s 9(2)(f)(ii), s 9(2)(g)(i)

s 9(2)(f)(ii), s 9(2)(g)(i)

s 9(2)(f)(ii), s 9(2)(g)(i)

18 April 2023

Rebecca Perrett
Acting Manager, Fast-track Consenting Team
Ministry for the Environment
Via email: fasttrackconsenting@mfe.govt.nz

Dear Ms Perrett

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – comments sought on referral application – Arawhata Wetland Project

I refer to your email to Paul Goodeve, CEO of Firstgas Group, dated 31 March 2023, inviting comment on the above referral application for fast-track consenting, lodged by the Manawatū-Whanganui District Council (Horizons).

First Gas Limited operate the 109 gas transmission line, which feeds to the Levin Delivery Point (DP) station, which bisects the proposed location for the Arawhata Wetland, see Figure 1 below which indicates the location of the pipeline in respect of the subject site.

Figure 1: Location of pipeline (pink highlightP) in respect of wetland site (green outline).

The plans supplied with the assessment of environment effects (AEE) included with the application (Attachments 1 – 3), do not show the location of the existing gas transmission pipeline, nor consider the pipeline within wetland design or methodology, see Figure 2, below, from Attachment 3 of the AEE.

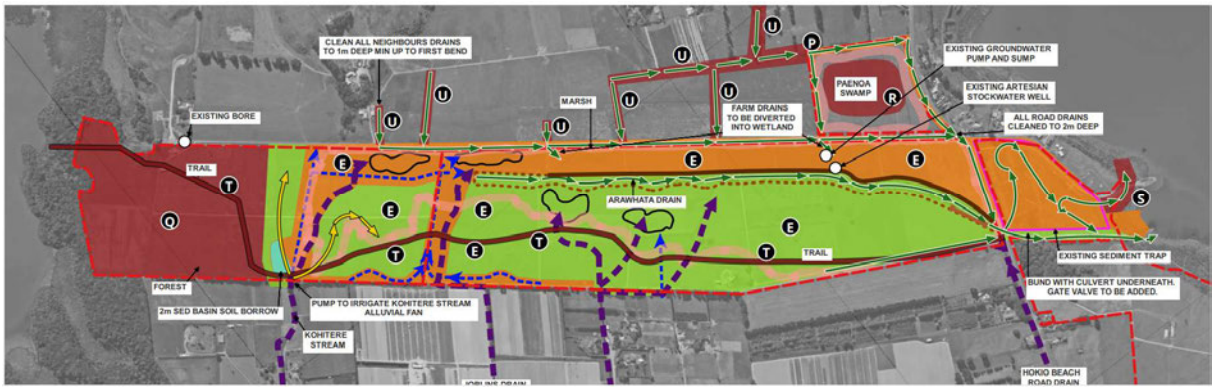

Figure 2: Phase 3 Wetland from lodged application by Horizons.

Our concerns are two-fold. Firstly, the physical impacts upon the pipeline due to potential saturation, and loss of adequate cover through drainage clearance, indicated as being to a depth of 2m. the change of land character from a rural land cover (pasture based) to a wetland cover (wetted) presents a buoyancy risk to the pipeline. The pipeline has not been constructed to an appropriate standard in respect of water cover, i.e., sufficient coating and buoyancy weights.

Secondly, our concerns are over the ability for us to access and maintain the pipe in a safe and efficient manner. Should we require to unearth the pipe for assessment and repair, the change in land character not only presents additional restrictions in respect of earthworks to uncover but increases regulatory compliance under National Environmental Standards. This adds additional and onerous time, cost and resourcing restraints for First Gas Ltd, in respect of the legislated responsibilities we have as a critical infrastructure provider and a lifeline utility operator.

