

Jacob Paget

From: Neil Deans s 9(2)(a)
Sent: Wednesday, 26 June 2024 12:27 pm
To: Listed Projects
Cc: Meredith Lawry; Andrew Styche; Jane Wheeler; Ritesh Chandra
Subject: FW: [COMMERCIAL] Feedback on FTA352 - Southern Links 1 ('SL1') (email 1 of 6)

Kia ora

Please note the DOC response to the above Fast Track proposal.

No public conservation land is directly affected, but some public conservation land is adjacent and may be affected. This would not affect the project's eligibility for Fast Track consideration.

Wildlife and freshwater fishery approvals will likely be required. Note that works which may adversely impact wildlife have been undertaken without specific authorisation in the past, as noted below.

The adjacent heritage issues may need to be assessed by MCH.

The Waikato River Treaty settlement is signalled as potentially relevant.

Regards

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

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Conservation leadership for our nature

Tākina te hī, tiakina te hā, o te ao tūroa

From: Andrew Styche s 9(2)(a)
Sent: Wednesday, June 26, 2024 12:02 PM
To: Jane Wheeler s 9(2)(a)
Cc: Carisse Enderwick s 9(2)(a) Neil Deans s 9(2)(a)
Subject: RE: [COMMERCIAL] Feedback on FTA352 - Southern Links 1 ('SL1') (email 1 of 6)

Comments on the Southern Links 1 Fast Track application FTA#352

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.
 - The project area does not directly affect any public conservation land.
 - There are two nearby reserves, Lake Cameron Recreation Reserve and Rukuhia Central Recreation Reserve, that are administered by Waipa District Council to the south of the project

area. Of these, Lake Cameron/Lake Kareaoahi, a peat lake, could be affected by changes to hydrology.

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

- Wildlife Act permits will be required.
 - The land is highly modified; however, there are remnants of wetlands on the land, the Mangakotukutuku Stream originates from this area, and some indigenous species have been detected on or on properties adjoining the project area.
 - Long-tailed bats (Threatened – Nationally Critical) have been detected within the project area and in the landscape around it. Long-tailed bats have been extensively studied in this area for the Peacockes Structure Plan and NZTA Southern Links Road Corridor project. Conditions of consent intended to mitigate effects on long-tailed bats from the Peacockes Structure Plan Area will be adversely impacted by this proposal.
 - It is probable that copper skinks (At Risk – Declining) are present on the land. This species has been found along the rail corridor and in gullies adjoining the property and are widespread along the Waikato River corridor.
 - Long-finned eels (At Risk – Declining), short-finned eels, giant kokopu (At Risk – Declining), inanga (At Risk – Declining), banded kokopu, redfin bully and torrentfish (At Risk – Declining) have been recorded on or adjoining the project area. Mudfish have not been detected within the project area, but this may reflect lack of survey effort. Changes to hydrology and increased drainage from urban/industrial areas will affect the Mangakotukutuku Stream and its fauna.
 - There is one historic site possibly impacted by the project area. This is a militia college (S14/503) that has A status.

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?

- 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?

- I am not aware of the property owners that form this Consortium having sought Wildlife Act authorisations or concessions from DOC in the past.
- Chinamans Hill Limited has undertaken tree felling and vegetation clearance, impacting the natural waterways on its property without seeking Wildlife Act authorisation, despite long-tailed bats having been detected using, including roosting, in the trees.

Andrew Styche

Senior Ranger, Community

Department of Conservation, Waikato District

Phone s 9(2)(a)

From: Jane Wheeler s 9(2)(a)

Sent: Monday, June 24, 2024 1:45 PM

To: Andrew Styche s 9(2)(a)

Subject: FW: [COMMERCIAL] Feedback on FTA352 - Southern Links 1 ('SL1') (email 1 of 6)

Hi Andrew,

This is part 1 of Southern Links Fast Track due 27 June.

How are you coping with all this?!

Ngā mihi

Jane

From: Ritesh Chandra <s 9(2)(a)>
Sent: Monday, June 24, 2024 1:38 PM
To: Jane Wheeler <s 9(2)(a)>
Cc: Tinaka Mearns <s 9(2)(a)>; Penny Loomb <s 9(2)(a)>; Meredith Lawry <s 9(2)(a)>
Subject: FW: [COMMERCIAL] Feedback on FTA352 - Southern Links 1 ('SL1') (email 1 of 6)

Kia ora Jane

See attached, a new FTA gateway test response; received today, due by: Thursday 27 June

I will forward the supporting 5 emails out to you, shortly

Cheers Ritesh

From: Meredith Lawry <s 9(2)(a)>
Sent: Monday, June 24, 2024 1:23 PM
To: Ritesh Chandra <s 9(2)(a)>
Cc: Tinaka Mearns <s 9(2)(a)>; Neil Deans <s 9(2)(a)>
Subject: FW: [COMMERCIAL] Feedback on FTA352 - Southern Links 1 ('SL1') (email 1 of 6)

Kia ora Ritesh,

We've received a few more Fast-track eligibility applications today, including this one which is across Waipa District and Hamilton City. There are a lot of attachments for this one, so this email is part 1 of 6.

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 27 June. We recognise these timeframes set by MFE are difficult, but there is 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 you can talk to Malcolm from DOC's legal team at s 9(2)(a) or on s 9(2)(a)

Thanks,
Meredith

From: Listed Projects <ListedProjects@mfe.govt.nz>

Sent: Monday, June 24, 2024 12:59 PM

To: Neil Deans s 9(2)(a); Meredith Lawry s 9(2)(a)

Subject: [COMMERCIAL]Part 1 - Feedback on FTA352 - Southern Links 1 ('SL1')

Kia ora

This listed project application is for FTA352 - Southern Links 1 ('SL1')

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 27 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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for every generation.**
He taiao tōnui mō ngā
reanga katoa.

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