

2021-B-07586

14 April 2021

Malcolm Nicolson  
Chief Executive Officer  
Northland Regional Council  
Email – s 9(2)(a)

Dear Malcolm Nicolson

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Otawere Water Storage Reservoir – Comments sought**

In the week commencing 19 January 2021, the Minister for the Environment (the Minister) received an application from Te Tai Tokerau Water Trust to refer the Otawere Water Storage Reservoir Project (the Project) to an expert consenting panel (a panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The Project is described below, and a copy of the application is attached.

The Project is to construct and operate a water storage reservoir and associated dams in the upper catchment of an unnamed tributary of the Waitangi River, Northland. The reservoir will be able to store approximately four million cubic metres of water that will be used for horticultural purposes and municipal water supply.

The Project site is located off Te Ahu Ahu Road, Waimate North, Northland.

The Project will involve activities such as:

- a. vegetation clearance, earthworks (including bulk earthworks) and land disturbance, including within a significant wetland, a significant wetland setback and a Riparian Management Zone
- b. construction of a main dam approximately 16 metres high on an unnamed tributary of the Waitangi River
- c. construction of a saddle dam approximately 10 metres high
- d. construction of reservoir embankment walls
- e. construction of primary and auxiliary spillways
- f. installation of culvert/s, a temporary dam and other structures necessary for the control and diversion of water during construction of permanent dams
- g. reclamation, temporary diversion, disturbance, deposition of material and other associated works, in the beds of an unnamed tributary of the Waitangi River and other stream reaches

- h. drilling of bores, and taking, diversion and discharge of groundwater and stormwater to land, surface water and groundwater
- i. damming, diversion and taking of water from catchment inflows above the dams and storage of this water in a reservoir formed behind the dams
- j. inundation of approximately 56 hectares of land by a reservoir, including approximately 5 hectares of a significant wetland
- k. taking stored water from the reservoir for horticultural use and municipal water supply.

The applicant is seeking consents for land use, water take, damming and diverting rivers, disturbing and depositing material on riverbeds, discharging water and contaminants to land, surface and groundwater, and taking stored water for horticultural and municipal use, under the Far North District Plan, the Proposed Regional Plan for Northland, the Operative Regional Water and Soil Plan for Northland and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FW) to be determined for the Project through the fast-track process.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite you to provide written comments on the referral application. A template is attached for this purpose. Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to the Minister's decision on whether to refer the Project to a panel. If it is more efficient to discuss this application, please contact me or my team at [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz) to arrange an appointment.

Specific questions on the application
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| <ol style="list-style-type: none"> <li>1. Are there any reasons that you consider it more appropriate for the Project, or part of the Project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?</li> <li>2. Do you agree with the applicant's assessment that proposed works on wetlands are not prohibited under regulation 53 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FM)?</li> <li>3. What reports and technical assessments would normally be required by the council for a project of this nature in this area?</li> <li>4. Does the applicant have any environmental regulatory compliance history in your region?</li> </ol> |
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If the Minister decides to refer the Project to a panel, you will have the opportunity to nominate a local authority representative (who could be a councillor or independent hearings commissioner) to sit on the panel and determine the resource consent applications for the Project. The applicant will provide a detailed assessment of environmental effects at this stage and the council will have the opportunity to provide further comments to the panel. The Ministry for the Environment has prepared guidance on local authority involvement with fast-track consenting projects which you can access on the Ministry for the Environment website.

Please provide your comments via return email within 10 working days to ensure that the Minister will take your comments into consideration when deciding on the referral application. Please note that the Minister is not required to consider comments provided after this time, although he can still choose to do so.

Yours sincerely



Rebecca Perrett  
**Acting Manager, Fast-Track Consenting Team**

Enclosures:

- A. Application to refer the Otawere Water Storage Reservoir Project to an expert consenting panel including supporting information
- B. Response template for written comments

cc: Stuart Savill, Consents Manager, Northland Regional Council – s 9(2)(a)