

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Arawhata Wetland Project
Application number: PJ-0000871
Date received: 27/02/2023

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Manawatū-Whanganui Regional Council (Horizons)

Contact person: Logan Brown

Job title: Freshwater & Partnerships Manager

s 9(2)(a)

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Postal address:

Private Bag 11025

Manawatū Mail Centre

Palmerston North 4442

Address for service (if different from above)

Organisation: Resource Management Group Ltd

Contact person: Jason Jones

Job title: Principal Consultant

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Postal address:

C/- Urban Hub

Level 2, 318 Lambton Quay

Wellington 6011

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

Manawatū-Whanganui, New Zealand. As shown on the plans at Attachment 2, the site comprises approximately 119ha of land to the immediate south of Lake Horowhenua, including 308 and 269 Hokio Beach Road and 217 Arawhata Road, Levin. The project also includes maintenance and minor upgrade activities to existing drains within the road reserve controlled by Horowhenua District Council.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

Refer **Attachment 1**.

Comprises:

- LOT 3 DP 412121;
- SECS 3 SO 465440;

- SECS 4 SO 465440;
- HOROWHENUA 11A2 Block; and
- Road reserve in Arawhata Road and Hokio Beach Road.

Registered legal land owner(s):

Refer **Attachment 1**.

The Applicant, Horizons, owns the land where the wetland complex is being constructed. Horowhenua District Council ("HDC") also own adjoining road reserve within which maintenance and minor upgrades are proposed to existing drains.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The Applicant, Horizons, has a legal interest in the land where the wetland complex is being constructed as owner. There are a number of drains that sit within the land and adjoining road reserve where maintenance and minor upgrades are proposed. Those drains are part of the Hokio Drainage Scheme and/or are identified in the Horizons One Plan as having particular flood control or drainage values. The Hokio Drainage Scheme was originally constructed as a network of water races to provide stock water and has been modified over time to provide for land drainage. It involves approximately 30.7 kilometres of drainage channels that discharge to the Arawhata Stream and then into Lake Horowhenua. The Scheme is now managed by Horizons, as the Regional Council. The Drainage South compartment of the Hokio Scheme which is a focus of this proposal involves a network of drains bounded by Arawhata Road, State Highway 1, Hokio Beach Road and Buller Road. These drains collect water flow from a number of horticultural drains and sediment run off points from properties within the catchment during high flow and flood occurrences. Those drains that have scheduled flood control or drainage values are subject to bespoke provisions under the Horizons One Plan to enable Horizons to carry out drainage works with a low level of regulatory stringency.

Part III: Project details

Description

Project name: Arawhata Wetland Project

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

The Arawhata Wetland project will enhance the water quality of Punahau/Lake Horowhenua ("the Lake") through the construction of engineered treatment wetlands and restoration of previously drained natural wetlands in the Arawhata Stream catchment. Presently, the Lake is one of the most degraded lakes in Aotearoa New Zealand. The project will also enhance cultural and ecological values of the Lake and its surrounds.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

CONTEXT

The water quality of the Lake is very poor. Of the Lake's tributary inflows, the Arawhata Stream contributes the largest amount of nitrogen to the Lake. Concentrations of nitrogen in the Arawhata Stream are higher than the drinking water standard and are likely toxic to a range of fish species. The Arawhata Stream's median nitrogen concentration (total oxidised nitrogen) is the second highest in New Zealand and the highest in the region. Arawhata Stream is also the

single largest source of sediment and phosphorous to the Lake. Horizons is taking multiple steps to address these contaminants and reverse the trend of Lake degradation.

Current environmental works around the Lake have been boosted by the Mahi mō te Taiao – Jobs for Nature Horowhenua (Waiopēhu) Freshwater Management Unit Water Quality Interventions project (2021-2024) (the “Water Quality Interventions Project”). This support comes from Central Government funding and is complemented by Horizons (a total of \$12.5 million; \$11.2 million from Central Government and \$1.3 million from Horizons).

One of the key components of the wider Water Quality Interventions Project is the construction of a wetland complex in the Arawhata sub-catchment of the Lake. The wetland complex will be constructed to improve the mauri and water quality of the Lake with Te Mana o te Wai at the forefront of the project. It will also consider economic, social and recreational opportunities including through enabling future development. Horizons has purchased a 142ha dairy farm in the Arawhata catchment for the above purposes. It is anticipated that some 45 jobs will be created over the life of the project.

The Water Quality Interventions Project also aims to further characterise the surface and groundwater of the Waiopēhu Freshwater Management Unit (FMU) to improve understanding of the flow paths to the Lake, connections between catchments within the FMU and the state of the Ōhau and Waikawa estuaries.

The Water Quality Interventions Project has also resulted in the establishment of a Governance Group which includes Horizons, Horowhenua District Council, Lake Horowhenua Lake Trust, Muaūpoko Tribal Authority, Te Rūnanga o Raukawa, and Ministry for the Environment (MfE) representation. A number of community stakeholder groups are also engaged with regularly on the Water Quality Interventions Project, through a Community Stakeholder Group, with input from the Governance Group.

A Wetland Design Group and a Mātauranga Rōpu (Kāhui Ārahi) have been established as part of the technical team for the wetland complex proposal, to assist with developing the wetland design.

