

Background

My sister and I own the [REDACTED], [REDACTED]

Our [REDACTED]

el [REDACTED]

We know a large part of the land covered by Delmore Proposal very well, since our parents were previous owners of Lot 1 DP 153477, Lot 2 DP 153477 and Lot 2 DP 96864.

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 10metres 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 Allsop-Smith is plainly inaccurate 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 normally results in the death of the creatures involved, but 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 is notorious to its inhabitants as a crumbling and forever-sinking mess, 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 132 Upper Orewa Road, 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, 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 undertaking another development in the area, are a known and public company with a track record stretching back to the 1930s.
7. 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.
8. 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.
9. 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.

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:

- A. 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;
- B. A **covenant on every title deed** preventing landowners or their tenants from keeping cats, dogs, rodents or mustelids as pets;
- C. 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?