





# 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	Greater Wellington Regional Council
Contact person (if follow-up is required)	Shaun Andrewartha – s 9(2)(a)
	Alisha Vivian s 9(2)(a)
	Click or tap here to enter text.

## Comment form

Please use the table below to comment on the application.

Project name	Waikanae North Project
General comment – potential benefits	No comment
General comment – significant issues	<p>The assessment and classification of the streams onsite is insufficient for GWRC to determine compliance with the Proposed Natural Resources Plan and the National Environmental Standards for Freshwater particularly as it relates to reclamation. The agent has subsequently advised GWRC that they will circulate a copy of this updated report to GWRC once prepared. We are happy to provide further advice to either MfE or the applicant including undertaking a site visit.</p> <p>As GWRC will be responsible for enforcing the conditions of consent (if granted), GWRC requests that the conditions of consent are consistent with similar developments consented by GWRC around the region.</p> <p>The proposal should achieve all relevant provisions of the Wellington Regional Growth Framework and the change to the Regional Policy Statement (to be notified 19 August), particularly as it relates to density and transport.</p>
Is Fast-track appropriate?	GWRC does not hold any concerns with the suitability of the proposal for the Fast-track consenting process. However we note further consultation with GWRC in relation to stream reclamation and wetland delineation should occur.
Environmental compliance history	Bulletin Trust do not have any recorded compliance history with Greater Wellington Regional Council
Reports and assessments normally required	<ul style="list-style-type: none"> <li>- <b>Ecological/Hydrological Assessment</b> This assessment should include the identification and delineation of all natural wetlands and streams on site and assess the potential effects (including hydrological changes, loss of habitat and any mitigation and offsetting measures). A hydrological assessment should be provided to assess if the proposed works will result in complete or partial drainage of any natural wetlands identified on the site.</li> <li>- <b>Wetland Restoration Plan</b></li> </ul>

	<p>The restoration plan should include all information set out in Schedule 2 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F).</p> <ul style="list-style-type: none"> <li>- <b>Erosion Sediment Control Plan (ESCP)</b> At a minimum a draft ESCP would need to be submitted with the application, but it is preferred if a final ESCP is submitted with the application. This should include calculations which show adequate sizing of all erosion and sediment devices. This should be prepared in accordance with the relevant GWRC guidelines.</li> <li>- <b>Operational Stormwater Assessment/Infrastructure Report</b> Water Sensitive Urban Design measures will be required to minimise contaminants discharged from the site. Policies P73 and P79 of the Proposed Natural Resource Plan provide good guidance for preparing this report.</li> </ul>
<b>Iwi and iwi authorities</b>	<p>Te Rūnanga o Toa Rangatira Ngā Hapū o Ōtaki</p>
<b>Relationship agreements under the RMA</b>	N/A
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	<ol style="list-style-type: none"> <li><b>1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?</b>  Greater Wellington has not identified any reasons why the application should proceed through the RMA as opposed to the FTCA. However further clarification regarding stream reclamation and wetland delineation is required. We would seek that conditions imposed on the consent (if granted) are consistent with conditions imposed on other similar developments, and sufficient to manage the adverse environmental effects from the development.</li> <li><b>2. What reports and assessment would normally be required by the Council for a project of this nature in this area?</b>  Please see above.</li> <li><b>3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</b>  Please see above.</li> <li><b>4. The applicant has provided an ecological assessment, prepared by WSP New Zealand Limited that identifies five natural wetlands on the project site. Can you confirm if you accept/agree with WSP's assessment of the location and extent of the natural wetlands on the project site, and if you agree with the applicant that the project will not involve any prohibited activities under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F)?</b>  Greater Wellington is unable to confirm agreement regarding the delineation of the wetlands on site and would request a site visit with the applicant.  As noted above we would be willing to be consulted with further in relation to stream reclamation and effects on wetlands/wetland delineation.</li> </ol>
<b>Other considerations</b>	N/A

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.

