

Delmore Fast Track Application

Appendix 9: To Response to Comments Letter

Date: 5 June 2026

Re: Delmore – Substantive Application Response to all other Comments

1.1 Introduction

This memorandum responds to comments from entities other than Auckland Council received by the Panel under section 53 of the Fast-track Approvals Act 2024 ('FTAA'). This includes Ministers of the Crown, other government entities, iwi that have not prepared cultural impact assessments, and neighbours.

The following attachments are included to this memorandum:

- **Attachment A:** Updated Archaeological Management Plan
- **Attachment B:** Email correspondence with NZTA

1.2 Response to Further Information Requests / Comments

Comment (1) – Minister for Regional Development	Applicant Response
Advised panel not commenting.	No response.
Comment (2) - Ngā Maunga Whakahii o Kaipara	
Development as proposed is seen as premature. That is, there is clearly not sufficient municipal infrastructure available at a requisite time.	B&A: The Delmore development has been designed to enable on-site servicing so that it is not reliant on the public network. However, conditions are sought providing for the ability to switch to the public network because the information that is available shows that there will be sufficient capacity with upgrades planned in the short and medium term. The reasons why this approach is lawful and appropriate are set out in the Ellis Gould letter provided in Attachment 1 to Appendix 1 to the Response to comments letter .
It also becomes increasingly distant from sustainable communities and forms fragmented "ribbon-development" further in the hinterland.	B&A: The Delmore site is located on FUZ land which means it is intended for urban development at some stage. It is not rural hinterland, to the extent this is being suggested it is not correct. Developing the site now does not result in ribbon development. Rather, it connects existing residential/urban development at Ara Hills immediately to the east

	and north-east of the Delmore site, and at Milldale then to the south. The Delmore site is also located at an acceptable distance from required social services. These matters are specifically addressed in Appendix 13 to the AEE section 5.1-5.4 and visually demonstrated in the strategic context plan and accessibility analysis appended to Appendix 13 to the AEE.
Wastewater Interim option not supported. i.e. holding tanks, filling station, and tankers collect daily. An on-site treatment plant is proposed because Watercare is unlikely to connect the development to the public network until after the 2031 upgrade (at the earliest). Mostly, this treated water will discharge on-site. During summer some will not due to stream flows; hence transport to land elsewhere (possibly in Whangarei district) would occur.	<i>B&A:</i> The comment does not clearly state why the interim option is not supported. The on-site wastewater solution has been designed with extensive technical input. It has been designed to be able to be a permanent solution if that is needed, or to be able to be decommissioned in order to connect to the public network. The solution has been reviewed by Auckland Council specialists, including in respect of on-site discharge and truck movements, and adjustments have been made to the proposed conditions to addresses the comments that were provided. Auckland Council has now confirmed that all matters relating to wastewater trucking have now been resolved.
Ecological mitigation It is understood that the 'doubling of native vegetation' (when complete) means the nominal site areas allocated for it and not the actual biomass at that time. Revegetation projects take decades, if not generations, to emulate a comparative habitat to established native forest. Although there is a maintenance plan proposed for an establishment period, the vast extent of this would require ongoing manual weed control efforts. What typically happens, even in appropriately conditioned large new subdivisions, is that vacant lots harbour noxious weeds e.g. gorse and pampas. This then spreads to neighbouring bush and allocated revegetation areas by wind and bird dispersal. Furthermore, once occupied, household gardens give rise to the spread of other invasive species e.g. moth plant. Because of the proposed scale of this development (i.e. around 1200 dwellings), there would also be considerable risk of domestic pets interfering with avifauna and other wildlife in surrounding bush areas.	<i>B&A:</i> The proposed conditions of consent have been amended with input from Auckland Council and the Department of Conservation (DOC) to clearly allocate the consent holder responsibility for establishing native vegetation and the Residents' Society for on-going maintenance. The ecological management plan which will apply over the establishment period has specific density and cover targets that must be met. These have been selected because they represent when the native vegetation is sufficiently established that it will be able to persist with maintenance level intervention. In terms of on-going maintenance, the Residents' Society structure means that this is a collective responsibility of all residents. This structure is intended to ensure that maintenance work does indeed occur. Detailed comments on the proposed ecological management plan, what it will contain, and species to be used are provided in Appendix 8 A24 to the Response to Comments Letter at points 25 –33, 36. The issue of domestic pets has been carefully worked through with Auckland Council and the DOC. On the basis of that engagement, a proposed condition of consent is included which requires consent notices on the titles within the Delmore Stage 2 area preventing cats and other domestic animals with similar potential to harm native fauna

	species. This condition is accepted by both Auckland Council and DOC. The reasons why an approach targeted at the Delmore Stage 2 area was considered appropriate are set out in Appendix 8 A24 to the Response to Comments Letter at point 21.
We acknowledge the archaeological assessment by Clough and Associates, insofar as having identified two potential sites/features of Māori cultural significance.	Noted. No further response.
We note the comments received from various parties earlier this year pertaining to the first referral application. Particularly those of Messrs Hale, Mason, and Wallace.	Noted, No further response.
Comment (3) – Barnaby Wallace	
Not all the above developments are complete, with thousands of houses yet to build. I understand there is also consent for another subdivision in Dairy Flat that has not yet started. This will add thousands more houses. The current, and growing, problem is that the local services are already completely overwhelmed: • Transport (both road and bus parking) • Schools (our daughter is already using an office as a classroom in the wrong part of the school) • Doctors (the wait for an appointment is two weeks plus and rising) • Hospital/Emergency (long waits at all local clinics) • Fire / Police / Ambulance (all sized for a small rural community and not getting the investment required) While I understand the council is not responsible for the majority of the above investment, the planning department does have an implicit responsibility to ensure that houses approved can access the required services. This is already a challenge. It is well past time to drive the required investment in services before making the problem any worse. I request this submission be put on hold until at least some of these issues have been addressed.	B&A: The responses provided by NZIER to Auckland Council's comments confirm that Auckland is experiencing a housing shortfall and that there remains a demonstrated need for additional housing supply within the region. Refer to Appendix 8 A02 to Response to Comments Letter at section 1.2 row 2. Regarding concerns about transport infrastructure capacity, Commute Transportation Limited has assessed this and proposed conditions are included to ensure that the consent holder undertakes the upgrades required to support the development. These are shown in Appendix 7 Plan set 1 to the Response to Comments Letter Regarding concerns about capacity within other public services, these matters are largely outside of the Applicant's control and reflect broader growth pressures being experienced across Auckland and New Zealand. The Applicant notes that the need for additional housing must be balanced against the challenges associated with accommodating population growth. The proposal will contribute to the funding of public infrastructure and services through development contributions, infrastructure growth charges (if connected to the public network), and rates, which are intended to assist service providers and public agencies in responding to growth over time. It will also result in significant upgrades to the existing road network undertaken by the consent holder in accordance with proposed consent conditions. The Applicant therefore does not consider that the concerns raised identify any adverse effects that are unique to, or would be

	caused by, the Delmore development. In relation to schooling specifically, the information available indicates that there is capacity at recently established Nukumea School and that further school options are being investigated by the Minister of Education.
The boundary fence between our land and the development park will likely need to be rebuilt to ensure no small dogs and pets can get through. I do not have the funds spare to cover a 50% share on new fencing. This would have to be fully covered by the developer. I will also need to a single legal and financially responsible party to discuss any future boundary costs and or changes with. As this is to be park land I am concerned that there will be no ongoing responsible party for this.	<i>B&A:</i> It is understood that the commenters property is located to the northwest of the Delmore site. This means that it adjoins the Delmore stage 2 area. This area is proposed to be subject to a condition of consent preventing cats and similar pets, thus with respect to cats, the issue raised should not arise. A fence for dogs is impractical and unnecessary. Each residential home is designed to be its own, separate area with landscaping, retaining and fencing which provides an in-built measure of control. Further control is the responsibility of owners in the normal way across the region. In terms of a long-term point of contact, the proposed conditions provide for a single Residents' Society which will have responsibility for all planted areas within the Delmore development. This Society will provide a point of contact for neighbours. This is included within the Resident's Society conditions at Condition 34 of the subdivision consent.
Comment (4) – Minister for Arts, Culture and Heritage	
The applicant's references to the protocol for newly-found taonga tūturu conservation treatments, as indicated in the application (Archaeological Management Plan), is not up to date. Manatū Taonga the Ministry for Culture and Heritage (the Ministry) administers the Protected Objects Act 1975 under which newly-found taonga tūturu are defined and their treatment managed. The Ministry advises me that the process for conservation treatments for newly-found taonga tūturu no longer rely on the University of Auckland. Instead, the Ministry currently maintains a list of Conservation Panel of Suppliers to enable communities to connect and work together in preserving taonga tūturu. More information can be found on the Ministry's webpage. If the project is approved and taonga tūturu is found during construction and requires further conservation treatment, I encourage the applicant to follow the latest conservation treatment protocol published on the above website.	<i>Clough & Associates:</i> Section 8 of the draft Archaeological Management Plan (draft AMP) has been updated to relate to the latest conservation treatment protocol. The updated draft AMP is attached to this response table at Attachment A.
Comment (5) – Jonathan Mason	

At present we are the first Rural Production Zone abutting the Future Urban Zone. Our understanding was that the latter Zone was not for development until 2050 or later. I have seen no justification for change of priorities represented by this proposal, other than getting past the normal planning process, by targeting a piece of land not presently available under council rules.	B&A: The intent of the FTAA is to enable development ahead of when it might ordinarily occur under standard processes. To the extent this comment questions the Delmore project's regionally significant benefits, these are addressed in summary in Appendix 1 to the Response to Comments Letter in section 5. The Applicant considers the project's significant regional benefits justify grant of approvals to enable the project to be realised now. To the extent this comment relates to development being out of sequence with the FDS, this is also addressed in Appendix 1 to the Response to Comments Letter in section 5.
I am further concerned that finding our land suddenly adjacent to a major development will severely impact our legal right to conduct activities proper to a rural production zone property (for example complaints about machinery noise).	B&A: The property will still be subject to rural zoning which means that rural activities retain permitted activity status. Any consent application for a rural activity will be assessed against the existing environment in which your property is in the rural zone, with a related expectation that rural activities can occur.
Building dwelling houses right up to our boundary fence; carving down the landscape by 10 metres or more.	B&A with input from Terra Studios architecture and Viridis Consultants Limited: Mr Mason's property is 180 Upper Orewa Road. This backs on to Stages 2C and 2B-3 of the development. Stage 2C backs on to what is essentially the southern half of 180 Upper Orewa Road, and Stage 2B-3 essentially backs onto the northern half. In both stages, private lots adjoin the boundary. In the Stage 2B-3 area all houses are set back by at least 20m with the closest being 23m and the majority approx 41m. The space between the house and boundary will be planted, with vegetation types selected by Greenwood Associates and Viridis based on the goal of helping the WS11 ecosystem to reestablish. In the Stage C area, houses are set back from the boundary by approximately 10m to 12m, with planting on the slope down towards the boundary. These setback distances and the housing location on each lot were determined with input from Greenwood Associates and Barker & Associates' urban design experts to confirm that they are appropriate in terms of managing amenity for the neighbouring property and buffering the SEA-T to the northern part of this area. The Delmore site and the proposed design has also been assessed by Riley Consultants to ensure development is stable. It is also noted that the dwelling at 180 Upper Orewa Road is approximately

