

2020-B-07137

Vaughan Payne
Chief Executive Officer
Waikato Regional Council
s 9(2)(a)

Dear Vaughan Payne

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Ohinewai Foam Factory –
Comments sought**

In the week commencing 31 August 2020, the Minister for the Environment received an application to refer the above project to an expert consenting panel for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act). The proposed project is located within the Waikato region.

The project is described as follows, and a copy of the application is attached:

Ohinewai Foam Factory

An application by Ambury Properties Limited (APL) for a project that involves the construction and operation of a foam factory and associated rail siding at 88 Lumsden Road, Ohinewai. This project represents the first two stages of APL's overall proposed development in Ohinewai, which involves further development of the factory and the construction of residential properties. The works associated with the project will occur in three phases, preparatory earthworks, factory construction and rail siding construction.

Under delegated authority from the Minister for the Environment, I invite you to provide written comments on the proposed project pursuant to section 21(2) of the Act (a template is attached for this purpose). Comment is sought on the specific matters outlined in the table on the next page, and any further information you consider relevant to the Minister for the Environment's decision on whether to refer the project to an expert consenting panel. If it is more efficient to discuss this application, officials from the Fast-track Consenting Team will be available for a discussion with you. Please contact us at fasttrackconsenting@mfe.govt.nz.

Information requirements

1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through Resource Management Act 1991 consenting processes rather than the processes in the Act?
2. How does this project align with the Waikato District Plan, Waikato 2070 – Growth and Economic Strategy and any other plans/strategies for the Waikato region?
3. How will this project impact Waikato River, and its catchment?
4. Would you like to provide further commentary on the concerns you raised in your submissions to Waikato District Council on the proposed rezoning in Ohinewai?
5. Does the applicant, or a company owned by the applicant, have any past or current breaches/notices or litigation related to environmental regulatory compliance that you are aware of?
6. Have any directors of the applicant or a company owned by the applicant (in their capacity as an individual or a director of any company) ever been subject to proceedings concerning breaches/notices or litigation related to environmental regulatory compliance that you are aware of?
7. If the project progresses to the expert consenting panel, are there any technical reports that you would request the applicant provide in their consent application?
8. If the project progresses to the expert consenting panel, are there any groups that the expert consenting panel should invite to provide comments on the application?

Also note that if the Minister for the Environment 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 application. Applicants will provide a detailed assessment of environmental effects at this next stage and you 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 so that the Minister for the Environment can take your comments into consideration when deciding on the application.

Yours sincerely



Liz Moncrieff
Acting Director, Natural and Built Systems

Enclosures:

- A. Application to refer the Ohinewai Foam Factory project to an expert consenting panel including supporting information
- B. Response template for written comments

cc: Chris McLay, Consents Manager, Waikato Regional Council
s 9(2)(a)