

## Jacob Paget

---

**From:** Meredith Lawry s 9(2)(a)  
**Sent:** Wednesday, 26 June 2024 12:16 pm  
**To:** Listed Projects  
**Cc:** Neil Deans [EXTERNAL] (DOC)  
**Subject:** [COMMERCIAL]FW: COMMERCIAL IN CONFIDENCE Feedback on FTA369 - Summerset Retirement Village - Mosgiel - due next Wed

Kia ora,

Please see below for DOC's notes on this – it does not appear to be ineligible, although freshwater fishery approvals may be needed.

Thanks,  
Meredith

---

**From:** Emma Burns s 9(2)(a)  
**Sent:** Wednesday, June 26, 2024 12:14 PM  
**To:** Meredith Lawry s 9(2)(a)  
**Cc:** Gabriel Davies s 9(2)(a) John Roberts s 9(2)(a)  
**Subject:** COMMERCIAL IN CONFIDENCE Feedback on FTA369 - Summerset Retirement Village - Mosgiel - due next Wed

Kia ora Meredith

Here are the details requested of the District.

- **Whether the project requires any other related approvals from your agency**  
Potential for approval from DOC under the Freshwater Fish Regulations (see below)
- **if you are aware of anything that would render the project ineligible under clause 18 of the Bill**

According to DOC GIS and Napalis, there is no public conservation land involved or marginal strip designation.

- **if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols.**

Schedule 98, Part A, Ngāi Tahu settlement Act 1998, (see below)

Ōwhiro Stream passes through the intended development site.

Although the Ōwhiro Stream is highly modified there are freshwater values to consider. The Department has commented on these in the past resource management matters.

Galaxiid species such as Giant kokopu, inanga along with lampreys and Longfin eels occupy the stream and parts of the catchment upstream. As a branch tributary of the Taieri River the Ōwhiro provides habitat for spawning and native fish passage.

Under the threat classification system – Giant Kokopu, lamprey, inanga and long finned eel are classified as “at risk” and “declining”

These species are important to Kai Tahu as Mahika kai species, and are listed as taonga species under the Ngāi Tahu settlement Act 1998, Schedule 98, Part A

The proposed development needs to ensure the provision fish passage and spawning for migratory natives fish species as they need to go to the sea as an obligatory part of their life cycle. Safe fish passage is essential for these species to complete their life cycle.

Inanga are a very important whitebait species, as they make up 90% of the white bait catch.

Brown trout have been observed throughout the Ōwhiro catchment. However, these fish are unlikely to provide strong sports fishing value.

There may also be potential in the scope of this proposal to advocate for a setback for the Ōwhiro stream, with a goal of maintaining and enhancing the biodiversity values and supports improvement in the water quality.

- Do you know of any history of compliance issues with the applicant regarding conservation approvals?

No, not at the district level.

Kā mihi, nā

Emma Burns (She/her)

Senior Ranger Community| Kaiwhakahaumaru Matua Hapori

s 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



## Papatūānuku thrives

Toitū te marae a Tāne-Mahuta, Toitū te marae a Tangaroa, Toitū te tangata –  
If the land is well and the sea is well, the people will thrive



From: Meredith Lawry s 9(2)(a)

Sent: Friday, June 21, 2024 2:35 PM

To: John Roberts s 9(2)(a)

Cc: Neil Deans s 9(2)(a) Aaron Fleming s 9(2)(a)

Subject: FW: [COMMERCIAL]Feedback on FTA369 - Summerset Retirement Village - Mosgiel

Kia ora John

Thanks again for your patience with all the applications we have been sending through! We have been asked to provide more fulsome background in our covering emails, as below, but are essentially asking for the same information.

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 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](mailto:ListedProjects@mfe.govt.nz)>

**Sent:** Friday, June 21, 2024 2:24 PM

**Subject:** [COMMERCIAL]Feedback on FTA369 - Summerset Retirement Village - Mosgiel

Kia ora

This listed project application is for FTA369 - Summerset Retirement Village - Mosgiel

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



Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*



Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.