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B&A
Urban & Environmental

17 August 2026

Fast-track Operations, Secretary for the Environment
Attn: Stephanie Frame and Ashiley Sycamore
Via email: contact@fasttrack.govt.nz

Dear Stephanie,

Response to request for further information – FTAA-2607-1270 – Stillhaven

We refer to the Secretary's letter dated 12 August 2026 requesting further information on the referral application for the Stillhaven project (the Project) under section 14(3A) of the Fast-track Approvals Act 2024 (the Act).

Notification/consultation – section 11(1)(b)(ii)

Waikato-Tainui were consulted during the preparation of the fast-track referral application, alongside Ngāti Reko, Ngāti Hauā, and Ngāti Māhanga.

As evidence of this engagement, email correspondence between B&A and representatives of Waikato-Tainui has been provided. This correspondence relates to consultation on the project and includes coordination of dates and arrangements for a site walkover.

The attached correspondence demonstrates that Waikato-Tainui were informed of and engaged on matters relating to the proposed project and referral application.

Treaty settlements – section 13(4)(j)

The Project is not located on land returned under a Treaty settlement and does not fall within a Treaty settlement statutory acknowledgement area. No Treaty settlement redress therefore applies directly to the Project area, and the application's response to this question was intended to reflect that position.

However, we confirm that a Treaty settlement is relevant to the Project, as the site lies within the catchment of the Waikato River. We set out below a list of that settlement, and a summary of the relevant principles and provisions, for the purposes of section 13(4)(j) of the Act.

Treaty settlement	Relevant principles and provisions
Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010	Gives effect to the Deed of Settlement between the Crown and Waikato-Tainui signed on 17 December 2009. Has an overarching purpose to restore and protect the health and wellbeing of the Waikato River for future generations.

	Section 9(2) confirms that Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) applies to the Waikato River and to activities within its catchment that affect the river. Under the Act, the Vision and Strategy is the primary direction-setting document for the Waikato River and its catchment, and prevails over an inconsistent national policy statement, including the National Policy Statement for Freshwater Management 2020, to the extent of the inconsistency.

The Project's stormwater management strategy (detailed in the Infrastructure Memorandum, **Attachment 8**) has been developed with regard to these principles, including provision of stormwater quality treatment, attenuation of peak flows to 80% of pre-development levels, secondary flow paths for events up to the 100-year rainfall event, and best-practice erosion and sediment control, to support the restoration and protection of the health and wellbeing of the Waikato River. Engagement with Waikato-Tainui on these matters is ongoing, as addressed further in our separate response to item 1.

Other consents, certificates, designations, concessions, and legal authorisations – section 13(4)(t)

Having reviewed this matter further, the applicant confirms that the following consents, certificates, designations, concessions, and other legal authorisations (other than the approvals sought as part of this referral application, including Wildlife and Complex Freshwater Fisheries Approvals) are currently considered necessary to authorise the Project:

- Building consents under the Building Act 2004, to be obtained prior to construction of buildings and infrastructure;
- Approvals from network utility operators (including for water, wastewater, stormwater, telecommunications and electricity connections) for new connections to, and works affecting, existing network utility infrastructure; and
- Engineering approvals from Waikato District Council under its standard infrastructure/land development requirements, in relation to new roads and reserves proposed to vest in Council.

We confirm that no approval under the Heritage New Zealand Pouhere Taonga Act 2014 is currently anticipated. This is consistent with the Archaeological Assessment (**Attachment 14**) and Heritage New Zealand Pouhere Taonga's pre-lodgement response of 22 July 2026, which did not identify a requirement for an Archaeological Authority. An Accidental Discovery Protocol will nonetheless be implemented, and engagement with Heritage New Zealand and iwi/hapū will continue as required if archaeological material is encountered during works.

The application's response of "N/A" to this question was intended to reflect that, beyond the matters above (which are standard construction and connection-stage approvals for a development of this scale, and are not required to authorise the Project's referral or substantive approvals), no further consents, certificates, designations or concessions have been identified as necessary. We acknowledge that this was not made clear in the application, and confirm the position set out above supersedes that response.

Complex freshwater fisheries activities approvals – section 13(2)(d) and Schedule 9

We confirm that in-stream structures are not currently anticipated as part of the Project, and that fish passage is intended to be retained across the site's watercourses in accordance with the National Environmental Standards for Freshwater 2020 and the New Zealand Fish Passage Guidelines.

The Complex Freshwater Fisheries Approval identified in the application does not relate to a proposed in-stream structure. Rather, it reflects the potential presence of at-risk and taonga freshwater fish species within the on-site waterways, as identified in the Ecological Memorandum prepared by EcoResto (**Attachment 7**). That assessment identifies that the on-site channel network may provide habitat for inanga (Galaxias maculatus), brown mudfish (Neochanna apoda), black mudfish (Neochanna diversus – classified as Nationally Vulnerable) and longfin eel/tuna (Anguilla dieffenbachii). Should the presence of these species be confirmed through further investigation, authorisation may be required from the Department of Conservation for their salvage, relocation and/or incidental disturbance during earthworks and vegetation clearance. Accordingly, the Complex Freshwater Fisheries Approval has been identified as a proposed approval on a precautionary basis, to provide for fish salvage, relocation or incidental take that may be required, rather than for any in-stream works.

By way of a general description of the activities anticipated to require this approval, for the purposes of clause 2 of Schedule 9 of the Act:

- the salvage and relocation of indigenous freshwater fish species (including inanga, brown mudfish, black mudfish and longfin eel) from watercourses within the works area, prior to and during earthworks and vegetation clearance; and
- any incidental disturbance, injury or death of these species that may occur as a result of construction activities within or adjacent to the on-site watercourses.

The specific extent and location of these activities will be confirmed following further specialist investigation, and will be detailed in the substantive application.

Please let us know if any further information or clarification would assist. We trust the above satisfies the Secretary's request under section 14(3A) of the Act.

Yours sincerely

Barker & Associates Limited





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s 9(2)(a)

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