

Delmore Fast Track Application

Appendix 8: A05 (Earthworks) to Response to Comments letter

From: Vineway Ltd; McKenzie & Co; Barker & Associates

Date: 5 June 2026

Re: Response to Annexure 5 to Auckland Council Response – Earthworks

1.1 Introduction

This memorandum responds to the Technical Specialist Memo prepared by Auckland Council (Earthworks) in relation to the above fast-track application (as lodged). This response addresses:

- Further information requests / technical queries; and
- Recommended amendments to consent conditions.

The following attachments are included to this memorandum:

- **Attachment A: Draft Adaptive Management Plan**
- **Attachment B: Email correspondence with Council on conditions**

The rows within the table below that have been confirmed resolved are highlighted green.

1.2 Response to Further Information Requests / Technical Comments

Information Request from Council on the lodged material	Applicant Response	Information Request / Technical Comment from Council under section 53 FTAA	Applicant Response under Section 55 FTAA
The applicant has designed 3 of the 25 sediment retention ponds (SRPs) proposed for sediment control during earthworks, based on a 2% criteria rather than a 3% criteria. Based on my review of the earthworks plans, I consider that all SRPs proposed during preparation of the final ESCP(s) ahead of earthworks commencing, are required to be constructed based on a 3% criteria as per the guidance contained in GD05.	Accepted - The ESCP condition has been updated to respond to this request, as per Section 1.3 below.	Resolved and reflected in the updated condition set.	Resolved.
The applicant has proposed provision of an Adaptive Management Plan (AMP) ahead of earthworks commencing and implementation of that plan throughout the duration of earthworks at the site. I do not consider that the applicant's proposed AMP condition is sufficient given the nature and type of earthworks proposed. I consider that additional AMP related conditions are required to help ensure the potential	A draft Adaptive Management Plan (AMP) has been prepared and is attached. The AMP incorporates the key components of the Council's recommended conditions, including baseline monitoring, receiving environment monitoring, trigger levels, management responses, and reporting. While Council has requested that the AMP specify the number of sediment retention ponds (SRPs) subject to automated monitoring, this level of	Resolved and reflected in the updated condition set.	Resolved and draft AMP is included in Attachment A for Panel reference.

earthworks related effects are managed in accordance with industry best practice.	prescription is not reflected in their recommended conditions. The proposed approach of one instrumented SRP per stage is consistent with established practice on comparable fast-track projects and reflects an effects-based monitoring regime. Approved AMPs (e.g. Milldale) rely primarily on continuous upstream/downstream monitoring to assess environmental effects, with device-level monitoring used as a targeted diagnostic tool. Requiring multiple automated SRPs would not materially improve environmental outcomes, as in-pond monitoring is inherently variable, maintenance-intensive, and of limited additional value compared to receiving environment data, which provides the primary measure of effects. The proposed approach, supported by manual monitoring of remaining devices and a robust adaptive management framework, is therefore considered proportionate and sufficient to verify ESC performance and respond to any issues. Accordingly, one instrumented SRP per stage is appropriate and no further prescription is necessary.		
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The application is silent regarding the need for ESCPs once bulk earthworks have been completed, i.e., at the subdivision stage of the development. I consider that post-bulk earthworks ESCPs are critical for helping manage the potential effects of ongoing land disturbance on receiving environments.	Conditions relating to ESCPs for the subdivision stage were included within the condition set at lodgement (Section 3.1.13 of that document). No further additions are considered necessary.	Resolved and reflected in the updated condition set.	Resolved.
The applicant has not proposed a review condition as part of their proposed conditions of consent. In this case, the proposed duration of the earthworks permit is 15-years, which I consider appropriate, however, I also consider inclusion of a review condition to also be appropriate as it will allow a review of the consent should it be deemed necessary at any point throughout the 15-year duration.	The applicant accepts a review condition in principle, however is reviewing the specific wording and will provide a separate response to Council on this matter.	Resolved, pending appropriateness of applicant's separate response.	Considered to be resolved, as per email correspondence in Attachment B. A review condition has been proposed and is addressed within the table below. Refer to Condition 92 of the land use consent.

