

## Memo – Earthworks

**To:** Vineway Limited  
**From:** Jordan Chiswell  
**Cc:** James Kitchen,  
**Date:** 27/06/2025

**Subject:**– Delmore Stage 1 and 2 – Response to Regional Earthworks Technical Memo (Annexure 21 to Council family comments)

Comments from Fast Track Earthworks Memo from Matt Byrne (noting comments also addressed by Dylan Pope in the strategic and planning matters memorandum) “Key concerns” and recommendations in the Memo;

1. Adaptive Management Plan (AMP):

- The applicant has not proposed an AMP, which I consider essential given the scale (60ha) and duration (up to 8 years) of the earthworks.
- An AMP would provide real-time monitoring of sediment discharges, would trigger adaptive responses to sediment-related effects, and would supplement the Erosion and Sediment Control Plan (ESCP).
- Without implementation of an AMP, I cannot fully support the proposal.
- Prepare and implement an AMP.

2. Post-Bulk Earthworks Erosion and Sediment Control Plans (ESCPs):

- The ESCPs provided for bulk earthworks are indicative only and the applicant has agreed that final ESCPs are required ahead of bulk earthworks commencing.
- However, I also consider that post-bulk earthworks ESCPs, specific to civil / subdivision stages, are necessary to ensure ongoing erosion and sediment control during civil construction.
- Include monitoring triggers, efficiency thresholds for sediment retention ponds, and detailed responses to rainfall events and sediment discharge that exceed expected erosion and sediment control efficiencies.

### **Response to comments on an AMP:**

In section 4.4 of the Memo, Mr Byrne expresses the view that an AMP is needed because the proposal is for 60ha of earthworks. However, although the total proposed earthworks area is approximately 60 hectares, the works will be carefully staged to ensure that no more than 30 hectares is exposed at any one time. This has been included in the proposed conditions.

This means that practically speaking, the extent of earthworks being managed at any one time is only 30ha, not the 60ha Mr Byrne considers triggers the need for an AMP. This is a scale of earthworks where the potential effects are able to be identified, and are understood, and so can be managed through best practice ESCP measures in accordance with GD05 – which is what is proposed. It is not a situation where an AMP is needed, as per section 2 of the Council's AMP guidance document.

Alongside the GD05 compliant ESCP measures that will be used on site, there are adaptive and preventative measures already proposed.

We will also conduct regular audits with Auckland Council officers every 7–14 days to confirm that all erosion-and-sediment controls remain effective.

The applicant's adjacent development—which involved comparable earthworks—was successfully completed without an AMP. Given the similarity in scale and methodology, requiring an AMP here would be unduly onerous.

Earthworks under the consent are restricted to the earthworks season. During the winter period, when there is a heightened risk of sediment discharge, earthwork activities must be approved through a winter works application, as required under the proposed conditions. This condition mandates the submission of a formal "Request for Winter Works," which is subject to Council approval based on an assessment of potential environmental effects. If winter works are approved, erosion and sediment controls are further enhanced through increased monitoring requirements, including post-rainfall event reporting and monthly reviews of open areas, in accordance with the specific conditions imposed with each winter works approval.

Even during the summer period when earthworks are expressly enabled under the proposed conditions, contractors are also required to monitor weather conditions on a daily basis and adjust site practices accordingly to mitigate environmental risks. These measures are supported by regular inspections from Council and oversight by the project's environmental consultants.

Given these controls - GDO5 compliance to ensure effective sediment and erosion control; 30ha earthworks extent restriction; seasonal restrictions; adaptive site practices based on weather - we do not consider it necessary to impose an AMP in addition to the existing suite of proposed conditions.

Any additional sediment and erosion control requirements can be appropriately addressed through the condition requiring preparation of a final Erosion and Sediment Control Plan (ESCP) to be certified by Council, prior to the commencement of works.

### **Response to Key Concern 2 Post-Bulk Earthworks and Sediment Control Plans :**

We accept the recommendation for a post bulk earthwork “civil sediment control plan” for each subdivision stage. This request aligns with how ESCPs are used in practice, being treated as a live document which is regularly updated as works progress.

#### **Comments on other points in Memo**

The Memo notes that the comments provided to the Council before it provided its feedback to the panel on 25 June confirmed that all construction entrances will be identified in the final ESCP(s) ahead of earthworks commencing (pg7). This has been included as a content requirement in the proposed conditions relating to the ESCP.