

Delmore Fast-Track

25/06/2025 – Auckland Council Response

Annexure 30:

Environmental Monitoring

Sian Farrell

Delmore Fast Track Application

Consent Number:	BUN60444768
Related Applications / Consents:	<ul style="list-style-type: none"> • LUC – district and regional consent, including earthworks and NES Freshwater (LUC60444824) • SUB – subdivision (s11) - SUB60444825 • LUS – stream work consent (including under NES Freshwater): LUS60444826 - Works in a watercourse • WAT – Water permit (s14) <ul style="list-style-type: none"> ○ Groundwater diversion and associated groundwater level control WAT60444827 - Groundwater Diversion ○ River / stream diversion WAT60444834 – surface water diversion • DIS – Discharge Permit (s15) <ul style="list-style-type: none"> ○ Air quality discharge - DIS60444829 – To Air ○ Comprehensive stormwater discharge - DIS60444830 - Comprehensive Stormwater ○ Stormwater diversion & discharge - DIS60444832 - Stormwater ○ Wastewater discharge - DIS60444833 - Wastewater • VCN – Variation / cancellation of consent notice (s221) VCN70025252 (Not bundled)
Site Address:	88 Upper Orewa Road, Upper Orewa 0992
Proposal:	To construct a comprehensively planned residential development at 88, 130, 132 Upper Orewa Road and 53A, 53B and 55 Russell Road, Orewa (the 'site'). The development will involve the construction of approximately 1,250 dwellings, one unserviced residential superlot, open space areas, areas of protected vegetation, roads including part of the NoR 6 road, supporting infrastructure and other associated works. Works will be undertaken in two primary stages. Once completed, the development is intended to be called Delmore.
Applicant:	Vineway Ltd
(External) Planner:	Dylan Pope from DCS
Link to lodged documents:	Link to 159 items U Drive: \\aklc.govt.nz\Shared\COO\Resource Consents\Digital Consents - New\Premium\U\Upper Orewa Road, Upper Orewa, 88 - BUN60444768

From:

*Christian Greff Turza, Senior Environmental Monitoring Officer – Region Wide, Sierra Gordon,
Senior Earthworks and Streamworks Monitoring Officer – Region Wide, Sian Farrell Principal
Specialist Environmental Monitoring*

Overall Summary: Reviewed Appendix 22 - Proposed Consent Conditions. The following initial comments are provided without prejudice to further comments which will be provided in the event that the Panel provides draft conditions to the parties for comment:

General Comments:

- Consistent referencing to Council is required to avoid confusion as to who is certifying and / or receiving information for these consents – Team Leader Environmental Monitoring monitoring@aucklandcouncil.govt.nz.
- It is recommended that all conditions follow Auckland Council's standard format for efficient monitoring.
- It is recommended that conditions are broken down into respective consents for efficient monitoring and to ensure pre-start requirements for each consent can be met. For example: specific conditions for LUC, specific conditions for WAT, conditions that apply to all consents.
- Management plans need to be submitted for 'certification' or 'information' to ensure the correct implementation of controls and mitigation measures to protect the surrounding environment and facilitating early discussions on agreed methodologies.
- Management plans / final methodologies to have timeframes for submissions – for example within 20 working days prior to works commencing. This will ensure documents are submitted with sufficient time for Environmental Monitoring review. Noting the scale of the development and specialist input that maybe involved in those reviews. Management plans / final methodologies also to have requirement to not commence until certification is provided.

Pre-Commencement Conditions

- CMP(C11), ESCP (C12), CTMP (C14), CNVMP (C15), ChTMP (C16), TMP (C19) and FMP (C20) need to be submitted to Environmental Monitoring for 'certification'.
- C5 – Management Plans need to be provided in stages to avoid multiple repetitions for the same stage. It is recommended 'in parts is removed'.
- C8 – ESCP, CTMP, CNVMP, ChTMP, TMP and FMP to be 'Certified' prior to the prestart meeting happening
- C10 – This is not a typical condition. Is there a reason why this is sought from the Consent Holder?
 - At some point the consent will need to be transferred to all new land owners (noting 1250 new dwellings are proposed). Otherwise Vineway Limited will be responsible (fees, compliance and any ongoing compliance issues) - or is this the intention for the consent holder to keep all sites in their ownership.
- C11 – Clarification around what aspects of construction methodology (11 (c)) is expected to be supplied – e.g. earthworks, retaining.
- C13 – Written certification needs to reference GD05 standards and the approved ESCP under condition 12.
- C14 – CTMP to be submitted for certification by Environmental Monitoring. Items needs to be corrected to start from "a". Parking information should also include contractor's parking information.

- C15(e) - Timeframes for communication with occupants of relevant dwellings needs to be included and evidence provided to Environmental Monitoring. Based on experience with similar developments it is recommended that there is a requirement to undertake proactive noise and vibration monitoring prior to certain works / or within proximity to sensitive receivers. Being proactive assists in addressing complaints, especially as we are seeing increased claims of damage. Note section 11.3.6 of the AEE proposes monitoring.
- C19 – Condition requires a consent trigger – e.g. prior to any tree works / prior to start of any works.
- C18 - Detailed Earthworks Construction Methodology needs to be certified by Environmental Monitoring.
- C23 – A copy of the WOP to be provided to Auckland Council for certification prior to the start of works on the Wetland.

