

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)
Subject: FW: 1 Selfs Road advice to the MfE. [BS-SAGA.FID7247]
Date: Friday, 25 March 2022 2:22:08 pm

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Kia ora Max,

Please see below correspondence from Ngaati Whanaunga confirming that it is fine to proceed with fast-tracking.

Nga mihi

Andrew

Andrew Braggins

Partner



Berry Simons Environmental Law

Level 1, Old South British Building, 3-13 Shortland Street, Auckland
PO Box 3144, Shortland Street, Auckland 1140

T 09 969 2300 **D** 09 909 7310 **M** s 9(2)(a) **F** 09 969 2304
W berrysimons.co.nz

This communication is confidential information and may also be legally privileged, intended only for the persons named above. If this communication is not addressed to you, you must not use, read, distribute or copy this document. If you have received this document by mistake, please call us immediately (collect to the person and number above) and destroy this original message.
Thank you.

From: s 9(2)(a) >
Sent: Friday, 25 March 2022 12:54 pm
To: Lance Hessel s 9(2)(a)
Subject: RE: 1 Selfs Road advice to the MfE

Teena koe Lance

This is fine to progress with Fast Tracking In doing so that we consider the following factors which make the fast tracking process:

1. Acanthus will need to seek updated CVA's for the final resource consent designs (and consent conditions) prior to submitting the resource consent application;

2. Acanthus would be supportive of the Minister listing the iwi authorities who have provided a CVAs as persons/parties that the expert consenting panel must seek feedback from pursuant to section 24(2)(e) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 ("FTCA");
3. Section 6 of the FTCA is a stronger obligation than is found in the Resource Management Act 1991 as all persons exercising functions (including both the Minister and the Expert Consenting Panel) must act in a manner that is consistent with the principles of the Treaty of Waitangi and treaty settlements. Therefore, it seems that iwi authorities are in a stronger position under the FTCA than they are under the RMA;
4. The Minister's fast-tracking does not guarantee that consent will be granted.

Naa

Mike Baker

Environment Manager

Ngaati Whanaunga

Released under the provision of
the Official Information Act 1982

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)
Subject: FW: 1 Selfs Road advice to the MfE Te Akitai Waiohua response. [BS-SAGA.FID7247]
Date: Wednesday, 30 March 2022 9:58:36 am
Attachments: [Selfs Road COVID Fast track application 280322.pdf](#)

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Kia ora Max,

Please see **attached** comments from Te Ākitai Waiohua Waka Taua Incorporated confirming no objection to the fast-tracking process. It looks like they have used an MfE form and you may have this information already.

For the avoidance of doubt, Acanthus is committed to continuing to work with Te Ākitai Waiohua and the other relevant iwi authorities.

Lance is waiting on Edith from Ngati Tamaoho, I understand that she has verbally indicated no objection but we need to get that in writing which I expect in the next day or so.

I hope now that we have confirmation of no-objection from 3 iwi authorities, you can continue your reporting to the Minister (pending receipt of the final non-objection) so that this project can take the next step in consultation.

Happy to discuss if you have any further questions / queries.

Nga mihi

Andrew

Andrew Braggins
Partner



Berry Simons Environmental Law

Level 1, Old South British Building, 3-13 Shortland Street, Auckland
PO Box 3144, Shortland Street, Auckland 1140

T 09 969 2300 **D** 09 909 7310 **M** s 9(2)(a) **F** 09 969 2304
W berrysimons.co.nz

This communication is confidential information and may also be legally privileged, intended only for the persons named above. If this communication is not addressed to you, you must not use, read, distribute or copy this document. If you have received this document by mistake, please call us immediately (collect to the person and number above) and destroy this original message.
Thank you.

