

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)
Subject: FW: [SUSPICIOUS MESSAGE] Re: [COMMERCIAL]Fast track consent application Otawere Water Storage Reservoir
Date: Friday, 11 June 2021 3:48:38 pm
Attachments: out of scope

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Tena koe Rachel

As requested by MfE, I can confirm that Northland Regional Council agrees that this proposal does not trigger any prohibited activity rules in any Regional Plan or the NES FW 2020. This is based on the information provided by the applicant in the attached documents, which also state the relevant rules in question.

The council however respectfully disagrees with the conclusion that the proposal is regionally significant infrastructure, as defined by Appendix 3 of the Regional Policy Statement for Northland. This opinion does not materially change the conclusion that the proposed activity is not a prohibited activity under the NES FW 2020.

If you have any further queries on this matter, please do not hesitate to contact me.

Ngā mihi

Stuart Savill

Consents Manager

Northland Regional Council » Te Kaunihera ā rohe o Te Taitokerau

Phone s 9(2)(a)



P 0800 002 004 » W www.nrc.govt.nz



Disclaimer

Users are reminded that Northland Regional Council data is provided in good faith and is valid at the date of publication. However, data may change as additional information becomes available. For this reason, information provided here is intended for short-term use only. Users are advised to check figures are still valid for any future projects and should carefully consider the accuracy/quality of information provided before using it for decisions that concern personal or public safety. Similar caution should be applied for the conduct of business that involves monetary or operational consequences. The Northland Regional Council, its employees and external suppliers of data, while providing this information in good faith, accept no responsibility for any loss, damage, injury in value to any person, service or otherwise resulting from its use. All data provided is in NZ Standard Time. During daylight saving, data is one hour behind NZ Daylight Time.

From: Rachel Ducker

Sent: Tuesday, 1 June 2021 2:59 pm

To: Stuart Savill s 9(2)(a)

Cc: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

Subject: Fast track consent application Otawere Water Storage Reservoir

Hi Stuart,

I just left a message with you to call me regarding the above application. In case I didn't leave my new phone number with you it is attached.

I am conscious that we sent you a large volume of material to review for the above application. The applicant amended the application slightly following our discussions regarding earthworks in a natural wetland and whether this would comprise a prohibited activity under the Freshwater NES which was on the last page of the pdf document we sent you. Council's comments didn't seem to acknowledge that the water would be used in part for municipal water supply or respond to the applicant's argument that earthworks in a natural wetland resulting in partial or full drainage of a wetland is not a prohibited activity if it is for specified infrastructure. In this case they have argued that it is for a lifeline utility.

The eligibility criteria for applications under the COVID-19 Recovery (Fast track Consenting) Act 2020 excludes any prohibited activity and our advice is that this is an absolute test.

The applicant is likely to call you to talk about the prohibited activity status raised in your comments. I have asked him to provide Northland Regional Council more information about the changes in scope of the activity (i.e. inclusion of municipal water supply) and whether any of the Project scope includes any prohibited activity. Following that I would really appreciate you revisiting your comments and seeing if you are prepared to make any amendments in relation to the prohibited activity status of the Project in light of this information. Essentially if Council received this application you be satisfied that it does not contain any prohibited activity based on current documentation provided?

We would appreciate it if your comments covered off on all of the rules contained in the attached table although it doesn't need to use this format.

Rachel Ducker

Senior Analyst | Kaitātari Matua
Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao

s 9(2)(a)

| mfe.govt.nz

Ministry staff work flexibly by default. For me, this means you may receive an email outside of usual

working hours – this works for me. Please respond at a time that is convenient for you.







Please Note: The information contained in this e-mail message and any attached files may be confidential information, and may also be the subject of legal professional privilege. It is not necessarily the official view of the Ministry for the Environment. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail and delete the original. Thank you.

Released under the Provision of
the Official Information Act 1982