This work leads on from the [Lake Horowhenua Accord](#) established in 2013, where five parties representing Muaūpoko owners, community interests and statutory bodies agreed to work together to provide leadership and halt degradation of Lake Horowhenua and Hōkio Stream. Past and ongoing initiatives, and funding, include investments in sediment traps, lake weed harvesting, fish passage around the Lake Horowhenua weir, riparian fencing and planting, working with horticultural growers in the Horowhenua District to maximise nutrient use and reduce leaching to waterways, and developing sediment and erosion control plans for horticultural growers.

PURPOSE

As noted above, the Arawhata Stream, is high in nitrogen, phosphorus and sediment. The Stream’s outflow into the Lake affects the Lake’s water quality, which itself is in a highly degraded state. The purpose of the proposal is to enable the construction, operation and maintenance of a new wetland complex to enhance water quality, ecology and cultural values of the Lake and to enhance the relationship of Māori and their culture and traditions with their ancestral lands, water, sites and other taonga, while enabling benefits to other stakeholders and the community at large.

OBJECTIVES

The objectives of the Arawhata Wetland Complex project are to:

- contribute to the enhancement of the Mauri and water quality of the Lake through reducing contaminant flows into the lake, in combination with other measures in the lake environs;
- reduce sediment and nitrogen loads into the lake;
- design, construct, operate and maintain the wetland complex in a manner that is culturally appropriate with Mātauranga Māori input;
- ensure the project is feasible and can be phased to align with funding available; and
- enable the proposed wetland complex to provide for social amenity (kai, job creation etc.), recreational opportunities and connectivity to other high amenity features in the local vicinity.

ACTIVITIES

A range of works/activities are proposed as part of the wetland complex. The relevant consents and approvals likely to be required are set out below. A summary of compliance considerations for national, regional, and district planning instruments that wil or may be relevant to the proposal is also included at **Attachment 5**.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

It is proposed that the wetland complex will be developed over three phases, with the key components of each phase described in **Attachment 2**, at pages 3-4 and Attachments 1-3. Only Phase 1 and Phase 2 are relevant to this application for referral. A summary of Phase 3 has been included for information purposes only, with works in this phase to be authorised separately, at some later date in the future.

Consents / approvals required

Relevant local authorities: Horizons Regional Council, Horowhenua District Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Refer Attachment 1	Horowhenua District Plan	Rural	Flood Hazard; Versatile Soils; Gas Transmission Pipeline; Coastal Lakes Domain; Levin Ohau Domain	Nil
Refer Attachment 1	Horizons One Plan	Lake Horowhenua & West Coast: Lake Papaitonga Surface Water Management Zones; Horowhenua Groundwater Management Zone; Lake Horowhenua Target Catchment (Water management sub-zone)	Schedule B: Flood Control & Drainage; Schedule B: Domestic Food Supply; Schedule B: Life supporting capacity (Lowland Mixed);	Nil

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Horowhenua District Plan	Rule 19.3.3	Volume of earthworks within the Flood Hazard Overlay exceeding the	Restricted Discretionary	The majority of the proposed wetland is located within the Flood Hazard Overlay

		threshold (20m3) permissible within any 12 month period		
Horowhenua District Plan	Rule 19.6.9	Construction methods have not been finalised to date. There is a potential that works may contravene limits for vibration. Until this assessment is made the potential for consent is identified here.	Restricted Discretionary* * to be confirmed	Compliance is yet to be confirmed. Construction works involving vibration will be proposed throughout the site at times.
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	Regulation 5	Compliance under the NES-CS is yet to be finalised. A PSI exists but a DSI is being commissioned.	To be confirmed	A DSI will be commissioned prior to lodgment to confirm any relevant consent requirements under the NES-CS.
National Environmental Standards for Freshwater 2020	Regulations 62, 64, 69, 72 & 73	A weir is proposed adjacent to the existing sediment trap on the southern shores of the Lake. Design of the weir is yet to be finalised, but this has been identified as a potential consenting requirement in the event one or more of the permitted conditions under regulation 72 cannot be met.	To be confirmed	A more detailed compliance assessment of the proposed weir design will accompany the consent application. It is anticipated that irrespective of compliance, the structure will be designed to enable fish passage.
National Environmental Standards for Freshwater 2020	Regulations 70 & 71	As noted above, the applicant is conducting surveys of the site and surrounding environs. This may entail the need to lower invert levels of existing culverts on adjoining land. Compliance with Regulations 70 & 71 will be determined once that information is available.	To be confirmed	A more detailed compliance assessment of any on site culvert upgrades will accompany the consent application. It is anticipated that irrespective of compliance, the structure(s) concerned will be designed to enable fish passage.
Horizons One Plan	Rules 13-2 & 13-7	Construction phase: The proposal will involve large scale land disturbance and associated diversion of water & discharge of sediment into water. All permitted	Discretionary	Applicable where works are proposed within 5m of surface waterbodies.