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<b>Local authority providing comment</b>	Kapiti Coast District Council
<b>Contact person (if follow-up is required)</b>	Vijay Soma
	Resource Consents and Compliance Manager
	s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Waikanae North Project (99 & 103 State Highway 1, Waikanae, Wellington)
<b>General comment – potential benefits</b>	<p>Like many areas in New Zealand, the Kāpiti Coast District is experiencing increasing demand for housing, pressure on its public housing services and increasing need for a range of affordable housing options.</p> <p>In Kāpiti, this demand is being driven in part by improving transport infrastructure, strong population growth and the impact of Covid 19.</p> <p>Kāpiti is severely under serviced by social, transitional and affordable housing options. Currently there are approximately 200 social housing units (for a population of 56000) across the district managed by central government and community housing providers.</p> <p>There is high demand and need for housing across the district, including the Waikanae area. This development would help meet demand for standalone and medium density developments across the Waikanae area. In particular, the provision of smaller medium density development typologies would help improve choice to better meet and better reflect demand in the Waikanae area, which has higher rates of single and couple occupant households than elsewhere in the district.</p> <p><b>Economic Output Building and Construction sector</b></p> <ul style="list-style-type: none"> <li>- The Building and Construction sector is a significant employment sector and contributor of GDP to the local economy.</li> <li>- The Building and construction industry contributed \$214m towards GDP in Kapiti Coast District in the year to March 2020. This amounted to 9.8% of Kapiti Coast District's total economic output in 2020, up from 8.4% in ten years prior.</li> <li>- Economic output in Kapiti Coast District's Building and construction industry grew by 3.2% in the year to March 2020 compared with growth of 1.9% in the industry nationally.</li> </ul>

	<ul style="list-style-type: none"> <li>- Growth in the Building and construction industry in Kapiti Coast District has averaged 3.6% since 2000. Growth peaked at 12.1% in 2016.</li> <li>- The Building and construction industry employed 2,923 persons in Kapiti Coast District in the year to March 2020, which was up from 2,173 in ten years prior.</li> <li>- Employment growth in Kapiti Coast District's building and construction industry averaged 2.9% in the year to March 2020, compared with growth of 3.0% in the industry nationally.</li> </ul> <p><b>Summary</b></p> <p>The Kapiti Coast District will benefit substantially from the provision of an increase in housing at appropriate locations where it can be serviced and develop in a sustainable manner. The proposal would result in a number of new units, both medium density as well as stand alone, increasing the range and options availability to the District's residents and contributing to the economic growth of the District through construction activities, employment and flow on benefits.</p>
<p><b>General comment – significant issues</b></p>	<p>The proposed site is zoned General Rural (Waikanae North Eco Hamlet Precinct), the objectives and policies for this zone anticipate the protection of rural character and amenity and minimise landform modification.</p> <p>Potential issues identified include:</p> <ul style="list-style-type: none"> <li>• Loss of rural character and amenity,</li> <li>• Ad hoc development in the absence of a structure plan for the wider area,</li> <li>• The creation of residential style lots in a rural zone creating on-going non compliances with the District Plan which has standards designed for rural properties such as setbacks from boundaries which would restrict future owners of the lots (for example the rural side yard setback is 5m and the front yard setback is 10m, therefore, if a future owner wanted to construct a new shed or other structure or building they would need to apply for a resource consent to not meet these),</li> <li>• The capacity of the existing water and wastewater network for this area is currently unknown as it is not within the modelled residential zone,</li> <li>• Effects of the stormwater discharge from the site on the Kakariki Stream and wider environment,</li> <li>• Potential loss of rural production land,</li> <li>• Effects on the ecological site which appears to have had some previous un-consented clearing,</li> <li>• The appropriate mitigation of the ponding flood hazard.</li> </ul> <p>While the above issues have been identified, they potentially are able to be mitigated through the design of the development, additional information, infrastructure modelling and upgrades where necessary as well as conditions of consent, if the development was considered appropriate to proceed.</p> <p><u>Effects on Neighbouring Properties</u></p> <p>Council has also identified a rural property at 101 State Highway 1, Waikanae (Lot 2 DP 87123 INT IN ROW &amp; EMNTS) that would be surrounded by the development area, as well as being directly adjacent to the proposed medium density development. Council would be opposed to any process that does not allow this party to have their views heard and fully considered. Within the rural zone we consider that the owners and occupiers of</p>

