

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Jacques Jansen van Rensburg - Development Planning Team Leader – North/West developmentplanningnorth@at.govt.nz s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	East Coast Heights, Silverdale
General comment	Auckland Transport appreciates the opportunity to provide assistance to the Minister in the assessment of this proposal. Based on the information provided, Auckland Transport has not identified any significant concerns with this application being accepted for the fast-track consenting process. From an initial review, the proposal appears to be in accordance with the purpose of the COVID 19 (Fast Track Consenting) Act 2020. The site is located in the Silverdale 3 sub-precinct B, Sub-precinct and is zoned Residential – Mixed Housing Urban under the Auckland Unitary Plan Operative in Part (AUP) and, therefore, residential subdivision, development and intensification is anticipated. However, Auckland Transport is unable to fully determine the nature, scale and significance of the effects of the development at this stage based on the general information currently submitted with the application to the Ministry for the Environment (MfE). As mentioned in the application material Auckland Council (Council) is currently processing an application for the subject site which would appear to be identical to the project which is the subject to this request. However, without the full application material being submitted to MfE it is unclear whether this is the case. Auckland Transport has provided specialist advice to Council to assist in the processing of this application. Auckland Transport notes that there are several matters which are outstanding in terms of s92 requests which would be relevant in terms of Auckland Transport being able to more fully inform an assessment of whether the development had the potential to have significant adverse effects. A summary of those matters is set out in the section below in order to inform the consideration of the Minister. If the Minister were to decide to accept the application for referral, Auckland Transport requests that the matters outlined in the section below are required to be addressed in the application lodged with the Environmental Protection Authority (EPA) and that the referral order specifically refer to the need to submit an Integrated Transport Assessment. Auckland Transport would also request the referral order specifically identifies Auckland Transport as a party which the Expert Consenting panel must invite comments from.
Other considerations	Auckland Transport notes that the application will trigger the requirement for an Integrated Transport Assessment (ITA) as resource consent will be required for a restricted discretionary activity related to rule E27.6.1 of the Auckland Unitary Plan. The main objective of an ITA is to ensure that the transportation effects of a new development proposal are well-considered, that there is an

	emphasis on efficiency, safety and accessibility to and from the development by all transport modes where practical; and that the adverse transport effects of the development have been effectively avoided, remedied or mitigated. Auckland Transport requests the ITA specifically addresses the trip generation and the consideration of effects from traffic generated on the Silverwater Drive / East Coast Road intersection by Stages 1, 2 and 5. Auckland Transport considers the proposal has the potential to be contrary to the provisions of Silverdale 3 sub-precinct B, in particular Policy I537.3(8), as well as Policy E27.3(2) – Transportation in the Auckland Unitary Plan. The proposed neighbourhood design comprises of long streets and block lengths that do not offer sufficient routes choices and the ability for vehicles and active modes to filter between rows of dwellings. In addition, long streets with narrow frontages and no rear lanes contribute to issues with berm/vehicle crossings with no on-street parking being available and potential safety and amenity impacts on pedestrians. Auckland Transport requests that the application submitted to the Environmental Protection Agency provides specific assessment against the design principles in section 3.2.1 of the Auckland Code of Practice for Land Development and Subdivision – Transport. The principles are explained in full in the Auckland Transport <i>‘Urban Street and road design guide’</i>. In particular, this assessment should consider the following urban design matters and shall demonstrate that a high-amenity transport network is achieved. ○ Steet network and block size ○ People movement, permeability and connectivity ○ Potential use of rear lanes
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry’s proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Auckland Council
Contact person (if follow-up is required)	Tony Bullard s 9(2)(a)
	Click or tap here to enter text.
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	East Coast Heights Silverdale
General comment – potential benefits	Will add additional housing supply and choice in the Auckland region
General comment – significant issues	- The overall site layout and design, and how this responds to the land contours. The proposal has sought to follow a similar layout to that which was approved for Stages 1 and 2, which may not be appropriate to the subject site (stages 3 and 4) given the steeper land contours. The initial/ preliminary assessments from Council's Urban Design and Landscape/ Visual specialists is that the proposal should provide a more organic layout that utilises the land contours rather than the proposed standard grid/ orthogonal pattern which results in significant earthworks and retaining. - The proposed retaining walls and green wall/ spine has been raised (and continues) to be an issue that remains unresolved. - Lack of pedestrian connectivity through the site. - The overall proposed road layout and design, and how this responds to the topography/ land contours. - Proposed stormwater management approach (see Healthy Waters comments attached). - Wastewater and water infrastructure (see Watercare's comments attached). - Building intensity - Landscape/visual effects - Development effects on residential activity on 2118 East Coast Road - Development effects and potential reverse sensitivity effects on 2104 East Coast Road (Auckland Adventure Park operation)

