the relevant iwi so that appropriate actions can be taken.

Stage 1 - Lots 1 – 12 and 68 as vacant lots, Lots 100 and 101 as Jointly Owned Access Lots ('JOALs'), Lots 200, 201, and 203 as Common Lots, Lot 1000 as Common Lot (access) & 2000 as Balance Lot.

6. **Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:**
 - a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 1 Scheme' referenced as Sheets C151 Revision D dated 12/2025 as attached to this decision.
 - b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lots 200, 201 and 203 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.
 - iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 1 – 12 and 68.
 - v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 1 – 12 and 68.
 - c) The following amalgamation conditions shall be endorsed on the survey plan (LINZ request reference 1949721):
 - i. Lot 100 hereon (legal access) be held as to two undivided one-half shares by the owners of lots 5 & 6 hereon.
 - ii. Lot 101 hereon (legal access) be held as to six undivided one-sixth shares by the

owners of lots 7 - 12 hereon; as tenants in common with the said shares and that individual records of title be issued in accordance therewith.

(LINZ Ref 1949721).

- d) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.
- e) The consent holder shall provide the following documents to the Council for review and certification by the Council's Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:
- i. A Construction Management Plan ("CMP") in accordance with Section 3.3 of Council's Engineering Standards 2011 shall be provided to Council's Development Engineer, or their delegated representative for certification, and shall include:
- Details of the site manager including full contact details;
 - Construction methodology including proposed plant and machinery to be utilised;
 - Proposed procedures for controlling sediment runoff and dust generation;
 - Programme of works;
 - Proposed hours of work on the site;
 - Details of the number and timing of truck movements on the access route to the site;
 - Details of any proposed materials storage areas;
 - Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
 - The CMP shall include a section relating to an "Accidental Discovery Protocol" to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.

- ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservations 'Protocols for minimising the risk of felling occupied bat roosts' (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.
- iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the 'Design Guidelines' document prepared by Barker and Associates Limited to be

registered as a consent notice condition.

- f) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.
- g) Provide written verification that the consent holder's engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.
- h) Provide a Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The LPP is to provide detail of the 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 1 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the 'Indicative Landscape Planting Areas' is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 6.b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 7.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- i) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced

ecologist. The purpose of the EMP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 1 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 7.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- j) Written evidence from an archaeologist to confirm that a walkover inspection of the entire development site (being Lot 1 DP 529142) has been undertaken. The results of that inspection are to be recorded. Where any sites have been identified that are subject to the Pouhere Taonga Heritage New Zealand Act, the consent holder shall seek and obtain any necessary Authority before works commence.

Note: This condition is required in accordance with the recommendation contained in the Cultural Effects Assessment report prepared by Environs Holdings Limited. This condition only applies at Stage 1.

- k) A minimum of 15 working days prior to the commencement of any on-site works the consent holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives shall be engaged to:
- i. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - ii. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - iii. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- l) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:
- Have the appropriate experience in the relevant areas; and
 - Hold appropriate qualifications and membership of professional bodies; and
 - Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the proposed private road intersection with Black Swamp Road inclusive of all road marking, signage, lighting, drainage and entrance features, where entrance features must be located with private property and not on road reserve.
- ii. Design details of the construction of the internal private roads Lots 100, 101 and 1000, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.
- iii. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detailed is to be supported by a written statement from a suitably qualified engineer in accordance with the Councils Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking such works, subject to approval as part of this condition.

Note:

1. Evidence of any consent obtained from Northland Regional Council, and

compliance therewith, will be required in association with this condition.

2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These structures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*

- iv. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.
- v. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

7. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the appropriate easement boundaries.
- c) All works on the engineering plans approved under condition 6.1) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter for the engineering plans as required by condition 6.1) of this consent;
- ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
- iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 6.1) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Councils Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.

- e) All works described in the certified plans under Conditions 6.h) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LLP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 7.g).
- f) All works described in the certified plans under Conditions 6.i) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 7.h).
- g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LLP required by condition 6.h) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 7.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the condition 6.h). has been undertaken.

- h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 6.i) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 7.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Conditions 6.i) has been undertaken.

- i) The consent holder shall provide and install road naming signs for Lots 1000 and 101 in accordance with the Council's engineering standards for private road. The names shall be as approved by the Council.

Note: Land Information New Zealand (LINZ) requires that proposed roads, private road, right of way or access lot that service six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should contact roading@kaipara.govt.nz.

- j) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 1 as being subject to a covenant. The terms of any such covenant shall

provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 7.e) and 7.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 6.h) and 6.i) above.

- k) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:
- i. Be registered under the Incorporated Societies Act 1908.
 - ii. Require all lot owners within the subdivision to be a member and/or shareholder.
 - iii. Set out that the purpose of the entity is to manage the private roads.
 - iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.
 - v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.
- l) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 1 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.
- m) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
- i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 7.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.
 - iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.
 - iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
 - v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable

building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).

- vi. For all developable lots:
- The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 6.e)iii. is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.
- vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on any lot they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt, the purpose of this condition is to ensure that dogs are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.
- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory agencies (e.g., NZ Police for human skeletal remains).
- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside the buffer area.
- If the material or materials are confirmed to be Taonga tūture of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūture protocols and the

expenditure process for the return of Taonga Tūturu to Te Uri o Hau.

- If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
 - Works in the area shall not commence until all cultural and statutory requirements have been met.
 - All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and cultural requirements have been complied with.
- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 6.h) and 6.i) of this consent which are documented in the protective covenant.
- x. For all lots, further subdivision is prohibited.
- n) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Stage 2 – Subdivision of Lot 2000 (Stage 1 balance lot) to create Lots 13 – 23 as vacant lots, Lot 102 as a JOAL, 203 as a Common Lot, Lot 1000 as a Common Lot (access), & Lot 2000 as Balance Lot.

8. Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 2 Scheme' referenced as Sheets C152 Revision D dated 12/2025 as attached to this decision.
- b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lot 203 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.
 - iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area

where they are located on any of the lots 13 - 23.

- v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 13 - 23.
- c) The following amalgamation conditions shall be endorsed on the survey plan (LINZ request reference 1949721):
 - i. That Lot 102 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 16 - 21 hereon as tenants in common with the said shares and that individual records of title be issued in accordance therewith. (Linz ref 1949721).
- d) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.
- e) The consent holder shall provide the following documents to the Council for review and certification by the Council's Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:
 - i. A Construction Management Plan ("CMP") in accordance with Section 3.3 of Council's Engineering Standards 2011 shall be provided to Council's Development Engineer, or their delegated representative for certification, and shall include:
 - Details of the site manager including full contact details;
 - Construction methodology including proposed plant and machinery to be utilised;
 - Proposed procedures for controlling sediment runoff and dust generation;
 - Programme of works;
 - Proposed hours of work on the site;
 - Details of the number and timing of truck movements on the access route to the site;
 - Details of any proposed materials storage areas;
 - Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
 - The CMP shall include a section relating to an "Accidental Discovery Protocol" to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.

- ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservation's 'Protocols for minimising the risk of felling occupied bat roosts' (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.
- iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated

private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the 'Design Guidelines' document prepared by Barker and Associates Limited to be registered as a consent notice condition.

- f) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.
- g) Provide written verification that the consent holder's engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.
- h) A Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The LPP is to provide detail of the 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 2 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the 'Indicative Landscape Planting Areas' is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 8 b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 9.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be

referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.

- i) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced ecologist. The purpose of the EMP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 2 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
 - ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
 - iii. Details of weed management.
 - iv. Details of the proposed certification process (required to satisfy condition 9.f). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
 - v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- j) A minimum of 15 working days prior to the commencement of any on-site works the consent

holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives shall be engaged to:

- i. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - ii. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - iii. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- k) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:
- Have the appropriate experience in the relevant areas; and
 - Hold appropriate qualifications and membership of professional bodies; and
 - Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the construction of the internal private roads Lots 102 and 1000, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.
- ii. Design details for a single-lane roundabout at the intersection of Insley Street and Black Swamp Road, inclusive of all road marking, signage, lighting, drainage. The design shall be supported by a road safety audit.
- iii. Design details for a pedestrian connection to safely connect pedestrians and cyclists from the eastern edge of the site on Black Swamp Road, along Black Swamp Road to the Black Swamp Road / Insley Street intersection. Provision for this pedestrian connection should be made as part of the roundabout design required in the condition above, and is to extend a minimum of 20 metres northwest along Insley Street towards the estuary causeway.
- iv. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detailed is to be supported by a written statement from a suitably qualified engineer in accordance with the Council's Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking

such works, subject to approval as part of this condition.

Note:

1. *Evidence of any consent obtained from Northland Regional Council, and compliance therewith, will be required in association with this condition.*
 2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These structures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*
- v. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.
 - vi. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

9. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the appropriate easement boundaries.
- c) All works on the engineering plans approved under condition 8.k) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter for the engineering plans as required by condition 8.k) of this consent;
- ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
- iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 8.k) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Council's Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against

the relevant titles via a consent notice.

- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.
- e) All works described in the certified plans under Conditions 8.h) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LPP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 9.g).
- f) All works described in the certified plans under Conditions 8.i) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 9. h).
- g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LLP required by condition 5.e) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 9.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the condition 8.h). has been undertaken.
- h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 9.f) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 9.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Conditions 8.i) has been undertaken.
- i) The consent holder shall provide and install road naming signs for Lots 1000 and 102 in accordance with the Council's engineering standards for private road. The names shall be as approved by the Council.

Note: Land Information New Zealand (LINZ) requires that proposed roads, private road, right of way or access lot that service six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should contact roading@kaipara.govt.nz.

- j) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 1 as being subject to a covenant. The terms of any such covenant shall provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 9.e) and 9.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 9.e) and 9.f) above.
- k) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:
- i. Be registered under the Incorporated Societies Act 1908.
 - ii. Require all lot owners within the subdivision to be a member and/or shareholder.
 - iii. Set out that the purpose of the entity is to manage the private roads.
 - iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.
 - v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.
- l) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 2 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.
- m) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
- i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 9.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.
 - iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.

- iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
- v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).
- vi. For all developable lots:
- The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 8.e) iii is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.
- vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on the lots they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt, the purpose of this condition is to ensure that dogs are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.
- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory agencies (e.g., NZ Police for human skeletal remains).
- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside

the buffer area.

- If the material or materials are confirmed to be Taonga tūturu of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūturu protocols and the expenditure process for the return of Taonga Tūturu to Te Uri o Hau.
 - If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
 - Works in the area shall not commence until all cultural and statutory requirements have been met.
 - All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and cultural requirements have been complied with.
- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 5.e) and 5.f) of this consent which are documented in the protective covenant.
- x. For all lots, further subdivision is prohibited.
- n) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Stage 3 – Subdivision of Lot 2000 (Stage 2 balance lot) to create Lots 24 - 35 as vacant lots, Lots 202 and 203 as Common Lots, Lot 1000 as a Common Lot (access), & Lot 2000 as Balance Lot.

10. Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 3 Scheme' referenced as Sheets C153 Revision D dated 12/2025 as attached to this decision.
- b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lots 202 and 203 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.

- iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 24 - 35.
 - v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 24 - 35.
- c) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.
- d) The consent holder shall provide the following documents to the Council for review and certification by the Councils Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:
- i. A Construction Management Plan ("CMP") in accordance with Section 3.3 of Council's Engineering Standards 2011 shall be provided to Council's Development Engineer, or their delegated representative for certification, and shall include:
 - Details of the site manager including full contact details;
 - Construction methodology including proposed plant and machinery to be utilised;
 - Proposed procedures for controlling sediment runoff and dust generation;
 - Programme of works;
 - Proposed hours of work on the site;
 - Details of the number and timing of truck movements on the access route to the site;
 - Details of any proposed materials storage areas;
 - Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
 - The CMP shall include a section relating to an "Accidental Discovery Protocol" to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.
 - ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservation's 'Protocols for minimising the risk of felling occupied bat roosts' (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.
 - iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and

appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the 'Design Guidelines' document prepared by Barker and Associates Limited to be registered as a consent notice condition.

- e) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.
- f) Provide written verification that the consent holder's engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.
- g) A Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The LPP is to provide detail of the 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 3 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the 'Indicative Landscape Planting Areas' is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 10 b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 11.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council

to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.

- h) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced ecologist. The purpose of the EMP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 3 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
 - ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
 - iii. Details of weed management.
 - iv. Details of the proposed certification process (required to satisfy condition 11.f). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
 - v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- i) A minimum of 15 working days prior to the commencement of any on-site works the consent holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives

shall be engaged to:

- iv. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - v. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - vi. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- j) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:
- Have the appropriate experience in the relevant areas; and
 - Hold appropriate qualifications and membership of professional bodies; and
 - Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the construction of the internal private road Lot 1000 (including the cul-de-sac head) and rights of Way M, N and O, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.
- ii. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detailed is to be supported by a written statement from a suitably qualified engineer in accordance with the Councils Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking such works, subject to approval as part of this condition.

Note:

1. *Evidence of any consent obtained from Northland Regional Council, and compliance therewith, will be required in association with this condition.*
 2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These strictures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*
- iii. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed

Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.

- iv. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

11. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the appropriate easement boundaries.
- c) All works on the engineering plans approved under condition 10.j) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter for the engineering plans as required by condition 10.j) of this consent;
 - ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
 - iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 10.j) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Council's Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.
 - e) All works described in the certified plans under Conditions 10.g) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LPP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 11.g).

f) All works described in the certified plans under Conditions 10.h) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 11.h).

g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LPP required by condition 10.g) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 11.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the condition 11.e). has been undertaken.

h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 10.h) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 11.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Conditions 11.f) has been undertaken.

i) The consent holder shall provide and install road naming signs for Lot 1000 in accordance with the Council's engineering standards for private road. The names shall be as approved by the Council.

Note: Land Information New Zealand (LINZ) requires that proposed roads, private road, right of way or access lot that service six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should contact roading@kaipara.govt.nz.

j) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 3 as being subject to a covenant. The terms of any such covenant shall provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 11.e) and 11.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 11.e) and 11.f) above.

k) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and

ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:

- i. Be registered under the Incorporated Societies Act 1908.
 - ii. Require all lot owners within the subdivision to be a member and/or shareholder.
 - iii. Set out that the purpose of the entity is to manage the private roads.
 - iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.
 - v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.
- l) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 3 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.
- m) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
- i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 11.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.
 - iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.
 - iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
 - v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).
 - vi. For all developable lots:

- The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 10.d. iii. is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.
- vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on the lots they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt, the purpose of this condition is to ensure that dogs are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.
- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory agencies (e.g., NZ Police for human skeletal remains).
- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside the buffer area.
- If the material or materials are confirmed to be Taonga tūturu of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūturu protocols and the expenditure process for the return of Taonga Tūturu to Te Uri o Hau.
- If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
- Works in the area shall not commence until all cultural and statutory requirements have been met.
- All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and

cultural requirements have been complied with.

- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 11.e) and 11.f) of this consent which are documented in the protective covenant.
- x. For all lots, further subdivision is prohibited.
- n) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Stage 4 – Subdivision of Lot 2000 (Stage 3 balance lot) to create Lots 36 – 43 as vacant lots, Lot 201 as Common Lot (amended from Stage 1), Lot 1000 as a Common Lot (access), & Lot 2000 as Balance Lot.

12. Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 4 Scheme' referenced as Sheets C154 Revision D dated 12/2025 as attached to this decision.
- b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lot 201 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.
 - iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 36 - 43.
 - v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 36 - 43.
- c) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.

d) The consent holder shall provide the following documents to the Council for review and certification by the Councils Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:

i. A Construction Management Plan (“CMP”) in accordance with Section 3.3 of Council’s Engineering Standards 2011 shall be provided to Council’s Development Engineer, or their delegated representative for certification, and shall include:

- Details of the site manager including full contact details;
- Construction methodology including proposed plant and machinery to be utilised;
- Proposed procedures for controlling sediment runoff and dust generation;
- Programme of works;
- Proposed hours of work on the site;
- Details of the number and timing of truck movements on the access route to the site;
- Details of any proposed materials storage areas;
- Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
- The CMP shall include a section relating to an “Accidental Discovery Protocol” to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.

ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservations ‘Protocols for minimising the risk of felling occupied bat roosts’ (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.

iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the ‘Design Guidelines’ document prepared by Barker and Associates Limited to be registered as a consent notice condition.

e) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.

f) Provide written verification that the consent holder’s engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.