1.3 Response to Recommended / Amended Conditions

Condition Request from Council on the lodged condition document (Appendix 44 to the AEE)	Applicant Response	Council Specialist Response	Applicant Response
15. At least 20 working days prior to the commencement of bulk earthworks for any stage or sub-stage of the development, the consent holder must prepare and submit to Auckland Council for certification, a final Erosion and Sediment Control Plan (ESCP). The ESCP(s) must be prepared in accordance with the draft ESCP submitted with the application, and in accordance with Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating <u>any Amendments to this document</u> (GD05). The ESCP must contain sufficient details to address the following matters: (a) Specific erosion and sediment control measures for the earthworks (location dimensions, capacity), including the location of any sediment retention ponds (SRPs), decanting earth bunds, super silt fences, silt fence clean and dirty water	This is accepted and updated in tracked changes within the condition set.	Resolved and reflected in the updated condition set.	Resolved. Now condition 3 of the land use consent.

diversion bunds and stabilized construction entrances; (b) Supporting calculations and design drawings as necessary, including confirmation <u>that all SRPs are to be constructed based on a 3% criteria;</u> (c) Details of construction methods; (d) Monitoring, maintenance and inspection requirements; (e) Catchment boundaries and contour information as necessary; (f) Identify location of stabilised construction entrances; and (g) Details relating to the management of exposed areas (e.g. grassing, mulching). Advice note: The above ESCP requirement relates to bulk earthworks stages. Additional ESCPs are required at subdivision stage for civil works.			
<u>22. No less than 20 working days prior to the commencement of any earthworks at the subject site, an Adaptive Management Plan (AMP) must be prepared in general accordance with Auckland Council's guideline document "Erosion and Sediment Control Adaptive Management Plan Discussion Document", July 2020, and provided to</u>	This condition is not required as a draft AMP has now been provided to Council. We suggest the following condition to replace the existing Condition 22: <u>"At least 20 working days prior to the commencement of earthworks for any stage or sub-stage of the development, the consent holder must</u>	Resolved and reflected in the updated condition set.	Resolved. Now condition 9 of the land use consent.

<u>the Council for written certification. The AMP must address monitoring requirements and changes to management procedures in response to the results of monitoring, and must include but is not limited to, the following details:</u> <u>(a) Preparation and provision of a Freshwater Baseline Report prepared by a suitably qualified and experienced Ecologist and/or Water Quality Scientist and provided to the Council for written certification, no less than 20 working days prior to any earthworks or streamworks commencing. The purpose of the Freshwater Baseline Report is to confirm pre-construction baseline environmental conditions of the receiving environment and include pre-construction in stream monitoring results.</u> <u>The Freshwater Baseline Report must include as a minimum, information on the following matters:</u> <u>i. sediment quality such as description of sediment inputs, transport, substrate composition and embeddedness.</u>	<u>prepare and submit to Council for certification a final Adaptive Management Plan (AMP) for all earthworks which are to be undertaken throughout the full duration of consent. The AMP must be in general accordance with the draft AMP submitted with the application and referenced under Condition 1, and must be prepared in general accordance with Auckland Council's guideline document "Erosion and Sediment Control Adaptive Management Plan Discussion Document", July 2020. The AMP must address monitoring requirements and changes to management procedures in response to the results of monitoring."</u>		
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<u>j. water quality measurements such as total suspended solids (TSS) and turbidity.</u> <u>k. actual and potential inanga (Galaxias maculatus) spawning habitat.</u> <u>l. identify the pre-construction condition of any Erosion Prone Streams against which to measure construction effects and possible mitigation measures.</u> <u>m. The presence of any threatened aquatic species or habitat, susceptible to sediment discharge.</u> <u>(b) Details of weather forecasting and monitoring, including implementation of an onsite rain gauge with a telemetered system that provides text and email notifications;</u> <u>(d) Trigger levels for water quality and rainfall events (actual and forecasted events);</u> <u>(e) Details of an ongoing monitoring and sampling regime for the receiving environment, including turbidity and / or TSS monitoring downstream within the receiving environment;</u> <u>(f) An automated monitoring regime (inlet and outlet TSS and / or turbidity) on at least one sediment retention pond throughout the duration of earthworks</u>			
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<u>at the site, and a manual sampling regime for all remaining sediment retention ponds and decanting earth bunds;</u> <u>(h) Management responses when a trigger level is exceeded, including the ability to reduce exposed area; and</u> <u>(i) Reporting to Council.</u> <u>Advice Note: Turbidity results can be substituted providing a correlation between TSS and turbidity has been established.</u> <u>Any proposed revisions to the AMP must be submitted to the Council for written certification prior to formalising and implementing the revised Plan.</u>			
<u>22A. An appropriate efficiency of sediment retention ponds and/or decanting earth bunds should be established where efficiency measurements are only activated when inlet samples indicate high sediment loadings. i.e., the efficiency of a pond need not be scrutinised when both inlet and outlet samples show low TSS / NTU.</u> <u>Advice Note: Further guidance on preparation of an Adaptive Management Plan can be found in Auckland Council guidance document - Erosion and</u>	This is condition is not clear on what it is trying to achieve and therefore has not been adopted.	Resolved. Condition no longer required.	Resolved.