	300m from the boundary already. As a result of the above, the applicant does not propose to adjust the housing setback distances or the planting proposed.
Inadequate plans in place for dealing with wastewater from 1250 houses.	<i>B&A:</i> The applicant disagrees with this comment for the reasons already outlined in response to Kaipara Moana.
The record of my conversation with Mr Allsop-Smith is plainly inaccurate in several respects.	<i>B&A:</i> No record of conversations between Mr Mason and Mr Allsop-Smith was provided with application materials. It is understood that the comments provided by Mr Mason relate to the application documents for Delmore's previous application which was withdrawn, and that there was a difference in understanding at that time about what had been discussed.
The Auckland Council Planning Department assured me that the developer would be responsible in perpetuity for assuring the compliance of the development with the various requirements placed upon them for the development. So my most pressing question is, "who is the developer?"	<i>B&A:</i> The proposed conditions place responsibility on the consent holder for conditions related to delivering the development and for establishing planting and wetland offsets. The consent holder is Vineway Limited an identifiable, registered company. The proposed conditions place responsibility for longer term operation and maintenance of planting and on-site infrastructure with the Residents' Society and Utility Company. This is an orthodox approach and the conditions providing for this have been prepared with specialist property law input to ensure they are fit for purpose, see the memorandum from Alexander Dorrington Lawyers in Attachment B to Appendix 1 to the Response to Comments letter . No changes to the conditions are proposed to respond to this comment.
Both Vineway Limited and Myland Partners (NZ) Ltd are ultimately owned by Safe Haven Corporate Trustee Limited, a corporate trustee company with a single director / shareholder, but with unknown (at least to the public) beneficial owners. Has the Government established which natural person or persons are the developer in an enforceable and ongoing legal sense, such that it can take enforcement action in the future against the developer, and if necessary, adjacent landowners can take legal action against them? Because if Vineway Limited and Myland Partners (NZ) Limited have been set up in order to limit future liability of, and to protect the anonymity of, the beneficial owners, then in my view it is not a fit and proper vehicle to undertake this or any other major project. For comparison, Fulton Hogan, who are	<i>B&A:</i> As above.

undertaking another development in the area, are a known and public company with a track record stretching back to the 1930s.	
I would be glad to know that the proposers will not be able to apply for an increase in the number of lots, post getting approval for this project. That would be desirable for their profitability but simply increase the pressure on an already fragile environment.	<i>B&A:</i> If approvals are granted they will enable development of the number of residential lots shown in the masterplan, a residential super lot and a commercial super lot. Any increase in lots, or application for lots within the residential super lot will be subject to the applicable rules in the Auckland Unitary Plan at the time in the usual way. It is also noted that the technical, ecological information before the Panel indicates that the Delmore development will result in a net gain for the environment.
I was not able to access detail of the rainfall figures used by the engineers in planning their handling of stormwater on the development. I have personal experience of how often a “100-year rainfall event” can occur on the back of Lot 2 DP 153477; on occasion we had 2-3 a year. I well remember having to look for two 24 inch x 6 foot concrete culvert pipes which had been excavated by the stormwater from a farm crossing and carried a considerable distance downstream. My observation would be that storms coming in from the west dump the bulk of their rain there, and before they reach Orewa. So I hope Orewa rainfall figures were not used. I also know high the creek can run off our current property, which again I hope the engineers have taken into consideration.	<i>McKenzie & Co and FS Consulting:</i> The rainfall data used in the stormwater assessment is based on Auckland Council’s TP108, which is the required rainfall and runoff reference for the Auckland region under the Stormwater Code of Practice. The TP108 rainfall depths are not taken directly from the nearest rain gauge. They are generated from a spatial rainfall surface, so the values are specific to the site location. This means the assessment has not simply applied “Orewa rainfall”, but uses rainfall depths representative of the actual site, including local spatial and orographic variation. Climate change has also been allowed for in accordance with Auckland Council requirements. The TP108 rainfall depths have been increased using Council’s standard rainfall intensification factors, based on NIWA climate projections. For the 3.8°C climate change scenario, a +32% rainfall uplift has been applied. The design storm uses the 24-hour temporal rainfall pattern required by Auckland Council’s Stormwater Code of Practice. This distributes the total design rainfall depth over a 24-hour period to reflect the expected timing and intensity of rainfall within the storm event, rather than applying the full rainfall depth uniformly or instantaneously. The specific assessment here of the 24-hour rainfall depth for the critical 1% AEP event is 309.2 mm, including the climate change allowance outlined above.

	In addition to rainfall inputs, the hydraulic assessment also considered the behavior of the adjacent watercourse and overland flow paths to understand potential flood levels and stormwater impacts on the site and surrounding properties. It was against that level of assessment that the design of the masterplan has been considered and is considered appropriate in terms of protection from these types of matters, with the management methods put in place by the proposed conditions.
Failure to look at or consider the eco-system which has been regenerating here for the last hundred years and which my late parents especially facilitated over the past 50+ years of our stewardship.	<i>B&A:</i> This comment does not reflect how the Delmore development has been designed, the commitment to ongoing ecological management the proposed conditions provide for, or the technical information before the Panel provided by the applicant and Auckland Council. The Delmore development has been specifically designed to respect, protect, and enhance the native vegetation current existing within the Delmore site, with consequential ecological benefits for surrounding SEA-Ts and the Nukumea Reserve. The overall regional benefits for ecology and biodiversity associated with the Delmore development are described in Annexure 14 to the AEE pgs 67-68 and in Appendix 1 to the Response to Comments letter in section 5. On-going maintenance will form part of the Consent Holder's responsibility in the short-term and the Residents' Societies responsibilities in the long term. This is provided for in the conditions.
A predator and people-proof fence on the boundary to be erected and maintained in perpetuity at the developers expense, and designed so that animals and people cannot walk around the end of the fence to access our property. The predator and people proof fence needs to be in place before any works take place on the Delmore site, to prevent employees and contractors using our property either as a convenient toilet or break-room. Concerns also raised with residents entering commenters property in the long-term.	<i>B&A:</i> The commenters property is located to the west of the Delmore site. This means that it adjoins the Delmore stage 2 area. This area is proposed to be subject to a condition of consent preventing cats and similar pets, thus with respect to cats, the issue raised should not arise. A fence for dogs is impractical and unnecessary. Each residential home is designed to be its own, separate area with landscaping, retaining and fencing which provides an in-built measure of control. Further control is the responsibility of owners in the normal way across the region. There is no reason to expect that individuals working on the site during construction will leave the site to enter an adjoining property for any purpose. Construction is managed by a construction management plan, the preparation of which includes identifying and setting up meeting

	and management points for works. There is no reason to expect that future residents will traverse through bush with no pathway to enter into neighbouring properties.
A covenant on every title deed preventing landowners or their tenants from keeping cats, dogs, rodents or mustelids as pets.	<i>B&A:</i> The proposed conditions of consent provide for a covenant of this nature for the Delmore Stage 2 area which adjoins the commenters property. This has been agreed with Auckland Council and the Department of Conservation. The reasons why an approach targeted at the Delmore Stage 2 area was considered appropriate are set out in Appendix 8 A24 to the Response to Comments Letter at point 21.
A suitably wide margin (20m or more) between our boundary and the nearest occupied building plot, allowing a nature strip to come between the built-up area and our property, to be planted with a triple row of harakeke down its centre line (as much to protect people on the subdivision from effects of the noise of powered implements, chain saws etc on our property as to prevent noise and disturbance in the other direction).	<i>B&A:</i> Response as provided above in relation to the following comment: "Building dwelling houses right up to our boundary fence; carving down the landscape by 10 metres or more."
What financial recompense Vineway are offering to us for the undoubted degradation of current quiet enjoyment and future resale value in our property?	<i>B&A:</i> The site is earmarked for urban development as a result of its Future Urban zoning. No financial recompense is proposed because the development is simply realising that anticipated future state.
Panel should visit the proposed site to see how much destructive earthwork will be required to arrive at the artist's exceptionally disingenuous impression of the development, given the current elevations and contours, which are not obvious from flat diagrams, and how steep the drop offs from the road are.	<i>B&A:</i> The applicant does not agree with these comments. The renders provided represent what the proposed plans and conditions would provide for. Earthworks will be managed in accordance with an adaptive management plan and Erosion and Sediment Control Plan's, which is supported by Auckland Council.
Retaining has adverse impacts for native forest and especially the native fauna, including aquatic life and create a threat to life and property if our land subsides as a result of this development.	<i>B&A:</i> The commenters statement does not align with the ecological information before the Panel. Both Auckland Council's ecologist and the applicant's consultant ecologist agree that the Delmore development will result in a net gain for indigenous biodiversity. Additional design elements have been adopted in accordance with a precautionary approach to minimise residual risk to fauna (e.g. lighting controls around native forest areas). Short-term establishment and maintenance of this habitat will be required by the Consent Holder, including bonding mechanisms to Council.

	Long term maintenance of habitat is provided for though the Residents' Society. See generally, Appendix 8 A24 to the Response to Comments Letter. <i>Riley Geotechnical Consultants:</i> The geotechnical aspects of the development in relation to potential subsidence have been considered in GIR ref: 240065-Q (refer to Appendix 20 to the AEE as lodged). Detailed design of the stability enhancement measures and boundary retaining walls in accordance with the relevant standards and engineering practices will ensure the risk to life and property is appropriately low. We do not agree that the Delmore development proposes a threat to life or property from subsidence.
Concerns about strain that the increase in population puts on: retail provision, GP practices, schools and other essential services.	<i>B&A:</i> As per comment above in response to the similar comment made by Mr Wallace.
Concerns about insufficient school infrastructure in the area to support the development.	<i>B&A:</i> The applicant's understanding is that the need for additional school infrastructure has already been recognised by the Ministry for Education and actively provided for. Te Kura Tuatahi o Nukumea is a contributing primary school catering for Years 1–6 and was opened in 2023 after the Ministry of Education recognised significant population growth in the Orewa area. The school is currently located at 9 Cozier Place, Orewa, and has a roll of approximately 70 students. In terms of capacity, Stage One of construction includes 18 teaching spaces, designed to accommodate up to 600 students in the future. https://www.nukumea.school.nz/ The Applicant also understands that the Ministry is turning its mind to school facilities south of the Delmore site for the longer term based on Auckland Transport's comments.
Concerns that heavy traffic that will ensue over the approximately 10 years envisaged for this development. Concerns about responsible for remedial work on the Upper Orewa Rd for any construction traffic damage.	<i>B&A:</i> This comment is made without support of assessment by an expert traffic engineer. The applicant has worked with consultants Commute Transportation Limited to understand the potential impacts of the Delmore development and has proposed numerous upgrades to the public network to ensure it can support vehicle movements generated by the Delmore development overtime. These are shown in Appendix 7 to the Response to

	Comments Letter in plan set 1. Specifically, regarding wastewater vehicles, the consent holder will be required to monitor Russell Road to ensure there is no dust or soil tracking and must remedy the road if required. Upper Orewa Road is also proposed to be upgraded within Stage 2 of the development when the Upper Orewa Road roundabout is opened. This includes road widening, intersection upgrades, and footpaths.
Considers stream and wetland offset at the southwestern corner of the plan which is designed to run off onto our land at 180 Upper Orewa Rd (Property AA) is unacceptable due to danger of subsidence on commenters boundary.	<i>B&A:</i> The offset locations have been identified by expert ecologists and hydrological impacts have been raised by Auckland Council and responded to by the applicant. There is no technical basis for this comment. <i>Riley Consultants:</i> The geotechnical aspects of the development in relation to potential subsidence have been considered in GIR ref: 240065-Q (refer to Appendix 20 to the AEE as lodged). Detailed design of the stability enhancement measures and boundary retaining walls in accordance with the relevant standards and engineering practices will ensure the risk to life and property is appropriately low. We do not agree that the Delmore development proposes a threat to life or property from subsidence.
Concerns about significant risk from roundabout at the southwestern corner of the site plan, bordering on to our property, Property AA (180 Upper Orewa Rd).	<i>Commute Transportation Limited:</i> This comment appears to relate to sight distance at the proposed roundabout. In this regard, the roundabout has been designed to appropriate engineering standards (eg Austroads) and there is a specific condition proposed relating to providing appropriate sight distances at the roundabout. Refer to Condition 6 of the subdivision consent which is Section 3 of of Appendix 2 to the Response to Comments letter.
The southwestern corner of the plan abutting 180 Upper Orewa Rd (Property AA) shows properties being built right up to our boundary fence.	<i>Terra Studios architects:</i> The list below provides the minimum offset distances between the houses and the common site boundary. • Lot 1301: 13.8m • Lot 1302: 18.5m • Lot 1303: 22.5m • Lot 1300: 6.3m • Lot 1299: 7.9m • Lot 1298: 3.7m (pinch point) but the rest of the dwelling is set back approximately 7.5m • Lot 1297: 8.3m

