

Memorandum

To: Zen Gerente, Ministry for the Environment | Manatū Mō Te Taiao
From: Jason Jones, Resource Management Group Ltd
Date: 6 April 2023
CC: Rebecca Perrett (MfE), Logan Brown (Horizons), Shannon Johnston (CR Law)
Re: Arawhata Wetland Project – Addendum to Referral Application

Purpose of memo

1. This is a brief addendum to the application for the Arawhata Wetland project to be referred to an expert consenting panel under the COVID-19 (Fast-track Consenting) Act 2020.

Update regarding wetland identification

2. Since lodging the referral application in February, the applicant has continued data collection, detailed concept design and site investigations to inform future consent applications.
3. As part of that ongoing work programme, Council's ecological experts have undertaken additional site surveys in light of recent changes to wetland provisions in the National Policy Statement for Freshwater Management and the Freshwater National Environmental Standards (**NES-F**). Those preliminary surveys suggest that portions of the site *may* now come under the relevant statutory definition of 'natural inland wetland' as amended in those national instruments.
4. Those results contrast with the referral application, which reflected previous survey results that no part of the site met the (then) definition for natural inland wetlands¹. The applicant wishes to bring this matter to the Ministry's attention so that the referral application – and any corresponding Order in Council if the project is referred – can reflect that natural wetlands may be present and additional consent requirements to those identified in Part III of the application may be required.
5. Related to this, the applicant wishes to clarify that:
 - a. the areas that have recently been identified as potential wetland will not be (completely or partially) drained by the proposal, and Regulation 53 under the NES-F will not apply;
 - b. consenting obligations under the NES-F are likely to be limited to wetland restoration and maintenance activities under Regulation 39;
 - c. such activities require consent as restricted discretionary activities; and
 - d. while this may introduce additional consent requirements to those identified in the referral application, it does not change the overall discretionary activity status when all consent requirements are bundled together as previously assessed.

¹ Refer Part VIII of referral application

6. Any NES-F wetland consenting requirements will be clearly identified in any future application documents, along with volunteered conditions to manage any adverse effects on the identified wetlands.

From here...

7. Please let me know if you require any further clarification regarding the above or wish to discuss any other aspect of the project.

Resource Management Group Limited

Jason Jones

Principal Consultant