

Dear Daya,

I am replying to the email address given consistently in the Fast-track letter I received (substantive@fastrack.govt.nz) but also cc'ing to a more correctly spelled version which matches your domain name (substantive@fasttrack.govt.nz). If you have not received any many submissions, then I suspect the incorrect email address is the issue. This statement forms part of my submission; absence of other submissions should not be taken as acquiescence.

First Name: Jonathan

Mason: Mason

Postal Address: [REDACTED]

Mobile Number (home and work) [REDACTED]

Email [REDACTED]

I can receive emails and my email address is correct.

I have authority to comment on the application on behalf of my sister, Janet Mathewson, and myself.

Objections to Proposed Delmore Development - Jonathan Mason

Background

My sister and I own the 23.38 ha property at [REDACTED], which is [REDACTED]. Our property adjoins the proposed Delmore Development along all of our eastern boundary. We know a large part of the land covered by Delmore Proposal very well, since our parents were previous owners of [REDACTED], [REDACTED] and [REDACTED].

Our parents took the role as *kaitiaki* of the regenerating bush and its associated bird life very seriously, as do we. Our property has been closed to stock for some years now, and prior to that stock were kept out of the bush for decades more. It is currently zoned Rural Production Zone.

Objections

1. 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.
2. 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).
3. The Delmore Proposal includes numerous features to which we object, not limited to: building dwelling houses right up to our boundary fence; carving down the landscape by 10 metres or more; and having clearly inadequate plans in place for dealing with wastewater from 1250 houses.
4. https://www.fasttrack.govt.nz/_data/assets/pdf_file/0013/1714/Appendix-14-Neighbour-and-Central-Government-Consultation-Summary_Redacted.pdf records various conversations conducted with interested parties by the developers. In my own case, the record of my conversation with Mr Andrew Allsop-Smith is plainly inaccurate or deficient in several respects:

1. In our conversation he initially denied that there were plans to build up to our boundary, and had to be referred to his own project maps before acknowledging that this was in fact the case.
 2. When asked about the fauna in the stream that runs from our property through the proposed Delmore site, Mr Allsop-Smith said they would be trapped and relocated (which is not recorded in his account of the conversation), with no apparent sense that this normally results in the death of the creatures involved, and that it would also, without legal justification, strip our property upstream, of its rich freshwater life. (Longfin eels, freshwater mussels, native crayfish, small fish etc)
 3. When asked about the wastewater situation, especially in the light of the 7 year moratorium on new connections to the Army Bay Wastewater facility, Mr Allsop-Smith (again, contrary to his record of the conversation) assured me that Army Bay still had 4000 connections available and that Delmore was confident they would be able to acquire these as needed; and in the event that they could not, they had a process which would process wastewater onsite, producing water that was at least 3 times more pure than the requirement for potable water. When I asked him what would happen to the solid waste, he assured me that this process would produce no solid waste and that no trucking out of waste would therefore be required. If the proposers of Delmore have access to such a revolutionary process, I am not sure why they are wasting time doing development when they could in fact rule the world.
 4. His responses regarding the increased traffic during development and after completion amounted to "it will all be fine"; not something I could accept when the section of Upper Orewa Road involved has margins which have been subject to continual sinking and have repeatedly needed remedial work, and the Wainui Road is already a bottleneck and will only get worse as the development on that road advances.
 5. When I expressed concern about our stand of 50-year old pine trees on the hill above the entrance gate to [REDACTED], and the effect of undermining the hill with their deep excavation, Mr Allsop-Smith assured me that they would have an engineer on site most days and that all that would be taken care of. Am I to presume that Mr Allsop-Smith is thereby accepting all legal responsibility in the event that any of the pines fall on Delmore houses or onto the road as a result or consequence of Delmore's construction activities?
 6. Mr Allsop-Smith told me that there would be six foot wooden fence on the boundary; see the end of this document for what we will actually require.
 7. None of the above gave me any comfort that this project was in fact drawing on any of the deep expertise that would be required to successfully carry out the proposed development in such an ecologically sensitive environment.
5. I have more fundamental concerns: 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?"
 6. 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, so that 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 the future liability of, and to protect the anonymity of, the beneficial owners, then in my view neither company is a fit and proper vehicle to undertake this or any other major project. For

comparison, Fulton Hogan, who are undertaking another extensive development in the area, are a known and public company with a track record stretching back to the 1930s.

7. My objections are based on the proposal's quoted number of 1250 lots, but 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 clearly be desirable for their profitability but have the effect of increasing the pressure on an already fragile environment. I mention this because Council advised us that they have **1900 as the figure given for the dwelling numbers** on the project, whereas **159.02-1.- Site plan** states a much lower 1250.
8. Where is the water supply coming from and how will it affect our own semi-artesian bore upon which our property is totally dependent?
9. 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 [REDACTED]; 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.
10. The Developers admit that the geotechnical review was prepared with "**limited on-site observation** of geological and geomorphic features within the site area." I am sure nonetheless that they have noted that the site includes part of the local "toe" of the Northern Allocthon (observation made in a public lecture by Bruce W Hayward), and is adjacent to a former serpentinite mine; perhaps the developers are actually pursuing their acknowledged mineral interests in tandem with this development proposal.
11. Finally, I am impressed, and not in a good way, by the total failure of anyone involved in either proposing or adjudicating this proposal, 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. An ecologist from the QEII trust, and the council's own environmental testers have all enthused about the quality of the bush; this is not the usual motley crew of *totara* and a couple of *kauri* with no understorey, ruined by the cattle camping under them. By contrast, the Ecological assessment by Viridis states, of the Delmore site: "the site's terrestrial value is linked to areas of mature, native vegetation, present along stream margins and connected to the neighbouring Nukumea Scenic Reserve." (p44) and completely ignores the existence, and interrelatedness, of our property with the site.

Requirements

I would prefer that this proposal does not go ahead. In the event that it does, then as well as dealing with each of the objections listed above, we request that the native forest and native birds on our property be properly protected by all of the following measures:

1. 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 simply walk around the end of the fence to access our property;
2. A **covenant on every title deed** preventing landowners or their tenants from keeping cats, dogs, rodents or mustelids as pets;
3. 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).

Item A (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.

In addition, I am also interested to know what financial recompense Vineway are offering to us for the undoubted degradation of current quiet enjoyment and future resale value in our property?

Re the impact on our own stretch of the Upper Orewa Rd, especially impact of trucks etc, given the current areas of subsidence, what will the developers be required to do to remedy likely damage?

Finally, if the developers are saying, as they did somewhere in the submission, that bus routes will prevent excess traffic - what guarantee is there that there will in fact be bus routes in place, running at the stated frequency? We have family experience elsewhere in NZ of developers promising bus services, doing a quick survey that suggested younger families preferred their own vehicles, and as a result feeling free to put in place none of the promised bus services, ever. As with so much of this proposal, talking a good story about low-cost housing is all very well; but how will anyone ever hold the developers to their words?

I urge the expert panel to consider these objections seriously and deny permission for this project to proceed.

Best regards

Jon Mason
Director

NZ Mobile [REDACTED]

[REDACTED]