

File ref: FTC000008

9 July 2021

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Tēnā koe

Request for information from He Korowai Trust in relation to Papakāinga Development - Kaitaia under the COVID-19 Recovery (Fast-track Consenting) Act 2020

The Papakāinga Development - Kaitaia Expert Consenting Panel (**the Panel**) has directed the Environmental Protection Authority (**EPA**) to request further information from you under clause 25 of Schedule 6 of the COVID-19 Recovery Act 2020 (**the Act**), relating to Papakāinga Development - Kaitaia consent application.

Background

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (**NES-F**) definition of “natural wetland” refers to the National Policy Statement for Freshwater Management (**NPS-FM**).

The NPS-FM defines a “natural wetland” as:

“Natural wetland means a wetland (as defined in the [Resource Management] Act) that is not:

- a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or*
- b) a geothermal wetland; or*
- c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain-derived water pooling”.*

The Resource Management Act 1991 (**RMA**) defines a wetland as:

“Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions”.

Information requested

At the direction of the Panel, The EPA is seeking the following information:

With specific reference to sections 4.2 and 6.1 of the KGA geotechnical report:

1. Please provide confirmation from a suitably qualified and experienced professional as to whether any areas of the site in the vicinity of the proposed works meet the definition of “natural wetland” in the NES-F and
2. If yes;
 - a) confirm if resource consent is required and the activity status of proposed works in terms of the NES-F, and
 - b) provide an assessment of environmental effects in response.

In accordance with clause 25 of Schedule 6 of the Act the He Korowai Trust must

- a) Provide electronic copies of the information or report requested; or
- b) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information to the EPA by **23 July 2021**.

If the information requested is not received by 23 July 2021, the Panel must proceed as if the request for further information has been declined.

Advice Note regarding comments received

The Panel has been provided with the comments received on the application. The Panel would like to note that it expects He Korowai Trust to respond to the flooding issue raised in the comments received from Garry Rush & Kathleen Johnson and from Imla Wati as part of the applicant's response to comments received. Please note this is due with your response to comment on **15 July 2021**.

Please note, the information will be provided to the Panel, the application and every person who provided comments on the application/notice of requirement. The information will also be made available on the EPA website.

If you have any questions or further queries, please don't hesitate to contact Alex Erceg on papakaingakaitaia.fasttrack@epa.govt.nz or 027 293 6728.

Nāku noā, na



Sandra Balcombe
Manager Land and Oceans Applications