	• The provision of an recreational open space/park (See Parks comments below) • Roading design and layout (see AT's comments below) Further detailed comments relating to stormwater, water, wastewater, parks and traffic infrastructure are attached to this form.
Is Fast-track appropriate?	The wastewater infrastructure is not in place to service this development. Hence it is not considered appropriate that this goes through the fast track process. See Watercare's comments attached.
Environmental compliance history	No enforcement action has been taken against National Shine Limited. Abatement notices have been issued to Build Rich Limited for insufficient erosion and sediment controls across various residential sites.
Reports and assessments normally required	• An AEE assessing the effects of the proposal and it's fit with the policies and objectives of the AUP and other relevant statutory documents. • Architectural plans • Survey plans • Urban design assessment including effects on neighbours from shading, visual dominance, privacy and overlooking and amenity assessments for each proposed dwelling • Landscape & visual assessment including perspective sketches or photomontages showing the proposed buildings when viewed from State Highway 1. • Geotechnical report including groundwater diversion assessment • Stormwater infrastructure report including a stormwater management plan and flood assessment. • Ecological Impact Assessment report for the effects on natural wetlands • Evidence that works undertaken over the northern wetland & streams to date were done lawfully. Otherwise, reclamation of natural wetlands will be a prohibited activity and stream works would require additional Streamworks Assessment Report • An integrated traffic assessment (see comments from Auckland Transport) • Water and wastewater infrastructure report including engineering plans, capacity assessment, fire/water supply-demand and connection points. • An assessment of construction related effects including traffic, noise and vibration and a construction management plan. • Records of iwi consultation • Earthworks, cut and fill, and erosion/sediment management plan • A lighting plan of footpath, accessways and parking areas. • Archaeological assessment
Iwi and iwi authorities	Ngāi Tai ki Tāmaki Ngāti Manuhiri

	Ngāti Maru Ngāti Pāoa(Ngāti Paoa Iwi Trust) Ngāti Pāoa(Ngāti Paoa Trust Board) Ngāti Te Ata Ngātiwai Ngāti Whanaunga Ngāti Whātua o Kaipara Ngāti Whātua Ōrākei Te Ākitai Waiohūa Te Kawerau ā Maki Te Patukirikiri Te Rūnanga o Ngāti Whātua
Relationship agreements under the RMA	NA
Insert responses to other specific requests in the Minister's letter (if applicable)	Questions 1, 2 and 3 are answered above and below.
Other considerations	Click or tap here to insert any other responses you consider relevant for the Minister to be aware of.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Asset Owner Watercare

From: Amir Karimi, Development Engineer, Watercare

Overall Summary:

Based on the provided information, Watercare has completed a high-level assessment for stages 3 and 4 of the development at 2150 East Coast Road, Silverdale. The proposed stages comprise approximately 302 residential dwellings. Our general comments are as follows:

Wastewater:

The existing wastewater network does not have sufficient capacity to service the proposed development. The developer will need to consider diverting the Small Road Pump Station to the new Silverdale West servicing network on the other side of the motorway to enable the connection of the proposed stages to the public wastewater network. The diversion of the pump station flow must be entirely at the developer's cost and would be subject to the provision of the Silverdale West network by Watercare. Currently, Watercare is working on the servicing scheme to service the Silverdale West area. However, the timing is uncertain at this stage and may not meet the development's timeframe.

Water supply:

The proposed stages trigger the need for a water supply booster station. Based on Watercare's Servicing Plan, the network pump station is required and should be developed as part of this stage and integrated into the previously constructed network – including separation of gravity water mains and boosted water mains and included in the design at no cost to Watercare. This will need to include properties already located within Stage 1 which can be transferred from house pumps to the new pump station supply network.