- g) A Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The LPP is to provide detail of the 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 4 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the 'Indicative Landscape Planting Areas' is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 12. b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
 - ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
 - iii. Details of weed management.
 - iv. Details of the proposed certification process (required to satisfy condition 13.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
 - v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- h) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced ecologist. The purpose of the APP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 4 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 13 f). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- i) A minimum of 15 working days prior to the commencement of any on-site works the consent holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives shall be engaged to:
 - i. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - ii. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - iii. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- j) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The

engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:

- Have the appropriate experience in the relevant areas; and
- Hold appropriate qualifications and membership of professional bodies; and
- Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the construction of the internal private roads Lot 1000, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.
- ii. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detailed is to be supported by a written statement from a suitably qualified engineer in accordance with the Council's Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking such works, subject to approval as part of this condition.

Note:

1. *Evidence of any consent obtained from Northland Regional Council, and compliance therewith, will be required in association with this condition.*
 2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These structures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*
- iii. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.
 - iv. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

13. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the appropriate easement boundaries.
- c) All works on the engineering plans approved under condition 12.j) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter for the engineering plans as required by condition 12.j) of this consent;
 - ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
 - iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 12.j) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Council's Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.
 - e) All works described in the certified plans under Conditions 12.g) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LPP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 13.g).
 - f) All works described in the certified plans under Conditions 12.h) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 13. h).
 - g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LLP

required by condition 12.g) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 13.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the condition 13.e). has been undertaken.

- h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 12.h) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 13.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Condition 13.f) has been undertaken.

- i) The consent holder shall provide and install road naming signs for Lot 1000 in accordance with the Council's engineering standards for private road. The names shall be as approved by the Council.

Note: Land Information New Zealand (LINZ) requires that proposed roads, private road, right of way or access lot that service six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should contact roading@kaipara.govt.nz.

- j) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 4 as being subject to a covenant. The terms of any such covenant shall provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 13. e) and 13.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 13.e) and 13.f) above.

- k) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:

- i. Be registered under the Incorporated Societies Act 1908.
- ii. Require all lot owners within the subdivision to be a member and/or shareholder.
- iii. Set out that the purpose of the entity is to manage the private roads.
- iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.

- v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.
- l) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 4 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.
- m) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
- i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 13.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.
 - iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.
 - iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
 - v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).
 - vi. For all developable lots:
 - The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 12.d) iii. is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to

confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.

- vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on the lots they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt, the purpose of this condition is to ensure that dogs are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.
- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory agencies (e.g., NZ Police for human skeletal remains).
- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside the buffer area.
- If the material or materials are confirmed to be Taonga tūturu of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūturu protocols and the expenditure process for the return of Taonga Tūturu to Te Uri o Hau.
- If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
- Works in the area shall not commence until all cultural and statutory requirements have been met.
- All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and cultural requirements have been complied with.

- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 13.e) and 13.f) of this consent which are documented in the protective covenant.

- x. For all lots, further subdivision is prohibited.
- n) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Stage 5 – Subdivision of Lot 2000 (Stage 4 balance lot) to create Lots 44 - 56 as vacant lots, Lot 103 as a JOAL, 202 as a Common Lot (amended from Stage 3), Lot 1000 as a Common Lot (access), & Lot 2000 as Balance Lot.

14. Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 5 Scheme' referenced as Sheets C155 Revision D dated 12/2025 as attached to this decision.
- b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lot 202 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.
 - iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 44 - 56.
 - v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 44 - 56.
- c) The following amalgamation conditions shall be endorsed on the survey plan (LINZ request reference 1949721):
 - i. That Lot 103 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 46 - 50 hereon as tenants in common with the said shares and that individual records of title be issued in accordance therewith. (Linz ref 1949721).
- d) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.
- e) The consent holder shall provide the following documents to the Council for review and certification by the Councils Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:
 - i. A Construction Management Plan ("CMP") in accordance with Section 3.3 of

Council's Engineering Standards 2011 shall be provided to Council's Development Engineer, or their delegated representative for certification, and shall include:

- Details of the site manager including full contact details;
- Construction methodology including proposed plant and machinery to be utilised;
- Proposed procedures for controlling sediment runoff and dust generation;
- Programme of works;
- Proposed hours of work on the site;
- Details of the number and timing of truck movements on the access route to the site;
- Details of any proposed materials storage areas;
- Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
- The CMP shall include a section relating to an "Accidental Discovery Protocol" to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.

- ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservations 'Protocols for minimising the risk of felling occupied bat roosts' (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.
- iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the 'Design Guidelines' document prepared by Barker and Associates Limited to be registered as a consent notice condition.

- f) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.
- g) Provide written verification that the consent holder's engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.
- h) A Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The APP is to provide detail of the 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the

consent holder on all identified lots within Stage 5 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the 'Indicative Landscape Planting Areas' is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 14. b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 15.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- i) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced ecologist. The purpose of the APP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 5 (excluding the balance Lot 2000) prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas

identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.

- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 15.f). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- j) A minimum of 15 working days prior to the commencement of any on-site works the consent holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives shall be engaged to:
 - i. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - ii. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - iii. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- k) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:
 - Have the appropriate experience in the relevant areas; and
 - Hold appropriate qualifications and membership of professional bodies; and

- Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the construction of the internal private roads Lots 103, and 1000, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1, C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.
- ii. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detailed is to be supported by a written statement from a suitably qualified engineer in accordance with the Councils Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking such works, subject to approval as part of this condition.

Note:

1. *Evidence of any consent obtained from Northland Regional Council, and compliance therewith, will be required in association with this condition.*
 2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These structures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*
- iii. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.
 - iv. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

15. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the

appropriate easement boundaries.

- c) All works on the engineering plans approved under condition 14.k) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter for the engineering plans as required by condition 14.k) of this consent;
 - ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
 - iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 3.k) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Council's Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.
- e) All works described in the certified plans under Conditions 14.h) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LPP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 15.g).
- f) All works described in the certified plans under Conditions 14.i) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 15.h).
- g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LLP required by condition 14.h) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 15.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Council's Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as

approved under the condition 14.h). has been undertaken.

