

BEFORE THE FAST-TRACK PANEL CONVENER

IN THE MATTER

An application for approvals under section 42 of
the Fast-track Approvals Act 2024 (“FTAA”)

AND

IN THE MATTER

Delmore, a project listed in Schedule 2 to the FTAA

MEMORANDUM OF COUNSEL FOR THE APPLICANT

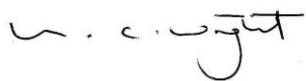
9 March 2026

MAY IT PLEASE THE PANEL CONVENER

1. This memorandum responds to paragraph [9] of Minute 3 dated 4 March 2026.
2. The applicant has agreed to an arrangement with Auckland Council enabling Auckland Council technical specialists to begin reviewing the new substantive application and preparing what will in essence be draft versions of the technical reports that would inform Auckland Council's response to comments under s 53 FTAA. These will be shared with the applicant who will work with Auckland Council to try to resolve any outstanding issues before the statutory date for providing comments under s 53 FTAA.
3. This engagement will come on top of the post-lodgement engagement already underway in respect of areas where the new substantive application included information prepared in response to matters raised by Auckland Council prior to lodgement, but which Auckland Council had not yet reviewed or discussed with the applicant. These areas were discussed during the panel convener conference.
4. This engagement also comes on top of extensive engagement between the applicant and Auckland Council since 2024 which, as also discussed during the panel convener conference, has included numerous face-to-face meetings between technical experts and provision of plans and technical reports/responses. This engagement has resulted in both large and small-scale changes to the project and the undertaking of highly technical further analysis. Consequently, it has seen a narrowing of the points of difference between Auckland Council and the applicant. To highlight this, Attachment A to this memorandum is a table that sets out the key changes/further analysis as between the first substantive application and the new substantive application, and the particular concern each was undertaken to address. This is a more detailed version of the comparison included in the AEE.
5. Given that context, the applicant's submission remains that the panel should be given a total of 45 working days for issuing a decision under s 79 and that this is the most appropriate timeframe having regard to the matters in s 79(2)(b) FTAA. This equates to a total of 75 working days.
6. In the applicant's submission, the engagement outlined at paragraph [2] above will effectively provide Auckland Council with the extra working days it has sought be included in the s 79 timeframe but at the front end of the process. This will give Auckland Council and the applicant time to address issues that may have otherwise been raised in s 53 comments, and for Auckland Council to refine and collate its s 53 comments. Both steps will assist the panel and reduce the need for additional time under s 79 FTAA.
7. The applicant understands that Auckland Council's proposed 55 working day timeframe is based on its experience with other applications. However, the new substantive application for Delmore is unique because it has the extensive engagement summarised above and the first substantive application process sitting

behind it. In the applicant's submission, this history is best reflected in the 45 working day timeframe it proposes.

8. Finally, as noted in response to questions during the panel convener conference, the 45 working day timeframe has also been identified with an eye to facilitating the delivery of the project in terms of commercial requirements and construction practicalities. An example is the timing of the 2026/2027 earthworks season.
9. The applicant would be grateful to receive confirmation of the timeframes for the new substantive application as soon as possible to enable it to determine the details of its engagement plan.



Madeleine C Wright

Counsel for Vineway Ltd

Attachment A – changes and further information table