

BRF-659

18 October 2021

Richard Briggs
Chief Executive
Hamilton City Council
Email: ceo@hcc.govt.nz

Dear Richard Briggs

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Rotokauri North – Stage 1 –
Comments sought**

In the week commencing 4 October 2021, Rotokauri North Holdings Limited applied to the Minister for the Environment (the Minister) to refer the Rotokauri North - Stage 1 project (the Project) to an expert consenting panel (a panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The Project is described below, and a link to all application documents is provided in the covering email.

The project is to establish the first part of a residential development planned for a greenfield site on the north-western outskirts of Hamilton at 289, 317, 329, 335 and 341 Te Kowhai Road and 350 and 372 Exelby Road. The project comprises subdivision of a site covering approximately 62 hectares to create approximately 400 residential lots, additional superlots and balance lots, and roads intended to be vested in the local authority. It also includes construction of 40 residential units on approximately 20 of the residential lots and the installation of necessary three waters infrastructure. One of the superlots will be for a primary school and the applicant is currently negotiating with the Ministry of Education regarding the purchase of that site.

The Project involves activities such as: demolition of buildings, subdivision of land, earthworks and vegetation clearance within 100m of a natural wetland, earthworks (including disturbance of contaminated land), reclamation of natural stream beds, diversions and takes of surface water and groundwater, discharges of surface water, groundwater, and stormwater and contaminants to land and water, installation of culverts in riverbeds, construction of dwellings, construction of roading and transport infrastructure and three waters services.

The applicant is seeking subdivision and land use consents under the Hamilton District Plan, land use consent under the Waikato District Plan, water and discharge permits under the Waikato Regional Plan and resource consents under the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 to be determined for the Project through the fast-track process.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite you to provide written comments on the referral application. A template is attached for this purpose. Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to the Minister's decision on whether to refer the Project to a panel.

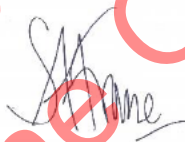
If it is more efficient to discuss this application, please contact me or my team at fasttrackconsenting@mfe.govt.nz to arrange an appointment.

Specific questions on the application
<ol style="list-style-type: none">1. Are there any reasons that you consider it more appropriate for the project, or part of the Project, to continue to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?2. What reports and assessments would normally be required by the council for a project of this nature in this area?3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?

Also note that if the Minister decides to refer the Project to a panel, the council 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 resource consent applications for the project. The applicant will provide a detailed assessment of environmental effects at this stage and the council 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 to ensure that the Minister will take your comments into consideration when deciding on the referral application. Please note that the Minister is not required to consider comments provided after this time, although he can still choose to do so.

Yours sincerely



Stephanie Frame
Manager, Fast-Track Consenting Team

Enclosures:

A. Response template for written comments

cc: Blair Bowcott (General Manager Growth) - s 9(2)(a)