

Jacob Paget

From: Meredith Lawry S 9(2)(a)
Sent: Tuesday, 25 June 2024 4:13 pm
To: Listed Projects
Cc: Neil Deans [EXTERNAL] (DOC)
Subject: FW: [IN-CONFIDENCE]RE: Feedback on FTA#047 - Metlifecare Whenuapai requested

Kia ora,

Please see below our notes on this application. It does not appear to be ineligible, although Wildlife Act permissions might be required.

Thanks
Meredith

From: John Galilee S 9(2)(a)
Sent: Tuesday, June 25, 2024 3:53 PM
To: Meredith Lawry S 9(2)(a)
Cc: Alex Rogers S 9(2)(a); Neil Deans S 9(2)(a); Rebecca Rush S 9(2)(a)
Fiona McKenzie S 9(2)(a)
Subject: RE: [IN-CONFIDENCE]RE: Feedback on FTA#047 - Metlifecare Whenuapai requested

Kia ora Meredith -

Please find below responses to your questions as compiled by our District community ranger.

1. The location of this proposed retirement village in Whenuapai is adjacent to the Waitemata shoreline and just north of the Rarawaru Creek Marginal Strip, which is the only PCL in the vicinity. The coastal waterbody of the Waitemata has the classification of Hauraki Gulf Marine Park – Seawater.
2. The coastal boundary of the property from aerial images appears to be mangroves. This environment therefore could provide habitat for such wading coastal birds such as banded rail and herons. A loggerhead turtle has been recorded this far up in the Waitemata Harbour.
3. From the DOCGIS Treaty Settlement layer:
 - Te Kawerau a Maki have Cultural Redress in their Area of Interest, and over the CMA Coastal Statutory Acknowledgement
 - Ngāi Tai ki Tāmaki have Statutory Acknowledgement over the CMA and a Protocol Area (relationship agreement)
 - Ngāti Whatua o Kaipara have Right of First Refusal and a Protocol Area (Kawenata)
 - Ngāti Tamaoho have a Protocol Area (relationship agreement)
 - Ngāti Whatua Ōrakei have a Protocol Area
 - Other individual iwi groups that are associated with this area through their rohe are;
 - Ngāti Maru
 - Ngāti Paoa
 - Ngāti Tamaterā
 - Ngāti Te Ata
 - Te Ākitai Waiohua
4. We are not aware of any compliance issues with Metlifecare.

JG

John Galilee
Statutory Manager | Pou Ture Whenua
Auckland | Tāmaki Makaurau Office
Phone: S 9(2)(a)

www.doc.govt.nz



From: Meredith Lawry S 9(2)(a)
Sent: Friday, June 21, 2024 10:59 AM
To: John Galilee S 9(2)(a)
Cc: Alex Rogers S 9(2)(a); Neil Deans S 9(2)(a)
Subject: FW: [IN-CONFIDENCE]RE: Feedback on FTA#047 - Metlifecare Whenuapai requested

Kia ora John,

MFE has asked DOC to assist with ineligibility checks for projects being considered by the Advisory Group for potential listing in the Fast-Track Approvals Bill. At this stage, projects are just being tested against narrow “ineligibility” criteria. If projects are not ineligible and so are listed in the Bill, they will still be assessed on their merits at a later stage—then we can advise on any concerns we have with the project.

Information about the project is **attached**. This is only “preliminary” information provided by the applicant designed just to address the ineligibility test; the applicant will need to supply more details at a later stage in the process.

Please note that this information is **confidential** and must not be discussed outside of DOC. This means we cannot engage with our Treaty partners at this stage.

For now, we need advice from you on these three limited questions:

1. What classifications of PCL&W may be affected by this project, and is there any specific local context about this PCL or the project that the Advisory Group should know? If you are uncertain about whether something might be relevant, please get in touch.
2. What conservation approvals may be required for this project?
3. What Treaty settlements are relevant to this area, and are there any conservation-related obligations in these settlements specific to the site impacted by the applications or specific to the sorts of activity proposed? Again, is there any local context about iwi interest in these areas or this project that the Advisory Group should know?
4. Do you know of any history of compliance issues with the applicant regarding conservation approvals?

We will be passing this information to MFE for them to include in advice to the Advisory Group that is deciding whether these projects are listed. Any information you provide that isn't just answering the above questions goes beyond what MFE have asked for and will not be delivered to that Advisory Group. You'll get a chance to comment on the merits of this and other fast-track projects when the time comes (though timeframes are expected to be tight). Any additional information you have will be useful for this later work, but please don't send it through just yet because we can't do anything useful with it at this stage.

We appreciate that some projects associated with this Bill are of concern to our Treaty partners. When communicating the answers to those questions above back to MFE, we will be clearly setting out that we are not able to speak for iwi, and that our inability to engage with them due to the confidentiality requirements of this process is a concern. Decision makers under the fast-track legislation are required to act consistently with Treaty settlement obligations. When we provide comments or otherwise advise decision-makers at later stages, we will still be using section 4 to guide our involvement and engagement as much as possible. If you would rather not be involved at all to avoid jeopardising your relationships with Treaty partners, we are happy to answer these questions to the best of our ability and then work with you later, at the “substantive application” stage.

Please provide this information by midday 26 June. We recognise these timeframes set by MFE are difficult, but there is very little scope for extensions. If you have any questions or would like to discuss anything to do with this process, please feel free to contact me or Neil Deans, or you can talk to Malcolm from DOC's legal team at S 9(2)(a)

Thanks in advance for your help with this,

From: Nicole Maga S 9(2)(a)
Sent: Friday, June 21, 2024 10:35 AM
Subject: [IN-CONFIDENCE]RE: Feedback on FTA#047 - Metlifecare Whenuapai requested

Apologies attachments now attached.

From: Listed Projects
Sent: Friday, June 21, 2024 10:28 AM
Subject: Feedback on FTA#047 - Metlifecare Whenuapai requested

Kia ora

This listed project application is for FTA#047 - Metlifecare Whenuapai

The project has triggered your criteria for consultation.

Could you please provide comment on:

- whether the project requires any other related approvals from your agency
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB 26 June 2024. We understand you have a large number of assessments to get through do keep in touch if you need extra time with any specific application.

Please let me know if there is anything I can do to assist.

Ngā mihi nui
MfE Listed Projects team

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