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	Te Ākitai Waiohūa Waka Taua Incorporated
Contact person (if follow-up is required)	Nigel Denny
	akitai.waka.taua@gmail.com
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Selfs Road
General comment	No objection if applicant continues to work with Te Ākitai Waiohūa
Other considerations	<p>Development is being constructed on a wāhi tapu and local maunga of Te Ākitai Waiohūa. The site location is the outer rim of a tuff crater called Ngā Kapua Kohuora (Crater Hill).</p> <p>The significance of Ngā Kapua Kohuora is unique to Te Ākitai Waiohūa for the following reasons:</p> <ol style="list-style-type: none">1. It is a former pa site of the iwi;2. The site directly adjoins the Waokauri Creek waterway, which originally fed the pa site, and Te Ākitai Waiohūa currently holds title to the bed of the creek as a Māori reservation;3. The site locally known as Crater Hill was given the official geographic name of Ngā Kapua Kohuora as part of the Te Ākitai Waiohūa Treaty of Waitangi settlement claim;4. The site is located just over a kilometre away from Pūkaki Marae, the main marae (meeting place) of Te Ākitai Waiohūa;5. The iwi was directly involved with litigation for the Self Family Trust v Auckland Council [2018] decision;6. The iwi was directly involved with the development of the nearby Puhinui Precinct. Although the zoning and location of the site sits outside of the Puhinui Precinct as it's separated by State Highway 20 (the southwestern motorway), from an iwi perspective Ngā Kapua Kohuora is still a singular maunga (mountain) that is viewed holistically as a wāhi tapu of special significance to the iwi; and7. The iwi submitted a cultural assessment for the project outlining these aspects.
[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.

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)
Subject: FW: Selfs Road Ngati Tamaoho not opposed to the Referral application. [BS-SAGA.FID7247]
Date: Thursday, 7 April 2022 12:13:38 pm
Attachments: [image001.png](#)
[image002.png](#)

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Kia ora Max,

When you have a minute it would be good to have a chat about this proposal now that you have had a chance to consider it in more detail.

Please see below the response from Ngati Tamaoho.

That now means that all of the relevant iwi authorities have confirmed that they do not oppose this project being fast-tracked.

Regards

Andrew

Andrew Braggins
Partner



Berry Simons Environmental Law

Level 1, Old South British Building, 3-13 Shortland Street, Auckland
PO Box 3144, Shortland Street, Auckland 1140

T 09 969 2300 **D** 09 909 7310 **M** s 9(2)(a) **F** 09 969 2304
W berrysimons.co.nz

This communication is confidential information and may also be legally privileged, intended only for the persons named above. If this communication is not addressed to you, you must not use, read, distribute or copy this document. If you have received this document by mistake, please call us immediately (collect to the person and number above) and destroy this original message.
Thank you.

From: Lance Hessel s 9(2)(a)
Sent: Thursday, 7 April 2022 12:07 PM
To: Andrew Braggins s 9(2)(a) Andrew Fawcet
s 9(2)(a); Olivia Manning <s 9(2)(a)>
Subject: FW: Selfs Road Ngati Tamaoho not opposed to the Referral application.

Hi all

I have now received the response below from Edith and Lucie.

Kind regards,

Lance Hessel | 

Senior Planner

M s 9(2)(a)

W www.civix.co.nz

A Level 8, 99 Albert Street, Auckland

From: Edith Tuhimata <s 9(2)(a)>

Sent: Thursday, 7 April 2022 12:02 pm

To: Lance Hessel <s 9(2)(a)>; Lucie Rutherford <rmaofficer@tamaoho.maori.nz>

Subject: Fast Tracking Application.

Tena Koe Lance,

Further to our conversation about our stance on the fast tracking of your project at 1 Selfs Rd. Lucille and I have spoken indepth about this project and we do not oppose the fast tracking subject to the following conditions:

1. We want to be updated around this project going into the future.
2. We want better and more meaningfully engaged with yourselves and the developer going forward.
3. We want to be updated about the concept design for the cultural opportunities going forward.

Nga Mihi,



Edith Tuhimata

Kaitiaki Talao

Ph:09 930 7823 s 9(2)(a)

128 Hingaia Road, Karaka,

PO Box 2721652, Papakura

Auckland 2244

www.tamaoho.maori.nz

[Subscribe to our e-panui](#)