	• Lot 1296: 12.7m • Lot 1295: 18.6m • Lot 1294: 25.4m • Lot 1293: 12.6m • Lots 1278-1292: 12m – 12.5m
Request requirement that no earthworks undertaken that cause a risk of subsidence, either to our land or to the significant stand of pine trees on our property, on the hill directly next to the southwestern corner of the development.	<i>Riley Consultants:</i> The geotechnical aspects of the development in relation to potential subsidence have been considered in GIR ref: 240065-Q (refer to Appendix 20 to the AEE). Detailed design of the stability enhancement measures and boundary retaining walls in accordance with the relevant standards and engineering practices will ensure the risk to life and property is appropriately low. We do not agree that the Delmore development proposes a threat to life or property from subsidence at 180 Upper Orewa Road.
Developer takes full remedial and financial responsibility in advance for any subsidence of land or trees on our side of the boundary as a result of excavations carried out by the developer. This would include all arborist fees including removal costs for any trees that fall or become unstable along that boundary line, within 60 months of excavation work along that boundary being completed.	<i>B&A:</i> The conditions of consent require that all excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid damage to land, buildings, structures and services on the site or adjacent properties. Refer to Condition 3 of the water permit in Section 5 Appendix 2 to the Response to Comments letter. There are extensive conditions within the water permit that ensure this is achieved. This includes the preparation of a Groundwater Settlement Monitoring and Contingency Plan (including alert and alarm level triggers), pre excavation surveys, visual inspections during dewatering, ongoing monitoring, and remedial actions to be undertaken if required.
Concerns with earthworks along boundary, presumably with up to 2.5m high retaining walls, and related stability concerns because only planted.	<i>Riley Consultants / McKenzie & Co:</i> The geotechnical aspects of the development in relation to stability have been considered in GIR ref: 240065-Q (refer to Appendix 20 to the AEE). Detailed design of the stability enhancement measures and boundary retaining walls in accordance with the relevant standards and engineering practices will ensure the risk to life and property is appropriately low. We do not agree that the Delmore development proposes a threat to life or property from instability.
No mention whatsoever has been made of the SNA awarded the property by Auckland council, due to the extremely rich diversity of indigenous aquatic, avian and land-based wildlife.	<i>B&A:</i> The Delmore development has been specifically designed to avoid the SEA-T referred to in this comment. In addition, the planting undertaken within the Delmore site will have positive impacts on

	this SEA-T due to increased ecological corridor function. See Annexure 14 to the AEE pg 67-68 .
Concern about impact of development on commenters bore and query about investigation has been done into the capacity of this aquifer to sustain this level of drawing from it so that our own water supply doesn't dry up.	<i>B&A:</i> Auckland Council has granted the approvals required to enable water take to support the Delmore development. This included consideration of sufficiency to support any existing takes and neighbouring bores, and also the take sought by the applicant to support the Delmore development if it is unable to connect to the public network.
Concerns that a large housing development on rural clay land can significantly impact both the stability of nearby clay soil and the water levels of existing bores, potentially requiring neighbours like us to deepen our bores. If occurs written into the requirements of this development for all neighbouring properties on bores, as well as into the constitution of the residential society, as a non-negotiable condition for this development's construction.	<i>Riley Consultants:</i> This has been considered in Section 5.2 of our GIR (Riley ref: 240065-Q) (refer to Appendix 20 to the AEE) which concluded that there should be no effect to existing structures and water takes located beyond the development boundary.
Concern that the combination of increased water demand and changes in land surface creates a risk of subsidence (sinking ground) and reduced water access.	<i>Riley Consultants:</i> The geotechnical aspects of the development in relation to potential subsidence have been considered in GIR ref: 240065-Q (refer to Appendix 20 to the AEE as lodged). Detailed design of the stability enhancement measures and boundary retaining walls in accordance with the relevant standards and engineering practices will ensure the risk to life and property is appropriately low. We do not agree that the Delmore development proposes a threat to life or property from subsidence. Further, the potential for reduced water access has been considered in Section 5.2 of our GIR which concluded that there should be no effect to existing structures and water takes located beyond the development boundary.
Delmore's documentation suggests that the water bore for either the whole development or at the very least for Stage 2 will be positioned right next to our boundary fence on the southwestern side of the development. This has the potential to significantly impact stability.	<i>B&A:</i> The location of the groundwater bores has been assessed by Auckland Council and consents have been approved. Impacts on geotechnical stability were assessed through those consent processes.
Concerns about area along Upper Orewa Rd being used for drainage reserve purposes because already subsidence, particularly given storm increase and related flood risk.	<i>McKenzie & Co:</i> There are no drainage reserves proposed along Upper Orewa Rd. The design has been geotechnically assessed to confirm stability, and a flood model has been undertaken with appropriate climate change factors, to mitigate against adverse effects of storm increases and associated flood risks

Concerns about high fire risk due to excessive concentration of housing next to significant levels of highly combustible native forest. Considers several controls required including: • Defensible Space: Enforcing a minimum 40m radius around homes cleared of highly flammable vegetation, and therefore at least 40m away from any native forest on our own or neighbouring properties. • Fire-Resistant Building Materials: Ensuring roofs and walls meet highgrade fire resistance standards. • Stringent BBQ Restrictions: Banning solid-fuel BBQs (charcoal, wood) during prohibited fire seasons and restricting gas BBQ usage during highwind/hot days.	<i>Viridis Consultants:</i> The native plants being used across the Delmore development have been selected with input from DOC to achieve low fire risk. This is reflected in the material provided in DOC's comments.
Comment (6) – Minister for Infrastructure	
The proposal supports development of infrastructure which is important for growth and prosperity. Our view is that the process established under the FTAA is complementary and suitable for the nature of this application. I wish to take this opportunity to express my broad support for projects which deliver positive outcomes for New Zealand, including the Delmore project. Please take this letter of support as a reflection of the Government's economic growth and infrastructure priorities.	Noted with gratitude. No further response.
Comment (7) - HNZPT	
No further comment.	N/A.
Comment (8) – Minister for Maori Crown Relations	
I support the application subject to the Expert Panel having due regard to any comments received from relevant Māori groups as identified in both the Section 18 report and in Appendix 1 of Minute 2 of the Expert Panel.	Noted with gratitude. No further response.
Comment (10) – Associate Minister of Transport	
I support Delmore receiving the approvals it requires subject to any conditions the Panel considers appropriate. As well as providing housing in a fast-growing part of New Zealand, the project proposes building part of the NoR6 road. This road is part of the North Projects and is identified by Auckland Council as a future strategic transport corridor. I have not considered the operational impacts of this project on local transport networks. However, I note that comments have been invited from NZTA and Auckland Transport, who are best	Noted with gratitude. No further response.

placed to provide insights into operational transport impacts.	
Comment (11) – Watercare	
A response to the Watercare memo is included separately as part of the Auckland Council family comments.	
Comment (12) – Rodney Harman	
Support the development.	Noted with gratitude. No further response.
Comment (14) – Alan Mayes	
I am supportive of the proposal.	Noted with gratitude. No further response.
Comment (15) – David Rong	
Provides full support of the AUP(OP) and the Upper Orewa Concept Structure Plan. Any development seeking fast track approval must demonstrate active support for the entire structure plan area. It must not achieve internal commercial success at the expense of hindering the logical and integrated development of adjacent FUZ land.	B&A: The Upper Orewa Concept Structure Plan has been prepared by the Applicant as part of the substantive application and is not a statutory document. Detail of how the proposal integrates with adjoining FUZ land is provided within Appendix 8: A03 (Strategic Planning) to the Response to Comments Letter.
Delmore design complies with AUP Objective B3.2.1(5), which requires infrastructure planning and land use to be integrated to service growth efficiently.	B&A: The Delmore development is considered to be consistent with this objective. Two servicing options are proposed to be provided for through the conditions of consent, an on-site option and connection to the public network. The reasons why this is lawful and appropriate are set out in the Ellis Gould letter in Attachment 1 to Appendix 1 to the Reponse to Comments Covering Letter.
Delmore must guarantee that its drainage designs do not occupy or block the discharge capacity required for the future urbanization.	McKenzie & Co: This will not occur because a detailed flood model has been undertaken for the Maximum Probable Development scenario, which includes all future urbanisation in the catch. This model also includes appropriate blockage and climate change factors, and this model confirms that this development will not affect neighbours' ability to develop.
We request that Delmore reserves flow allocations with its upstream attenuation and treatment systems.	B&A: The water and wastewater systems have been designed to service the Delmore development only for reasons of efficiency.
The owner requests that the applicant provide a written explanation detailing how the Delmore project supports, rather than hinders, the Upper Orewa Concept Structure Plan. It must address how the private WWTP and WTP have been designed with rated capacity and physical connections. It must also address how the internal roading network facilitates future public transport and	B&A: How the Delmore development fits within the overall area covered by the Upper Orewa Concept Structure Plan is described in the structure plan text itself, and within the urban design assessment included in Appendix 13 to the AEE in section 5. This

utility corridors for the benefit of the wider structure plan area.	is also addressed in Appendix 8: A03 (Strategic Planning) to the Response to Comments Letter. The on-site water and wastewater servicing solutions have been designed with the input from numerous technical specialists and the capacity provided for reflects the needs of the Delmore development. The masterplan has been designed to enable numerous connections throughout the Delmore development to the wider network. These are best shown in Appendix 7 plan set 2 to the Response to Comments Letter. Public transport is enabled through the development via the central arterial road and then through the collector roads running through each of Stage 1 and Stage 2.
The reliance on Resident's Association presents a systemic risk. A bond equivalent to 5 years of operating costs must be lodged with Auckland Council to prevent infrastructure failure. NoR 6 and internal arterial designs must not preclude 6 Russell Road and the nearby area from future equitable connection to Watercare services.	<i>B&A:</i> The applicant disagrees. The Residents' Society structure has been designed with input from specialist property law firm to ensure it is fit for purpose. This now includes the establishment of a Utility Company to own and operate the water and wastewater infrastructure. Details are provided in Attachment 2 to Appendix 1 to the Response to Comments Letter.
Real-time monitoring must be established at the boundary of 6 Russell Road to ensure WWTP discharges do not degrade Orewa river.	<i>Viridis Consultants Limited:</i> In accordance with recommendations from our water quality scientists, the applicant proposes to implement ecological and water quality monitoring conditions that provide an adaptive-management framework. These conditions are intended to confirm that discharge effects remain consistent with modelled predictions, enable early detection of any unforeseen changes in receiving environment water quality, and require an appropriate management response where necessary. The proposed monitoring framework within the wastewater discharge permit in Section 7 of Appendix 2 to the Response to Comments letter will capture deterioration in water quality (if any) associated with WWTP discharges and enable a prompt response. On this basis, it is considered that real-time monitoring at the boundary of 6 Russell Road is not necessary, as the proposed ecological and water quality monitoring conditions will provide an appropriate and targeted mechanism for detecting and responding to potential effects on the Ōrewa River.