	<p>this property could rightfully expect to be surrounded by rural style properties and this development would be a significant departure to what could be generally anticipated for the site and the zone.</p> <p>In addition to this property, we would expect that all neighbouring properties are consulted with, and the effects on them in terms of lost rural character and amenity as well as construction and other effects, are considered.</p> <p>Council has a responsibility to all rate payers in the District to ensure that they have the opportunity to be heard in the resource consent decision making process where the proposal has the potential to adversely affect their property. If this project was referred by the Minister and granted by an expert consenting panel then these owner would have no rights to appeal the decision. Therefore, in this regard Council considers that a resource consent process would be more appropriate, unless the written approval of the affected property owner were obtained. In particular, the owner of 101 State Highway One, Waikanae.</p> <p><u>Effects on Ecological Site K065</u></p> <p>This property includes the ecological site (K065 - Waikanae North Scrubland) in the Proposed/Operative District Plan. Proposed District Plan rules relating to significant indigenous vegetation or areas of significant habitats of indigenous fauna (including ecological sites) have immediate legal effect, as outlined on pages 1-3 to 1-4 (chapter 1) of the Proposed District Plan. Under the Proposed District Plan, buildings and earthworks within an ecological site, and within 5m of an ecological site, require resource consent.</p> <p>This ecological site (K065 - Waikanae North Scrubland) is also an important stepping stone between Hemi Mātenga and Jack's Bush and the Te Harakeke Wetland and is identified as part of an potential ecological corridor in the Open Space Strategy.</p> <p>Sometime between 2013 and 2017 a significant proportion of the edge of this ecological site was cleared. This has been carried out without consent. This boundary of the ecological site was updated in 2005. There have been ongoing issues with the management of this ecological site. Any development on this site should considered the effects on the ecological site, including reinstatement and mitigation.</p>
<b>Is Fast-track appropriate?</b>	<p>Council considers that overall, the proposal is appropriate to proceed through the Fast Track process, as opposed to a Council run resource consent process, provided that the rights and interest of the property owners of 101 State Highway 1, Waikanae, as well as other neighbouring property owners, are not compromised. As these parties would lose the right to appeal should this application proceed via fast track, their interests and any concerns would need to be fully considered and addressed through the process.</p> <p>A discussion on whether a consent process, as opposed to a plan change or other process, is appropriate, is considered below.</p> <p>Council does have concerns with regards to restrictions that the current zoning of the land presents. This is in relation to infrastructure servicing and the development of a rural property for residential uses, which has not factored into Council's planning to date.</p>
<b>Environmental compliance history</b>	No issues within the district.
<b>Reports and assessments normally required</b>	<p>The following reports and assessments would normally be required:</p> <ul style="list-style-type: none"> <li>- Environmental Management Plan</li> <li>- Integrated Transport Assessment Report (ITA)</li> <li>- Earthworks and Sediment Control Assessment</li> <li>- Landscape and Visual Effects Assessment</li> <li>- Land Productivity Report</li> </ul>



	<ul style="list-style-type: none"> <li>- Ecological Impact Assessment</li> <li>- Infrastructure Assessment and Stormwater Management Plan</li> <li>- Archaeological Assessment</li> <li>- Cultural Impact Assessment</li> <li>- Landscape and Architectural Plans and Site Plans.</li> <li>- Geotechnical Assessment</li> <li>- Reserves Management Plan</li> <li>- Detailed Water and Wastewater modelling</li> <li>- Stormwater: <ul style="list-style-type: none"> <li>o Concept Plan with supporting design statement (including site investigation, catchment plan and calculations, hydraulic modelling [Q2, Q5, Q10 and Q100] and comprehensive engineering detail [incorporating projected climate change] demonstrating hydraulic neutrality, seasonal groundwater levels, flood hazard mitigation, secondary flow paths, and the disposal, conveyance and treatment of stormwater.</li> <li>o Ground truthing of land elevations</li> <li>o Hydraulic Modelling and ecological input for all street diversions</li> <li>o Engineering design confirmed via modelling</li> </ul> </li> </ul>
Iwi and iwi authorities	Āti Awa ki Whakarongotai
Relationship agreements under the RMA	<p>Council has a Memorandum of Partnership with the three iwi authorities for the District:</p> <ul style="list-style-type: none"> <li>- Te Runanga o Toa Rangatira Inc</li> <li>- Ātiawa ki Whakarongotai Charitable Trust</li> <li>- Nga Hapu o Otaki</li> </ul>
Insert responses to other specific requests in the Minister's letter (if applicable)	<p>1. <u>Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?</u></p> <p><b>Response:</b> As above, provided that the interest of the residents of the District that are potentially affected by the proposal are taken into account in decision making, the Council considers that the Fast Track process is appropriate when compared to a Council led resource consent process.</p> <p>2. <u>What reports and assessments would normally be required by the Council for a project of this nature in this area?</u></p> <p><b>Response:</b> As set out above</p> <p>3. <u>Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?</u></p> <p><b>Response:</b> No known issues.</p> <p>4. <u>Does the Council have an indicative or planned timeframe for re-zoning of 'Medium priority greenfield growth areas' identified in the 'Te tupu pai – Growing well' growth</u></p>

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**Response:** Rezoning of greenfield areas identified in the Growth Strategy may occur either through private plan changes, or through Council initiated plan changes.