It is recommended that the developer liaises with Watercare to confirm the appropriate approach before the RC is granted:

- Offtake from the transmission WMs.
- Pump station location.
- Watermain sizing north.
- Sizing the pump station/characteristics and considering possible future expansion requirements.

From: Lakshmi Nair & Kedan Li, Healthy Waters

Overall Summary:

The documents reviewed for this assessment include,

- Stormwater Memorandum by Aspire Consulting dated 17 December 2021
- Wetland Design Memo by Aspire Consulting dated 17 December 2021

The site at 1 Silverwater Drive, constitutes the Build Rich Limited Stage 3 and 4 of the residential development at 2182 East Coast Road, Silverdale. The memo by Aspire details the proposed stormwater management methods to meet the requirements of the stormwater Network Discharge Consent Silverdale South and SMAF 1 hydrology requirements that apply to this site. The site drains in two distinct directions and are divided into catchment 1 and catchment 2 accordingly

Catchment 1

Catchment 1 @ 7.3112 hectares drain to the existing SW wetland within Park n Ride site at 1 Hibiscus Coast Highway. This wetland can cater for the WQV, EDV and stormwater attenuation for 2-, 10-, and 100-year storm peak flows. Accordingly, the SW management condition as per the NDC and the detention component for the SMAF1 are satisfied. The retention component of the SMAF1 for the roof areas are proposed through rainwater harvesting. However, there is no mention in the memo regarding the retention for the public road runoff and other private impervious area runoff.

Catchment 2

Catchment 2 @ 3.3 hectares is proposed to drain southwest, but the drainage plan do not provide the downstream discharge outlet or connection. The memo only captures the SMAF1 management measures for the dwelling runoff, while there is no reference to SMAF1 management for the private impervious areas and public roads. The memo also does not refer to the stormwater management measures required under the NDC, such as stormwater quality, peak flow attenuation for flood events

Other Matters

The memo fails to include any reference to the overland flow path protection/diversion through the development and how the dwellings near the OLFP can be protected from flood hazard

There is no information on the future ownership of the new wetland to the south, which is assumed to be included within the lots. The wetland is proposed to cater for the SMAF 1 mitigation for some of the lots, however it is to be noted that a wetland cannot provide retention function

Summary

Healthy Waters will not be able to support this development until the following information is provided and accepted

- Retention /reuse methods for private impervious areas and road runoff under SMAF1 (5mm) for both catchment 1 and 2
- Detention methods for or private impervious areas and road runoff under SMAF1(95%ile event) for catchment 2
- Stormwater management measure required under NDC for catchment 2
- Downstream connection point for the reticulation from catchment 2
- Overland flow path diversion plans and supporting calculations
- Additional information on the new wetland including design and future ownership

Asset Owner Auckland Transport

From: *Mathew Richards, Auckland Transport*

Based on the information provided, Auckland Transport (AT) has not identified any significant concerns with this application being accepted for the fast-track consenting process. From an initial review, the proposal appears to be in accordance with the purpose of the COVID 19 (Fast Track Consenting) Act 2020. The site is located in the Silverdale 3 sub-precinct B, Sub-precinct and is zoned Residential – Mixed Housing Urban under the Auckland Unitary Plan Operative in Part (AUP) and, therefore, residential subdivision, development and intensification is anticipated.

However, AT is unable to fully determine the nature, scale and significance of the effects of the development at this stage based on the general information currently submitted with the application to MfE.

If the Minister were to decide to accept the application for referral, AT requests that the matters outlined in the section below are required to be addressed in the application lodged with the Environmental Protection Authority (EPA) and that the referral order specifically refer to the need to submit an Integrated Transport Assessment. Auckland Transport would also request the referral order specifically identifies Auckland Transport as a party which the Expert Consenting panel must invite comments from.

AT notes that the application will trigger the requirement for an Integrated Transport Assessment (ITA) as resource consent will be required for a restricted discretionary activity related to rule E27.6.1 of the Auckland Unitary Plan. The main objective of an ITA is to ensure that the transportation effects of a new development proposal are well-considered, that there is an emphasis on efficiency, safety and accessibility to and from the development by all transport modes where practical; and that the adverse transport effects of the development have been effectively avoided, remedied or mitigated.

AT requests that the ITA specifically addresses the trip generation and the consideration of effects from traffic generated on the Silverwater Drive / East Coast Road intersection by Stages 1, 2 and 5.