Upper Orewa/Russell Road intersection must be upgraded to a roundabout or signalized junction before the first dwelling is occupied.	<i>Commute Transportation Consultants:</i> Residential traffic from Delmore will not use the Upper Orewa Road / Russell Road intersection until Stage 2 of the development is progressed, and the roundabout at Upper Orewa Road is constructed. This is required when the development reaches 573 dwellings. At that stage, the intersection of Russell Road and Upper Orewa Road would be upgraded by way of road markings, to improve vehicle positioning and visibility when turning right into Russell Road. Auckland Transport has confirmed this solution is acceptable. This is included within Condition 7 of the subdivision consent in Section 3 of Appendix 2 to the Response to Comments letter.
Owner and tenants must be granted permanent, fee-free, 24/7 access through any gate or barrier systems installed by Delmore.	<i>B&A:</i> The public will be able to transit through the Delmore development once it is complete. Access will not be provided during construction for safety reasons. With regard to the barrier at the end of Road 1, this will be reserved for emergency situations only.
Comment (16) – Rod Clarke and Jenny Evans	
Support.	Noted with gratitude. No further response.
Comment (17) – Westlake Trustee Limited	
Westlake’s existing rural recreational uses and its proposed solar farm (which are consistent with zoning) need to be able to continue or proceed.	<i>B&A:</i> The property will still be subject to rural zoning which means that rural activities retain permitted activity status. Any consent application for a rural activity will be assessed in context of the rural zone objectives and policies. Furthermore, hypothetical future developments are not part of the existing environment, and so are not relevant to the Panel’s assessment of environmental effects. In terms of concern about impacts during construction (para 6(a)), the application is supported by a suite of detailed technical reports that identify potential risk areas and proposed conditions to address those risks. Those conditions have been adopted by the applicant. As a result, there is no evidential basis for concern around construction resulting in irreversible harm to Westlake.
A consent holder that is purpose-built to be dissolved cannot provide meaningful long-term accountability for the infrastructure it creates. This reality makes robust performance bond conditions, securing obligations by way of instruments registered on the title, and clear transition arrangements not merely prudent but essential.	<i>B&A:</i> Responsibility for on-site infrastructure sits with the proposed Utility Company, and Residents’ Society (refer to part 3.1.11 in Section 3 of the conditions in Appendix 2 to the Response to Comments letter). The structure of both the Utility Company and Residents’ Society has been prepared with input from specialist property law firm Alexander

	Dorrington to ensure it is fit for purpose and that ownership and responsibility for infrastructure assets is allocated where most efficient and effective. Refer to Attachment 2 to Appendix 1 to Response to Comments Letter . No further conditions are required.
Westlake is not part of the Residents Society and no mechanism in the proposed conditions, Residential Society documents, or technical reports provides for or contemplates infrastructure access by adjacent landowners. Westlake should have access to the Delmore development water and wastewater infrastructure.	<i>B&A:</i> The Residents' Society is specifically for residents within the Delmore development and intended to manage the infrastructure which has been specifically designed to service the Delmore development. It is not intended to service other, external developments. Both systems have been designed to efficiently and effectively service the Delmore development. It is not Vineway Ltd's responsibility to provide capacity to service other hypothetical future developments unrelated to Delmore.
Request conditions are amended to ensure that the Residential Society is able to and required to provide access to the Watercare connection within the Delmore site for Westlake.	<i>B&A:</i> There is no evidence to suggest that if the Delmore development connects to the public network other hypothetical, future developments will be prevented from connecting. Whether other future developments can connect to the public network or will need to look to on-site servicing is a factual matter to be addressed at the time of development. No further conditions are proposed by the applicant.
Query about what happens to infrastructure services if the consent holder goes into liquidation.	<i>B&A:</i> This is addressed in Attachment 2 to Appendix 1 to the Response to Comments Letter .
Concerns about duration of LPS encroachment licence and term of wastewater discharge	<i>B&A:</i> It is not uncommon for different approvals for a development to have different durations reflecting the different statutes or regulations under which they are sought. In this case it is helpful to have different durations for the encroachment licence and the discharge consent because it enables specific focus on each approval at the time of renewal. In addition, with either date (20 year or 35 year), the approval will come up for renewal either immediately before or just after the current 2050+ FDS date. As a result, if the Delmore development does have to rely on on-site infrastructure until then, renewal will be at an appropriate time to consider transition to the public network. It is also the responsibility of the Utility Company to ensure any required renewals are sought and this will form part of its constitution as indicated within the subdivision consent conditions (refer Condition 31

	in Section 3 of the conditions in Appendix 2 to the Response to Comments letter).
Westlake comments seeking conditions to enable it to use and access the Delmore development's on-site water and wastewater systems at para 71 of comments.	<i>B&A:</i> The conditions needed to ensure efficient and effective installation and operation of the on-site water and wastewater systems and to enable transition to the public system at different stages have been prepared with input by Auckland Council and Watercare Services Limited and are already extensive. The comments provided by Westlake have in essence focused on having the Delmore development also service the commenters site, which the systems have not been designed to do. If the commenter decides to develop their land then whether they use an on-site system or are able to connect to the public network immediately will be a factual question and a decision for that developer at the time. Regarding the levy identified by the commenter, this was an approximate figure and would be developed as part of the Resident's Society Constitution. The Constitution is required to be submitted to Council at subdivision stage. The Applicant therefore does not accept the conditions proposed.
Westlake comments seeking conditions relating to groundwater dewatering and adjacent properties at para 72 of comments related to commenters understanding that the application proposes large scale earthworks by the boundary.	<i>B&A:</i> The conditions of consent require that all excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid damage to land, buildings, structures and services on the site or adjacent properties. Refer to Condition 3 of the water permit in Section 5 of the conditions in Appendix 2 to the Response to Comments letter. There are extensive conditions within the water permit that ensure this is achieved. This includes the preparation of a Groundwater Settlement Monitoring and Contingency Plan (including alert and alarm level triggers), pre-excavation surveys, visual inspections during dewatering, ongoing monitoring, and remedial actions to be undertaken if required. Overall, it is assessed that the commenters comments have been suitably addressed within the conditions proposed in Appendix 2 to the Response to Comments letter which have been prepared with extensive input from the appropriate technical specialists. Conditions proposed by Westlake do not appear to be based on technical recommendations. No changes to the conditions are proposed in response to this comment because they are not needed.

Westlake comments seeking conditions relating to earthworks and geotechnical matters at para 74 of comments based on commenters understanding of works close to boundary.	<i>B&A:</i> • The Applicant has already undertaken stormwater modelling as part of the application. An update Flood Report is included at Appendix 11 to the Response to Comments letter. The flood models for the development and the corresponding outputs have been assessed and approved by Auckland Council's Healthy Waters. The adverse effects of the proposed stormwater solution for the development have been determined as less than minor and as such these conditions are inappropriate to be included in the approval. • The proposed earthworks conditions will ensure that earthworks are managed at the interface between the site and 35 Russell Road. • Geotechnical conditions are proposed which require the geotechnical design to be certified by Council. • Settlement monitoring is proposed and already included within the conditions, including remediation where necessary. Therefore, no additional conditions are considered necessary to address the commenter's concerns.
Comment re two future roundabouts at Russell Road, who is to fund and when will these be constructed. Condition requiring either the completion of these roundabouts before a specified occupancy threshold, or the installation of interim traffic management measures at Russell Road intersections, needed to protect existing rural residents of Russell Road.	<i>B&A:</i> Residential traffic from Delmore will not use the Upper Orewa Road / Russell Road intersection until Stage 2 of the development is progressed, and the roundabout at Upper Orewa Road is constructed. This is required when the development reaches 573 dwellings. At that stage, the intersection of Russell Road and Upper Orewa Road would be upgraded by way of road markings, to improve vehicle positioning and visibility when turning right into Russell Road. Auckland Transport has confirmed this solution is acceptable. This is included within Condition 7 of the subdivision consent in Section 3 of the conditions in Appendix 2 to the Response to Comments letter. The Applicant also proposes to construct the NOR6 road down to the intersection of Upper Orewa and Russell Road as part of the last sub-stage of the development. This is provide for in the conditions in Section 3 part 3.1.3 of the conditions in Appendix 2 to the Response to Comments letter.
This dual wastewater trucking and residential use of Russell Road creates a compounding risk for the existing rural residents of Russell Road.	<i>B&A:</i> This comment is provided without specialist transport input. The use of Russell Rd has been assessed by Commute Transportation Limited and

	confirmed acceptable provided the upgrades included in the proposed conditions are in place. Auckland Council has accepted this approach. Overall, it is assessed that the commenters comments have been suitably addressed within the conditions which include monitoring and visual inspection with requirements for gravel replenishment in certain circumstances, and widening upgrades, and upgrades to the intersection with Upper Orewa Road (see Conditions 52 -54 Section 2 Part 2.5 and Condition 7 Section 3 of the conditions in Appendix 2 to the Response to Comments letter.
No condition currently limits tanker operating hours, frequency, or requires repair of road surface damage caused by these vehicles.	<i>B&A:</i> Conditions of consent are proposed that require an Off-Site Wastewater Disposal Management Plan to be prepared and submitted to Council for certification (refer to Condition 48 of the land use consent in Section 2 to the conditions in Appendix 2 to the Response to Comments letter). This management plan would include details of the number of trucks, as well as hours of operation.
Sight lines at the Russell Road/Upper Orewa Road intersection are not supported by AT, and that a driver turning right into Russell Road would need to execute a 135-degree turn from an unsafe position. Safety measures needed.	<i>Commute Transportation Ltd:</i> As per above, residential traffic from Delmore will not use the Upper Orewa Road / Russell Road intersection until Stage 2 of the development is progressed, and the roundabout at Upper Orewa Road is constructed. This is required when the development reaches 573 dwellings. At that stage, the intersection of Russell Road and Upper Orewa Road would be upgraded by way of road markings, to improve vehicle positioning and visibility when turning right into Russell Road. Auckland Transport has confirmed this solution is acceptable. This is included within Condition 7 of the subdivision consent in Section 3 to the conditions in Appendix 2 to the Response to Comments letter.
Westlake comments seeking conditions relating to traffic matters at para 90.	<i>B&A:</i> A response to each condition request is outlined in the following bullet points: • The Applicant proposes to construct the portion of the NOR6 road down to the intersection of Upper Orewa and Russell Road as part of the last sub-stage of the development. This is included in the conditions in Section 3 to the conditions in Appendix 2 to the Response to Comments letter. • As per above, Auckland Transport has confirmed that the proposed intersection upgrades at Upper Orewa / Russell Road are acceptable. No further condition is necessary.

	• The construction traffic management plan (CTMP) is specifically for construction vehicles. For wastewater vehicles, this will be addressed within the Off-Site Wastewater Disposal Management Plan as outlined above. • It is unclear why the commenter would require override for the proposed lifting arm. Nevertheless, as this portion of road would be vested to Auckland Transport, this would need to be discussed with Auckland Transport as the road controlling authority at that time. • Details of construction access, including temporary road closure and traffic management is included as part of the CTMP.
Westlake considers that the Applicant should amend the proposal to relocate the WWTP and WWFS away from external boundaries of the Delmore Site because of risks associated with the treatment infrastructure, odour, noise. Or otherwise that the infrastructure should be at least 150m from external boundaries.	The applicant does not propose to move the treatment infrastructure. The reasons for this are. <i>SLR response:</i> The noise assessment report prepared by SLR indicated the WWTP, based on the available design details, would be able to comply with the relevant noise standards. Any specific requirements around noise mitigation design for the WWTP would be investigated during future design stages when more detail around the WWTP equipment and building design is known. The noise assessment report indicated that noise from the filling station (WWFS) is expected to comply with the relevant standards at all receivers external to the project. <i>AirMatters Response:</i> The WWTP odour assessment (completed by Air Matters) was undertaken based on separation distances to the nearest dwellings, comprising a minimum setback of 70m for dwellings within the proposed development and 150m for existing dwellings located outside the development area. Given the comprehensive odour mitigation measures incorporated into the WWTP design, and their demonstrated effectiveness in comparable facilities, a 150m separation distance is not considered necessary to maintain acceptable odour amenity and ensure odour effects remain within acceptable levels.
Westlake comments at paragraph 96 seeking conditions relating to water and wastewater on-site infrastructure location and management.	<i>B&A:</i> A response to each condition request is outlined in the following bullet points: • As outlined above, a 150m separation distance is not required.

