

Jacob Paget

From: Philip Brown s 9(2)(a)
Sent: Friday, 24 March 2023 10:48 am
To: Zen Gerente; Michelle Kemp
Cc: Isobel Lee; Fast Track Consenting; Rebecca Perrett
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

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Thanks Rebecca and Zen for the meeting, which was very helpful for our understanding of the situation and has provided us with some comfort that the Minister of Conservation's involvement is unlikely to raise any significant issues.

Have a great weekend!

Philip Brown | Director

Campbell Brown Planning Limited

Level 2, 46 Brown Street, Ponsonby | PO Box 147001, Ponsonby, Auckland 1144

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Please consider the environment before printing this email.

From: Philip Brown
Sent: Friday, March 24, 2023 9:38 AM
To: Zen Gerente s 9(2)(a); Michelle Kemp s 9(2)(a)
Cc: Isobel Lee s 9(2)(a); Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>; Rebecca Perrett s 9(2)(a)
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

Kia ora Zen,

We don't agree that this is a discharge to the CMA. The discharge point and structure is located above MHWS and will therefore be a discharge to land. I can confirm that there are no consenting requirements for the discharge other than those already identified in the application, which suggests that there will be nothing for the Minister of Conservation to consider or assess.

The Teal Park situation is essentially the same. The CMA is shown on the image below as the blue area, meaning the discharge point is only a few metres from the CMA.

Hopefully this email will persuade you that there is no consent required in the CMA and therefore no need or value in sending the application to the Minister of Conservation. However, if you still hold a different view then please proceed as you see fit including involving the Minister of Conservation. In that event, I confirm again that there is no additional consent required and no coastal consent or consent in relation to the CMA.

Ngā mihi

Philip Brown | Director

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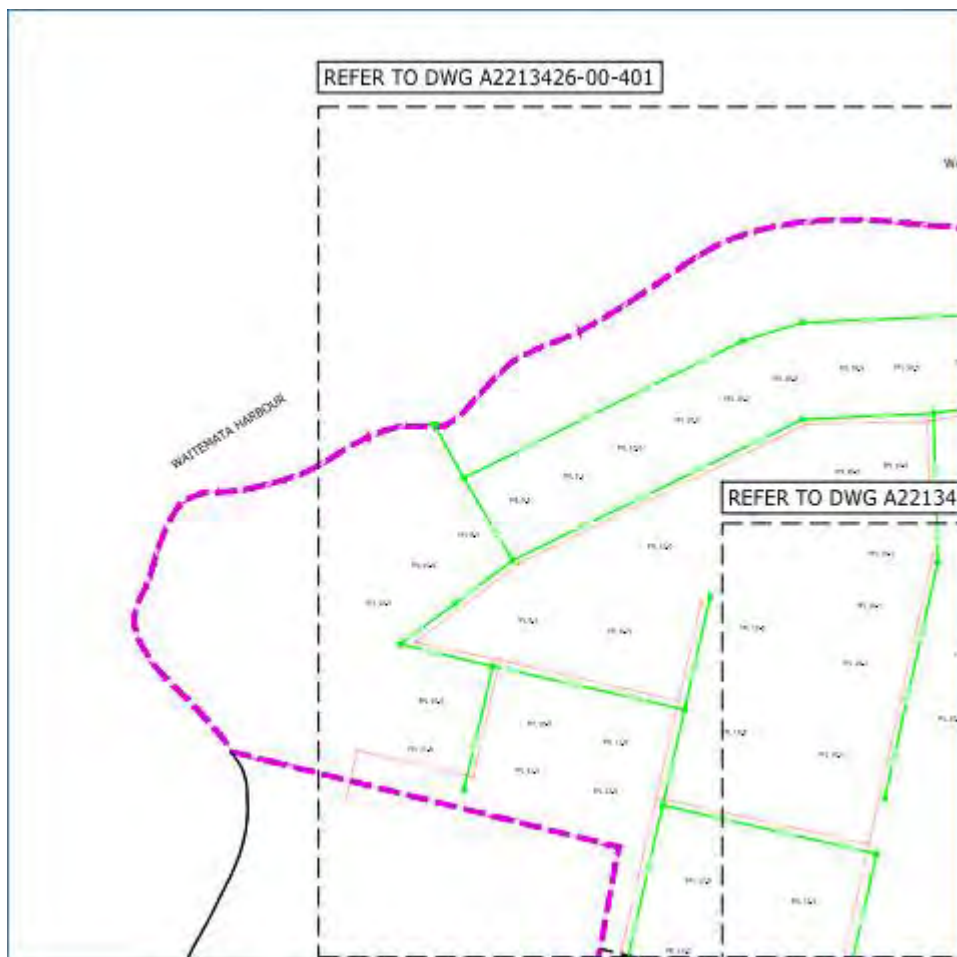
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From: Zen Gerente s 9(2)(a)
Sent: Friday, March 24, 2023 8:57 AM
To: Michelle Kemp s 9(2)(a)
Cc: Philip Brown s 9(2)(a); Isobel Lee s 9(2)(a); Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>; Rebecca Perrett s 9(2)(a)
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