AT considers that the proposal has the potential to be contrary to the Silverdale 3 sub-precinct B, in particular Policy I537.3(8), as well as Policy E27.3(2) – Transportation in the AUP. The proposed neighbourhood design comprises of long streets and blocks that do not offer sufficient routes choices and the ability for vehicles and active modes to filter between rows of dwellings. In addition, long streets with unbroken narrow frontages and no rear lanes contribute to issues with berm/vehicle crossings with no on-street parking being available.

AT requests that the application submitted to the EPA provides specific assessment against the design principles in section 3.2.1 of the Auckland Code of Practice for Land Development and Subdivision – Transport. The principles are explained in full in the Auckland Transport Urban Street and road design guide.

In particular, this assessment should consider the following urban design matters and shall demonstrate that a high-amenity transport network is achieved.

- Steet network and block size
- People movement, permeability and connectivity
- Potential use of rear lanes

From: Sean Stirling – Senior Parks Planner

Overall Summary:

Background information:

This response is prepared based on the information received as outlined in the email from Tony Bullard, Principal Specialist Planner, Resource Consents dated 20/07/22.

The overall application has been identified to be a non-complying activity (because of the clearance of vegetation and earthworks within a 10m setback from a natural wetland, and diversion of water within a 100m setback from a natural wetland).

The proposal seeks to establish a residential development of approximately 280 residential lots, together with supporting parking and landscaping.

A site visit has not been undertaken to date.

Positives of the application:

From the draft application drawings, and the associated specialist reports provided by the applicant it can be determined that:

- The proposal provides an opportunity to provide for recreational open space on the site where there is an identified demand for a neighbourhood park.

Key Issues from a Parks Planning Perspective

The key issue from a Parks planning perspective with the project going through the COVID-19 Recovery Act 2020 fast track consenting process is the potential for Auckland Council to inherit parks or street landscaping assets where they have not had the opportunity to assess and comment on prior to receiving them. There is a risk that the vested assets Council may inherit are not to the same standard or consistent with those assets which go through the normal resource consent and engineering plan approval process, resulting in a financial burden not anticipated.

Parks Planning information, reports and assessment requirements:

- a) An updated masterplan that accurately reflects the outcomes of the existing development of the sites to the north of the subject site. Namely the location of the neighbourhood reserve.
- b) There is an identified demand for neighbourhood park within the subject site, please provide an assessment against the provisions of the Auckland Council Open Space Provision Policy and update the proposal to provide for a public open space in the form of a neighbourhood park within the subject site to service the future residents of the development.
- c) Landscape plans: Sufficiently detailed to properly assess the proposed assets in the streetscape, reserve to be vested and accessways.
- d) Planting plans with a schedule of species: To understand the extent of mitigation provided.
- e) Updated scheme plan: demonstrating the size and location of roads, and public open space shown as land in lieu of reserve along with any areas of open space proposed to be retained in private ownership.

This would provide Council with the means to determine factors such as:

- Whether streetscape planting is appropriate. Council has significant experience in this area as an asset owner and promotes species which provide attractive streetscapes but species which are also suitable from a maintenance perspective and are practical in their chosen location e.g. will not hinder drivers site lines or reduce usability of footpaths over time.
- Whether any aspects of the design would require the approval of the Local Board or Governing Body to accept any proposed assets
- Whether accessways to parks are suitable from a crime prevention through environmental design (CPTED) perspective. This includes assessing building orientation and fencing on properties adjoining parks and park accessways to ensure appropriate passive surveillance over these areas is provided. Accessway widths and gradients are also important for the safe movement of walkers and cyclists.
- Hard assets such as stormwater outfalls or retaining walls are designed and located where they do not reduce the amenity of the parks or impact future greenways.
- Whether privately owned, developed, and maintained open spaces and recreational facilities are accessible to the public, and will be appropriately managed and maintained with clear information such as sign posting to inform users of its private management and ownership. If privately owned and managed, an understanding of the mechanisms for this purpose will also be necessary.
- Whether sufficient publicly accessible open space is provided to service the surrounding residential catchment. An initial open space provision assessment has revealed that with no neighbourhood reserve or similar proposed, there will be an under provision of public open space, therefore necessitating a public open space within the subject site.