		conditions under Rule 13-2 can be met apart from those parts of the proposal within 5m of surface waterbodies. Those aspects of the proposal will require consent under Rule 13-7.		
Horizons One Plan	Rule 14-30	The proposal will involve new discharges of groundwater to water, land and land where it may enter water. Conditions under 14-26, 14-27 and 14-28 will not be met.	Discretionary	Discharges will occur to land and water as described in Attachment 2.
Horizons One Plan	Rule 16-9	Operational phase: On-going groundwater take for pumping and treatment will exceed the permitted activity threshold of 50m ³ /day. For current purposes it is assumed both proposed pumps will exceed permitted limits.	Discretionary	See notation F on Phase 1 map and notation O on Phase 2 map attached at Attachment 2.
Horizons One Plan	Rule 16-4 & 16-9	Construction phase: Taking and use of groundwater for bore or groundwater testing purposes and the ancillary discharge of the water or contaminates into water or land may be required. It is possible the permitted limits could be complied with – however in the absence of details on likely testing required, it is assumed for now that consent may be required to contravene one or more standards.	To be confirmed	To be confirmed
Horizons One Plan	Rules 16-11 and 16-13	Operational phase: Part of the design involves intentional changes to the hydrology of the application site, and accordingly, permitted conditions for new drainages and associated discharges cannot be met.	Discretionary	Refer notation C on Phase 1 plan and notation C on Phase 2 plan attached at Attachment 2.

Horizons One Plan	Rules 16-12 and 16-13	Operational phase: Damming and diversion of the main Arawhata Stream flow at new weir and associated discharges – as per above non-compliance, the weir will divert flows into the existing sediment trap, thereby altering the hydrology of that adjacent site.	Discretionary	Refer notation K on Phase 1 Plan attached at Attachment 2.
Horizons One Plan	Rule 17-10 and 17-14	Construction & operation phase Pending the results of ongoing site surveys, existing on site culverts may be modified/upgraded as described above. Where within Schedule B flood control drains the works would be permitted under Rule 17-14 subject to meeting conditions, and where outside those drains permitted under Rule 17-10 subject to conditions.	To be confirmed after site survey complete	To be confirmed after site survey complete.

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

None.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

There are no resource consents or designations required by parties other than the Applicant for the proposed project.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

- Approval may be required from HDC as Road Controlling Authority if works or temporary road closures are proposed within the road corridor.
- There are no relevant Requiring Authorities from whom approval or written authorisation is required.
- There are no scheduled or known classified sites of historic heritage within the location of the proposed works - technical work commissioned as part of the consent application will confirm.

- In respect of unknown wāhi tapu, taonga, kōiwi tangata, or other archaeological artefacts or sites, all construction works are to be subject to an Accidental Discovery Protocol consent condition, the details of which shall be agreed with iwi and hapū for inclusion in the consent application.

There are no other legal authorisations required to undertake the proposed works. The Applicant notes the presence of a high-pressure gas main that traverses the site. The location of the pipeline is identified in the Horowhenua District Plan for the purposes of information and works in its vicinity are not subject to any designation or resource consent triggers. However, the Applicant will engage with the operator of this infrastructure (First Gas Ltd) prior to lodgment of the consent application to identify appropriate measures to avoid or mitigate any potential effects.

There are a number of consent notices appended to the titles relating to the project site. The application appreciates that the expert consenting panel is not empowered to address such matters. To avoid doubt, the consent notices are not at issue as part of the application. Most of the consent notices refer to restrictions on the location of new dwellings and associated requirements for on-site effluent and waste-water disposal systems and potable water supply. Other restrictions relating to protected indigenous fauna are not engaged/triggered by the proposal. For example, the area of works avoids the area identified as being subject to the Conservation covenant (B196232.3), and there will be no clearance, damage, destruction, or removal of indigenous vegetation on the relevant land. Rather, there will be significant restoration and plantings as part of the wetland complex.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

The Applicant seeks, and is able, to commence works as soon as possible; ideally within the 2023-2024 construction season. By June 2024 the Applicant's work programme has construction of Phase 1 of the wetland design complete. Indicative timeframes (which may be subject to change) include:

- Preliminary Design - October 2022 - March 2023
- Detailed Design for Phases 1 and 2 - March to July 2023
- Tendering Period - August - September 2023
- Phase 1 Construction - October 2023 - April 2024
- Phase 2 Construction - To be determined, 2024 onwards

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

There has been no direct consultation with relevant government ministries and departments. However, the proposal is part of the aforementioned Lake Horowhenua Water Quality Interventions Project funded by the Government's Jobs for Nature programme. A Governance Group has been established to oversee delivery of the Water Quality Interventions Project including the Arawhata Wetland project. The Governance Group includes MfE representatives in advisory, non-voting roles, with a view to ensuring MfE are aware of progress/have input into implementation of the Project. Pre-lodgement correspondence has also occurred between the Applicant's Planning Consultant and the Fast-Track Consenting Team, including various emails and soft lodgement of a draft application for referral.

Local authorities

Detail all consultation undertaken with relevant local authorities:

- **Horowhenua District Council:** An initial consultation was held with senior HDC resource consents staff on 14 December 2021 to discuss potential consent requirements under the Horowhenua

District Plan and potentially also applicable NES and the information requirements to support an application. At this stage, HDC staff indicated that they were comfortable with the option of direct referral of any such application to an expert panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020. In this context, the project team undertook to share technical assessment briefs and the resulting assessment with HDC staff, while acknowledging that Government officials would seek feedback from council staff once the application for referral was received.

