

Your Comment on the Ashbourne substantive application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Department of Conservation		
First name	Annabel		
Last name	Averill		
Postal address	Private Bag 3072, Hamilton 3240		
Mobile phone		Work phone	
Email			

2. We will email you draft conditions of consent for your comment

☒	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct
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3. Please provide your comments on this application

Please find comments attached

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.



Jenni Fitzgerald
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 4 May 2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

Comments on a fast-track consenting application

Fast-track Approvals Act 2024 section 53

To: The Expert Panel

From: Department of Conservation (DOC)

Regarding fast-track project: Delmore

Fast track Reference: FTAA-2512-1164

1 Background

- 1.1 Vineway Limited ('the Applicant') seeks resource consents and an archaeological authority to establish a residential development project of up to 1,213 residential lots, as well as residential and commercial super-lots, neighbourhood parks and open space, roading and transport infrastructure, an onsite wastewater treatment plant and onsite water supply and treatment, and associated infrastructure.
- 1.2 Land immediately adjacent to the north of the Site is zoned Open Space – Conservation Zone and contains the Nukumea Scenic Reserve, which is Public Conservation Land (PCL), managed by the Department of Conservation ('the Department' or 'DOC'). DOC would like to acknowledge Vineway and their consultants for their positive engagement with the Department. The Applicant has facilitated discussions with DOC staff in developing its understanding of potential effects on the Nukumea Scenic Reserve and other conservation values. The Applicant has been receptive to input from DOC staff, including its ecology experts, and has shown an intention to integrate good practice effects management into the proposal.
- 1.3 Approvals are sought under the Resource Management Act 1991 (the 'RMA'). It is understood that the proposal requires an authorisation from the Department under the Freshwater Fisheries Regulations 1986 to enable the use of temporary diversion structures whilst constructing new culverts. An application has been made separately, outside of the Fast-track Approvals Act 2024 ('FTAA') process. As at the date of these comments, a decision has not been made on the application.
- 1.4 In accordance with section 53(2)(m)(i) of the FTAA, the Director-General of Conservation (DG) has been invited to comment on the substantive application. Statutory delegations are in place for the Department to provide commentary on behalf of the DG.

2 Department of Conservation advice

- 2.1 As outlined above in paragraph 1.3 the Applicant has sought other approvals outside of the FTAA process.
- 2.2 Accordingly, the Department's primary comments relate to the management of effects on terrestrial ecology, specifically ensuring the consent conditions appropriately manage these effects, and are enforceable.
- 2.3 In addition, the Department notes that conditions will need to be consistent with the requirements set out in those other approvals sought outside of the FTAA process.
- 2.4 Subject to the above, the Department considers the effects of the proposed activities will be appropriately managed.

3 Assessment

- 3.1 The Department's assessment has been confined to the actual and potential ecological effects of the Proposal, the potential effects on the adjacent PCL, and the consent conditions proffered to manage effects on conservation values. Accordingly, the Department has not commented on its consistency with the wider statutory framework.

4 Comments on Effects Management and Conditions

- 4.1 The Department has had ongoing constructive engagement with the Applicant following the lodgement of the substantive application with regard to the consent conditions, fauna survey, proposed revegetation, and Planting Implementation and Maintenance Plan.
- 4.2 Appendix A contains a record of engagement between the Applicant and the Department regarding the proposed development. The Department has provided the record of engagement and amended draft conditions to the Panel to provide an update on the changes to effects management that has resulted from the engagement since lodgement, and to highlight the Department's concerns with the application as lodged. Appendix A shows that all matters of discussion between DOC and the Applicant have been resolved, excluding two points regarding the proposed revegetation, which are discussed in detail below.
- 4.3 Appendix B contains a set of consent conditions which contains tracked changes made by the Applicant in response to the engagement detailed in Appendix A. The Department's recommendations have been added to the Applicant's tracked change document. This includes changes to conditions 28(c) and (d) to ensure that monitoring is undertaken to ensure no net loss of ecological values is achieved.
- 4.4 Appendix B contains amendments sought by DOC relating to conditions 78 and 79. These changes relate to unresolved issues regarding climate change adaptation and podocarp recruitment and natural succession assumptions as detailed in the record of engagement in

Appendix A. The Applicant's tracked changes appear in red underlined text, the Department's additional requested changes appear in green underlined text.

- 4.5 With regards to climate change adaption (condition 78(d)) and the amendments proposed by the Applicant, the Department acknowledges that this largely resolves its earlier concerns by providing a clear drought mortality trigger ($\geq 20\%$ drought-related mortality of any species within the year covered by the monitoring report). Where that trigger is met, it requires a review of that species' suitability for planting within the site. If the species is found to be unsuitable, any replacement species must be WF11-consistent, selected by a suitably qualified ecologist and/or landscape architect, and implemented within the next planting year. The Department considers this issue is resolved in substance, however, to avoid ambiguity during implementation, seeks two small clarifications in the condition wording:
- a. The monitoring report should state the basis for attributing mortality to drought, as distinct from other causes such as browsing, disease, poor planting technique, or weed competition. This can be a brief professional judgement supported by site observations.
 - b. The condition should make clear that, where a species is found to be unsuitable, the adaptive response must include replacement planting sufficient to maintain the intended planting density. It should also confirm that any WF11-consistent species substitutions, and the replacement planting undertaken, are reported in the following year's monitoring report.
- 4.6 With regards to the concerns discussed relating to podocarp recruitment and natural succession assumptions which the Applicant attempted to address through conditions 77 and 78(e), the Department does not consider that these issues are resolved. The Department understands the intent of the overall establishment obligations application until 80% canopy closure and a minimum 90% plant survival rate are achieved across the planting area, and that monitoring reports continue until those thresholds are met. These are strong general performance targets and provide a useful contingency for overall establishment success. However, the Department's earlier comments related specifically to whether there should be a modest contingency if podocarp establishment is clearly below expectation by the end of the establishment period. Podocarps are slower-growing and can underperform during establishment without necessarily preventing the overall canopy closure or survival targets from being met. It is therefore possible for the planting to meet Conditions 77 and 78 while the podocarp component remains poorly established, particularly if canopy closure is driven mainly by faster-growing species. That outcome would weaken the intended WF11 trajectory. To resolve this issue, the Department recommends a simple addition to the monitoring and implementation framework:
- a. Include a Year 5 podocarp check within the monitoring report requirements, or at the end of the establishment period if that period extends beyond Year 5. This check should report, at a minimum:

- survival and condition of planted podocarps, reported separately from overall plant survival; and
 - evidence of podocarp recruitment where recruitment is reasonably expected. This can be a simple qualitative assessment if quantitative monitoring is not proportionate.
- b. Where the Year 5 check identifies an obvious shortfall in podocarp establishment relative to the intended WF11 trajectory, limited supplementary podocarp planting should be required in suitable microsites within the next planting season. This should be treated as a contingency only, triggered by demonstrated underperformance, and implemented in a focused and proportionate way.
- 4.7 If the Applicant's position remains that no species-specific planting trigger is necessary, then the Department recommends, at minimum, that the Year 5 podocarp reporting requirement is included. Without a podocarp-specific reporting, there is no practical basis to confirm that the podocarp component of the WF11 intent is being achieved, or to justify that no further action is required.

5 Conclusion

- 5.1 The Department considers the Proposal is able to be approved subject to amendments to the conditions to ensure they are appropriate, enforceable, and effectively manage the actual and potential effects on ecology values.
- 5.2 Thank you for the opportunity to comment.