Acquisition of land

Council can confirm that there is a provision requirement for a neighbourhood park of 3000 – 4000m² within the subject site. The proposal does not include provision for such an open space, therefore an area for neighbourhood park that is able to provide sufficient area to accommodate a place space, a flat unobstructed 30m x 30m kickaround area, and areas for socialising and respite is required to be consistent with the

[Auckland Council Open Space Provision Policy](#)

Overall position of Parks Planning

Overall it is considered that measures will need to be put in place under the COVID-19 Recovery Act 2020 fast track consenting process to ensure Council is able to provide sufficient input to decisions around the acquisition of land and the acceptance of vested assets. This is to ensure Auckland Council receives vested park and streetscape assets that are to the normal standard and consistent with those that have gone through a normal resource consent process.

Conclusion

Should the EPA decide to allow the development to go through the COVID-19 Fast Track process, it is recommended that the proposal address all information requirements from a Parks perspective supplemented by a suitable assessment for the matters of concern. The applicant should also be made aware of any political decisions that are required for proposed vested land and assets which may impact on the delivery of the project.

Samantha Maxwell

From: Tony Bullard <s 9(2)(a)>
Sent: Monday, 8 August 2022 4:26 pm
To: Ian Smallburn; Samantha Maxwell; Fast Track Consenting
Subject: RE: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – East Coast Heights, Silverdale

Hi Samantha

Notwithstanding Ian's email below, I can now confirm that the 2 wetlands in the north portion of the site are not considered by our council to be natural wetlands. Hence development over that part of the site would not be a prohibited activity.

There appears to be only one natural wetland on the site (the southern portion) and this will trigger consents relating to the proximity of the proposal to that. I believe the applicant is aware of these consent triggers. The proposed works in the vicinity of this wetland do not appear to be a prohibited activity.

Kind regards

Tony

From: Ian Smallburn <s 9(2)(a)>
Sent: Monday, 8 August 2022 3:41 PM
To: Samantha Maxwell <s 9(2)(a)> Tony Bullard <s 9(2)(a)>;
Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – East Coast Heights, Silverdale

Hi Samantha,

Just thinking about this, you may wish to get a third party to provide an opinion. Given we have provided feedback as an interested party, and the applicant would have a view, you may wish to seek a new opinion to remove any perception of conflict and to have a level of independence etc...

Ngā mihi | Kind regards

Ian Smallburn | General Manager, Resource Consents
Auckland Council
Ph 09 352 2600 | Extn (46) 5600 | Mob s 9(2)(a)
Auckland Council, Level 6, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

From: Samantha Maxwell <s 9(2)(a)>
Sent: Monday, 8 August 2022 3:19 PM
To: Tony Bullard <s 9(2)(a)>; Fast Track Consenting
<fasttrackconsenting@mfe.govt.nz>
Cc: Ian Smallburn <s 9(2)(a)>
Subject: RE: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – East Coast Heights, Silverdale

Kia ora Tony,

Thank you for the email update. Have you had any luck with clarifying our queries? Due to the urgency of the fast-track process, we do not usually go back to parties to query comments. However as discussed, the Minister cannot consider a prohibited activity under the FTCA.

As I am needing to update my team at a meeting tomorrow morning, any urgency you can give to this matter would be greatly appreciated.

Ngā mihi nui,
Samantha Maxwell (she/her)
Analyst | Kaitātari
Fast Track Consenting Team

Ministry for the Environment | Manatū Mō Te Taiao
[redacted] | mfe.govt.nz

Ministry staff work flexibly by default. For me this means, you may receive an email from me outside of usual working hours. Please respond at a time that is convenient for you.



[redacted]

[redacted]

[redacted]

[redacted]

Following my conversation with Tony Bullard this afternoon, I am seeking clarification on a point raised in the 'reports and assessments normally required' paragraph of the comments. It was stated that you would require "evidence that works undertaken over the northern wetland & streams to date were done lawfully. Otherwise, reclamation of natural wetlands will be a prohibited activity and stream works would require additional Streamworks Assessment Report". The applicant has provided a bulk earthworks consent (LUC60386771 dated November 2021) which appears to cover the area referenced. Does this satisfy your concern? We are seeking clarification as under the FTCA the Minister cannot consider a prohibited activity. Please advise whether the previous works referred are subject to enforcement. Can you please also identify the provision you are referring to when you make mention of reclamation of natural wetlands being a prohibited activity?