- **Horizons Regional Council:** An initial consultation was held with senior Horizons resource consents staff on 15 December 2021 to tentatively confirm potential consent requirements under the Horizons One Plan and potentially also applicable NES and the information requirements to support an application. At this stage, Horizons staff indicated that they were comfortable with the option of direct referral of any such application to an expert panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020. In this context, the project team undertook to share technical assessment briefs and the resulting assessment with Horizons staff, while acknowledging that Government officials would seek feedback from council staff once the application for referral was received.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

The Applicant considers that the following persons or parties are **potentially affected** by the proposal:

- The Horowhenua 11 Part Reservation Lake Trust trustees manage a block of 400.9234 hectares of Māori freehold land consisting of the bed of the Lake, together with a further one chain strip of land around of the original margin of the Lake (now dewatered). The land is vested in the trustees who hold the land on behalf of the private owners, being members of Muaūpoko.
- The Muaūpoko Tribal Authority (MTA) is an incorporated body which manages Treaty claims, Muaūpoko Fisheries Claims, resource management issues, relationships with key agencies and is the mandated authority for Muaūpoko Iwi and hapū regarding consultation with local authorities and applicants under the RMA. It is also an Iwi Aquaculture Organisation under the Māori Commercial Aquaculture Claims Settlement Act 2004. MTA constitution supports governance by a board of elected representatives, two from each of the seven existing hapū. The hapū are Ngai Te Ao, Ngārue, Ngāti Hine, Ngāti Pāriri, Ngāti Tamarangi, Ngāti Whanokirangi and Punahau.
- Te Rūnanga o Raukawa is an incorporated body which supports the hapū and iwi of Ngāti Raukawa ki te tonga. The hapū within the Horowhenua region form part of Te Tumatakahuki (a forum made up of all hapū in the Horowhenua). The hapū include Ngāti Te Au, Ngāti Turanga, Ngāti Rakau, Ngāti Huia ki Matau, Ngāti Huia ki Poroutawhao, Ngāti Huia ki Kikopiri, Ngāti Hikitunga, Ngāti Pareraukawa, Ngāti Wehiwehi, Ngāti Tukorehe, Ngāti Tāhīhiku and Ngāti Ngarongo.
- Kohuturoa Marae which adjoins part of the site.
- HDC, as the road controlling authority with responsibility of drains where some maintenance works are proposed.

Members of the Lake Trust, MTA and Te Runanga o Runanga o Raukawa (Ngāti Raukawa ki te tonga) have been appointed to the Governance Group overseeing the Water Quality Interventions Project that was established in 2021. The Governance Group supports the purpose of the Water Quality Interventions Project, which is to improve understanding of the Horowhenua FMU, the drivers of greater quality, quantity and improvement in water quality and aquatic health through the construction of water quality interventions, including the present wetland complex. The representative for Ngāti Raukawa also represents the views of Te Tumatakahuki on the Water Quality Interventions Project, including the proposal.

Note that the Applicant does not consider that the Governance Group as an entity is an 'affected party'; however, it does consider that its constituent members representing iwi and/or hapū have an interest in the proposal, as indicated above.

A range of other parties are involved with, or are likely to be **interested** in the proposal, namely:

- Neighbouring landowners in the vicinity of the wetland complex

- Community stakeholders who are regularly updated on the Water Quality Interventions Project including, the Department of Conservation, WEKA, Forest and Bird, Fish and Game, MTA, Federated Farmers, Woodhaven, HortNZ, DairyNZ, the Hokio community, HEKA and the Tararua Growers Association.
- First Gas Ltd, with respect to the gas transmission pipeline which traverses the site.

Efforts to engage the above parties in the project are detailed below.

Detail all consultation undertaken with the above persons or parties:

Governance Group Representation

All members of the Governance Group meet regularly (at least quarterly, sometime more often) and receive Project updates spanning objectives, design, scientific investigations and technical assessments, mātauranga input, and iwi and community engagement.

Lake Trust and Muaūpoko

The Lake Trust and Muaūpoko are involved in the Governance Group and have voting members on decisions relating to the wetland complex. Muaūpoko also provide specific mātauranga advice into the wetland complex through a mātauranga advisory group, and representation on the Project team. Muaūpoko will also be providing a cultural impact assessment (CIA) to inform detailed design and the assessment of environmental effects (AEE) for the consent application.

Ngāti Raukawa ki te tonga

Ngāti Raukawa ki te tonga are involved at a governance level through the Governance Group and is a voting member on decisions relating to the wetland complex. It has also been agreed that Te Tumatakahuki will be engaged with at regular intervals regarding progress of the wetland complex. Te Tumatakahuki on behalf of Ngāti Raukawa ki te tonga will also be providing a CIA to inform detailed design and the AEE for the consent application.

Kohuturoa Marae

Kohuturoa Marae has also received updates regarding the Water Quality Interventions Project and the wetland complex. Horizons staff arranged a specific group meeting at the Marae on 30 November 2022 for members of Muaūpoko iwi. The meeting was advertised by MTA with the relevant groups. Subsequently, general feedback indicates the Marae to be supportive, noting the wetland is a positive project for the Lake, although it would like recovery of the Lake to progress faster.

