

File ref: FTAA-2512-1164

12 June 2026

Phil Wilson
Chief Executive
Auckland Council
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Tēnā koe

Request for information from Vineway Limited (the Applicant) and Auckland Council in relation to the Delmore application under the Fast-track Approvals Act 2024

The Delmore Expert Panel (the Panel) has directed the Environmental Protection Authority (EPA) to request further information from you under section 67 of the Fast-track Approvals Act 2024 (the Act), relating to the Delmore application.

At the direction of the Panel, the EPA is seeking the following information:

From Vineway Limited:

1. What are the nature of the authorisations required for water supply and waste water under the Water Services Act? Should the Panel anticipate (for the purposes of drafting conditions) that authorizations from the Water Services Authority may be required for private wastewater systems in the future?
2. In what way has the approach in *Matvin* been altered by later decisions of the Supreme Court in the *East-West Link* decision and the Court of Appeal in *Glenpanel* with respect to plan provision interpretation?
3. The Applicant's approach in the AEE to the interpretation of the relevant objectives and policies in the FUZ is to look at the intent of the provisions, rather than the plain and ordinary meaning. To what extent is this approach to the interpretation of planning provisions open to the Panel?
4. How should the Panel interpret the word 'avoid' in Objective H18.2(4) and associated Policy H18.3(6), particularly in relation to 6(b), (c), (d) and (g)?
5. Does the Applicant have more recent confirmation of Watercare's forecast completion dates for the:
 - Army Bay WWTP Stage 1 Upgrade - anticipated to be completed 2031.

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- Army Bay WWTP Stage 2 Upgrade - anticipated to be delivered in line with the FDS timing of 2050+;
 - Orewa to Stanmore Wastewater Trunk Network Upgrade - anticipated to be completed by 2033.
 - Stanmore Wastewater Pump Station (WWPS) and Rising Main (RM) Upgrade - anticipated to be completed by 2031.
6. While the Panel acknowledges that the disposal of Stage 2 wastewater is excluded from the current consent applications, the Panel must be satisfied that feasible disposal options could reasonably be approved prior to the issue of any section 224(c) certificate within Stage 2 (as per proposed Subdivision Condition 40):
 - a. How does the Applicant anticipate the Stage 2 wastewater system operating in the potential absence of a public network connection and with what potential adverse impacts?
 - b. To what extent does the proposed condition precedent requiring confirmation prior to the issue of s.224(c) certificates for Stage 2 meet the test of s.84A(1)?
 7. Clarify whether the construction of the Grand Drive extension within Ara Hills is covered by the current consent applications.

From Auckland Council

8. Council's response to paragraphs [1]-[4] above; and
 9. A workability, enforceability and completeness review of the proposed condition set notated as Appendix 2 – Updated Proposed Conditions to the Applicant's Section 55: Response to Comments on the Delmore Application dated 5 June 2026.
- Note:** *without prejudice to the Panel's final decision, this review should be undertaken as if consent is to be granted.*
10. For the avoidance of doubt, the Panel does not require Council to review other supporting documents provided by the Applicant in its 5 June 2026 response. Nevertheless, reference to some of those documents may be necessary in order to undertake the review of particular conditions.
 11. In the alternate, with respect to paragraph [9] above, should the Applicant and Auckland Council consider that jointly producing a single annotated copy of the proposed conditions would be more efficient, they are to advise the Panel accordingly [which may also involve a further suspension for time to complete, with or without the assistance of a facilitator].

Supply of Information

In accordance with section 67(2) of the Act the Applicant and Auckland Council must:

- a) Provide electronic copies of the information or report requested; or
- b) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information to the EPA by **Friday, 26 June 2026**

If the information requested is not received, the Panel must proceed as if the request for further information has been declined.

Please note, the information will be provided to the Panel, the applicant and every person who provided comments on the application. The information will also be made available on the Fast-track website.

If you have any questions, please contact Application Lead, Daya Thomson by email at info@fasttrack.govt.nz

Nāku noa, nā

A handwritten signature in black ink, reading "D Thomson". The signature is written in a cursive, flowing style.

Daya Thomson

Application Lead – Land and Ocean Applications