Due to the nature of the FTCA process, it would be appreciated if you could provide the information urgently, and unfortunately this process does not have scope or time for ongoing communications.

Ngā mihi nui,
Samantha Maxwell (she/her)
Analyst | Kaitātari
Fast Track Consenting Team

Ministry for the Environment | Manatū Mō Te Taiao
[redacted] | mfe.govt.nz

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[redacted]

[redacted]



From: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

Sent: Thursday, 14 July 2022 2:00 PM

To: Jim Stabback S 9(2)(a)

Cc: Ian Smallburn S 9(2)(a); Fast Track Consenting
<fasttrackconsenting@mfe.govt.nz>

Subject: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – East Coast Heights, Silverdale

Tēnā koe Jim

Attached is a letter inviting your comment on the following application that has been made to the Minister for the Environment under the COVID-19 Recovery (Fast-Track Consenting) Act 2020.

- East Coast Heights, Silverdale – Out of Scope

NOTE: This information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or the request for comments to anyone outside your organisation, including any Crown Entity or statutory body.

Many thanks

Jacob

Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao

fasttrackconsenting@mfe.govt.nz | mfe.govt.nz

This email account is monitored by several members of the team, to ensure responses are managed in a timely manner.



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Jacob Paget

From: Stephanie McNicholl
Sent: Monday, 5 September 2022 10:41 am
To: Fast Track Consenting
Subject: [COMMERCIAL] RESPONSE - Fast-track Consenting - East Coast Heights Silverdale Project (FTC088)

Kia ora Fast Track Consenting

Please save to East Coast Heights Silverdale Project (FTC088) – Auckland Council further information response, compliance history

Thanks and regards

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe

Ministry for the Environment | Manatū Mō Te Taiao

s 9(2)(a) | environment.govt.nz

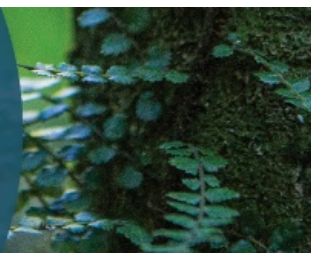
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From: Stephanie McNicholl
Sent: Monday, 5 September 2022 10:38 am
To: Kerry Flynn s 9(2)(a); Steve Seager s 9(2)(a); lan Smallburn s 9(2)(a); Tony Bullard s 9(2)(a)
Cc: Samantha Maxwell s 9(2)(a)
Subject: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Silverdale Project (FTC088)

Kia ora Kerry

Awesome! Thank you 😊

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

*Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe*

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s 9(2)(a) | environment.govt.nz

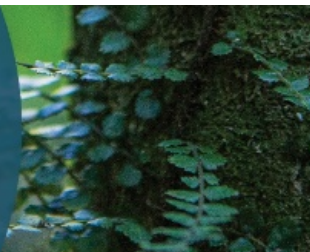
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From: Kerry Flynn s 9(2)(a)

Sent: Monday, 5 September 2022 10:27 am

To: Stephanie McNicholl s 9(2)(a); Steve Seager

s 9(2)(a); Ian Smallburn s 9(2)(a); Tony Bullard

s 9(2)(a)

Cc: Samantha Maxwell s 9(2)(a)

Subject: RE: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Silverdale Project (FTC088)

Hi Steph

I can confirm that the comments are the same for both sites.

Kind regards
Kerry

**Kerry Flynn | Team Leader Compliance Monitoring NW 1
Licensing & Regulatory Compliance**
Phone (09) 301 0101 | s 9(2)(a)
Auckland Council, 50 Centreway Road, Orewa 0931
Private Bag 500, Orewa 0946

Visit our website: www.aucklandcouncil.govt.nz

Useful Council contact numbers:
24 hr Pollution Hotline: 09 377 3107
Call Centre: 09 301 0101

 Please consider the environment before printing this e-mail.

From: Stephanie McNicholl s 9(2)(a)
Sent: Thursday, 1 September 2022 12:59 pm
To: Kerry Flynn s 9(2)(a); Steve Seager s 9(2)(a); Ian Smallburn s 9(2)(a); Tony Bullard s 9(2)(a)
Cc: Samantha Maxwell s 9(2)(a)
Subject: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Silverdale Project (FTC088)

Kia ora Kerry

The planning department comment does accurately reflect our request, being about the track record of the developer as specified in the FTCA.
We assume the comments would be the same for both applications, but we are needing that confirmation to come from the Council.