Neighbouring Landowners

Landowners in the vicinity of the proposed wetland complex have received two letter updates on the Water Quality Interventions Project and the proposed wetland complex. The landowners have been invited to individual, community and landowner group meetings. To date, Horizons staff have met with three landowners individually, and another group of smaller landowners. A number of landowners were also present at the community meetings undertaken throughout the Horowhenua FMU as detailed below.

Community Stakeholders

A number of community stakeholders receive updates relating to the wetland complex as part of a Community Stakeholder Group which meets in respect of the wider Water Quality Interventions Project. There have been seven (7) meetings being held since February 2022. Representatives are from the following organisations; Department of Conservation, WEKA, Forest and Bird, Fish and Game, MTA, Federated Farmers, Woodhaven, HortNZ, DairyNZ, the Hokio community, HEKA and the Tararua Growers Association. These meetings are held to keep stakeholders informed regarding the Water Quality Interventions Project and to provide opportunity for input into the various projects, including recently, specific updates and discussion around the wetland complex.

Local Community

Four (4) openly advertised community meetings were held to consult with communities from the following areas Waikawa, Waitarere, Levin, and Hokio. A fifth meeting was also held for surrounding landowners of the proposed Arawhata wetland complex. As noted, a meeting was also held at Kohuturoa Marae. These meetings were to present the conceptual design for the proposed constructed wetland complex and allow for the community to give feedback on the design as well as raise any issues.

First Gas Ltd

As noted earlier, the Applicant will engage with the operator of the gas transmission pipeline prior to lodgement of any applications for consent to identify appropriate measure to avoid or mitigate any potential effects.

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Muaūpoko	As above
Ngāti Raukawa ki te tonga	As above

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
No details	

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

N/A.

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

There are no customary marine title areas that apply to the location of the project.

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right,

where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

None, as above.

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

Overview

The summary of effects below, along with the preliminary assessments at **Attachments 2, 3 and 4** confirm that any actual and potential effects of the proposal on the environment – including measures to avoid, remedy or mitigate for any effects – can be appropriately tested by an expert consenting panel against Part 2 of the RMA and the purpose of the Covid-19 Recovery (Fast-track Consenting) Act 2020.

Furthermore, and as summarised in preceding sections above, the proposal is anticipated to result in an overall net environmental improvement relative to the existing environment, including positive effects on water quality, cultural, and ecosystem health values. These positive effects are further considered in context with potential adverse effects by issue below.

Water Quality Effects

The primary purpose of the proposal is to improve water quality in both the Arawhata Stream and the downstream Lake environment. The wetland complex will result in substantial reductions in sediment, nitrate nitrogen and phosphorus from the Arawhata catchment and Lake (94%, 70% and 27% respectively) through the first two phases of the wetland complex. Further detail is provided in the assessment at **Attachments 2 and 4**. Given the existing and continued interaction of groundwater and surface flows in this area, these reductions (and in turn, quality enhancements) are anticipated both prior to their discharge in the Lake and/or migration downgradient.

Temporary construction activities have the potential to result in adverse water quality effects, but with good environmental management practice adopted (and codified in volunteered conditions of future consent applications) these effects are not anticipated to be more than minor.

Overall, a range of benefits are expected to accrue for the Lake including the reduction in sediment, phosphorus, and nitrogen that enter the Arawhata Stream and ultimately the Lake, and associated improvements in water quality and habitat, after diversion of flows and treatment through the wetland complex.

Cultural Effects

The proposal is not anticipated to result in adverse cultural effects. Mātauranga inputs have been a critical component of the overall design of the proposal, including through identification and scoring of design options. The design solution preferred by the Governance Group – and subject to this application – scored highest overall and highest (equal) against mātauranga criteria, including:

- supporting the traditional connections with the natural character of the landscape, including recreation of the shape, depth and planting of Arawhata stream, wetlands, open water and connecting waterways;
- enabling cultural expression opportunities through design;
- enabling Muaūpoko kaitiaki to freely access their ancestral lands and to participate and make decisions in the project;
- creating habitat for taonga species and mahinga kai including the kotuku and watercress; and
- minimising risk of disturbing tupuna who lost their lives in the Arawhata area.

The Mātauranga Rōpu (Kāhui Ārahi) will continue to provide mātauranga input into detailed design.

The wetland complex will additionally be informed by Cultural Impact Assessments by Muaūpoko and Ngāti Raukawa ki te tonga, including attendant recommendations codified in volunteered conditions where relevant. Among other

matters, the conditions will include obligations to follow appropriate protocols in the event of accidental discovery of culturally or historically sensitive materials.

Temporary Construction Effects

All construction activities will be subject to volunteered conditions of consent requiring good environmental management practice to be applied throughout works. The consent applications – and volunteered conditions – will be informed by advice from industry leaders in dust, erosion, sediment and construction management plan design. There will be temporary visual effects arising with parts of the site being subject to bulk earthworks and vegetation clearance. Those effects will not be materially different to impacts of typical rural activity otherwise anticipated in the area, and will be temporary in nature only.

Construction noise will be managed in accordance with the relevant NZ Standard, and any temporary traffic effects from construction activities can be managed through conditions and management plan requirements.

With these management measures in place, the construction effects associated with the proposal are anticipated to be no more than minor. As noted previously, the construction and landscaping activities associated with the proposal will also provide for employment opportunities, again with 45 jobs being delivered across the wider project over its lifespan.