Council has yet to decide which areas it may wish to lead a rezoning process of. However:

- Council has indicated in its Long Term Plan 2021 – 2041 that an urban development plan change is scheduled to be publicly notified in 2024 (p.254). Detailed scoping of this plan change is expected to occur over the next 6 months.
- The Growth Strategy indicates this plan change is likely to have a greenfield focus.

5. Are there any known structure planning or plan change processes in progress that apply to the project site and may be relevant to the project, and if not, do you consider it appropriate for the project to be developed in this location ahead of a structure plan and plan change process?

**Response:** There are no known structure planning processes in progress that apply to the project site.

However, Council's Intensification Plan Change (Plan Change 2) is relevant to the project, because:

- Plan Change 2 incorporates the MDRS into the Operative Kapiti Coast District Plan, and gives effect to Policies 3 and 4 of the National Policy Statement for Urban Development 2020. Council anticipates the approach taken to these national directives in Plan Change 2 would provide the template for future rezonings to follow. Variations from this approach will make the District Plan unnecessarily complex and create implementation issues for plan users and Council.
- Plan Change 2 also proposes to rezone some small areas of land to General Residential Zone. It is possible that further proposals may be advocated by submitters, potentially including land in or around the area subject to this proposal. Whether or not such submissions will occur will not be known until after submissions close, and even if they are received, whether or not they lead to changes to Plan Change 2 will not be known until Council (or the Minister) makes the final decision on that plan change.
- Plan Change 2 includes a number of other components that are potentially relevant to this land, including but not necessarily restricted to:
  - o amendments to the financial contributions chapter;
  - o new provisions enabling papakāinga housing developments; and
  - o replacing all references to Council's Subdivision and Development Principles and Requirements 2012 document with a reference to Council's Land Development Minimum Requirements, April 2022 document.

On 28 July Plan Change 2 was approved by Council for public notification. Notification will occur on 18 August, with submissions closing 15 September.

Council also has a number of other plan change processes in progress. These can be viewed on our website.

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With respect to whether it is appropriate for the project to be developed in this location ahead of a structure plan and plan change process

**Response:** the optimal outcome from an urban design and infrastructure planning perspective would be to avoid ad hoc development of sites within this area until a structure plan for the wider area in which it sits was developed and incorporated into the District Plan.

For an indication of the possible extent of a wider area that could be subject to a future structure planning process, and further indication of why structure planning would be beneficial for this area, please see discussion of the area “WA-02B” in the “Kāpiti Coast Urban Development Greenfield Assessment” (Boffa Miskell, July 2022). (Please note this is also Attachment 16 to the section 32 report for Plan Change 2).

6. The applicant has indicated that the project can be adequately serviced for three-waters. Do you have any concerns about the availability and capacity of three-waters

**Response:** The Council has completed water and wastewater modelling according to the residential zoned areas of the district plan. The proposed development is outside of these areas. Therefore, there is a need to assess the water and wastewater models to identify the capacity of the existing reticulation and pipe upgrade requirements, pump station and water reservoir storage requirements. The most important part is the requirement for and impact on the effluent discharge consent, which has already been lodged with the Greater Wellington Regional Council. At this stage it is not known if the proposal can be serviced using the existing infrastructure.

The costs of any infrastructure upgrades required, would need to be met by the developer and undertaken to meet Council standards.

The only reference to stormwater in the application is ‘infrastructure servicing associated with the subdivision and development, including roads, parking, and three waters infrastructure including the creation of a stormwater detention basin to ensure hydraulic neutrality is achieved as part of the development.’

The application may involve the following:

- Subdividing land;
- Bulk earthworks that include discharges to land and water, stream reclamation, minor culverting works, and erosion and sediment control;
- Earthworks and development within Flood Hazard (ponding) areas;
- Constructing residential units;
- Developing open space, including planting of the ecological site;
- Diverting and discharging stormwater run-off within 100m of a wetland;
- Earthworks within 10m of a wetland;
- Constructing infrastructure for three waters services;
- Constructing roads, vehicle access, and other transport infrastructure including a culvert over the Waimeha Stream

In terms of stormwater, there is no reticulated network, with the open channel network running along the boundary of the site discharging ultimately into the Kakariki Stream. This need to be modelled to confirm effects upstream and downstream.

Council is in the final stages or re-building its flood hazard models, with expectancy to have the new models within the next 3-6 months.

