

BEFORE THE FAST-TRACK EXPERT CONSENTING PANEL

IN THE MATTER

An application for approvals under section 42 of  
the Fast-track Approvals Act 2024

AND

IN THE MATTER

Delmore, a project listed in Schedule 2 to the Fast-  
track Approvals Act 2024

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MEMORANDUM OF COUNSEL FOR THE APPLICANT RESPONDING TO MINUTE 14

1 August 2025

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- Table 1 Overview of proposed further information

Additional matters/points of misunderstanding in information lodged by the Council 28 July 2025	Precis of information in response	Approximate size of response
<p><u>Ecology</u></p> <p><i>Freshwater ecology</i></p> <ul style="list-style-type: none"> <li>• Comment that “No clarification is provided on the wetland loss/offset implications of this application in the context of the NoR 6 arterial road works.</li> </ul>	<p>Clarify misunderstanding about scope of work undertaken.</p>	<p>2 pages</p>
<p><i>Terrestrial ecology</i></p> <ul style="list-style-type: none"> <li>• Comment that applicant has “declined” to address effects of development in close proximity to sensitive habitats.</li> </ul>	<p>Clarify misunderstanding about scope of work undertaken.</p>	
<ul style="list-style-type: none"> <li>• Comment that applicant has failed to consider the ecological impact of realigning</li> </ul>	<p>Clarify misunderstanding about scope of work undertaken.</p>	

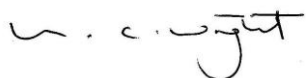
<p>the southern part of the NoR6 road.</p> <ul style="list-style-type: none"> <li>• Comment that applicant has used Council photos.</li> <li>• Comment that the applicant has not included effects associated with culvert 9 in its offsetting analysis.</li> </ul>	<p>Clarify origin of photos.</p> <p>Clarify misunderstanding about scope of work undertaken.</p>	
<p><u>Traffic and transport</u></p> <ul style="list-style-type: none"> <li>• Comment that road widening to accommodate wastewater tankering is not proposed and required.</li> <li>• New information regarding specific shoulder widening requirements on Wainui and Upper Orewa Road.</li> <li>• New issue raised about cost / comparison of realigned section of the NoR 6 road relating to 5% v 8% grade.</li> </ul>	<p>Clarify misunderstanding about scope of work undertaken.</p> <p>Provide applicant's view on need for shoulder widening.</p> <p>Provide response.</p>	2 pages
<p><u>Wastewater</u></p> <ul style="list-style-type: none"> <li>• New information regarding Watercare's refusal to accept either treated water or untreated wastewater from Delmore.</li> </ul>	Provide response.	1 page
<u>Economics</u>		1 page

<ul style="list-style-type: none"> <li>• Applicant has failed to provide a cost benefit analysis (separate from difference in view about scope of analysis).</li> <li>• Failure to consider and respond to infrastructure funding and financing issues raised in Appendix 1 to the Council's 25 June 2025 comments and restated in Appendix 1 to the Council's 28 July 2025 comments.</li> </ul>	<p>Clarify misunderstanding about scope of work that has been undertaken.</p> <p>Clarify misunderstanding about scope of work that has been undertaken and include comment based off further capacity analysis undertaken to be provided 5 August 2025.</p>	
<p><u>Parks</u></p> <ul style="list-style-type: none"> <li>• New comment that if the Council does not acquire one or either park, they should remain parks owned and managed by residents' society as opposed to reverting back to residential use.</li> <li>• New request for cross-sections.</li> <li>• New issue raised about whether grading of the Stage 1 park raises flooding or stormwater implications. This includes a request for commentary and plans for both parks relating to a 1 in 10 and 1 in 100-year flood event.</li> </ul>	<p>Provide response.</p> <p>Provide cross-sections.</p> <p>Provide response.</p>	<p>2 pages</p> <p>2 plans (1 per park with 2 cross-sections on each).</p>
<p><u>Geotechnical engineering</u></p>	<p>Provide response.</p>	<p>1 page</p>

<ul style="list-style-type: none"> <li>• New request to check alignment between Terra Studio retaining plans and geotechnical assessment.</li> </ul>		
<u>Hydrology</u> <ul style="list-style-type: none"> <li>• More specific comments regarding wetland hydrology covering: (a) concern wetland habitat will not establish within embedded culvert; (b) concern about potential changes in flow velocity resulting in scour and erosion and effects on downstream wetlands.</li> </ul>	Provide response.	1 page

5. Except for new conditions/amendments to conditions that have been proposed, the applicant considers that the remaining information provided by the Council on 28 July 2025 essentially restates the comments provided to the panel on 25 June 2025. The applicant has already provided a comprehensive response to those comments. The applicant is of course happy to provide any further information the panel may need after it has considered the Council's 28 July information in detail.
6. The applicant has not sought to provide further comment on new proposed conditions or proposed amendments to conditions now. This is because it understands there will be opportunity to address conditions as part of a conditions workshop (or similar) with Mr Serjeant and/or as part of the statutory process for commenting on conditions.
7. For completeness, it is also noted that the panel has already requested further information from the applicant relating to its analysis of existing capacity within the public water supply and wastewater networks. This will be provided on 5 August 2025 in accordance with the panel's directions.

8. The applicant thanks the panel for attending to this matter.



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Madeleine C Wright, Counsel for Vineway Ltd