Flooding & Hydrology Effects

Overall, there are likely to be some hydrological changes to the site and local environs; however, none of those modifications are anticipated to result in adverse effects of more than a minor nature. Furthermore, one anticipated operational outcome of the proposal will be the slower movement of surface water through the site and the temporary storage of flows in wetland areas. A corresponding reduction in peak flows overall is anticipated as a result, and this will be confirmed through evidence submitted with the future consent application.

As discussed in **Attachment 3**, the groundwater hydrology is also proposed to be modified as a result of aspects of the proposal. This may entail minor drawdown effects where groundwater is collected; however, those effects are not anticipated to be extensive in spatial or volumetric terms. Furthermore, the wetland complex can be designed to ensure no increases in flows arise as a result of the proposal.

Any residual water quantity effects arising as a result of the proposal are able to be managed through effective conditions, which will be volunteered as part of the proposal toward that end.

Ecological Effects

As with water quality effects, there is a potential for temporary construction activities to adversely affect ecological habitat. Such effects are able to be sufficiently managed through the good environmental management practice that will be followed by the applicant, again as volunteered in future conditions of consent.

In operational terms, the proposal will change the ecological setting of the site from its current fluvial and pastoral setting to one defined by both fluvial and fen/wetland characteristics. The future consent application will include a detailed ecological assessment of effects, which will identify local values and appropriate measures to be adopted in volunteered conditions for the avoidance, mitigation, remedy and/or offsetting of those identified values.

The proposed weir structure adjacent to the existing sediment trap on the Lake's southern shores will be designed with fish passage retention in mind, such that any migration effects can be mitigated to an appropriate extent. Similarly, should the current site survey confirm the need to modify or upgrade existing on site culvert(s), these will be designed in and constructed to be fish-friendly. The proposal will be informed by advice from suitably qualified ecologists, including recommended conditions of consent to be volunteered.

Overall, the anticipated environmental result of the proposal will be enhanced ecological values within the site, the Lake and the Lake environs.

Other Effects

No other adverse effects are anticipated from the proposal that will be of a more than minor scale. Noise, odour and other matters with similar relevance to the proposal will be addressed for completeness in any future consent applications.

It is anticipated that conditions relating to the following matters will be volunteered by the applicant and/or imposed on any grant of consent:

- Accidental Discovery Protocol
- Construction Noise and Vibration Management Plan
- Erosion and Sediment Control Plan

- Ecological enhancement - information on avoiding, remedying or mitigating effects on sites of significance if any identified via the Ecological Assessment
- Fish passage
- Information required to be provided for any structures under Part 3, Subpart 3 of the Environmental Standards for Freshwater 2020
- Monitoring conditions

Information to be supplied with the Application to an Expert Panel should it be Referred:

- Cultural Impact Assessment(s) and/or statement from relevant Iwi Authority that one is not necessary/desired
- Flooding and Hydrology Assessment
- Freshwater Ecology Assessment including identification of opportunities for freshwater values enhancement, and draft proposed planting plan
- Water quality assessment
- Groundwater quality and quantity assessment
- Construction management plan, including management of noise, vibration and transport effects
- Erosion and Sediment Control Management Plan
- Detailed Site Investigation for potential contaminated soil

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

New Zealand Coastal Policy Statement

The proposed works are not within the Coastal Environment. However, the Applicant recognises the impacts and influence activities outside the Coastal Environment can have, and particularly recognises the significance of the ecological and cultural assemblage and continuum represented by the Arawhata Stream catchment, the Lake, Hokio Stream, Hokio Estuary and coastal waters both for tangata whenua and the general public. Hence, the Applicant is seeking to identify opportunities within the project to enhance the ecological and cultural values associated with the affected watercourses, which will in turn have positive implications for the Coastal Environment. It is considered that the project is in keeping with the intention of the NZCPS and its Objectives.

National Policy Statement for Freshwater Management 2020 (NPSFM20)

The proposed works involve the construction, operation and maintenance of new wetland features to enhance water quality, ecology and cultural values. Any and all adverse effects (either temporary, during the construction phase or, less likely, on an on-going operational basis) will be fully characterised and evaluated as part of the substantive application package. The Applicant recognises the need to give effect to Te Mana o Te Wai under the NPSFM20 and is striving to better do so by moving away from highly engineered approach to managing drainage and flooding risk to a more naturalised approach (incorporating a mixture of engineered and restorative features and outcomes). That 'naturalised approach' is personified by the proposed wetland complex. The proposal is designed to deliver the overarching improvement aims of the NPSFM20.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESFW)

Part 3 of the NESFW relating to "Standards for other activities that relate to freshwater" is relevant to the project if any proposed works are within 'natural wetlands' or involve reclamation of 'rivers' or the construction and use of structures in 'rivers' affecting the passage of fish, where these meet the definition for such waterbodies as set out in the RMA.

It is considered that the site within which the wetland is proposed does not meet the definition for a 'natural wetland' as defined in the Act and therefore the NESFW provisions relating to the modification for natural wetlands (Sub-part 1

of Part 3) do not apply. The Applicant has also satisfied itself that no reclamation is proposed as controlled under Regulation 57.