BuildRich Ltd have applied for 2 Covid FT applications so I think MfE just want confirmation that as far as the behaviour of BuildRich overall goes, the comments would be the same for both queries on both applications i.e. it's about the track record of the developer overall and not limited to these particular sites.

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

*Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe*

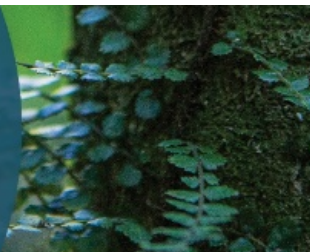
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s 9(2)(a) | environment.govt.nz

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From: Kerry Flynn s 9(2)(a)
Sent: Thursday, 1 September 2022 12:22 pm
To: Stephanie McNicholl s 9(2)(a); Steve Seager
s 9(2)(a); Ian Smallburn s 9(2)(a); Tony Bullard
s 9(2)(a)
Cc: Samantha Maxwell s 9(2)(a)
Subject: RE: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Silverdale
Project (FTC088)

Hi Steph

The response I have received from our planning department is as follows.

BuildRich Ltd have applied for 2 Covid FT applications so I think MfE just want confirmation that as far as the behaviour of BuildRich overall goes, the comments would be the same for both queries on both applications i.e. it's about the track record of the developer overall and not limited to these particular sites.

I hope this assists.

Kind regards
Kerry

**Kerry Flynn | Team Leader Compliance Monitoring NW 1
Licensing & Regulatory Compliance**
Phone (09) 301 0101 | s 9(2)(a)
Auckland Council, 50 Centreway Road, Orewa 0931
Private Bag 500, Orewa 0946
Visit our website: www.aucklandcouncil.govt.nz

Useful Council contact numbers:
24 hr Pollution Hotline: 09 377 3107
Call Centre: 09 301 0101

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From: Stephanie McNicholl s 9(2)(a)
Sent: Thursday, 1 September 2022 11:44 am
To: Kerry Flynn s 9(2)(a); Steve Seager s 9(2)(a); Ian
Smallburn s 9(2)(a); Tony Bullard s 9(2)(a)
Cc: Samantha Maxwell s 9(2)(a)
Subject: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Silverdale
Project (FTC088)
Importance: High

Kia ora tatou

Sorry to keep annoying on this matter, however we are required to obtain email/written record of all responses. Auckland Council's invited comments were the same for both applications. We are requesting an email reply that the compliance history for Build Rich Limited provided yesterday by Auckland Council (attached), is applicable for both FTCA applications below:

1. East Coast Heights Stage 5- Silverdale (FTC097) – 2 Goldwater Drive – CONFIRMED
2. East Coast Heights- Silverdale Project (FTC088) – 1 Silverwater Drive and 2150 East Coast Road – *being to the South of Silverwater Drive* – **TO BE CONFIRMED**

Any attention you can give to this matter will be much appreciated.

s 9(2)(a) – apologies Tony, this request will be new to you, however you are the contact on the second project.

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe

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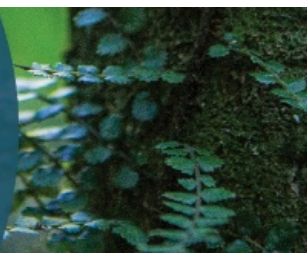
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From: Stephanie McNicholl

Sent: Wednesday, 31 August 2022 10:56 am

To: s 9(2)(a)

Cc: s 9(2)(a) Ian Smallburn s 9(2)(a)

Subject: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5-Silverdale (FTC097)

Importance: High

Mōrena Kerry

Many thanks for this. One more minor request. We have noted Auckland Council's comments are the same for another East Coast Heights application in respect of the same applicant (Build Rich Limited). To avoid a separate enquiry, can I respectfully request an email reply that the compliance history provided in relation to this applicant, will be the same for both applications below:

1. East Coast Heights Stage 5- Silverdale (FTC097) – 2 Goldwater Drive, and;
2. East Coast Heights- Silverdale Project (FTC088) – 1 Silverwater Drive and 2150 East Coast Road – *being to the South of Silverwater Drive*

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe

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From: Kerry Flynn s 9(2)(a)

Sent: Wednesday, 31 August 2022 10:35 am

To: Steve Seager s 9(2)(a); Stephanie McNicholl
s 9(2)(a)

Cc: Ian Smallburn s 9(2)(a)

Subject: RE: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5- Silverdale (FTC097)

Hi Stephanie

Sorry for the delay, just wanted to confirm we had captured everything. Please find attached schedule of what we have on record.