During Construction Conditions

- Earthworks – The General performance standards described in AUP rule E11.6.2 have not been included in the conditions set and should be.
- C12 – no requirements imposed in the consent to stage earthworks and minimise open area. To minimise disturbance and environmental impact, incorporation of a further staging plan requirement in this condition or a standalone condition would be useful.
- C26 – Modification to the approved plans need to be reviewed and certified by Auckland Council prior to implementation of any amendments.
- C29 – Due to recent experience with other similar developments it is recommended vibration monitoring is conditioned.
- C32 – Revision of wording to standard wording is recommended (see below). Wording currently alludes to winter works being an annual requirement at the consent holder's discretion. Winter works are assessed and approved by Environmental Monitoring, not the consent holder.

12. Earthworks on the subject site must not be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

- *Advice Note:*
- *Any 'Request for winter works' will be assessed against criteria in line with the information required to assess a comprehensive application. Principally that will focus on the level of risk, the propensity to manage that risk with contingency planning and a 'track record' of good compliance with consent requirements. Each 'Request for winter works' submitted, should include the following:*
 - *Description of works proposed to be undertaken between 01 May and 30 September and the duration of those works.*
 - *Details of proposed measures to prevent sediment discharge from these specific works, particularly during periods of heavy rainfall.*
 - *Details of area(s) already stabilised.*
 - *Revised erosion and sediment control plan detailing stabilisation to date and timeline/staging boundaries showing proposed progression of stabilisation.*
 - *Contact details for contractor who will undertake stabilisation of the site including date(s) expected on site.*

- Alternatives/contingencies proposed if the contractor referred to above becomes unavailable.
 - Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.
- C35 – Note the proposed accidental discovery halo is 2m - this is less than the 20m required in the AUP(OP). Check if this is a typo or smaller threshold proposed.
 - C36 and C37 – It is recommended that these conditions are merged to reflect the standard accidental discovery protocols in the AUP(OP). The standard identifies all parties and timeframes.

Condition 2: Discovery Protocol – standard condition:

A suitably qualified archaeologist shall be on site during the earthwork operations authorised under this consent to monitor the earthworks. The archaeologist is to be present when [freetext - specify the exact details when the archaeologist should be on site. This should include details on the location of earthworks and the particular types or stages of the earthworks being carried out. For example, when heavy machinery is being used to create the building platforms and stormwater pond etc. as shown on the approved plan Ref #]. If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a maori cultural artefact, a protected NZ object, contamination or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan (Operative in Part) must be followed. In summary these are:

- All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.*
- The consent holder must immediately advise Council, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.*
- If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from those Iwi groups with mana whenua interest in the area are to be provided information on the nature and location of the discovery.*
- The consent holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by Council.*

Advice Note: If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a maori cultural artefact, a protected NZ object), contamination or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan (Operative in Part) shall be followed. In summary these are:

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- C40 – Approved WTPMP needs to be provided to Auckland Council Environmental Monitoring for certification not Building Consents as this is a condition of the resource consent.
- C41 – Finalised Landscape Drawings to be certified by Environmental Monitoring.
- C44 – It is recommended that this condition is deleted. The conditions appear to permit an increase in the number of dwellings or residential lots and is highly uncertain as to the application of the qualifier “*can only be undertaken if the necessary infrastructure requirements can be met*”. As drafted, there is no requirement for approval / certification by Council. Any such material variations to yield should be processed under s 127 RMA which provides a statutory pathway for assessment and processing of variations.
- C45 and C46– Architectural plans to be certified by Environmental Monitoring
- C47 – Condition needs to also mention C41 if a different plan has been approved.

Subdivision Conditions (S11)

- C52 – see comments above for C10.
- C58 – need to ensure consistency with C41.
- C61 – Lighting Plans need to be provided to Environmental Monitoring for review and approval.

Streamworks Conditions (S13)

- C86 – Revision of wording recommended. Expansion of Native Fish Capture and Relocation Plan requirements.
- C89 - No reference to any final NESF requirements either within this condition or standalone – this should be included.
- C88 – Any changes to SMP needs to be certified by Auckland Council prior to implementation.

Water Permit for Dewatering/Diversion of Groundwater (S14)

- C90 – GSMCP and amendments need to be certified by Auckland Council prior to implementation.

Stormwater Discharge (S15)

- Given the two discharge permits sought we would anticipate a larger suite of conditions and for these to be broken down into the respective consents. Cross reference with specialist input.
- C92 – minor modifications to the stormwater management works that do not require a S127 need to be reviewed and certified by Environmental Monitoring. Condition needs to add a requirement for certification.
- Any common or shared assets will require an incorporated society or similar to ensure ongoing maintenance.

Wastewater Discharge Conditions (S15)

- C96 – WTPDP needs to be certified by Council?
- It is recommended clear conditions are added requiring reporting to Environmental Monitoring of the operation of the plant.

Air Discharge Condition (S15)

- C124 – AQMP and any subsequent amendment need to be certified by Auckland Council before implementation.