- h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 14.i) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 15.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Council's Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Conditions 14.i) has been undertaken.

- i) The consent holder shall provide and install road naming signs for Lot 1000 in accordance with the Council's engineering standards for private road. The names shall be as approved by the Council.

Note: Land Information New Zealand (LINZ) requires that proposed roads, private road, right of way or access lot that service six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should contact roading@kaipara.govt.nz.

- j) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 5 as being subject to a covenant. The terms of any such covenant shall provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 15. e) and 15.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 15.e) and 15.f) above.

- k) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:

- i. Be registered under the Incorporated Societies Act 1908.
- ii. Require all lot owners within the subdivision to be a member and/or shareholder.
- iii. Set out that the purpose of the entity is to manage the private roads.
- iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.
- v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.

- l) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 5 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.

- m) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
- i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 15.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.
 - iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.
 - iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
 - v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).
 - vi. For all developable lots:
 - The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 14.e) iii. is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.
 - vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on the lots they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt, the purpose of this condition is to ensure that dogs

are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.

- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory agencies (e.g., NZ Police for human skeletal remains).
- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside the buffer area.
- If the material or materials are confirmed to be Taonga tūturu of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūturu protocols and the expenditure process for the return of Taonga Tūturu to Te Uri o Hau.
- If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
- Works in the area shall not commence until all cultural and statutory requirements have been met.
- All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and cultural requirements have been complied with.

- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 15.e) and 15.f) of this consent which are documented in the protective covenant.

- x. For all lots, further subdivision is prohibited.

- n) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Stage 6 – Subdivision of Lot 2000 (Stage 5 balance lot) to create Lots 57 - 67 as vacant lots, Lot 104 as a JOAL, 202 as a Common Lot (amended from Stage 5), and Lot 1000 as a Common Lot (access)

16. Prior to the sealing of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a) The survey plan shall be generally in accordance with the plan of subdivision prepared by Maven Associates Limited entitled 'Proposed Stage 6 Scheme' referenced as Sheets C156 Revision D dated 12/2025 as attached to this decision.
- b) The survey plan shall show the following:
 - i. An easement in gross in favour of Kaipara District Council over Lot 1000 (to the connection with Tern Point Road) for the purpose of public right of access.
 - ii. All necessary easements for the provision of access, drainage (including overland flow paths) and utility services to all lots.
 - iii. Lot 202 as being subject to covenant and consent notice requirements addressing management of ecological enhancement and landscape planting areas, and preventing any future built development on the lots as recorded further in this consent.
 - iv. Areas identified for 'Ecological Enhancement Planting' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 57 - 67
 - v. Areas defined as 'Indicative Landscape Planting Areas' as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, to be subject to a defined covenant area where they are located on any of the lots 57 - 67.
- c) The following amalgamation conditions shall be endorsed on the survey plan:
 - i. That Lot 104 hereon (legal access) be held as to three undivided one third shares by the owners of lots 57 - 59 hereon as tenants in common with the said shares and that individual records of title be issued in accordance therewith. (Linz ref 1949721).
- d) Written confirmation shall be provided from the appropriate network utility providers that satisfactory arrangements can be made for the separate provision of electricity in particular with respect to any required easements.
- e) The consent holder shall provide the following documents to the Council for review and certification by the Council's Monitoring and Compliance Services Team Leader or delegated representative before works commence on the site:
 - i. A Construction Management Plan ("CMP") in accordance with Section 3.3 of Council's Engineering Standards 2011 shall be provided to Council's Development Engineer, or their delegated representative for certification, and shall include:
 - Details of the site manager including full contact details;
 - Construction methodology including proposed plant and machinery to be utilised;
 - Proposed procedures for controlling sediment runoff and dust generation;
 - Programme of works;
 - Proposed hours of work on the site;

- Details of the number and timing of truck movements on the access route to the site;
- Details of any proposed materials storage areas;
- Traffic management plans, specifically including management of access via Black Swamp Road and the requirement for construction vehicles to avoid unsealed roads where practicable;
- The CMP shall include a section relating to an “Accidental Discovery Protocol” to be applied during earthworks and construction works for the proposed subdivision. This shall acknowledge that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

The consent holder shall adhere to the terms of the certified Construction Management Plan at all times during the construction of the development.

- ii. In conjunction with the CMP requirement above, the consent holder shall provide a statement from a suitably qualified and experienced ecologist setting out construction management practices specifically intended to implement the Department of Conservation’s ‘Protocols for minimising the risk of felling occupied bat roosts’ (DoC; October 2024) and to undertake suitable avifauna management during peak bird breeding season (1 August to end of February). The recommendations in that statement are to be adhered to prior to, during, and on completion of all construction works.
- iii. A Streams and Wetlands Setback Plan prepared by a qualified surveyor that defines to survey accuracy a minimum building setback for all buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields) from all streams and wetlands. The Plan is to be certified by a suitably qualified and experienced ecologist to confirm the location of all streams, wetlands, and appropriate setbacks, and must comply with any and all requirements that may be specified in any consent issued by the Northland Regional Council.

Note: The Stream and Wetlands Setback Plan should be read in conjunction with the ‘Design Guidelines’ document prepared by Barker and Associates Limited to be registered as a consent notice condition.

