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Dear Fraser

### **FAST TRACKING THE ROTOKAURI GREENWAY CORRIDOR AND ROTOKAURI ARTERIAL ROAD**

I refer to your letter of 2 November 2022 regarding the above projects for which you seek:

- WRC agreement that the RGC and the RAR are 'specified infrastructure' under the National Policy Statement on Freshwater Management ("NPSFM"); and
- WRC support for the resource consent applications to use the fast-track process.

On the first matter, we agree for the reasons advanced in your letter, that the projects are likely to qualify as "specified infrastructure" under the NES Freshwater 2022. We note that the consequence of this is that Regulation 45 (a discretionary activity) of the NESF would generally apply to the various activities "caught" by the regulations. However, if you haven't done so already, it may be prudent to seek legal advice on this matter given that the activities would otherwise default to "non-complying" under Regulation 54.

On the question of Council support, we offer support in principle at this stage, acknowledging that, as yet, we have had only limited information regarding, or exposure to, the project. Support in principle reflects that, at this stage, we have no specific basis for opposing fast-track processing, however, this also leaves room for reconsideration of that position once we have viewed the application and the effects assessment in full.

In this respect, we observe that the project is large in scale, multifaceted and complex. We know from our limited involvement to date that it is located within a highly constrained catchment which presents significant technical challenges from a project design perspective. Careful design and construction will be required to avoid significant adverse effects on infrastructural assets and the environment (including L. Waiwhakareke and L. Rotokauri and the existing lake level operating regime/downstream drainage scheme). These are matters of obvious concern to this Council and other key stakeholders.

In particular, I understand a number of catchment related matters were raised by WRC during the "Notice of Requirement" process. These included the water level of Lake Rotokauri affecting drainage, and also potential 'drowning' some of the wetlands surrounding the lake creating more open water and fewer littoral plant communities. During that process, WRC's concerns were not adequately resolved, but I understand these were to be matters addressed at the time of consenting.

As you will be aware, WRC manages the drainage services in the subject area and is concerned about meeting the levels of service under the developed scenario, where flood levels and duration are anticipated to increase but as yet we have not seen concrete measures of mitigation.

Therefore, our “in principle” support for fast-tracking is premised on ensuring that through the process, Council can participate effectively, including in regard to measures to avoid or minimise adverse effects and in the development of consent conditions generally. To that end, we expect the application will satisfactorily address WRC’s outstanding concerns from the Notice of Requirement process being :

- Impact on the drainage network and levels of service from increasing water levels in Lake Rotokauri,
- The ‘drowning’ some of the wetlands surrounding the lake creating more open water and fewer littoral plant communities, and
- The ongoing responsibility for maintaining the drainage network and service in the area.

As a separate but related matter, you will be aware Council is responsible for delivering public transport services within the region, which is recognised as a key element to enabling well-functioning urban areas.

How the area is developed will significantly influence the viability of future public transport service provision. At present there is not a clear plan for how frequent public transport can be provisioned for the area. We wish to jointly develop a shared concept with stakeholders and suggest this could be progressed as a parallel workstream. In the meantime, please refer to the [Regional Public Transport Plan](#) for matters that will be of interest to Council. In particular, section 2.3.8 and Appendix B: Factors influencing urban form and transport.

Finally, on a practical matter, we raise the question whether it would be prudent to engage with the Council prior to lodgement specifically to make sure that all of the relevant rules and consents necessary have been correctly identified. We note the detailed assessment of that in your correspondence, but given we do not have a detailed description of the project itself, we are not in a position to “ground-truth” that assessment. We would be happy to assist in that regard, if you considered that an appropriate precaution.

Yours sincerely



**Brent Sinclair**  
Director, Resource Use