



BRF-3150

Hounsell Holdings Limited and Hamilton City Council
c/- Fraser McNutt
Barker & Associates

s 9(2)(a)

Dear Fraser McNutt

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Rotokauri Greenway and Minor Arterial Project

Thank you for the application from Hounsell Holdings Limited and Hamilton City Council under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Rotokauri Greenway and Minor Arterial Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to construct certain aspects of a 4.7-kilometre stormwater management corridor ('Rotokauri Greenway') between Lake Waiwhakareke and Lake Rotokauri, and a 3.8-kilometre transport corridor ('Minor Arterial') between Te Wetini Drive and 153 Te Kowhai Road, Rotokauri, Hamilton. The project includes constructing artificial wetlands, landscaping and planting, upgrading the Rotokauri Drain and culvert below Exelby Road, and constructing three-waters infrastructure including a watermain, wastewater pipeline and pump station.

The purpose of the FTCA is to promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by creating approximately 273 full-time equivalent (FTE) jobs associated with the Rotokauri Greenway component of the project, and 194 FTE jobs associated with the Minor Arterial component

2. provide infrastructure to improve economic, employment and environmental outcomes, including for freshwater quality
3. strengthen environmental resilience and manage risk from natural hazards including flooding
4. progress faster than would otherwise be the case under standard Resource Management Act 1991 process.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Information required to be submitted with your resource consent applications

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any resource consent application for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6:

1. details of proposed offsetting and compensation measures to address adverse effects on ecological and freshwater values, including details of any discussions held and/or agreements made between the applicant and any relevant parties regarding ecological offsetting and compensation.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the following persons or groups additional to those specified in clause 17 Schedule 6 of the FTCA:

1. Waikato District Council
2. Waka Kotahi New Zealand Transport Agency
3. Te Haa o te whenua o Kirikiriroa
4. Ngaa Puna o Wairere.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made Hounsell Holdings Limited and Hamilton City Council will be able to lodge applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related or concurrent planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Te Haa o te whenua o Kirikiriroa
2. Ngaa Puna o Wairere.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Arts, Culture, and Heritage; Māori Crown Relations: Te Arawhiti; Housing; Infrastructure; Education; Transport; Land Information; Defence; Treaty of Waitangi Negotiations; Local Government; Conservation; and Climate Change

Local authorities:

Hamilton City Council
Waikato Regional Council

Other parties:

Waikato District Council
Waka Kotahi New Zealand Transport Agency
Te Haa o te whenua o Kirikiriroa
Ngaa Puna o Wairere

Relevant iwi authorities and Treaty settlement entities:

Te Whakakitenga o Waikato Incorporated
Ngaati Hauā Trust
Waikato Raupatu River Trust

Environmental Protection Authority

The Panel Convener