<u>Sediment Control Adaptive Management Plan Guidance Document, Report to support preparation of Adaptive Management Plans, RC 3.2.22, July 2020.</u>			
<u>22B. All monitoring and management procedures as detailed within the certified Adaptive Management Plan required by condition 22, and any subsequent revisions, must be implemented on an ongoing basis throughout the duration of all earthworks activities on site.</u> <u>Advice Note: The AMP is a live document, and updates are expected to address unforeseen circumstances or changes in the earthworks methodology as the site responds through its adaptive monitoring regime, to ensure sediment discharges are minimised and the potential for significant adverse effects are avoided.</u>	This is accepted and updated in tracked changes within the condition set.	Resolved and reflected in the updated condition set.	Resolved. Now condition 27 of the land use consent.
<u>22C. An earthworks area which has been stabilised as a result of a trigger level exceedance or a management response as defined and required by the certified Adaptive Management Plan (required under condition X13) and any subsequent revisions approved by the Council, can only be re-opened for</u>	This is accepted and updated in tracked changes within the condition set.	Resolved and reflected in the updated condition set.	Resolved. Now condition 29 of the land use consent.

<u>earthworks on the written approval of the Council.</u>			
<u>22D. As a result of observed inefficiencies upon site inspection or identified within the site reporting, Council may request that the Adaptive Management Plan be updated to address those inefficiencies. If such a request is made by the Council, the revised plan must be submitted to the Council within 5 working days of the request. The updated AMP must not be implemented without the Council's approval.</u>	This is accepted and updated in tracked changes within the condition set.	Resolved and reflected in the updated condition set.	Resolved. Now condition 28 of the land use consent.
<u>New Condition: Prior to the commencement of any Subdivision or Civil-Construction earthworks at the site, an Erosion and Sediment Control Plan, specific to that stage of subdivision, must be prepared in accordance with Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating any Amendments to this document (GD05), and submitted to the Council for written certification. Earthworks activity on that stage of the site must not commence until the Council has certified that that the ESCP satisfactorily meets the requirements of</u>	As per comment above, this condition is already included (Section 3.1.13 within the subdivision conditions). No further amendments are considered necessary.	Resolved and reflected in the updated condition set.	Resolved. Now condition 44 of the subdivision consent.

<u>GD05. The plan must contain sufficient details to address the following matters:</u> a. <u>Specific erosion and sediment control measures for the earthworks (location, dimensions, capacity) including the location of any sediment retention ponds, decanting earth bunds, super silt fences, silt fences, clean and dirty water diversion bunds and stabilised construction entrances, in accordance with GD05;</u> b. <u>supporting calculations and design drawings, as necessary;</u> c. <u>details of construction methods;</u> d. <u>monitoring and maintenance requirements;</u> e. <u>catchment boundaries and contour information as necessary; and,</u> f. <u>details relating to the management of exposed areas (e.g. grassing, mulching).</u> g. <u>Advice Note: In the event that minor amendments to the ESCP are required, any such amendments must be limited to the scope of this consent. Any amendments which affect the</u>			
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<u>performance of the ESCP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments must be provided to the Council prior to implementation to confirm that they are within the scope of this consent.</u>			
<u>New Condition: The conditions of this consent may be reviewed every two years from the date of granting pursuant to section 128 of the RMA, by giving notice pursuant to section 129 of the RMA, for the following purposes:</u> <u>a. To deal with any significant adverse effect on the environment arising or potentially arising from the exercise of the consent and which was not apparent at the time of granting the consent.</u> <u>b. In the case of contamination, to require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.</u> <u>c. In the case of earthworks, to alter monitoring requirements as a result of previous monitoring outcomes, and/or in</u>	The applicant accepts a review condition in principle, however is reviewing the specific wording and will provide a separate response to Council on this matter.	Resolved, pending appropriateness of applicant's separate response.	A review condition has been proposed and is included below. This has been discussed with the Council expert, who has confirmed that this is acceptable (refer email correspondence included at Attachment B).