- f) Provide written verification that the person responsible for carrying out construction work holds public liability insurance to the value of \$2,000,000.00.
- g) Provide written verification that the consent holder’s engineer responsible for design and supervision of the roading works holds professional indemnity insurance to the value of \$1,000,000.00.
- h) A Landscape Planting Plan (**LPP**) prepared by a suitably qualified and experience landscape architect. The LPP is to provide detail of the ‘Indicative Landscape Planting Areas’ as set out in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 6 prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice condition

The purpose of the ‘Indicative Landscape Planting Areas’ is to provide for the formal open space, native bush revegetation and rural character areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The LPP shall as a minimum include the following:

- i. A plan of the planted areas aligning with the covenants required under Condition 16.
 - b) across both private and common lots detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing

of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.

- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.
- iv. Details of the proposed certification process (required to satisfy condition 17.e). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- i) An Ecological Management Plan (**EMP**) prepared by a suitably qualified and experienced ecologist. The purpose of the EMP is to provide detail of 'Ecological Enhancement Areas' as set out in Section 7.0 and Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025 and detailed in the Design Statement prepared by BAL dated 24 April 2025, which is to be carried out by the consent holder on all identified lots within Stage 6 prior to certification pursuant to s224 of the RMA. These areas are to be protected and managed by way of covenant and consent notice conditions.

The purpose of the 'Ecological Enhancement Areas' is to provide for the wetland restoration areas as set out in the Design Statement prepared by BAL dated 24 April 2025. The EMP shall as a minimum include the following:

- i. A plan or plans detailing the enhancement planting to be undertaken in the areas identified in Appendix 1 – Proposed Ecological Enhancement Areas Plan of the Ecology Report prepared by Wild Ecology Limited dated 23 April 2025, proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting, height and density upon maturity, and any demarcation / fencing of the planting areas. All plants must be eco-sourced.
- ii. A programme of establishment and post establishment protection and maintenance (e.g., planting method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
- iii. Details of weed management.

- iv. Details of the proposed certification process (required to satisfy condition 17.f). The certification must be undertaken within 3 months of the application for certification pursuant to s224 being made to Council.
- v. A Maintenance Plan prepared by a suitably qualified and experience landscape architect to provide clear direction to the consent holder, Council, and future lot owners as to how to maintain and manage the 'Indicative Landscape Planting Areas' on an ongoing basis so as to ensure the mitigation the planting provides is retained. The plan shall provide details of ongoing maintenance and monitoring requirements including (but not limited to):
 - Weed management (e.g., removal and spraying) and watering programme; and
 - A plan of the planted areas detailing plant species and process for replacement of dead or poorly performing plants, noting that any replacements must be eco-sourced.
 - The Maintenance Plan is to be prepared in a manner that allows it to be referred to on an on-going basis by any person and/or corporate body responsible for ensuring the success and on-going maintenance of planting in perpetuity. It shall also make specific provision for the Kaipara District Council to request and receive a written assessment by a suitably qualified ecologist regarding the success and ongoing maintenance of the areas planted under this condition for the purpose of compliance.
- j) A minimum of 15 working days prior to the commencement of any on-site works the consent holder shall provide written evidence to the Kaipara District Council to confirm that a written request has been made to Environs Holdings Limited requesting cultural monitoring of the proposed earthworks. If the request is accepted, Kaitiaki and/or Environs representatives shall be engaged to:
 - i. Attend the pre-works meeting with the applicant, agent and/or contractors.
 - ii. Perform a blessing and cultural induction' as part of the contractors formal health and safety induction.
 - iii. Cultural monitoring of monitoring of excavations (i.e. topsoil stripping) for the installation of infrastructure (i.e. roading), culvert installation and other site preparation activities.
- k) The consent holder shall submit a detailed set of engineering plans, specifications and calculations, prepared in accordance with the Council's Engineering Standards 2011 to the Council's Development Engineer, or their delegated representative for approval. The engineering plans, calculations and specifications shall be prepared by a suitably experienced person/s who:
 - Have the appropriate experience in the relevant areas; and
 - Hold appropriate qualifications and membership of professional bodies; and
 - Have professional indemnity insurance to the value of at least \$1,000,000.

The engineering plans, calculations and specifications shall include, but may not be limited to the following:

- i. Design details of the construction of the internal private roads Lots 104 and 1000, including the cul-de-sac head. and connection and intersection with Tern Point Road, which shall comply as far as practicable with Section 5 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed roading engineering plans prepared by Maven Associates Limited, Sheets C300 – C310, C310-1 and C310-2, C311, C311-1 -C311-3, C312, C312-1, C313, C313-1,

C314 – C319 Revision B dated 12/2025, and C332, C334, C335, C340 and C241 Revision A dated 04/2025.

- ii. Design details for all stormwater drainage, which shall comply as far as practicable with Section 6 of the Council's Engineering Standards 2011, and shall be consistent with the details in the relevant proposed stormwater engineering plans prepared by Maven Associates Limited, Sheets C400 – C408, C490, C491, C430, C431, C470, and C480 - C484 Revision B dated 12/2025.

That design detail is to be supported by a written statement from a suitably qualified engineer in accordance with the Councils Engineering Standards 2011 to confirm the sizing / capacity of all detention / attenuation ('dry pond') structures to be provided as part of the design, certification of a minimum finished floor level for all habitable building on developable lots, and an assessment of any/all downstream culverts located on Black Swamp Road to confirm capacity. Where any culverts are found to require upgrading, the consent holder shall be responsible for undertaking such works, subject to approval as part of this condition.