	The air discharge permit (Section 8 to the conditions in Appendix 2 to the Response to Comments letter) includes extensive conditions to manage odour beyond the boundary of the site. This includes compliance with AUP limits, complaints procedures, monitoring requirements, etc.
Westlake comments at paragraph 98 seeking conditions about construction noise, dust, and vibration.	<i>B&A:</i> The Noise Assessment included as Appendix 38 to the AEE confirms that construction noise and vibration is anticipated to comply with the AUP limits at 35 Russell Road. This is included as a condition of consent (refer to Condition 36 of the land use consent). A construction noise and vibration plan (CNVMP) is required to be submitted to Council and must identify any mitigation measures needed to comply with the AUP limits (refer to Condition 7 of the land use consent). The CNVMP includes requirements to provide written communication to neighbours, including relevant contact details. As the construction noise limits are expected to be compliant, there would be no reason for the tenant to vacate.
Westlake requests that: The Panel record in its decision that the AEE has failed to assess the reverse sensitivity effects of Delmore on this existing commercial solar energy project. Westlake comments requesting conditions regarding future solar project at paragraph 109.	<i>B&A:</i> The applicant opposes this request. The solar farm is not part of the existing environment. It is not clear what approvals would be required to enable it. If it transpired the project, if pursued, was permitted in accordance with the underlying zoning then no issue arises. If it transpired the project required consents, then an application for those would need to be assessed against the applicable zone provisions and in context of the existing environment as it is at the time. Therefore, the proposed conditions are not accepted.
Westlake comment seeking express reference to 35 Russell Road in conditions relating to noise notification, dust and safety at paragraph 115.	<i>B&A:</i> The Applicant notes that the proposed conditions of consent ensure that effects are managed for all sensitive receivers. This conclusion and the related conditions are based on expert technical analysis. The comments are not. Therefore, the Applicant considers that the effects on 35 Russell Road are sufficiently addressed.
Westlake requests that the Panel record in its decision that: The approval of Delmore creates an isolated rural enclave at 35, 11 and 3 Russell Road that is inconsistent with integrated urban development principles;	<i>B&A:</i> This request is opposed by the applicant. The comment is not supported by expert technical assessment. The alignment of the Delmore development in terms of location, design, and connectivity has been addressed by the consultants

	assisting the applicant. Those consultants have worked with Auckland Council to address concerns raised.
Westlake requests that the Panel record in its decision that: Council should, as a consequence of this approval, prioritise the initiation of a plan change process to address the future planning status of these three properties.	<i>B&A:</i> The applicant agrees with this comment in principle and notes that PC120 provides opportunity for this.
Westlake requests that the Panel record in its decision that: The Applicant must design all infrastructure adjacent to these three properties with sufficient capacity and connection points to give effect to the urban development anticipated by the Concept Structure Plan.	<i>B&A:</i> The applicant opposes this request for the reasons already provided to related comments made by this commenter.
Concerns about lack of provisions of and access to facilities include commercial centre, school, civic facilities, playgrounds, outdoor space. Related request that the Applicant is to provide a detailed open space provision analysis assessed against Manaaki Tāmaki Makaurau: Auckland Open Space, Sport and Recreation Strategy, identifying any shortfall and the proposed remedy by way of amendments to the scheme plan.	<i>B&A:</i> This comment does not reflect the design of the Delmore development or technical assessment of its location within the wider area. The Delmore development include a commercial area, located at a point that is most suitable given the already consented small commercial area in the adjacent Ara Hills development. The Delmore development also includes 2 parks, one in each Stage, that have been designed to meet Auckland Council parks design standards with numerous rounds of input from Auckland Council. The applicant will be responsible for earthworking/planting these areas but as is usually the case Auckland Council will be in charge of any park facilities installed and it can seek development contributions for this. The Delmore development also includes extensive walking tracks through out which provides access to forested green space. Looking more widely, the Delmore development is proximate to all required facilities as discussed in Appendix 13 to the AEE. Given the extent of analysis that has already been undertaken to prepare Appendix 13 to the AEE and to respond to the comments provided by the Auckland Council urban design and parks teams, the applicant does not consider any further analysis is necessary or helpful to the Panel.

Amend the proposal to provide at least one sports field of minimum 1 hectare within the development to accommodate informal recreational demand.	B&A: The applicant does not propose to amend the development as requested given the parks and extensive green walking space already provided within the Delmore development and its proximity to wider facilities. Refer to response above.
Amend the proposal so that esplanade reserves of standard width must be vested as public reserves along all permanent streams within the development site as if these were streams of 3m width under the RMA.	B&A: The applicant does not propose to amend the development as requested because this is not required by applicable RMA provisions and because the Delmore development has already been designed to provide for extensive walking opportunities that are consistent with protecting the freshwater values of the site. Refer to Appendix 17 to the AEE for the stream width assessment.
Provide consultation with the Ministry for the Environment about school availability and reserve land for this.	B&A: As already noted in an early response, the Nukumea school has capacity and was recently built to respond to increasing population growth. Auckland Transport's comments indicate the Ministry is investigating another site between the Delmore development and Milldale. There is no need for the applicant to provide further information and no need to reserve a site within the property for this.
Westlake seeks a condition requiring that the Residential Society Constitution must expressly prohibit the Society or its members from obstructing the lawful rural use of adjacent landholdings on the basis that residents have insufficient on-site recreational facilities.	B&A: There is no evidential basis for this condition. It is not accepted.
Concerns about Stage 2 not being completed and requests that consent conditions require that if Stage 2 civil works have not commenced within three years of Stage 1 title issue, the consent holder must remediate the Stage 2 earthworks area to a stable, revegetated condition, and must provide the owner of 35 Russell Road with a written update on Stage 2 status and timeline.	B&A: The consent conditions restrict the extent of earthworks that is open to 30ha at any one time (refer to Condition 21 of the land use consent in Section 2 to the conditions in Appendix 2 to the Response to Comments letter). Therefore, bulk earthworks for Stage 1 and Stage 2 would not occur at the same time. Instead, earthworks would be undertaken in accordance with the proposed development staging. Furthermore, consent conditions require that all earthworks are progressively stabilised (see Conditions 22 and 25 of the land use consent Section 2 to the conditions in Appendix 2 to the Response to Comments letter).
Comment (18) – AVJ Hobsonville	
Various comments relating to how Grand Drive does not physically extend to the Delmore site, though the unformed paper road does. AVJ is willing to take practical steps to assist the Applicant	B&A: The Applicant acknowledges AVJ Hobsonville's (AVJ) comments regarding the potential future extension of Grand Drive and appreciates AVJ's stated

/ Vineway to do so. AVJ has been in discussions with Vineway with a view to reaching an agreement to enable both AVJ and Vineway to efficiently develop their respective land.	willingness to assist in facilitating a connection across its land. Since lodgement of the substantive application, the Applicant has been working with the Auckland Urban Development Office (AUDO) and Auckland Transport with the intention of progressing an Infrastructure Funding Agreement relating to the Grand Drive extension (as well as other infrastructure)). The Applicant is currently awaiting a draft agreement from AUDO. The updated set of conditions within Appendix 2 to the Response to Comments letter now require the Applicant to construct the Grand Drive extension prior to section 224(c) certification for the first subdivision stage (refer to Condition 5 of the subdivision consent Section 3 to Section 2 to the conditions in Appendix 2 to the Response to Comments letter). It is acknowledged that construction of the full arterial road corridor in accordance with the designation will require additional land from AVJ. In this regard, AVJ has stated within its submission that the required land could be made available for a "peppercorn fee" and the applicant is discussing this with AVJ. The proposed Grand Drive extension condition reflects an appropriate use of section 84A of the FTAA having regard to the Applicant's ongoing discussions with AUDO and Auckland Transport, the designation that applies to the corridor, the availability of the required land for road construction with most being vested with Auckland Transport, and AVJ's stated willingness to make the final, small piece land available. Collectively, these factors provide a reasonable basis for concluding that the Applicant can be delivered as contemplated by the proposed condition.
In relation to the Grand Drive / SH1 intersection upgrade, if one is needed then there should be conditions ensuring the joint and proportional funding of the upgrade from day one, rather than creating a future barrier for development once a trigger point is reached. It would be better if Vineway, and AVJ, entered a funding agreement with AT so that a clear and proportionate funding mechanism was in place prior to consent being granted.	<i>B&A:</i> Vineway has no issue with working with AVJ and Auckland Transport to see if an agreement can be reached. As outlined above, the Applicant is working with AUDO and is awaiting a draft funding agreement.
Various comments relating to the interface between the Delmore development and Ara Hills along their respective northern and southern boundaries including road connections, stub road, and levels, in particular that AVJ's masterplan shows earth worked levels lower than is depicted in	<i>B&A:</i> The Applicant now proposes to vest a portion of road directly north of the NOR6 arterial road to allow AVJ to connect to the Delmore site in the future (refer to Appendix 4 to the Response to Comments Letter (Scheme Plans)). The road reserve

Vineway's Appendix 9.2 listed above. It is also noted that the ground slopes considerably in this location and by repositioning the connecting stub road slightly, the levels would match much better and the resulting earthworks and gradients could be substantially reduced.	would be vested as part of the relevant subdivision stage (Stage 1B-1). It is noted that the location of this road is generally consistent with the connection point identified by AVJ through their private plan change (PC119). The Applicant does not propose to construct this section of road at the current time. While the vesting of the road reserve preserves the opportunity for a future connection, the need, design and timing of that connection remain dependent on matters outside the Applicant's control. In particular: • The approved Ara Hills resource consent does not currently provide for a road connection to the Delmore site at this location; • The connection is instead proposed through a subsequent private plan change request, which has not yet completed the statutory process and may be amended through hearings or appeals; • The final location, levels and design of any connection will be influenced by the ultimate earthworks and roading design adopted within Ara Hills; and • Constructing a short section of road prior to confirmation of these matters risks abortive works and may result in a connection that is inconsistent with the future development of the adjoining land. The Applicant considers that vesting the road reserve is the appropriate outcome at this stage, as it safeguards the ability for a future connection between the developments while allowing the detailed design and construction of that connection to be coordinated with the future development of the adjoining Ara Hills land.
In relation to section 9, while it is not for this panel to impose a condition on Plan Change 119, it is concerning that Vineway considers that a condition limiting development within its plan change could or should be linked to an upgrade on Upper Orewa Road, when it is difficult to see that route being attractive for people living or visiting the PC119 area. Vineway's recommended condition seems to be an attempt to have AVJ fund a connection that it will have to establish as part of its later stages. AVJ considers that this condition should be linked to a yield trigger solely within the Delmore Project.	<i>B&A:</i> As per engagement with Auckland Transport on this matter, the condition has been amended so that the dwelling threshold is restricted to development within the Delmore site. Refer to Condition 6 of the subdivision consent (Section 3 to the conditions in Appendix 2 to the Response to Comments Letter).
Comment (19) – NZTA	
As noted in Appendix D of the applicant's Flood Management Report, the applicant engaged with NZTA following the withdrawal of the original	<i>B&A with input from McKenzie & Co and FS consulting:</i>

substantive application in September 2025. The applicant has proposed conditions requiring the consent holder to prepare and submit a Culvert Management and Monitoring Plan to Council for certification (to manage the risk of blockages in NZTA owned culverts), and to consult with NZTA to determine whether further mitigation is necessary, if the plan identifies accelerated scour or erosion. NZTA supports these conditions being included in the Panel's decision if approved.	Following these comments, and through consultation with Healthy Waters, the applicant now proposes to construct a relief inlet riser on the NZTA culvert as shown on the McKenzie & Co Drawing titled "Stormwater Culvert Plan NZTA" (refer to the Civil Drawings included as Appendix 6 to the Response to Comments Letter). This has been further discussed with NZTA, who has confirmed this is acceptable. This email correspondence is attached at Attachment B.
NZTA requests that conditions be included in the consent requiring mitigation such as upgrades to the Grand Drive Interchange to be undertaken by the consent holder prior to occupation of dwellings once a specified number of dwellings have been constructed. The proposed condition wording is as follows noting that NZTA is willing to engage on refinements to this proposed condition(s) through the FTAA application process and reserves the right to comment on the draft conditions which will be provided by the Panel prior to the final decision: <i>"Prior to the occupation of 750 dwellings within the proposed development site, a vehicle connection to Upper Ōrewa Road must be constructed and operational relative to the specified levels of subdivision or development. The Consent Holder must provide appropriate evidence to the Council confirming that the upgrades are constructed and operational."</i>	The Applicant has been working with Auckland Transport regarding these conditions, and has accepted those provided by Auckland Transport. Refer to Condition 6 of the subdivision consent in Section 3 of the conditions in Appendix 2 to the Response to Comments letter.
NZTA requests that the following amendment is made to Condition 93 as proposed in the applicant's proposed conditions (as underlined below): Once development reaches 1,425 dwellings, and prior to the occupation of more than 1,450 dwellings within the Delmore and Ara Hills sites, the consent holder must: (a) Provide a written report to Council, prepared by a suitably qualified traffic engineer, setting out the following: • Results of a survey outlining the level of traffic generated from the Delmore site using the Grand Drive interchange. - Results of a survey outlining the level of traffic generated from the Delmore site using the Upper Orewa access (from Road 17). - <u>Results of consultation with NZ Transport Agency</u> - Survey and assessment of performance of the Grand Drive / SH1 interchange.	Same as above. Refer to Conditions 9 – 15 of the subdivision consent as proposed by Auckland Transport (see Section 3 of the conditions in Appendix 2 to the Response to Comments letter). This includes the requirement to get approval from NZTA regarding the Grand Drive Interchange upgrades.