<u>response to changes to the environment and/or hydro-geological knowledge.</u> <u>d. To deal with any adverse effect on the environment arising or potentially arising from the exercise of this consent and in particular effects on: water quality; sediment transport; and functioning of natural ecosystems; through altering or providing specific performance standards.</u>			
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Attachment A: Draft Adaptive Management Plan

Adaptive Management Plan (AMP)

Delmore Development
Earthworks Monitoring and
Management

Site Address: 55 Russell Road, Orewa

Date: April 2026

Status: Proposed for Certification

Revision: A

MCKENZIE & CO.

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1.0 PURPOSE

This Adaptive Management Plan (AMP) supports the Delmore Fast-Track application and outlines the approach to managing erosion and sediment effects during bulk earthworks and civil works.

The approach is performance-led and informed by monitoring, site observations, and ongoing review. A structured plan-do-check-act process will be applied to identify issues early and refine erosion and sediment control (ESC) measures as conditions change.

This AMP has been prepared with reference to Auckland Council *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05)* and comparable projects. It is intended to demonstrate that:

- Environmental risks are identified and managed
- Monitoring is proportionate to the scale and duration of works
- Clear trigger levels and response mechanisms are in place
- ESC performance is verified and improved where required

This AMP supports the Delmore Fast-Track application and will be implemented in accordance with the relevant resource consent(s) issued by Auckland Council.

2.0 SCOPE

This AMP applies to all earthworks activities undertaken at the Delmore site, including both bulk earthworks and civil/subdivision works, and sets the requirements for monitoring, reporting, and management of erosion and sediment effects during these works.

The AMP covers:

- All bulk cut and fill activities, including formation of platforms, roads, and infrastructure corridors
- Civil/subdivision earthworks, including installation of services, road construction, and final shaping
- Installation and operation of erosion and sediment control (ESC) measures, including SRPs, diversion bunds, and treatment systems
- Management of exposed areas and stabilisation measures across all stages of works
- Monitoring of receiving environments (upstream and downstream)
- Weather monitoring and event-based response
- Reporting and communication with Auckland Council

The AMP applies across all stages and sub-stages of the development, recognising that works will be undertaken progressively and may vary in sequencing and methodology.

This AMP is to be read in conjunction with:

- The Erosion and Sediment Control Plans (ESCPs), which will provide stage-specific detail for both bulk and civil works
- The Chemical Treatment Management Plan (CTMP)
- Relevant consent conditions and approved drawings

The requirements of this AMP apply for the full duration of earthworks and remain in place until areas are stabilised and no longer contribute sediment-laden runoff.

3.0 BASELINE MONITORING

Baseline freshwater conditions will be established prior to commencement of works to provide a reference point for assessing effects.

Monitoring will be undertaken at representative upstream (control) and downstream (impact) locations and will include:

- Turbidity and total suspended solids (TSS), or confirmed correlation
- pH
- General stream condition (sediment inputs, substrate, bank stability)
- Ecological indicators where practicable

Where turbidity is used as a surrogate for TSS, a site-specific turbidity–TSS correlation will be developed using paired sampling across a range of flow conditions and rainfall events. This correlation will be reviewed periodically and updated where required to ensure it remains representative of site conditions.

The baseline will:

- Characterise natural variability in water quality
- Inform interpretation of construction-phase monitoring
- Provide a benchmark for ESC performance assessment

Baseline monitoring will be undertaken over a representative period prior to works commencing, including both dry and wet weather conditions where practicable

4.0 MONITORING FRAMEWORK

The monitoring framework has been developed to provide a clear and reliable understanding of site performance, particularly during rainfall events when the risk of sediment discharge is highest.

The approach integrates weather monitoring, in-stream monitoring, and ESC inspections to enable early identification of issues and prompt implementation of corrective actions.

4.1 Weather Monitoring

- Daily forecast review (MetService/MetVUW)
- On-site automated rain gauge with telemetry (alerts via email/text)
- Rainfall trigger: ≥ 25 mm in 24 hours

A rainfall trigger event is defined as any period where cumulative rainfall equals or exceeds 25 mm within a rolling 24-hour period.