Note:

1. *Evidence of any consent obtained from Northland Regional Council, and compliance therewith, will be required in association with this condition.*
 2. *It is noted that the stormwater engineering plans include details regarding bridges and culverts for access purposes. These structures will need to comply with any Northland Regional Council consent requirement and meet minimum structural specifications under 5.2.14 and 5.2.15 of the Councils Engineering Standards 2011*
- iii. Design details of all hard surfacing (e.g., limestone chip or similar) and demarcation of pathways forming the formed pedestrian trails as set out in 4.2 Proposed Movement Network contained in the Design Statement prepared by BAL dated 24 April 2025.
 - iv. Provision of a written statement from a suitably qualified and experienced Geo-professional (as defined in the KDC Engineering Standards 2011) that confirms that all works designed under this condition to confirm that the infrastructure can tolerate anticipated levels of differential settlement that may occur, and that all earthworks required as part of the stage of development are to be undertaken in accordance with NZS4431:2022.

17. Before a Certification is issued pursuant to section 224(c) of the Act, the following conditions are to be complied with:

- a) Electricity connections shall be provided to the boundary of the net site area of all lots. All cabling shall be underground. The consent holder shall provide confirmation from the network utility supply authority/authorities of compliance with this condition.
- b) The consent holder shall provide written confirmation from a licensed cadastral surveyor that all services and accesses constructed under this consent are located within the appropriate easement boundaries.
- c) All works on the engineering plans approved under condition 16.k) of this consent are to be completed to the approval of the Council's Development Engineer, or their delegated representative.

Compliance with this condition shall be determined by the following:

- i. Site inspections undertaken as agreed in Council's engineering plan approval

letter for the engineering plans as required by condition 16.k) of this consent;

- ii. Provision and approval of supporting documentation provided by the consent holder in support of the constructed works, including Producer Statements, completion certificates, works acceptance certificate, statement of compliance of as built works and as built plans, construction management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Section 3 of the Council's Engineering Standards 2011.
 - iii. Submission of a statement from a Geo-Professional confirming that all earthworks have been completed in accordance with the plans approved under 16.k) and NZS4431:2022. The statement shall confirm that the land is suitable for building development, inclusive of any lot-specific requirements or limitations, to the satisfaction of the Council's Development Engineer or delegated representative. This statement (and any associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- d) In the event of any damage to any assets on Council's road reserve by the works associated with the subdivision, the consent holder shall reinstate it in accordance with Section 3 of the Council's Engineering Standards 2011.
 - e) All works described in the certified plans under Conditions 16.h) of this consent relating to the LPP shall be implemented and completed in accordance with the Certification Process specified in the approved LPP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 17.g).
 - f) All works described in the certified plans under Conditions 16.i) of this consent relating to the EMP, shall be implemented and completed in accordance with the Certification Process specified in the approved EMP. The certification must be less than 3 months old when provided to Council as part of an application made pursuant to section 224c of the RMA and shall be supported by suitable documentation including photographs and plans for monitoring and maintenance purposes and a cost estimate of the works provide for maintenance purpose for a period of not less than 5 years for the purpose of the performance bond as required by condition 17. h).
 - g) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the LLP required by condition 16.e) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 17.e) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20% of the total bond amount may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Council's Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the condition 16.e). has been undertaken.

- h) A performance bond pursuant to section 108A of the RMA will be held for the purpose of ensuring that suitable maintenance of all works completed in accordance with the EMP required by condition 16.f) above for a minimum period of 5 years. The amount of the bond shall be set at the amount specified in the cost estimate provided in condition 17.f) above plus 20% contingency. The bond shall be registered on all affected titles.

A portion of the bonded amount of no more than 20 percent (%) of the total bond amount

may be released on an annual basis at the request of the consent holder subject to provision of suitable evidence to the Councils Monitoring and Compliance Services Team Leader or delegated representative to confirm that the monitoring and maintenance required as approved under the Condition 16.f) has been undertaken.

- i) The consent holder shall prepare and register a suitable covenant, which may be a Conservation covenant(s) in accordance with section 77 of the Reserves Act 1977, an open space covenant under the Queen Elizabeth the Second National Trust Act 1977, or a private bush protection covenant, against the proposed private and common lots of the land within Stage 1 as being subject to a covenant. The terms of any such covenant shall provide for on-going protection of the Indicative Landscape Planting and Ecological Enhancement Planting required and completed under Conditions 16.e) and 16.f) of this consent, and shall specifically provide for ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 16.e) and 16.f) above.
- j) The consent holder shall provide suitable documentation to confirm that a suitable legal entity will be responsible for managing and maintaining all internal private assets (including but not limited to roading, stormwater, pedestrian walkways, and all landscape and ecological enhancement planting) to be created as part of the subdivision servicing all lots. As a minimum, the entity shall:
 - i. Be registered under the Incorporated Societies Act 1908.
 - ii. Require all lot owners within the subdivision to be a member and/or shareholder.
 - iii. Set out that the purpose of the entity is to manage the private roads.
 - iv. Specify a mechanism to fund regular maintenance works on all assets to meet the minimum requirements of the Kaipara District Council Engineering Standards 2011 and obligations associated with all landscape and ecological enhancement planting.
 - v. Require the Constitution and any amendments to it to be approved by the Council or its duly delegated officer.
- k) A cash contribution in lieu of reserves shall be paid based on 5% of the assessed value of the developable lots within Stage 6 resulting from the subdivision. Such value is to be determined by a registered valuer appointed by Kaipara District Council, at the consent holder's expense. At the time of payment of the contribution, the valuation upon which the cash contribution is calculated shall be no more than three (3) months old.
- l) Consent Notices pursuant to section 221 of the RMA shall be prepared for registration against the affected lots identified below. The consent notices shall draw attention to and require compliance with respect to the following matters:
 - i. For all developable lots, at the time of building consent for any habitable or non-habitable building, a detailed geotechnical and on-site servicing investigation shall be undertaken by a suitably qualified professional engineer and a suitable report provided to the Kaipara District Council. That report shall have regard to the Conclusions and Geotechnical Recommendations Section 16 identified in the geotechnical investigation by Earthtech Consulting Ltd (Reference: R4309-2, dated 6 May 2025), and any lot specific recommendations contained in the statement provided under Condition 17.c.iii. above, copies of which are available on request to the Kaipara District Council.
 - ii. For all developable lots, future owners are advised that no physical copper telecommunication connection exists and only wireless telecommunications is available. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to these lots.