Kia ora Michelle

As we have discussed over the phone, we have reviewed the plans and it shows that one of the outfalls will discharge to the CMA:



This is quite different with Teal Park. This is the one that shows your discharge point for Teal Park. The intended discharge is into the river (stream) more than 1km upstream from the mouth of the river (so outside of the CMA as defined in the RMA).



Excerpt from lodged engineering plans.

If the discharge points for Metlifecare Whenuapai are still what you are proposing in the lodged application, we need a confirmation from you that you are applying for an activity that relates to the CMA.

Ngā mihi,

Zen

From: Philip Brown s 9(2)(a)
Sent: Thursday, March 23, 2023 1:01 PM
To: Zen Gerente s 9(2)(a)
Cc: Isobel Lee s 9(2)(a); Michelle Kemp s 9(2)(a); Fast Track
Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

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Hi Zen,

Thanks for your email.

The MHWS mark has not been surveyed at present on site, but is recognised as 3.3m RL. The position of that will potentially vary over time, but generally only by a very small amount over many years.

The applicant will be required to survey the MHWS mark as the process moves forward towards a resource consent application and development occurring on site. I can confirm that the coastal setback will be a minimum of 20m from the surveyed MHWS mark. That is a fundamental part of the proposal and the design has been prepared on the basis of that commitment, with buildings located beyond the 20m setback as indicated on the project masterplan. In the unlikely event that the 20m setback changes to any significant extent upon survey of MHWS, any minor amendments to the masterplan to accommodate that would be made at the time of resource consent application.

I presume that this addresses the query, as we discussed on the phone, but please let me know if anything further is required at this stage.

Ngā mihi

Philip Brown | Director

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From: Zen Gerente s 9(2)(a)
Sent: Thursday, March 23, 2023 12:48 PM
To: Philip Brown s 9(2)(a)
Cc: Isobel Lee s 9(2)(a); Michelle Kemp s 9(2)(a) Fast Track
Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

Thanks, Philip, for confirming that.

As discussed with you over the phone, the supplied site survey in the RFI does not include the surveyed MHWS which changes over time. It's only a topo survey and it's noted in the plan that MHWS is not surveyed. In the proposal, a minimum of 20m setback from MHWS will be imposed in your project. Without the surveyed MHWS, we could not confirm this. How could you ensure that this mitigation measure will be implemented in your project?

Regards,
Zen

From: Philip Brown s 9(2)(a)
Sent: Thursday, March 23, 2023 12:31 PM
To: Zen Gerente s 9(2)(a); Michelle Kemp s 9(2)(a)
Cc: Isobel Lee s 9(2)(a) Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

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Hi Zen,

Michelle is out of the office today, so I am responding on her behalf.

