

Te Tai Tokerau Water Trust  
C/- Ben Tait  
Senior Planner  
Williamson Water and Land Advisory  
s 9(2)(a)

Dear Ben

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Otawere Water Storage Reservoir – Request for further information**

Thank you for your application, received on 19 January 2020 to refer the Otawere Water Storage Reservoir project (the Project) to an expert consenting panel for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA).

We have identified some matters primarily regarding application scope and the timing of the Project delivery requiring clarification before we can continue to consider your application. Your responses to these questions will help us to understand more about the application scope and any issues which may affect construction, and consequently employment and investment certainty, which are key assessment considerations.

Under delegated authority from the Minister for the Environment (the Minister), we are writing to request the following further information under section 22 of the FTCA:

1. We acknowledge receipt of information regarding Te Tai Tokerau Water Trust Certificate of Incorporation and Trust Deed on 30 January 2021. Please provide financial and other supporting information to demonstrate that Te Tai Tokerau Water Trust will be able to deliver on the employment and investment certainty objectives of the FTCA. For example, you may wish to provide the following information:
  - a. The Trust membership, and powers in relation to land ownership, development and operation of the Project?
  - b. How the Project will be funded (ie. will other funding in addition to the Provincial Growth Funding be required) and any other relevant details regarding the financial capability of the Trust?
2. Clarify whether the scope of the application includes:
  - a. any water take/s to fill the reservoir including water from catchment in-flows.
  - b. take of water from the reservoir for the purposes of horticultural supply
  - c. construction of the primary and auxiliary spillways
  - d. any consent/s required for distribution infrastructure? If so, please supply GIS shape file/s for distribution infrastructure.

- e. any consents required under the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC). Alternatively, clarify if any consents (if required) will be sought separately.
3. If consent/s for distribution infrastructure are proposed as part of a separate consent application/s:
- Are they proposed to proceed through standard RMA processes or future fast-track consenting applications under the FTCA?
  - What is the anticipated timeframe for lodging these consent applications?
4. The application states that the water take from the Waiaruhe Stream will be lodged with Northland Regional Council.
- Is there any specific reason why this water take is not included in the fast-track consent application?
  - To what extent does the Project rely on the water take from Waiaruhe Stream being granted?
  - Could the Project proceed if this water take was not granted?
5. The application includes reference to potential adverse effects and provides a copy of a technical report regarding ecology. However, there is reference to an archaeological assessment being attached to the application and it is not submitted. Please provide a copy of this assessment to assist consideration of your application.
6. The application also refers to a natural hazards assessment to determine the potential risks regarding dam safety. Please provide a copy of this assessment to assist consideration of your application.
7. Clarify the following application details:
- the Dam Layout Plan shows that the embankment fill volume will be 188,400m<sup>3</sup>. Specify the approximate volume (cut and fill) and depth of earthworks for the embankment walls for both dams
  - approximate depth and volume (cut and fill) of other earthworks
  - area of reservoir footprint
  - the main dam wall height is described as 16.2 metres on page 3 whereas on page 9 the height of the embankment is described as being 21 metres. Is this an error or does the embankment height commence at a different level?
  - provide a property map showing the title boundaries in relation to the proposed works (i.e. dams and reservoir)
  - clarify the proposed timing of land acquisition, any agreements for land acquisition reached with landowners and any potential land acquisition matters which may delay the Project.
8. We understand that copies of two records of title for the subject land are being sourced and will be provided once available.
- do any restrictions on either of these titles prevent, limit or delay delivery of the Project for which consent is sought under the FTCA?
  - how do any restrictions affect the proposed development timeframe? (i.e. do they require any infrastructure relocation or enabling works that would extend or delay the construction timeframe outlined in the consent application).

9. Clarify whether either of the dams are proposed to be constructed over two lots. If so, clarify the instrument proposed for building the dam on two separate lots (ie. subdivision to amalgamate lots or section 75 certificate under the Building Act).
10. Clarify the following details regarding iwi and hapū engagement and benefits to Māori:
  - a. the extent of the involvement of iwi and hapū including in Project design
  - b. whether any design modifications have been made in response to issues raised by iwi and hapū
  - c. provide contact details for the four iwi and hapū groups the applicant has engaged with to date
  - d. any economic effects for Māori and any benefits deriving from Māori involvement in governance/ownership of the Project
  - e. other cultural benefits to Māori.
11. Clarify why Waka Kotahi New Zealand Transport Agency and Top Energy are identified as affected parties in the application?

Please provide the required information via return email to [fasttrackconsenting@mfe.co.nz](mailto:fasttrackconsenting@mfe.co.nz).

Yours sincerely



Sara Clarke  
**Manager, Fast-track Consenting Team**