Where multiple rainfall peaks occur within a continuous storm event, these will be treated as a single trigger event. Separate trigger events will only be defined where there is a clear break in rainfall and runoff response.

For smaller, high-intensity rainfall events that do not meet the 25 mm threshold but have the potential to generate sediment discharge, monitoring and inspections will be undertaken as appropriate based on site conditions.

4.2 Freshwater Monitoring

- Continuous turbidity monitoring upstream and downstream
- Data reviewed at 24 and 48 hours following rainfall trigger events

Trigger Levels

- Elevated: $>20\%$ increase downstream vs upstream

- Gross: >50% increase downstream vs upstream

4.3 ESC Monitoring

- Weekly inspections of all ESC devices
- Pre-rain event inspections (all forecast rainfall events)
- Additional inspections for forecasts ≥ 25 mm / 24 hrs
- Post-rain event inspections
- Trigger event audits within 24 hours

4.4 SRP Performance Monitoring

- All SRPs will be designed in accordance with GD05, including application of the 3% volume criteria where required
- Minimum of 1 SRP instrumented (inlet/outlet monitoring) per earthworks stage
- Manual monitoring of remaining SRPs and decanting earth bunds during events where relevant using a hand held device
- Performance target: $\geq 90\%$ sediment removal efficiency. The 90% sediment removal efficiency target applies where inlet turbidity indicates a meaningful sediment load such that device performance can be reasonably assessed

SRPs not meeting performance targets will be classified as high risk and subject to increased monitoring and intervention.

4.5 Chemical Treatment

- All SRPs will operate under a Chemical Treatment Management Plan (CTMP)
- Treatment dosing and performance will be monitored during rainfall events
- Adjustments will be made as required to maintain performance

5.0 MANAGEMENT RESPONSES

The response framework is designed to ensure timely identification and resolution of issues, with a focus on addressing root causes and improving performance.

Where trigger levels or performance thresholds are exceeded:

- Confirm source and extent of discharge
- ESC audit by suitably qualified specialist within 24 hours
- Immediate rectification of identified issues
- Implement additional controls where required (e.g. bunding, treatment optimisation)
- Consider reduction of exposed area or stabilisation of contributing catchment
- Notify Auckland Council within 1 working day

Where exceedances persist, further measures may include increased stabilisation or staged reduction of active earthworks areas.

6.0 REPORTING

6.1 Event Reporting (AMRR)

Adaptive Management Response Report (AMRR):

Prepared following each rainfall trigger event:

- Rainfall summary
- Monitoring results (upstream/downstream + SRPs)
- ESC performance assessment
- Actions taken and effectiveness

Submitted to Council within 10 working days.

6.2 Ongoing Records

- Inspection logs
- Monitoring data records
- Trigger exceedance register

7.0 ADAPTIVE MANAGEMENT

This AMP is intended to be a live document that will be updated as the project progresses and further information on site performance becomes available.

Monitoring results and site experience will be used to refine the management approach over time. This recognises that site conditions will vary and that flexibility is required to maintain effective control of environmental effects.

Potential adjustments may include:

- Refinement of ESC layout or design
- Changes to construction sequencing and staging
- Improvements to treatment systems
- Increased stabilisation or reduction of exposed areas where required

Where any changes are considered material, these will be documented and provided to Council.

Monitoring outcomes will be used to:

- Refine ESC methodology
- Adjust sequencing and staging
- Optimise chemical treatment and controls
- Improve performance over time

Any material updates will be provided to Council for review.

8.0 ROLES AND RESPONSIBILITIES

- Contractor: ESC implementation, inspections, maintenance, and initial response actions
- ESC Specialist / Engineer: Monitoring review, trigger assessment, audits, and recommendation of corrective actions
- Consent Holder: Overall responsibility for compliance, approval of AMP updates, authorisation of significant management responses (including reduction of active earthworks areas), and formal reporting to Council, including sign-off of AMRR reports

9.0 APPENDICES

- A. Monitoring Locations Plan

10.0 CERTIFICATION AND UPDATES

This AMP is intended to form the primary management document for erosion and sediment control monitoring and response for all earthworks at the Delmore site and to satisfy the relevant erosion and sediment control and monitoring conditions of the Delmore resource consent(s).