- iii. For all developable lots, access from public road to the lot is provided by way of private road. The Kaipara District Council will not assume any responsibility for management or maintenance of any part of the private road/s serving the site unless it does so of its own volition.
- iv. For all developable lots, at the time of lodging a building consent for a residential dwelling, the applicant shall provide evidence to illustrate that a minimum potable water supply of 40,000 litres will be available on the site.
- v. For all developable lots, in addition to potable water supply a suitable dedicated fire fighting water supply is to be confirmed as part of any building consent for a habitable building on any lot. A minimum of 10,000 litres is to be dedicated for firefighting where any new dwelling is less than 250m² gross floor area, and minimum of 20,000 litres is to be dedicated for any dwelling exceeding 250m² gross floor area. For avoidance of doubt, the water supply is required to meet the criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).
- vi. For all developable lots:
- The Building Controls contained in the 'Design Guidelines' document prepared by Barker and Associates Limited and attached to this consent notice must be adhered to.
 - The Stream and Wetlands Setback Plan provided under Condition 16.e) iii. is to be adhered to. No buildings and associated private infrastructure (including water tanks, retaining walls, and effluent fields shall be located within the specified setbacks shown on the Plan.
 - At the time of building consent, the lot owner shall provide a written statement prepared by a suitably qualified and experienced landscape architect to confirm that any proposed building development is consistent with the 'Design Guidelines' document prepared by Barker and Associates Limited as attached to this consent notice.
- vii. For all lots, the keeping of any grazing animal / livestock, cats, mustelids and rodents on the lots is prohibited. Where dogs are to be kept on the lots they must be contained at all times and not allowed to roam free. When not on a lead, any dog must be contained in a secure building, run or kennel or other appropriately fenced area. For the avoidance of doubt the purpose of this condition is to ensure that dogs are excluded from any covenanted area to avoid adverse effects on indigenous fauna such as Australasian Bittern / Matuku-hurepo.
- viii. For all lots, the future lot owners are advised that all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effects cannot be practiced.

If subsurface archaeological evidence or cultural materials (shell, midden, hangi, storage pits, etc.) should be unearthed during construction:

- All work in the site will cease immediately. The Contractors/ Works Supervisor/Consent Holder shall shut down all equipment and activities.
- The Contractors/ Works Supervisor/Consent Holder shall notify the Area Archaeologist of Heritage NZ (HNZ) – Pouhere Taonga (Northland Office), Te Uri o Hau/Environs Holdings Ltd, Kaipara Council and any required statutory

agencies (e.g., NZ Police for human skeletal remains).

- The Contractors/ Works Supervisor/Consent Holder shall ensure a buffer zone of 10 metres is roped or marked around the archaeological remains and that the remains are undisturbed, and the site is safe. Work may continue outside the buffer area.
 - If the material or materials are confirmed to be Taonga tūturu of Māori origin, additional engagement between Te Uri o Hau, Kaipara District Council, and the commissioned Archaeologist (representing HNZ) to discuss Manatū Taonga - Ministry for Culture and Heritage Taonga Tūturu protocols and the expenditure process for the return of Taonga Tūturu to Te Uri o Hau.
 - If burials, human remains/koiwi tangata are uncovered, the above bullet points shall apply.
 - Works in the area shall not commence until all cultural and statutory requirements have been met.
 - All parties will work together towards the recommencement of site works in the shortest possible timeframe while ensuring that archaeological and cultural requirements have been complied with.
- ix. For all developable lots, any future owner shall be made aware that the subdivision includes specific provision for landscape amenity and ecological enhancement planting through the subdivision. The covenant obligations protecting the planting on both private and common lots apply to all individual lot owners, and those lot owners shall be responsible for ensuring compliance with ongoing weed and pest control and replacement and enhancement planting in accordance with documentation provided under Conditions 16.e) and 16.f) of this consent which are documented in the protective covenant.
- x. For all lots, further subdivision is prohibited.
- m) A solicitor's undertaking shall be provided to Council confirming that all consent notices, covenants (including esplanade strip instruments), and bonds prepared for registration under the relevant conditions of this resource consent will be duly registered against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments. All consent notices and covenants to be prepared or registration under the relevant conditions of this resource consent shall be prepared by a Solicitor at the consent holder's expense.

Advice Notes

1. Under the Local Government Act 2002, the Consent Holder will be required to pay to Council a Development Contribution of \$15,442 plus GST for each additional lot for roading and community infrastructure (apply as per relevant DC policy at the time the application was lodged) in the Kaipara District.

The proposed development will result in 67 additional allotments. The total Development Contribution will be \$1,034,614 plus GST.

A copy of Council's policy on Development and Financial Contributions included within the Long Term Plan 2024-2027 and Development Contributions Policy (2025) can be obtained from Council offices in Dargaville and Mangawhai or downloaded from Council's website www.kaipara.govt.nz.

2. The consent holder is obliged to comply with the consent/s issued by the Northland Regional Council as part of this development.
3. Building consents may be required for any physical works associated with the internal private roads where retaining structures or similar are required.
4. This consent has been approved on the basis that the application has been sought inclusive of private roads and associated assets and infrastructure. The Council will not be responsible for the management or maintenance of any of these private assets or infrastructure.

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