This is to determine if the Level of Service (LOS) has reached “E” for any approach. - If the performance level in Condition 93(a)(iii) is reached at the time of monitoring, an assessment of traffic effects must be provided, setting out the mitigation options, including physical changes at the Grand Drive interchange, travel and traffic demand management options.	
(b) Construct the mitigation options as outlined in Condition 93(a)(iv), if recommended <u>requested</u> by <u>Council</u> the written report. <i><u>“Advice note: Any upgrades required to the Grand Drive Interchange, as outlined in the recommendations of the written report prepared to Council, will require written approval from NZTA under the Government Roadway Powers Act 1989 prior to construction”.</u></i>	B&A: Same as above. Refer to Conditions 9 – 15 of the subdivision consent (Section 3 to the conditions in Appendix 2 to the Response to Comments letter as proposed by Auckland Transport. This includes the requirement to get approval from NZTA regarding the Grand Drive Interchange upgrades.
Comment (20) – Tim Hussey	
In favour of the development.	Noted with gratitude. No further response.
Comment (21) – Minister of Building and Construction	
The Delmore proposal demonstrates clear potential to contribute positively to housing supply, affordability, sector productivity, and employment outcomes in Auckland. These matters are relevant to the Panel’s consideration under the Fast-track Approvals Act 2024, and I therefore support the application proceeding through the Fast-track process.	Noted with gratitude. No further response.
Comment (21) – 35 Russell Road Tenant	
Concerns that the sight lines at Russell Road Upper Orewa road intersection ‘are not supported’ by Auckland Transport. I request that the Expert Panel attach a condition requiring the sight line deficiency at the Russell Road/Upper Orewa Road intersection to be remedied before any Delmore dwelling is occupied, and that the remedy be designed to safely accommodate large vehicles.	<i>Commute Transportation Ltd:</i> Residential traffic from Delmore will not use the Upper Orewa Road / Russell Road intersection until Stage 2 of the development is progressed, and the roundabout at Upper Orewa Road is constructed. This is required when the development reaches 573 dwellings. At that stage, the intersection of Russell Road and Upper Orewa Road would be upgraded by way of road markings, to improve vehicle positioning and visibility when turning right into Russell Road. Auckland Transport has confirmed this solution is acceptable. This is included within Condition 7 of the subdivision consent (Section 3 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require:	B&A:

That the Construction Noise and Vibration Management Plan expressly identify my home at 35 Russell Road as a sensitive receiver and include specific mitigation measures for activities within 200 metres of the property boundary.	The Noise Assessment included as Appendix 38 to the AEE confirms that construction noise and vibration is anticipated to comply with the AUP limits at 35 Russell Road. This is included as a condition of consent (refer to Condition 36 of the land use consent in Section 2 of the conditions in Appendix 2 to the Response to Comments letter). A CNVMP is required to be submitted to Council and must identify any mitigation measures needed to comply with the AUP limits (refer to Condition 7 of the land use consent also Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require: That I receive at least 10 working days' written notice before any bulk earthworks, vegetation clearance or significant construction activity begins within 300 metres of the property boundary.	<i>B&A:</i> As per above, the CNVMP condition includes a requirement to provide "written communication to occupants of all immediately neighbouring buildings prior to the commencement of activities on site." Refer to Condition 7 of the land use consent (Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require: That I am provided with the direct name and phone number of the site manager before any construction begins, and that this contact is kept current throughout the construction period.	<i>B&A:</i> As per above, the CNVMP condition includes a requirement to provide written communication, as well as "contact details for site personnel for any concerns regarding noise and vibration." Refer to Condition 7 of the land use consent (Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require: That construction hours are limited to weekdays 07:30–18:00 and that no construction activity takes place on weekends or public holidays within 200 metres of 35 Russell Road.	<i>B&A:</i> This is included at Condition 18 of the land use consent (Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require: My home at 35 Russell Road to be expressly identified as a sensitive receiver in all WWTP operational management plans and consent conditions relating to odour and noise	<i>B&A:</i> Noise conditions are identified above. Identification of the house as a sensitive receiver is not considered necessary as the air discharge permit conditions ensure that effects beyond the boundary are managed.
I request that the Expert Panel require: WWTP operational odour and noise at the boundary of 35 Russell Road to comply with residential limits under the Auckland Unitary Plan at all times.	<i>B&A:</i> This is included at Condition 59 of the land use consent (Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require:	<i>B&A:</i>

A complaints management procedure to be established that is accessible to occupants of adjacent properties and not limited to Delmore residents, with a requirement to respond to complaints within five working days.	This is included at Condition 2 of the air discharge permit (Section 8 of the conditions in Appendix 2 to the Response to Comments letter).
I request that the Expert Panel require that the lifting arm at Road 1/Russell Road be designed and maintained to permit immediate and unobstructed passage by emergency services vehicles at all times, with an unconditional emergency override that does not require any contact with or approval from the Residential Society or any private party.	B&A: This is included as a requirement for Engineering Plan Approval. Refer to Condition 16 of the subdivision consent (Section 3 of the conditions in Appendix 2 to the Response to Comments letter).
Comment - Department of Conservation (DOC)	
With regards to climate change adaption (condition 78(d)) and the amendments proposed by the Applicant, the Department acknowledges that this largely resolves its earlier concerns by providing a clear drought mortality trigger ($\geq 20\%$ drought-related mortality of any species within the year covered by the monitoring report). Where that trigger is met, it requires a review of that species' suitability for planting within the site. If the species is found to be unsuitable, any replacement species must be WF11-consistent, selected by a suitably qualified ecologist and/or landscape architect, and implemented within the next planting year. The Department considers this issue is resolved in substance, however, to avoid ambiguity during implementation, seeks two small clarifications in the condition wording: - The monitoring report should state the basis for attributing mortality to drought, as distinct from other causes such as browsing, disease, poor planting technique, or weed competition. This can be a brief professional judgement supported by site observations. - The condition should make clear that, where a species is found to be unsuitable, the adaptive response must include replacement planting sufficient to maintain the intended planting density. It should also confirm that any WF11-consistent species substitutions, and the replacement planting undertaken, are reported in the following year's monitoring report.	B&A / Viridis Consultants: The requested clarifications have been incorporated into the updated Ecological Management Plan condition and annual reporting condition. This has been discussed with DOC, who has confirmed that the updates to the annual reporting condition addresses these comments. See Conditions 16 and 74 of the land use consent (Section 2 of the conditions in Appendix 2 to the Response to Comments letter).
With regards to the concerns discussed relating to podocarp recruitment and natural succession assumptions which the Applicant attempted to	B&A / Viridis Consultants: Same as above.

address through conditions 77 and 78(e), the Department does not consider that these issues are resolved. The Department understands the intent of the overall establishment obligations application until 80% canopy closure and a minimum 90% plant survival rate are achieved across the planting area, and that monitoring reports continue until those thresholds are met. These are strong general performance targets and provide a useful contingency for overall establishment success. However, the Department's earlier comments related specifically to whether there should be a modest contingency if podocarp establishment is clearly below expectation by the end of the establishment period. Podocarps are slower-growing and can underperform during establishment without necessarily preventing the overall canopy closure or survival targets from being met. It is therefore possible for the planting to meet Conditions 77 and 78 while the podocarp component remains poorly established, particularly if canopy closure is driven mainly by faster-growing species. That outcome would weaken the intended WF11 trajectory. To resolve this issue, the Department recommends a simple addition to the monitoring and implementation framework:

- Include a Year 5 podocarp check within the monitoring report requirements, or at the end of the establishment period if that period extends beyond Year 5. This check should report, at a minimum: survival and condition of planted podocarps, reported separately from overall plant survival; and evidence of podocarp recruitment where recruitment is reasonably expected. This can be a simple qualitative assessment if quantitative monitoring is not proportionate.
 - Where the Year 5 check identifies an obvious shortfall in podocarp establishment relative to the intended WF11 trajectory, limited supplementary podocarp planting should be required in suitable microsites within the next planting season. This should be treated as a contingency only, triggered by demonstrated underperformance, and implemented in a focused and proportionate way.
-

If the Applicant’s position remains that no species-specific planting trigger is necessary, then the Department recommends, at minimum, that the Year 5 podocarp reporting requirement is included. Without a podocarp-specific reporting, there is no practical basis to confirm that the podocarp component of the WF11 intent is being achieved, or to justify that no further action is required.	<i>B&A / Viridis Consultants:</i> Same as above.
Fauna Management Plan comments on conditions as per tracked changes to the conditions document.	<i>Viridis Consultants:</i> <u>Native wetland birds</u> I don’t support the requirement for bird surveys to continue for “at least two seasons following completion of construction”. The purpose of the wetland bird management provisions is to avoid or minimise adverse effects on native wetland birds during construction activities (i.e., to ensure, as far as practicable, that birds, nests, chicks and eggs are not harmed or disturbed during works). These surveys are therefore a construction management tool, rather than post-construction ecological monitoring associated with any offsetting or compensation outcomes. Once construction is complete, there is no clear ecological or management purpose for continuing nest surveys, particularly given: • there is no ongoing construction disturbance requiring adaptive management; • no wetland bird offsetting or compensation framework is proposed; • the surveys would not meaningfully demonstrate “no net loss”; and • the information gathered would not directly inform any practical management response. Similarly, I don’t think the proposed “contingency plans if monitoring results fail to demonstrate no net loss” is appropriate in this context. The wetland bird management measures are not intended to demonstrate no net loss or achieve a quantified biodiversity outcome. They are intended to manage construction effects on individual birds and nests during works. Overall I think these requirements are more onerous than necessary to address impacts on native wetland birds. <u>Native Lizards</u> As with the bird management provisions, the primary purpose of the lizard management

	framework is to minimise the risk of lizards being harmed during construction activities, rather than to deliver a quantified offsetting or compensation outcome. Accordingly, I do not think it is appropriate to impose a rigid monitoring and contingency framework aimed at demonstrating “no net loss”. Post-release lizard monitoring can be quite onerous and often provides limited or unreliable information due to the cryptic nature of indigenous lizards and the high potential for false negatives, i.e. lizards may remain present but undetected despite substantial survey effort, particularly if only low numbers are found. As such, non-detection during post-release monitoring does not necessarily demonstrate relocation failure or “no net loss” failure. Given that no live native lizards were detected during the Delmore surveys and any relocation, if required, is expected to involve low numbers, the more appropriate approach is to require the FMP to identify post-release monitoring methods where appropriate. This should take into account the number and species of lizards relocated, release site characteristics, habitat enhancement, pest control, and the scale of relocation. Overall I think these requirements are more onerous than necessary to address impacts on lizards.
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Attachment A: Updated Archaeological Management Plan

ARCHAEOLOGICAL MANAGEMENT PLAN: DELMORE PROPOSED RESIDENTIAL DEVELOPMENT, UPPER ŌREWA, AUCKLAND

Prepared for Vineways Ltd

June 2026

By

Ellen Cameron MSc

Clough
& ASSOCIATES LTD

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INTRODUCTION

Purpose

Vineways Ltd is proposing a residential development project in Upper Ōrewa, Auckland. A total of 64 different housing typologies will be used across the site. These include stand-alone and duplex housing options. Of these, 40% are single-storey and 60% are two-storey. Approximately 44% will be 3-bedroom homes, 30% 4-bedroom homes, and 26% 5-bedroom homes. Walkways will be provided throughout the site, with some routes provided from the site to the Scenic Reserve to the north. The project will result in a complete urban outcome for the site. The combination of roading, housing, economic and ecological benefits will make a regionally significant contribution to ensuring Auckland has a well-functioning urban environment.