Upon issue of the resource consent(s), this AMP will be read in conjunction with:

- The relevant consent numbers
- Applicable erosion and sediment control and monitoring conditions

Once certified, the works will be undertaken in accordance with this AMP.

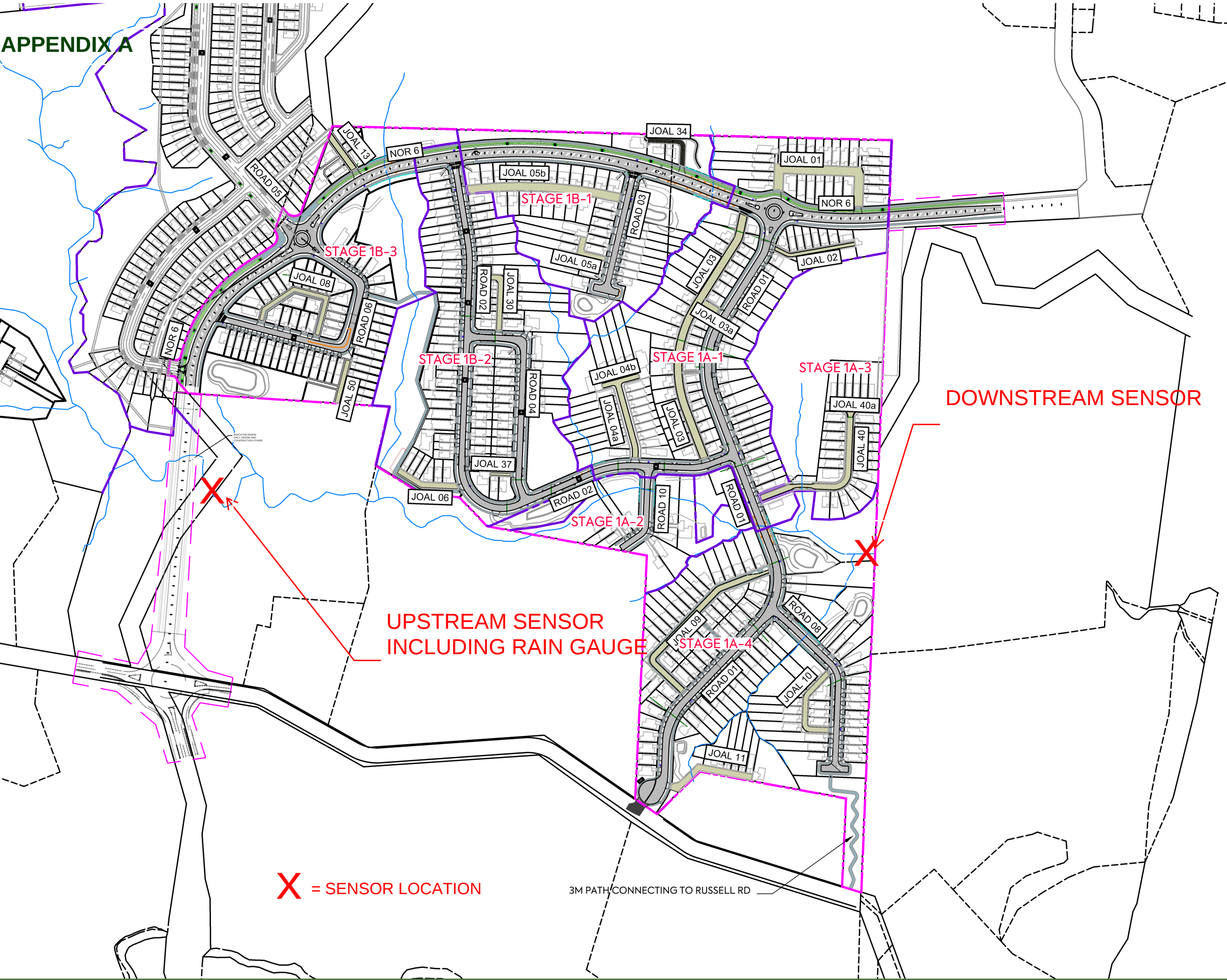
Minor refinements to monitoring methods, ESC layout, or construction sequencing may be made during the works to respond to site conditions and improve environmental outcomes. These will be documented within project records and reflected in updated versions of the AMP where appropriate.