I can confirm that there are no consenting matters pertaining to the CMA. The outfall structure will be established above MHWS and therefore out of the CMA, and the discharge of stormwater will also occur to land – i.e. above MHWS and outside of the CMA.

All stormwater discharges will ultimately end up in the CMA. However, if the discharge point is above MHWS the discharge is considered to be a discharge of stormwater to land and does not raise any consenting requirements or issues with regard to the CMA. The distance of the discharge point from the CMA is not relevant to determining its consenting status, as the MHWS mark provides clear demarcation between the two separate sets of consenting requirements. The quality of the discharge (in terms of contaminants or sediment load) and the design of the outlet (to minimise erosion) are matters that would be addressed through the discharge consent aspect of the resource consent application.

I trust that this clarifies, but please let me know if anything further is required at this stage.

Ngā mihi

Philip Brown | Director

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From: Zen Gerente s 9(2)(a)
Sent: Thursday, March 23, 2023 11:14 AM
To: Michelle Kemp s 9(2)(a)
Cc: Isobel Lee s 9(2)(a); Philip Brown s 9(2)(a); Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

Hi Michelle

In your response to Item 4, you have indicated that no part of the project will occur in the coastal marine area (CMA). I understand you have confirmed from your engineer that no structures will be installed in the CMA. However, I have reviewed the stormwater plans and one of the outlets will discharge to the CMA. Could you please confirm that this is not the case? If this is the case, we need your confirmation that the project is partly occurring in the CMA due to stormwater discharge.

I hope I could receive a response from you within today.

Ngā mihi,

Zen

From: Michelle Kemp s 9(2)(a)
Sent: Wednesday, March 22, 2023 11:45 AM
To: Zen Gerente s 9(2)(a); Philip Brown s 9(2)(a)
Cc: Isobel Lee s 9(2)(a); Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: RE: [COMMERCIAL]RFI for Metlifecare Whenuapai

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Kia ora Zen,

See attached response to the request for further information on the Metlifecare Whenuapai project.

I trust that this information is sufficient to address the matters raised below. If you require any further information, please do not hesitate to contact me.

Kind regards | Ngā mihi nui

Michelle Kemp | Principal Planner | BSocSc (Hons) MEP | MNZPI

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From: Zen Gerente s 9(2)(a)
Sent: Monday, 20 March 2023 4:36 pm
To: Michelle Kemp s 9(2)(a); Philip Brown s 9(2)(a)
Cc: Isobel Lee s 9(2)(a) Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: [COMMERCIAL]RFI for Metlifecare Whenuapai

Hi Rebecca and Philip

Thank you for meeting us last Friday. Here is the list of matters that we need further information or clarification:

- Confirmation that the project will not impact on the easement registered on the title, in favour of the adjacent lot.
- A copy of the now MHWS and intended 20m setback.
- The project provides for a neighbourhood park in the general location intended by the Whenuapai Structure Plan (WSP). Please provide any additional information, if available on the size and use of the park intended by the WSP, or on any engagement had with AC on the space and access to it.
- Confirmation of any consenting requirements of works in the Ecological Area Overlay and the Coastal – General Marine Area.

- Whether any other approvals are required, have been obtained for works on land owned by others (i.e., road reserves) or for vesting of land included in the project (i.e., Auckland Transport). If not, whether obtaining any required approvals would impact on the timing of the project and therefore the investment certainty objective of the FTCA.
- Confirmation that the intended underground stormwater detention tanks are located outside of the 20m setback from MHWS and able to be delivered.
- Provision for wastewater is via a pump station proposed as part of the adjoining Totara Landing Project. As this work is yet to be consented and delivered, please confirm the project's viable alternative provision for wastewater to service the scope of the project.

To ensure there is sufficient time for the application to be considered through the referral process before the FTCA is repealed, it is suggested you compile and send the requested information in full as soon as possible.

Ngā mihi,

Zen Gerente (she/her)

*Senior Analyst | Kaitātari Matua
Fast Track Consenting Team*

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