Further, under the RMA, 'river' means: "*a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supplyrace, canal for the supply of water for electricity power generation, and farm drainage canal).*"

Within the project site, it is considered that the Arawhata Stream is a 'modified watercourse' and therefore a 'river' as per the RMA definition above. As such, the provisions of Part 3, Sub-parts 2 and 3 of the NESFW are applicable. In contrast, the farm drains within the project site constitute 'artificial watercourses' and are not subject to those provisions.

Sub-part 2 regulates the reclamation of rivers whereas Sub-part 3 regulates the use, alteration, extension, or reconstruction of culverts, weirs, flapgates, dams or fords in rivers. The central focus of Sub-part 3 is the passage of fish as it may be affected by such structures. There are no flapgates, dams or fords proposed. There is a proposed weir adjacent to the existing sediment trap on the Lake's southern shores. As discussed previously, there may also be a need to modify or upgrade existing on site culvert(s) subject to ongoing site survey. The design of the weir and any culvert(s) and undertaking of the works will occur in such a way as to ensure that fish passage is provided for and that adverse effects associated with flows and ecology are limited to temporary construction effects. All information requirements under Sub-part 3 will be provided in the consent application documents.

The National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

Some parts of the project site are considered to meet the transitional definition of 'highly productive land' under clause 3.5(7) of the NPS-HPL. This is owing to the identification of these areas as Land Use Capability 1, 2 or 3 soil as mapped by the New Zealand Land Resource Inventory and their delineation within a 'Class I and II Soil Overlay' and the broader Rural Zoning that applies over the property in its entirety within the Horowhenua District Plan.

The proposal does not include any subdivision or conversion of the land for urban or rural lifestyle use – and accordingly, Policies 5-7 are not applicable. The relevant direction for this proposal is under Policy 8, which directs the protection of highly productive land from inappropriate use and development. The NPS-HPL's primary mechanism for implementing this direction is set out at Section 3.9.

Under Section 3.9, a use or development is considered inappropriate unless it involves one or more of thirteen specified activities *and* specific management measures are applied. Among the thirteen specified activities, there are three of relevance to this proposal, comprising:

- (c) *it is, or is for a purpose associated with, a matter of national importance under section 6 of the Act;*
- (e) *it is for the purpose of protecting, maintaining, restoring or enhancing indigenous biodiversity; and*
- (f) *it provides for the retirement of land from land-based primary production for the purpose of improving water quality.*

In the above respects, the proposal entails the retirement of production land to enhance water quality, which will in turn restore the land to its more natural state and enhance the overall biodiversity values of the site and adjoining Lake environs. Furthermore, the proposal will enhance the relationship of Māori and their culture and traditions with their ancestral lands, water, sites and other taonga (s6(e)).

The proposal is therefore not considered to be inappropriate use or development of highly productive land in terms of Policy 8.

While the proposal provides opportunities for future passive recreation activities, it does not comprise any new uses with particular sensitivity to adjoining rural land use activities. The proposal will not offend Policy 9 accordingly.

For the above reasons, there is no barrier to the proposal under the NPS-HPL.

The Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NESDW)

Groundwater sources in the vicinity of the works will not be affected by the proposed works, and therefore there are no provisions of the NESDW that are relevant.

Consent under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

The site is not identified on Horizons' sites associated with Hazardous Substances register. Horizons nevertheless commissioned a Preliminary Site Investigation ("PSI") under the NES-CS to inform site suitability assessments and the wetland design process. The PSI found that there are likely to be uses that would fall under the Hazardous Activities and Industries List and recommended that a Detailed Site Investigation ("DSI") be undertaken in accordance with the

NES-CS. A DSI will be submitted with future consent applications and any relevant recommendations codified in volunteered conditions of consent.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

- The project will help achieve the Act’s purpose by supporting the on-going certainty of investment of COVID-19 relief funds and promote employment during periods of time affected by COVID-19. The Water Quality Interventions Project is an environmental enhancement project which responds to the Government’s call for projects to help with the economic recovery from COVID-19. The work programme is designed to assist with job opportunities within the region, while bringing about positive environmental outcomes. More information can be found at Jobs for Nature - Horizons Regional Council.
- Over the life of the wider project, the equivalent of 45 full time jobs are anticipated to be created. Among other roles, this will include locally sourced expertise for appropriately eco-sourced vegetation. It is envisaged that local roles will be available for construction, landscaping and maintenance activities during the life of the project.
- The project will introduce wetland water quality treatment into an ecologically compromised catchment, with some level of improvement in the quality of discharges to and from the Lake.

Project’s effects on the social and cultural wellbeing of current and future generations:

- The project will enhance water quality and ecological values in the Lake and the Hokio Stream over time and enable the people of Horowhenua District and Manawatū-Wanganui Region to provide for their social and cultural well-being.
- The proposal will enhance the relationship of Māori and their culture and traditions with their ancestral lands, water, sites and other taonga.
- The proposal will enable social and recreational opportunities, including future connectivity between the Lake and Lake Papaitonga.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

The governance arrangements for the project, the active participation of tangata whenua and the effort expended in community engagement all bode well for the level of community support commanded by the project. Nevertheless, there is a reasonable likelihood that any application for the project under the standard RMA process would be likely to be publicly or at least limited notified, thereby raising the prospect, and risk, of potential litigation, delay (including with respect to beneficial water quality improvements) and a ‘sunset’ on funding opportunities associated with COVID-19 relief monies. Including the potential for Environment Court appeals, the usual consenting pathways may require 12-18 months from lodgment through to a final decision, whereas the fast-track legislation allows for a greatly reduced regulatory approvals period.