Changes that materially alter the intent of this AMP, including changes to trigger levels, monitoring framework, or performance standards, or where consent conditions differ from the assumptions set out in this AMP, will be provided to Auckland Council for review.

For clarity, updates consistent with the intent of this AMP that improve environmental performance do not require further certification.

Prepared for Delmore Development

This document is intended to be certified and relied upon for delivery, providing a clear and controlled framework aligned with Council expectations and industry best practice.



- NOTES:
- 1. ALL WORK AND MATERIALS TO COMPLY WITH AT TRANSPORT DESIGN MANUAL STANDARDS. ANY AMBIGUITY BETWEEN ISSUED DRAWINGS AND CONCIL STANDARDS IS TO BE REPORTED TO THE ENGINEER FOR CLARIFICATION.
 - 2. THE CONTRACTOR SHALL EXTEND ROAD CONSTRUCTION 2m PAST THE STAGE BOUNDARY FOR FUTURE INTERNAL SUBDIVISION CONNECTIONS.
 - 3. ROAD SETOUT DATA SHOWN ON 3000 SERIES DRAWINGS IS TO BE PROVIDED ELECTRONICALLY.
 - 4. ALL ROAD MARKING AND ROAD SIGNAGE IS TO BE CONSTRUCTED AS PER TRANSIT NEW ZEALAND'S MANUAL OF SIGNS AND MARKINGS, AND AT TDM.
 - 5. VEHICLE ACCESSWAYS FOR JOAL SHALL BE AS PER AT COMMERCIAL VEHICLE STANDARD DRAWINGS VX0201-VX0205. ALL OTHER VEHICLE CROSSINGS SHALL BE AS PER AT DRAWINGS VX0101-VX0105.
 - 6. REFER TO LANDSCAPE ARCHITECTS PLANS FOR STREET TREE DETAILS. TREES SHOWN ON PLAN ARE INDICATIVE ONLY.
 - 7. STREET LIGHTS SHOWN ON PLAN ARE INDICATIVE ONLY.

LEGEND:

SITE BOUNDARY	
SUB STAGE BOUNDARY	
ROAD CENTRELINES	
PROPOSED CARRIAGEWAY	
PROPOSED VEHICLE CROSSING	
INDICATIVE STREETLIGHTS	
ROAD SIGNS / NAME BLADES	
PROPOSED SPEED TABLE	
ROAD BARRIER	
PEDESTRIAN BARRIER	
CAR PARKING	
PROPOSED CARRIAGEWAY	
PROPOSED JOAL	
PROPOSED FOOTPATH	
PROPOSED CYCLEPATH	

G	FOR CONSENT	SJO		04/12/25
F	FOR CONSENT	SJO	RR	02/07/25
E	FOOTPATH TO RUSSEL RD ADDED	JK		19/06/25
D	UPDATED ROAD NAME	MO	PO	17/06/25
C	UPDATED ROAD NAME	MO	ZW	11/06/25
B	FOR TENDER	MO	PO	15/05/25
A	FIRST ISSUE			



MCKENZIE & CO.

VINEWAY LIMITED

DELMORE
STAGE 1
53A, 53B & 55 RUSSELL RD
OREWA

ROADING
OVERALL PLAN

PURPOSE OF ISSUE:
RESOURCE CONSENT

SCALE:
1:4000m @ A3
DO NOT SCALE

DRAWING NO:
3725-1-3000

REV:
G

Attachment B: Email Correspondence with Council

From: [Matt Byrne](#)
To: [Charlotte MacDonald](#)
Cc: [Carly Hinde](#); [Dylan Pope](#)
Subject: Re: Delmore review condition
Date: Tuesday, 19 May 2026 9:51:09 am
Attachments: [image001.png](#)

Hi, Charlotte

Thanks for that and yes, I can confirm that that all outstanding comments on the earthworks memo have now been resolved.

Good luck with the rest of the project.