An archaeological assessment of the effects of the project was prepared:

Cameron, E. February 2025. Delmore, Proposed Residential Development, Upper Ōrewa, Auckland: Fast Track Assessment. Clough & Associates report prepared for Vineways Ltd.

The assessment established that while the two recorded archaeological sites within the Project Area would be avoided, it is considered likely that additional unrecorded sites, particularly in the vicinity of streams may be encountered during the works.

An application for a general Authority is therefore being made as a precaution prior to the start of earthworks. This will ensure that if any remains are exposed during the proposed works appropriate action can be taken and any delays will be minimised.

This archaeological management plan outlines the procedures to be followed during archaeological monitoring of earthworks and procedures for recording any archaeological evidence before it is modified or destroyed. It also provides protocols for the exposure of archaeological remains including koiwi tangata (human remains) or taonga (Māori artefacts). The area to be covered under the authority is shown in Figure 1.

Project Archaeologist

The 'Project Archaeologist' referred to in this plan is the archaeologist approved by Heritage NZ under section 45 of the HNZPTA.

Some of the archaeological work may be undertaken by other qualified archaeologists under the direction of the Project Archaeologist. The general term 'Archaeologist' is used to denote either the Project Archaeologist or a qualified archaeologist working under their direction.

Aims of Monitoring, Investigation and Recording

It is considered likely that unrecorded archaeological sites associated with Māori occupation and settlement will be encountered during the works. Any archaeological remains associated with Māori occupation and settlement could possibly provide material suitable for dating and also material that could provide information on past environments through specialist analysis. It is important that this information is recovered prior to the removal of archaeological deposits and features to offset the loss of the site/s.

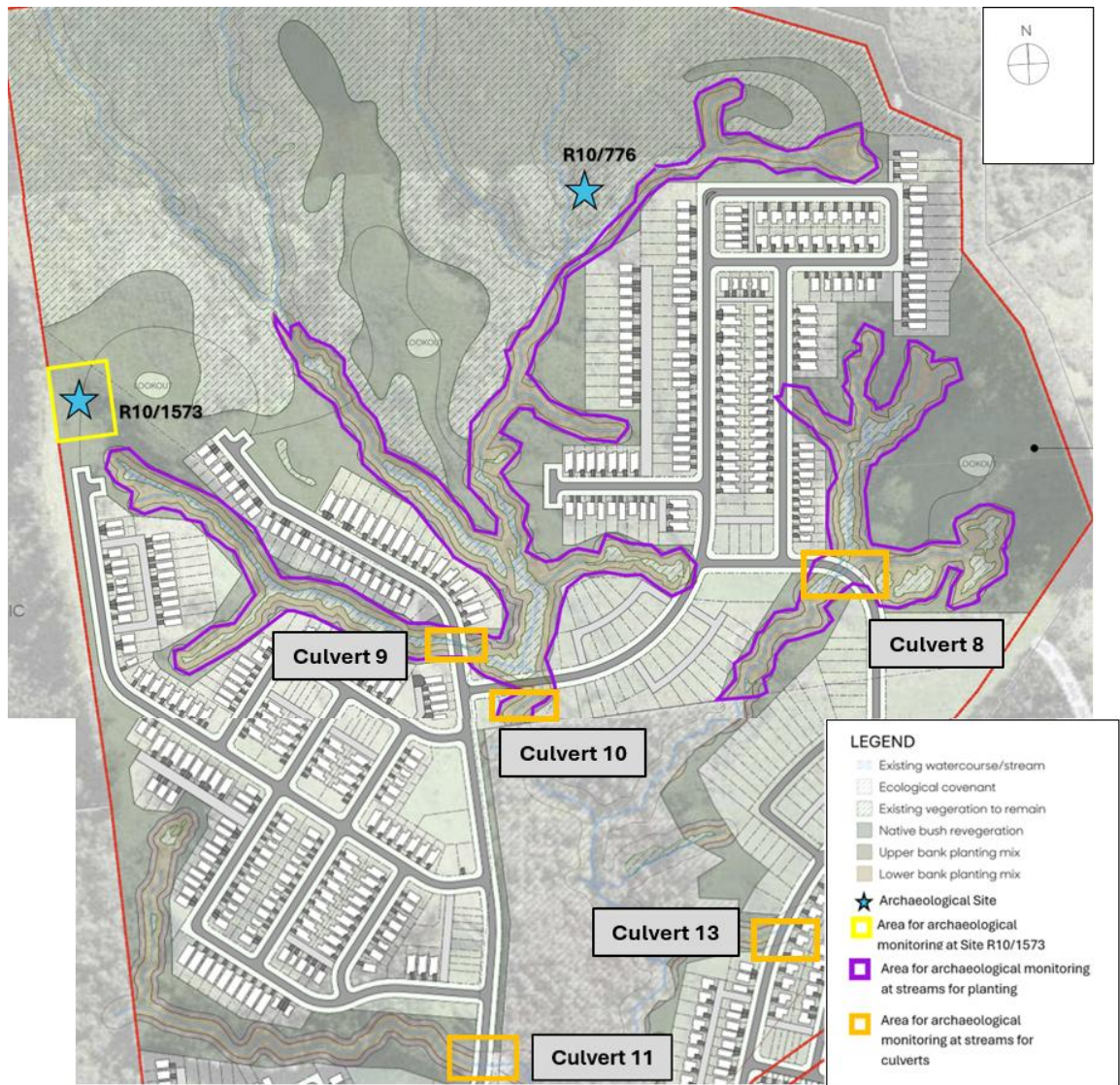


Figure 2. Plan of the Stage 2 area showing the locations for archaeological monitoring in the vicinity of site R10/1573 and at culverts 8, 9, 10, 11 and 13 (source: Greenwood Associates)

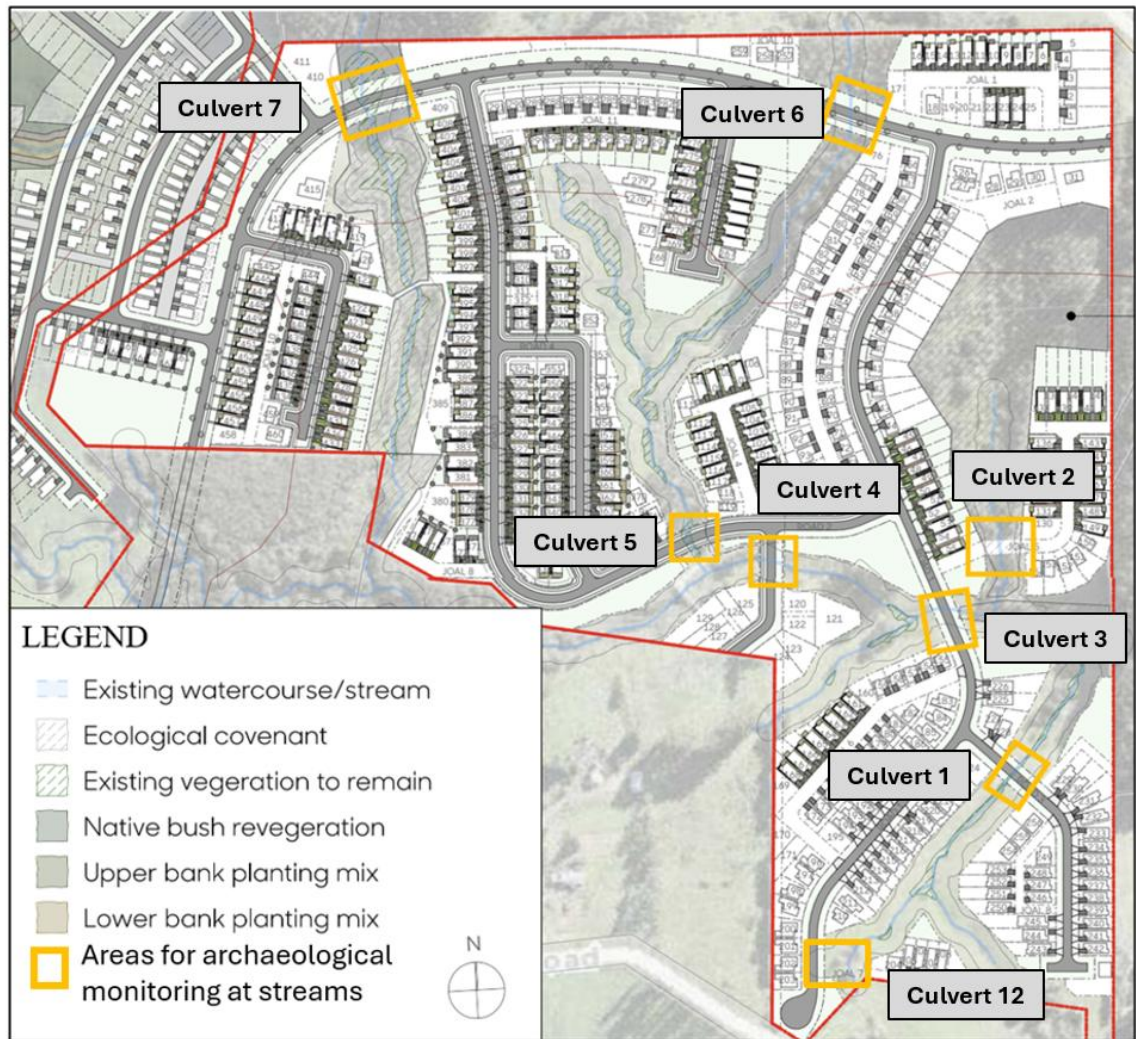


Figure 3. Plan of the Stage 1 area showing the locations for archaeological monitoring at culverts 1, 2, 3, 4, 5, 6, 7 and 12 (source: Greenwood Associates)

SITE MANAGEMENT

Pre-Start Requirements

1. Prior to the start of earthworks, the Project Archaeologist will be called to meet the Contractor on site to brief them on the archaeological requirements.
2. The Archaeologist will ensure that the Contractor/Project Manager have a copy of the Authority and Archaeological Management Plan, and will provide confirmation to Heritage NZ that they have been received and understood, either by providing copies of both documents signed by the relevant parties, or by obtaining email confirmation from them, copied to Heritage NZ.
3. The Project Archaeologist must be given at least 2 weeks' notice by the Contractor that works are about to begin.

Earthworks Phase

1. Monitoring of all preliminary excavations required for the project in the areas outlined on Figure 2 and Figure 3 will be carried out by a qualified Archaeologist, to determine whether pre-1900 archaeological remains are present.
2. Monitoring will continue until the natural deposits have been reached (where excavations are continued to this depth), or until it becomes clear that the area has been modified to the point where no archaeology would be expected.
3. If in situ archaeological features or deposits are identified during monitoring, the Archaeologist will stop works in the immediate vicinity by notifying the Contractor.
4. Any in situ archaeological deposits or features exposed during monitoring, that cannot be avoided, will be investigated, recorded and sampled by the Archaeologist consistent with accepted archaeological practice and in accordance with the requirements of the Heritage NZ authority. Detailed notes of each feature and deposit will be made, photographs will be taken, and all subsurface features located will be detailed on the site plan. Stratigraphic drawings and photographs of features and deposits will be undertaken. Any artefacts will be retained for analysis and their positions marked on the site plan.
5. Additional Archaeologists will be brought to site as required to assist in the monitoring, and for the subsequent archaeological recording and sampling.
6. The Contractor will allow sufficient time and opportunity for the recording and sampling of any archaeological features or deposits encountered. The Archaeologist(s) will record the archaeological feature(s) or deposit(s) as quickly as possible so that earthworks may resume without undue delay.
7. If suspected archaeological deposits or features are identified at times or in areas where the Archaeologist is temporarily not present, the Contractor must stop works (within 10m) and follow the procedure set out below.
8. Heritage NZ will be advised by the Project Archaeologist if any significant archaeological features or deposits are exposed that were not anticipated. This will trigger the stand down procedure set out below.

9. Any significant archaeological features exposed will be retained in situ if feasible following investigation and recording.
10. If archaeological remains relating to Māori occupation are exposed, the Project Archaeologist will inform the appropriate Iwi representatives (if not present).
11. If human bone (koiwi tangata) or taonga (Māori artefacts) are encountered, the protocols set out below will be followed.