First Gas Ltd is not in opposition to the conversion of the site to a wetland but is concerned around the lack of consultation that has occurred with Horizons to date, the lack of detail on the wetland construction and the speed at which completion of the wetland is required under the exercise of any fast-track consent granted. We seek that the Panel direct Horizons to revisit the wetland proposal and indicative design, to provide for the safe and continued operation of the gas transmission line. We request that this direction also require that Horizons directly involve First Gas Ltd in the design of the wetland so that appropriate and adequate allowance can be made for the pipeline, including access.

Please feel free to contact me directly, should you wish to discuss the above further.

Yours faithfully

Pamela (Pam) Unkovich
Land and Planning Advisor

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Horizons Regional Council – Regulatory Team
Contact person (if follow-up is required)	Greg Bevin – Regulatory Manager s 9(2)(a)
	Jasmine Mitchell - Team Leader Consents 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	Arawhata Wetland Project PJ-0000871
General comment – potential benefits	The potential benefits of the project are associated with the provision of jobs created during the construction of the wetland. In addition to the economic benefits the proposal is designed to contribute to improvements to water quality and freshwater ecology to Lake Horowhenua and enhance the relationship of Maori with their ancestral lands.
General comment – significant issues	The potential significant issues associated with the project include: a. Effects on water quality; b. Potential effects on cultural values; c. Potential impacts on flooding risks and hydrology in the area; d. Potential loss of habitat within a modified water course; and e. Potential effects associated with the construction of the wetland particularly during construction.
Is Fast-track appropriate?	Horizons Regulatory Team view on this matter is relatively neutral as this is an application by another Horizons department.
Environmental compliance history	Below is a summary of the compliance / enforcement actions undertaken by Horizons Regulatory Team against the Applicant (currently Horizons River Management Group and previously Horizons Operations Group): 3 June 2010 – Infringement notice imposed for the discharge of contaminants to air; 29 October 2018 – Infringement notice imposed for discharge of contaminants to air; 27 May 2022 - Infringement notice imposed for disturbing the bed of the river. This also resulted in a Significant Non-Compliance being issued for failing to comply with a resource consent; and 11 July 2022 - Formal Warning given for failing to comply with Rule 17-14 of the Regional Plan. In addition to the above enforcement action, more recent monitoring since July 2022 the Applicant has also received the following compliance gradings in relation to various operations undertaken over the last year either via resource consents or permitted activity rules: • Four Moderate Non-Compliances; • Four Low Risk Non-Compliances; and

	• 8 Full Compliances.
Reports and assessments normally required	The reports expected by the Council for a projects of this scale on the proposed site are as detailed below: - An assessment of the cultural values associated with this land and waterways; - A comprehensive earthworks and erosion sediment control plan prepared by a suitably qualified and experienced person in accordance with the document titled 'Erosion and Sediment Control Guidelines for the Wellington Region; - A detailed planning assessment providing a full analysis of the relevant planning instruments; - A detailed assessment identifying the ecological values of the existing stream, the proposed works and any potential loss of habitat. This should also address the proposed weir system and how this may impact on freshwater fauna; - An assessment of the existing water quality and an assessment of the proposed improvements to water quality and expected improvements to freshwater ecology. - An assessment of the impacts on water quality during the temporary construction; - An assessment of the hydraulic impacts on the existing flood capacity and hydrology. The assessment should identify the impact on existing water levels within the area along with the impact on surface water; - An archaeological assessment or management plan for any accidental discovery; and - A set of draft conditions to manage the potential effects.
Iwi and iwi authorities	The site is located with the rohe of Muaūpoko and Ngāti Raukawa ki te Tonga.
Relationship agreements under the RMA	n/a
Insert responses to other specific requests in the Minister's letter (if applicable)	N/a
Other considerations	There is an existing discharge permit allowing for the discharge of dairyshed effluent into and onto land for this property held by another party. This permit expire 2 December 2028. In addition there is an existing land use consent for the use of land for dairy farming within a target catchment. This landuse consent is set to expire 1 July 2034.

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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