Kind regards

Kerry

**Kerry Flynn | Team Leader Compliance Monitoring NW 1
Licensing & Regulatory Compliance**

Phone (09) 301 0101 | s 9(2)(a)
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Private Bag 500, Orewa 0946
Visit our website: www.aucklandcouncil.govt.nz

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From: Steve Seager s 9(2)(a)
Sent: Wednesday, 31 August 2022 8:47 am
To: Stephanie McNicholl s 9(2)(a)
Cc: Ian Smallburn s 9(2)(a); Kerry Flynn s 9(2)(a)
Subject: RE: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5- Silverdale (FTC097)

Hi Stephanie

Kerry Flynn is team leader of the Compliance Team.

Kerry – any updates on the information requested regarding BuildRich Ltd and their Compliance record?

Ngā mihi / Kind regards

Steve Seager | Team Leader Resource Consents (Orewa) - Northern Resource Consents
Ph 09 426 5169 | Extn (44) 3977 | s 9(2)(a)
Auckland Council, 50 Centreway Road, Orewa 0931
Private Bag 500, Orewa 0946

From: Stephanie McNicholl s 9(2)(a)
Sent: Tuesday, 30 August 2022 11:01 am
To: Steve Seager s 9(2)(a)
Cc: Ian Smallburn s 9(2)(a)
Subject: REPLY: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5- Silverdale (FTC097)
Importance: High

Kia ora Steve

Thank you for your reply email on Friday. Have you had any luck with a written response? If not, is there someone I can contact? this is the last remaining matter to be addressed in the review process.

We are seeking clarification of Auckland Council's comments in relation to FTCA s23(2) and (5)(f), the Minister may decline application for referral if the applicant has a poor history of environmental regulatory compliance.

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)

*Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe*

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From: Steve Seager s 9(2)(a)
Sent: Friday, 26 August 2022 3:51 pm
To: Stephanie McNicholl s 9(2)(a)
Cc: Ian Smallburn s 9(2)(a)
Subject: RE: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5-Silverdale (FTC097)

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Kia ora Stephanie

I will forward your queries to our Compliance Team Leader and get back to you as soon as I receive a response.

Ngā mihi / Kind regards

Steve Seager | Team Leader Resource Consents (Orewa) - Northern Resource Consents
Ph 09 426 5169 | Extn (44) 3977 | Mobile 021982108
Auckland Council, 50 Centreway Road, Orewa 0931
Private Bag 500, Orewa 0946

From: Stephanie McNicholl s 9(2)(a)
Sent: Friday, 26 August 2022 3:37 pm
To: Steve Seager s 9(2)(a)
Cc: Ian Smallburn s 9(2)(a)

Subject: [COMMERCIAL]URGENT RESPONSE REQUESTED - Fast-track Consenting - East Coast Heights Stage 5-Silverdale (FTC097)

Kia ora Steve

Regarding - East Coast Heights Stage 5- Project at 2 Goldwater Drive, Silverdale.

I am the lead analyst on this request and are in the process of preparing a recommendation for the Minister.

We thank you for responding to our invite for comments on behalf of the Minister.

We would like to seek some clarification of the comment which states: *Abatement notices have been issued to Build Rich Limited for insufficient erosion and sediment controls across various residential sites.*

I would be sincerely appreciated if you could take a brief moment to urgently respond to the following:

1. How many abatement notices, relating to how many sites?
2. What are the approximate dates the notices were issued?
3. What is the current status, are they still active or have they been resolved?
4. Do any relate to the East Coast Heights project site as a whole including previous stages?
5. In Council's view, is this ongoing issue for this applicant?

Ngā mihi
Steph McNicholl

Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Fast Track Consenting | Te Whakatataū Wawe

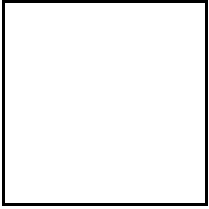
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