Procedures if Archaeological Sites are Exposed when the Archaeologist is not Present

If the Archaeologist is temporarily not present and remains are exposed that are potentially archaeological features or deposits (as described to the Contractor at the pre-start meeting), the following procedure should be adopted:

1. The Contractor will ensure that earthworks shall cease in the immediate vicinity (within 20m) while the Archaeologist is called in to establish whether the remains are part of an archaeological site as defined under the HNZPTA.
2. If the Archaeologist confirms that it is an archaeological site, the area of the site will be defined by the Archaeologist and excluded from earthworks.
3. The archaeological site will be investigated and recorded by the Archaeologist in accordance with accepted archaeological practice and the conditions of the authority.
4. Heritage NZ will be advised by the Archaeologist if any significant archaeological features or deposits that were not anticipated are exposed.
5. If the archaeological site relates to Māori occupation the appropriate Iwi representatives will be informed by the Archaeologist (if not present) prior to investigation.
6. If human bone (koiwi tangata) or taonga (Māori artefacts) are unearthed the protocols set out below will be followed.

Protocols Relating to Koiwi Tangata (Human Remains)

If bone material is identified that could potentially be human, the following protocol will be adopted:

1. Earthworks/investigation should cease in the immediate vicinity while an Archaeologist establishes whether the bone is human.
2. If it is not clear whether the bone is human, work shall cease in the immediate vicinity until the University's reference collection and/or a specialist can be consulted and a definite identification made.
3. If bone is confirmed as human (koiwi tangata), the Archaeologist will immediately contact Iwi representatives (if not present), Heritage NZ and the NZ Police.
4. The site will be secured in a way that protects the koiwi as far as possible from further damage.
5. Consultation will be undertaken with all Iwi representatives as outlined in the authority, the Heritage NZ Regional Archaeologist and the authority holder to

determine and advise the most appropriate course of action. No further action will be taken until responses have been received from all parties, and the koiwi will not be removed until advised by Heritage NZ.

6. The Iwi representatives will advise on appropriate tikanga and be given the opportunity to conduct any cultural ceremonies that are appropriate.
7. If the Iwi representatives are in agreement and so request, the bones may be further analysed by a skilled bio-anthropological specialist prior to reburial, in line with the *Heritage NZ Guidelines Koiwi Tangata Human Remains* (2014).
8. Activity in that place can recommence as soon the bones have been reinterred or removed and authorisation has been obtained from Heritage NZ.

Protocols Relating to Taonga (Māori Artefacts)

Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be taonga (treasures). These are taonga tuturu within the meaning of the Protected Objects Act 1975. Taonga may be found in isolated contexts but are generally found within archaeological sites. If taonga are found the following protocols will be adopted:

1. The area containing the taonga will be secured in a way that protects the taonga as far as possible from further damage, consistent with conditions of the Authority.
2. The Archaeologist will then inform Heritage NZ and the Iwi representatives so that the appropriate actions (from cultural and archaeological perspectives) can be determined.
3. These actions will be carried out within the stand down period specified below, and work may resume at the end of this period or when advised by Heritage NZ or the Archaeologist.
4. The Archaeologist will notify the Ministry for Culture and Heritage of the find within 28 days as required under the Protected Objects Act 1975. This can be done by taking the taonga to a nearby public museum or by emailing the Ministry of Culture and Heritage.

The Ministry for Culture and Heritage, in consultation with the tangata whenua, will decide on custodianship of the taonga (which may be a museum or the iwi whose claim to the artefact has been confirmed by the Māori Land Court). If the taonga requires conservation treatment (stabilisation), this can be carried out by a member/s of the Ministry of Culture and Heritage's Conservation Panel of Suppliers which consists of specialist conservators, heritage practitioners and representatives from the wider museum sector. This would be paid for by the Ministry. It would then be returned to the custodian or museum.

Post-Earthworks Phase

1. Any artefacts recovered and samples taken will be analysed and recorded by the appropriate specialists.
2. Any Māori artefacts will be notified to the Ministry for Culture and Heritage in accordance with the Protected Objects Act 1975.

3. The Project Archaeologist will provide a report to Heritage NZ within 20 days of the completion of archaeological work. This may be the final report if no or limited archaeological remains are found.
4. If more extensive remains requiring detailed analysis are found, the Project Archaeologist will complete a full monitoring report within 12 months of the end of the archaeological work, and will provide it to Heritage NZ and other parties identified in the Authority.

ARCHAEOLOGICAL TEAM AND OTHER CONTACTS

Archaeological Team

Ellen Cameron will direct the project as the Section 45 archaeologist. Fieldwork will be carried out by her or under her supervision.

The archaeological team will include some or all of the following:

Name	Role	Responsibility
Ellen Cameron	Section 45 Archaeologist	Manage project in field and prepare report
Jen Low	Archaeologist	Monitoring, recording
Hannah Cohen- Smith	Archaeologist	Monitoring, recording

Other qualified archaeologists and/or specialists may be brought in to the project if required. These may include specialists in particular categories of artefact or other remains.

Contact Details

Project Archaeologist	Ellen Cameron: [REDACTED] Rod Clough: [REDACTED]
Heritage NZ Regional Archaeologist	Greg Walter: [REDACTED]
Auckland Council	Chris Mallows (Cultural Heritage Implementation Team Leader): [REDACTED]
Iwi Contact	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

STAND DOWN PERIODS

Depending on what is revealed by the earthworks, stand down periods may be required at various stages to allow for archaeological work to be carried out or for consultation with the appropriate parties may be required at various stages.

Stand down will require earthworks to cease only in the immediate vicinity of the feature or find, and work may proceed in other areas. The following maximum stand down periods will apply, but earthworks may be resumed earlier if the required work has been completed.

Timeframes need to be flexible enough to ensure that archaeological works are completed as necessary to ensure that the conditions of the authority are met.

Trigger	Stand Down Period	Requirements	Release
Archaeological feature, deposit or artefacts	Up to 1 day within each area where remains are found (maximum 2 days), but work may continue in areas where no remains are identified	Sufficient time must be allowed for the Archaeologist to investigate and record the remains.	Work resumes when the Archaeologist advises the Contractor that work is completed
Significant archaeological feature, deposit or artefacts ¹	Up to 3 days for a response from Heritage NZ, and up to 3 days for any detailed investigation required	The likely requirement is a mitigation investigation and/or recording by standard archaeological techniques, but this will be advised by Heritage NZ.	Work resumes when the Archaeologist advises the Contractor that work is completed
Human bone found	As agreed between the project manager, Heritage NZ and Iwi	Heritage NZ and NZ Police to be satisfied that koiwi identification is correct. Iwi representative(s) to organise reinterment or removal of bones from site and appropriate cultural ceremonies.	Work resumes following reinterment or removal of bones from site and when authorisation from Heritage NZ has been received.
Taonga, or archaeological remains of Māori origin found that were not anticipated	Up to 3 days	Heritage NZ and Iwi representative(s) to be consulted on appropriate action. Archaeological recording as required	Work resumes when the Archaeologist or Heritage NZ advises the Contractor that work is completed

¹ i.e. with the potential to provide significant information through detailed investigation

APPLICANT'S AND CONTRACTOR'S RESPONSIBILITIES

Authority Holder's Responsibilities

Vineways Ltd or their designated representative has the following responsibilities:

1. To advise Heritage NZ of the start and finish dates of any required archaeological work.
2. To ensure that sufficient time is provided to carry out any archaeological investigations required.
3. To provide sufficient site security to ensure that archaeological material on site is protected from unlawful excavation or removal.
4. To ensure that a copy of the archaeological Authority is kept on site and its contents are made known to all contractors and subcontractors.
5. To ensure that a copy of this Archaeological Management Plan is kept on site and its contents are made known to all contractors and subcontractors.
6. To ensure that the conditions and protocols outlined in the Authority and this document are observed by Contractors and subcontractors.
7. To provide a safe environment for the archaeologists to carry out their work.

Contractor's Responsibilities

The Contractor's responsibilities are as follows:

1. To meet the Project Archaeologist on site prior to the start of works for a briefing on the archaeological requirements.
2. To provide the Project Archaeologist with 2 weeks' notification that project earthworks are about to begin, and to ensure that an Archaeologist is present when earthworks begin in the areas requiring monitoring shown in Figure 2 and Figure 3.
3. To comply with the protocols above if archaeological sites, koiwi or taonga (pp.7-8) are exposed.
4. To allow the Archaeologists sufficient time to investigate and record any archaeological remains before resuming works in the immediate vicinity.
5. To ensure a safe working environment for the Archaeologists.

DISPUTE RESOLUTION

Disputes fall into a number of categories but are usually the result of poor communication between the developer, subcontractors, Iwi representatives and the project archaeologists. Most can be avoided if sufficient detail of the archaeological issues and responsibilities is outlined in the tender document or work management documentation.

Common examples of a dispute are: that the subcontractors consider that the archaeologists are causing unacceptable delays, or that the archaeologists feel they have insufficient time to fulfil the obligations of the authority. In the event of a dispute relating to the Authority investigation the following procedure for resolution should be followed:

1. If the dispute relates to archaeological issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
2. If the dispute relates to cultural issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor, Iwi representatives, and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
3. If the dispute cannot be resolved a further meeting of all parties with representatives of Heritage NZ will be arranged within 1 working day to resolve the dispute. Heritage NZ has ultimate responsibility for resolving issues relating to the conditions of the Authorities it issues.

Taonga tūturu (Māori artefacts) recovered from archaeological investigations are often deposited in local or national museums following archaeological analysis, and with the agreement of iwi. On other occasions iwi may prefer to retain ownership of artefacts and disputes can arise between different iwi with an interest in the area. Any disputes relating to the long term ownership and custody of taonga tūturu should be dealt with through the statutory processes of the Protected Objects Act 1975. The provisions of the Act require that all taonga tūturu are notified to the Ministry for Culture and Heritage within 28 days of the completion of archaeological fieldwork. Under s.11 and s.12 of the Act the Ministry for Culture and Heritage must notify all parties that have an interest in the taonga, and if competing claims for ownership are made and cannot be resolved the matter may be referred to the Māori Land Court for resolution.

Attachment B: Email Correspondence with NZTA

From: [Pranil Wadan](#)
To: [Madeleine Wright](#); [Charlotte MacDonald](#); [Andrew Allsopp-Smith](#); [Lachlan Van der Meij](#)
Subject: Fwd: Delmore - Culvert Inlet
Date: Tuesday, 19 May 2026 1:00:41 pm
Attachments: [asmlookup-short_ced9d762-fca9-482f-8c33-d22ca7fe21d5.png](#)

FYI



----- Forwarded message -----

From: Peter Mitchell [REDACTED]
Date: Tue, 19 May 2026 at 12:27
Subject: RE: Delmore - Culvert Inlet
To: Pranil Wadan [REDACTED]

Thank you Pranil,

Appreciate the call and conversation about high flow relief riser. That is good news. Please let me know if you would like me to help share any detail. Riser will provide a good means of ensuring that the resilience risk of the highway system embankment is managed in the event of a complete blockage at primary inlet. Thank you.

Please keep me informed – Happy to meet and discuss if any other parties need any reassurance of your good proposal.

Regards

Peter Mitchell

NZTA Capital Projects Liaison Manager and Stormwater Assets Manager, Asset and Network Performance

[Auckland System Management](#)

Email: [REDACTED]

Waka Kotahi

[Facebook](#) | [Twitter](#) | [LinkedIn](#)



Auckland System
Management Alliance

From: Pranil Wadan [REDACTED]
Sent: Monday, 18 May 2026 1:39 pm

To: Peter Mitchell [REDACTED]
Subject: Delmore - Culvert Inlet

Hi Peter,

As discussed over the phone, we are now proposing a 2100Ø scruffy dome inlet riser for the Delmore project. This has been proposed on the downstream NZTA culvert to address Healthy Waters' concerns regarding the blocked scenario for this culvert.

I wanted to make sure we had discussed this with you to avoid any surprises. Overall, this is consistent with the feedback you initially provided.

Could you please confirm that you are comfortable with the proposal to include the inlet riser as part of our design?