Nga mihi,

Matthew Byrne

Earthworks, Streamworks & Sediment Management Consultant
Earth, Streams & Trees - Specialist Unit
M: 021 755 013
Auckland Council, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

From: Charlotte MacDonald <CharlotteM@barker.co.nz>
Sent: Monday, May 18, 2026 4:30 PM
To: Matt Byrne <Matt.Byrne@aucklandcouncil.govt.nz>
Cc: Carly Hinde <carly.hinde@aucklandcouncil.govt.nz>; Dylan Pope <dylan@dcs.gen.nz>
Subject: RE: Delmore review condition

Hi Matt,

I have further discussed this with the applicant, and they have confirmed this is accepted. This has been included within the updated condition set (see screenshot below). Can you please confirm that all outstanding comments on the earthwork's memo have now been resolved?

88. Under section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents at the Consent Holder's cost, within six (6) months after commencement of bulk earthworks and subsequently at intervals of not less than two (2) years thereafter, in order to:
- (a) Address significant adverse effects on the environment arising from the earthworks which were not apparent at the time of granting the consent, including in relation to water quality, sediment transport, erosion, dust and instability; and
 - (b) In the case of contamination, require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.

Ngā mihi | Kind regards,

CHARLOTTE MACDONALD
Associate

027 296 5383
CharlotteM@barker.co.nz

barker.co.nz 

B&A Logo



This email and any attachments are confidential. They may contain privileged information or copyright material. If you are not an intended recipient, please do not read, copy, use or disclose the contents without authorisation and we request you delete it and contact us at once by return email.

From: Matt Byrne <Matt.Byrne@aucklandcouncil.govt.nz>
Sent: Friday, 15 May 2026 9:22 am
To: Charlotte MacDonald <CharlotteM@barker.co.nz>
Cc: Carly Hinde <carly.hinde@aucklandcouncil.govt.nz>; Dylan Pope <dylan@dcs.gen.nz>
Subject: Re: Delmore review condition

Hi, Charlotte

Thanks for your email regarding the review condition. I've discussed it with Dylan (copied) and I don't have any issue with the general text proposed; however, I think a 5-year review timeframe is too long. If Council ever find themselves in a position where the AMP process is insufficient to address earthworks and erosion and sediment discharge related effects, then it's likely that a fundamental error has been made somewhere along the way, and if it turns out that a review of the consent is required, I suspect that that review would be somewhat urgent. Based on this I propose that the intervals for review (after the initial 6-month period), be 2-yrs rather than 5-yrs.

Having said that, I agree with you that the review condition would indeed duplicate some aspects of the AMP conditions, and I also think it's unlikely that there would be any erosion and sediment related effects that couldn't be managed through the AMP process, but having the review condition provides an additional "backstop" to address any major issues that might come up over the much longer than normal duration of the earthworks permit.

Hopefully that's a suitable compromise. Please get in touch if you have any questions or concerns.

Many thanks,

Matthew Byrne
Earthworks, Streamworks & Sediment Management Consultant
Earth, Streams & Trees - Specialist Unit
M: 021 755 013
Auckland Council, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

From: Charlotte MacDonald <CharlotteM@barker.co.nz>

Sent: Monday, May 11, 2026 12:32 PM
To: Matt Byrne <Matt.Byrne@aucklandcouncil.govt.nz>
Cc: Carly Hinde <carly.hinde@aucklandcouncil.govt.nz>
Subject: Delmore review condition

Hi Matt,

Thank you for providing your comments on the Delmore application. I understand that the only outstanding comment is the confirmation of the review condition.

As noted, the applicant accepts the inclusion of a review condition in principle, given the scale and duration of the proposed earthworks. However, we consider that the proposed condition duplicates aspects of the adaptive management framework already provided for through the Adaptive Management Plan and associated conditions. The AMP establishes an ongoing monitoring, reporting, and management regime, including mechanisms for updating management responses where required. In this context, we consider the scope of the review condition should be more targeted toward addressing significant unforeseen adverse effects, rather than duplicating the adaptive management processes already embedded within the consent framework.

We also note that a five-year review timeframe is considered more appropriate and proportionate in this instance, and is consistent with the other review conditions proposed by Council. Accordingly, we propose the following revised wording:

Under section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents at the Consent Holder's cost, within six (6) months after commencement of bulk earthworks and subsequently at intervals of not less than five (5) years thereafter, in order to:

- a) Address significant adverse effects on the environment arising from the earthworks which were not apparent at the time of granting the consent, including in relation to water quality, sediment transport, erosion, dust and instability; and*
- b) In the case of contamination, require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.*

Please let me know if the above wording is acceptable to council or whether you would like to discuss further.

Nga mihi | Kind regards,

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