	<p>Council has recently adopted the Stormwater Management Framework, so information around how the applicant will go about ensuring natural systems to continue to function and are not degraded or lost as a result of the development is required. Design to incorporate ways to enhance existing natural ecosystems and water quality should also be considered.</p>
Other considerations	<p><b>Roading Comments:</b> Given the scale of the proposed development a broad ITA (as defined in NZTA Research Report 422) will be required. A broad ITA is required as the development has impacts that extends the need to consider adjacent blocks, including access from other important traffic generators nearby plus other more seemingly remote network streets and intersections. This would require strategic assessment of the location, evaluation of neighbouring land uses and transport networks, consideration of a range of travel modes, surveys and extensive traffic modelling. It should also extend to an assessment of matters such as the degree of effect on other road users (e.g. pedestrian crossings and cycling facilities) or improving traffic facilities, including such matters as intersection upgrades and changing of speed limits (on SH1). The ITA should also include an assessment of the transport network form and geometric layout in accordance with Austroads Design Guides, NZS4404:2010 and the Councils SDPR 2012 and LDMR 2022.</p> <p>Waka Kotahi should be consulted with regards to effects on the Road (previous State Highway One)</p>

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<b>Organisation providing comment</b>	Waka Kotahi NZ Transport Agency
<b>Contact person (if follow-up is required)</b>	Kathryn Millar-Coote, Team Lead Environmental Planning
	environmentalplanning@nzta.govt.nz
	Our reference 2022-0738

### Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Waikanae North Project
<b>General comment</b>	<p>The proposal to fast-track consent for the Waikanae North Project area ahead of other higher priority future growth locations could present hurdles for assuring a sound integrated transport and land use system.</p> <p>Outcomes from the Wellington Regional Growth Framework, in particular coordinated planning between Kapiti and Horowhenua for deciding sequencing of growth areas, has not been decided. Whilst the Waikanae North Project site is identified in Kapiti Coast District Council's (KCDC) growth strategy (page 16) as a medium-priority greenfield growth area, development is expected in the medium term of the 30-year strategy. This application, if accepted, would considerably accelerate that timeframe, and potentially reduce uptake of higher priority growth areas in the short-term. The timing is therefore considered to be out of sequence.</p> <p>Considering alignment with the promotion of urban development that reduces travel distances and lowers reliance on private vehicles, and KCDC's growth strategy, a future rapid transit stop is identified in the vicinity of the site however there are currently no plans to build this. The Wellington Rail Program Business Case from GWRC (June 2022, currently under review) shows that for Waikanae station it is intended to increase capacity through higher frequency services. This reinforces the need for good active mode connections to the town centre and rail station for regional connectivity, a critical aspect of development to reduce vehicle kilometres travelled. These connections are unclear in the application.</p> <p>At present the Waikanae North Project layout and transport connections rely heavily on timing of adjoining development in Manu Park and the extension of local roads to connect with the site. Timing of connections cannot be assured which is a further concern with out of sequence development. If appropriate connections for all modes of transport are not available when homes are occupied, future residents will need to use Main Road (old state highway 1), and that will bring about traffic safety issues as well as discouraging mode share whilst encouraging private motor car use.</p>

	<p>If the project were referred under the fast-track process it would limit the usual ability to reach a good integrated transport and land use solutions.</p>
<p><b>Other considerations</b></p>	<p>Given the current zoning of the site, any proposals for urban development should be subject to the robust and participatory plan change process so that all effects can be appropriately considered and assessed.</p> <p>Main Road is gazetted as a Limited Access Road under the Government Rounding Powers Act 1989 (GRPA) and formally remains a state highway under the control of Waka Kotahi NZ Transport Agency (Waka Kotahi) at this time.</p> <p>The application overlooks the necessity for approval under the GRPA which should be addressed if this application is referred. Critically, approvals would be required under sections 93 and 51 of the GRPA to form an intersection connection with Main Road. Pursuant to s93, Main Road cannot be considered a road for the purposes of subdivision “except for such purpose, to such extent, and on such conditions” as notified by Waka Kotahi.</p>
<p><b>[Insert specific requests for comment]</b></p>	<p>That Waka Kotahi is considered a key stakeholder to this project, given the potential for adverse effects on the state highway network and the Limited Access Road status of Main Road. If referred, we would ask the expert consenting panel to direct the applicant to consult with Waka Kotahi, with the express requirement to gain approval from Waka Kotahi under the Government Rounding Powers Act 1989 for intersection design of the new local road connection with Main Road.</p> <p>Dwellings within the first 100m from the state highway road boundary will be impacted by noise and vibrations from the road and fall within the identified ‘reverse sensitivity’ buffer and effects areas. This has been overlooked in the application with the potential for negative health and safety impacts on future residents. All housing within the identified ‘reverse sensitivity’ buffer and effects areas need to be managed in accordance with the Waka Kotahi ‘Guide to the management of effects on noise sensitive land use near to the state highway’ <a href="https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf">https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf</a>.</p>

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