Jacob Paget

From: Neil Deans s 9(2)(a)
Sent: Tuesday, 25 June 2024 2:02 pm
To: Listed Projects
Cc: Andrew Styche; Jane Wheeler; Ritesh Chandra
Subject: FW: [IN-CONFIDENCE]Feedback on FTA#205 - Saulbrey Road Residential Development requested

Kia ora

Please find DOC feedback on the above Fast Track application.

As the project does not directly affect public conservation land, we are not aware of any reason for its ineligibility for Fast Track consideration on that basis.

As noted below, wildlife approvals are unlikely at this site. Some historic sites are noted, but any advice should be provided on those by MCH.

The Waikato River settlement is the main Treaty settlement which may pertain to the site.

Regards

Neil Deans
Advisor – RM Reform
Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
s 9(2)(a)
www.doc.govt.nz

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From: Andrew Styche s 9(2)(a)
Sent: Tuesday, June 25, 2024 1:29 PM
To: Jane Wheeler s 9(2)(a)
Cc: Carisse Enderwick s 9(2)(a) ; Neil Deans s 9(2)(a)
Subject: RE: [IN-CONFIDENCE]Feedback on FTA#205 - Saulbrey Road Residential Development requested

Comments on the Saulbrey Road Residential Development Fast Track application FTA#205

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.
    a. The project area does not directly affect any public conservation land.

2. What conservation approvals may be required for this project?

- Wildlife Act permits are unlikely to be required. The land is highly modified. Long-tailed bats have been detected nearby but are unlikely to rely on this land. The scale is also small, so less likely to have an impact.
- There are numerous historic sites on or adjoining or overlapping the project area. These are: Maori horticulture – made soils and borrow pits – A status (S14/121), Maori horticulture – borrow pits – A status (S14/374), Maori horticulture – borrow pits and modified soils – A status (S14/372), Maori horticulture – borrow pits and modified soils – A status (S14/373), Maori horticulture – borrow pits and modified soils - A status (S14/375), Maori horticulture – borrow pits and modified soils – A status (S14/371), Maori horticulture – borrow pits and modified soils – A status (S14/376), Maori horticulture – borrow pits and made soils – A status (S14/468).

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?
    a. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 is relevant to this location. This Treaty Settlement requires the applicant to meet the vision and strategy for the Waikato River.

4. Do you know of any history of compliance issues with the applicant regarding conservation approvals?
    a. I am not aware of any history with this applicant or the company directors.

Andrew Styche
Senior Ranger, Community
Department of Conservation, Waikato District
s 9(2)(a)

From: Jane Wheeler s 9(2)(a)
Sent: Monday, June 24, 2024 3:06 PM
To: Andrew Styche s 9(2)(a)
Subject: FW: [IN-CONFIDENCE]Feedback on FTA#205 - Saulbrey Road Residential Development requested

Ngā mihi

Jane

Note: I support flexible working and may be sending you this message away from the office or outside normal working hours. Please know I do not expect you to respond outside your working hours.

From: Neil Deans s 9(2)(a)
Sent: Friday, June 21, 2024 1:18 PM
To: Ritesh Chandra s 9(2)(a) Jane Wheeler s 9(2)(a)
Cc: Meredith Lawry s 9(2)(a) Tinaka Mearns s 9(2)(a)
Subject: FW: [IN-CONFIDENCE]Feedback on FTA#205 - Saulbrey Road Residential Development requested

Kia ora Ritesh and Jane

As advised by text to Ritesh, yet another new Fast Track application for you; this one is an urban development at Saulbrey Rd at Ngaruawahia. We have been asked to provide more fulsome background in our covering emails, as below, but are essentially asking for the same information.

Please provide a response by **noon on 26 June**. If this timeframe is a problem, please contact me to arrange for an extension.

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 [due date]. We recognise these timeframes set by MFE are difficult, but there is no 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 at s 9(2)(a)] or you can talk to Malcolm from DOC's legal team at s 9(2)(a)

Regards

Neil Deans
Advisor – RM Reform
Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
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From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Friday, June 21, 2024 12:46 PM
Subject: [IN-CONFIDENCE]Feedback on FTA#205 - Saulbrey Road Residential Development requested

Kia ora

This listed project application is for FTA#205 - Saulbrey Road Residential Development

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