

Delmore Fast Track Application

Appendix 8: A04 (Policy) to Response to Comments Letter

From: Vineway Ltd

Date: 5 June 2026

Re: Response to Annexure 4 to Auckland Council Response – Policy

1.1 Introduction

This memorandum responds to the memorandum prepared by Auckland Council’s Senior Policy Planner in relation to the above fast-track application.

1.2 Response to Further Information Requests / Technical Comments

Information Request / Technical Comment from Council under section 53 FTAA	Applicant Response under section 55 FTAA
24 March memorandum paragraphs 9-11, 27-32, 42 section 8.0 covering table: A structure plan has not been prepared in accordance with Appendix 1 AUP, which makes the application inconsistent with objectives and policies in the AUP, in particular in B2.2 and H18.	<i>B&A:</i> The applicant’s response to comments regarding the adequacy of the structure plan lodged with the application is provided in Appendix 8: A03 (Strategic Planning) to the Response to Comments letter. In summary, the applicant does not agree with these comments. The structure plan has been prepared through a careful and thorough process that covers all components of Appendix 1 of the AUP. The applicant’s response to the Council’s broader comments that the application is inconsistent with the AUP is provided in Appendix 1 to the Response to Comments letter (Overarching Legal Memorandum). In summary, the applicant does not agree with these comments. The FTAA looks beyond policy inconsistency to actual adverse impacts and the information before the Panel demonstrates these have been removed or minimised via design or conditions to the point that they do not outweigh the applications benefits. Correct assessment against the AUP’s objectives and policies shows that the application is consistent with them when read as a whole.
24 March memorandum paragraph 8, 27-32:	<i>B&A:</i>

A plan change is required; this is rezoning by resource consent. This is contrary to the AUP's objectives and policies and to the findings of the High Court in <i>Auckland Council v Matvin</i> [2023] NZHC 2481.	The applicant's response to this comment is provided in Appendix 1 to the Response to Comments letter (Overarching Legal Memorandum). In summary, this decision was made against a fundamentally different statutory context and is of little use to the Panel.
24 March memorandum paragraphs 12-14: Expresses doubt that the NOR6 portion of the road delivered in conjunction with the proposal is regionally significant and that even delivering the whole NOR6 is regionally significant.	<i>B&A:</i> It appears from Figure 2 that this comment does not relate to the full extent of the NOR6 that will ultimately be delivered in conjunction with the proposal. This only shows the part of the NOR6 road within the proposal's development area boundary. The part of the Designation 14108/NOR6 road ultimately being delivered as part of the Delmore development runs from the existing termination point of Grand Drive all the way down to Russell Road/Upper Orewa Road. For clarity this is shown in Appendix 7: Plan Set 3 (NOR6 Sequencing) to the Response to Comments letter. Further, the comment has been made without reliance on technical evidence. The applicant has approached the question of whether delivering this infrastructure provides a regionally significant benefit as a technical one because this is informed by the nature of the transport network and the public cost savings associated with a private entity paying for this infrastructure. Expert transport engineers Commute Ltd have assessed the benefits and consider that providing this portion of the Designation 14108/NOR6 road will provide a significant regional benefit from a transport infrastructure perspective. Refer to section 3.2 in Appendix 24 to the AEE (as lodged). Expert economics consultancy NZIER have assessed the benefits and consider that providing this portion of the Designation 14108/NOR6 road is an important component of the proposal's overall significant regional benefit from an economic perspective. This was initially addressed in section 5.3.3 of Appendix 15 to the AEE (as lodged) however it is noted this assessment did not capture the full extent of the Designation 14108/NOR6 road the applicant is now delivering (in particular it

	did not include the Grand Drive extension portion) which means it can be considered conservative.
24 March memorandum paragraph 15: The application identifies 3 possible options for wastewater disposal. This should be determined definitively for a resource consent stage.	<i>B&A:</i> The author has provided no detailed reasons why a single option should be determined at this stage. Why it is lawful and appropriate in this case to provide for several water and wastewater servicing options is addressed in the Ellis Gould letter attached to Appendix 1: Attachment 1 (Infrastructure Legal Memorandum) to the Response to Comments letter. In addition, the applicant has made amendments to the proposed conditions to clearly set out the different servicing options, when they are available, and when a shift from a private system to a public system can be made. These are in Appendix 2 (Amended Consent Conditions) to the Response to Comments letter with the relevant conditions being Condition 12 – 16 (general conditions). These amendments have also been made to respond to the Panel’s question during the on-line conference.
24 March 2026 memorandum paragraph 16: Granting resource consent for urban development while the underlying zoning remains Future Urban is problematic for ongoing development. Future activity will be subject [to]] the underlying zone rules and Auckland Wide rules that relate to the Future Urban Zone. The activities provided for in the Future Urban Zone are much more restrictive than for the residential zones that the resource consent seeks to apply.	<i>B&A:</i> The applicant does not agree with this comment. Refer to Appendix 1 to the Response to Comments letter (Overarching Legal Memorandum).
24 March 2026 memorandum paragraphs 17-19: Reservations that the proposal will contribute to a well-functioning urban environment because of lack of clarity about integration with infrastructure and issues with provision of parks, centres, and adjoining facilities like schools.	<i>B&A:</i> The author has provided no technical evidence in support of this comment despite it relating to urban design and transport matters. The applicant does not agree with this comment. First ,the integration with wider social infrastructure has been addressed in Appendix 13 to the AEE (as lodged), with a detailed visual accessibility analysis provided in Appendix 2 to that

	document. Auckland Council’s urban design team has not raised concerns with this. Second, the Delmore development itself includes 2 parks and also a small commercial centre. These were included, located, and designed with input from Auckland Council’s specialist teams. The Delmore development also includes extensive green walking networks within the site which provide walking integration across the development and also access to green space. Third, the Delmore development includes multiple connection points to the external road network. These are shown on Appendix 7: Plan Set 2 (Connections) to the Response to Comments letter. Between them, these connections provide for vehicle, bike, pedestrian, and bus access within and outside of the Delmore site.
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