Substantive assessments of the nature and scale of the potential effects on adjacent landowners and occupiers and the broader environment are being undertaken as part of the development of the proposal

for the purposes of securing consent. However, at this stage, and without predetermining the outcomes of those more detailed assessments, it is evident that potential long-term effects on neighbouring properties associated with flooding risk will be no more than minor. This is evidenced by the statements provided by suitable experts in relation to these matters that are appended to this application.

Standard application procedure would dictate that the necessary regional consents and permits required from Horizons in its regulatory capacity would be processed and determined by independent experts to avoid any perception of conflict. Further, it is understood from pre-application discussions that both consent authorities' capacity to process an application of this scale and nature in a timely manner may be limited. It is accordingly considered that the Fast Track processes would likely be a more efficient consenting pathway for the project.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

As noted above, the project is a flagship component of the Horizons' Horowhenua FMU water quality interventions project under the Government's Jobs for Nature programme. The proposal supports initial roles in the design and construction sectors and future roles associated with landscaping and maintenance activities. It is anticipated that some 45 FTE positions will be created over the period ending mid-2025.

Housing supply:

N/A.

Contributing to well-functioning urban environments:

Being a housing and employment node of greater than 10,000 people, Levin is an urban environment under the NPS-UD. Well-functioning urban environments under the NPS-UD include those which support reductions in greenhouse gas emissions and are resilient to the likely current and future effects of climate change.

The proposal will involve the retirement of an existing dairy farm and with a corresponding reduction in greenhouse gas emissions. The future establishment of extensive wetland vegetation across the site will also assist with New Zealand's efforts to realise atmospheric carbon reductions and mitigate climate change effects. Overall, the proposal is designed to ensure the resilience of the Lake and environs is maintained or enhanced relevant to current levels including, increased retention time for high rainfall and flood events.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

Drainage systems are identified as infrastructure under the RMA. The proposal will result in demonstrably better environmental outcomes, principally through nutrient reduction in the Arawhata Stream catchment, and in turn within the Lake. Additional economic and employment opportunities for surrounding land uses may be bolstered through the water quality improvements realised by the proposal, though that outcome is not an express aim of the project.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The wetland complex is aimed at improving the water quality of the Lake, with a range of associated cultural and ecological benefits. Freshwater and indigenous biodiversity improvements are two key aims of the proposal. As noted previously these will be realised through substantial reductions in sediment, nitrates and phosphorus from the Arawhata Stream catchment through the first two Phases of the project and in turn from the Lake. Overall ecosystem

health will be enhanced through creation of new wetland habitat and reduced sediment and nutrient loads within the Lake. Further detail on these improvements is provided in **Attachments 2 and 4**.

Minimising waste:

N/A.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

See above.

Promoting the protection of historic heritage:

The site is not identified in any planning instrument as having historic significance. Cultural Impact Assessments will be provided by Muaūpoko and Ngāti Raukawa ki te tonga to identify any cultural values and historic significance of the site and environs for iwi. Recommendations from those assessments will be applied within any future consent applications as relevant. An accidental discovery protocol will also be volunteered in conditions accompanying future consent applications to manage any unforeseen effects.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

As above.

Other public benefit:

The proposal will enhance public access to surface water, including enabling future connection between the Lake and Lake Papaitonga.

Whether there is potential for the project to have significant adverse environmental effects:

The potential for significant adverse effects to arise is considered very low. In the main, the proposal is anticipated to have substantial environmental benefits, with any adverse effects being sufficiently managed by the design of the proposal and good environmental management practice embedded in volunteered conditions.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

Increased duration, frequency and intensity of high-rainfall events and flooding resulting from climate change have been accounted for in the overall design of the proposal. As noted above, the project is anticipated to enhance resilience to such events relative to the existing environment.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
Horizons Regional Council	03.06.2010 Infringement fee imposed for the discharge of contaminants to air associated with the burning of tyres contravening section 15(2) RMA- Whanganui River Road, Taumaranui
Horizons Regional Council	29.10.2018 Infringement fee imposed for objectionable smoke beyond the property boundary contravening Section 15(2A) RMA – Ngui Road, Opiki

	The Rivers Management team at Horizons Regional Council (formerly the 'Operations Group') holds numerous resource consents which apply throughout the Region, spanning a wide range of activities from gravel extraction to the installation of fish passage structures and numerous others. Rivers Management also undertakes a wide range of activities as permitted activities, being those for which resource consent is not required. An enquiry to the Consents Compliance Team at Horizons Regional Council seeking record of any compliance/enforcement issues with respect to Rivers Management activities confirmed that two incidents (as opposed to non-compliances with consent conditions) are recorded within the Horizons database, as listed above. These are burning and air discharges beyond the boundary, the first within the Ruapehu District in 2010 and the second within the Horowhenua District in 2018. The Consents Compliance Team has also confirmed that no enforcement action has been taken by a territorial authority.
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Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Michael McCartney, Chief Executive

27/02/2023

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the

OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

No	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.