

# Application for Resource Consent

## Under clause 2(1) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is to be used to apply for a resource consent(s) for listed projects and referred projects under clause 2(1) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (“the Act”). If the project also includes a Notice of Requirement please also complete the separate Notice of Requirement form.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 unless otherwise stated.

Resource consent applications cannot be lodged with the EPA or determined by a panel if they relate to an activity that:

- is classified as a prohibited activity in a relevant plan or proposed plan, or in regulations made under the Resource Management Act 1991 (including any national environmental standard); and
- is to occur within a customary marine title area, unless agreed in writing with the appropriate customary marine title group.

The information required for resource consent applications are prescribed in clauses 9-12 of Schedule 6 of the Act.

Your application must:

- Include the information required (which is listed in the Resource Consent Application checklist on this form); and
- Comply with any restrictions or obligations, such as any information requirements included in Schedule 2 or 3 of the Act, as applicable.

The information you provide must be in sufficient detail that corresponds with the scale and significance of the effects that the activity may have on the environment, taking into account any proposals to manage the adverse effects through conditions. If these information requirements are not met, the Environmental Protection Authority (EPA) must return your application.

If the project is planned to proceed in stages, please provide details of the nature and timing of the staging and indicative lodgement dates for each stage. Note that a new application should be lodged for each separate stage.

We recommend that you discuss your application with the EPA before lodging the application. Please contact the EPA:

By phone: 0800 080 065; or

By Email: [fasttrack@epa.govt.nz](mailto:fasttrack@epa.govt.nz)

Applications must be submitted to the EPA by email [fasttrack@epa.govt.nz](mailto:fasttrack@epa.govt.nz) and in hard copy (six hard copies required). Hard copies are to be sent to the Environmental Protection Authority, Level 10, 215 Lambton Quay, Wellington.

Please also provide one copy of a redacted version (clearly labelled) that does not disclose personal contact details for you (the applicant) and any other individual, including persons identified as owners or occupiers of land or affected persons.

If your application includes or is for a coastal permit to undertake an aquaculture activity, an additional copy of the application documents must be included for the EPA to provide to the Director-General of the Ministry for Primary Industries.

All documents lodged with this application, must be indexed.

Electronic documents shall be separated into smaller files less than 30MB.

Your personal and company information will be held by the EPA and used in relation to this application. You have the right to access and correct personal information held by the EPA.

If your application is accepted as complying with the requirements of clause 3 of Schedule 6 of the Act, it will be provided to specified parties invited to comment by the expert consenting panel. Any personal contact details (phone number, address and email) including any owners and occupiers listed in application documents, will not be made publicly available.

Your full application (including business contact details) will be publicly available on our website.

All information held by the EPA is subject to the Official Information Act 1982.

We will recover from you the actual and reasonable costs incurred in respect of this application. We may suspend processing your application for non-payment of costs. A copy of the EPA Cost Recovery Policy is available on the EPA website: <https://www.epa.govt.nz/fast-track-consenting/making-an-application/>

## Part 1: Applicant details

Project Name and identifier (as named in Schedule 2 or referral order): <b>Ohinewai Foam Factory</b>	
Person or entity authorised to undertake project (as named in Schedule 2 or referral order): <b>Ambury Properties Limited</b>	
Key contact name: <b>David Gaze</b>	
Phone: <b>+64 9 306 0122</b>	Email: <b>david.gaze@gaze.co.nz</b>
Email address for service: <b>david.gaze@gaze.co.nz</b>	
Postal Address (if preferred method of service):	

## Consultant details

Company: <b>Bloxam, Burnett &amp; Olliver</b>	
Full name of consultant: <b>Stuart Penfold</b>	
Phone: <b>07 834 8532</b>	Email: <b>spenfold@bbo.co.nz</b>
Email address for service: <b>spenfold@bbo.co.nz</b>	
Postal Address (if preferred method of service):	

If you are making this application on behalf of the applicant please attach evidence that you are authorised to make this application.

Please direct all correspondence from the EPA to:

- Applicant  
 Consultant

## Part 2: Type of application for resource consent

This application is for the following type(s) of resource consent (please tick all that apply):

- land-use consent  
 subdivision consent  
 water permit  
 discharge permit  
 coastal permit:  
 for reclamation  
 aquaculture activities  
 other

## Part 3: Brief description of the application

Please provide a brief description of the application and the consents sought:

Attach additional pages if required.

Resource consents are sought for the construction and operation of the Ohinewai Foam Factory and associated rail siding, including the necessary earthworks, road realignments, rail connection to the NIMT, extensive landscape planting and stormwater infrastructure. The factory building is 23,710m<sup>2</sup> in size with a height ranging from 11m to 17.9m.

Land use consents are sought for the earthworks, industrial activity in the Rural zone, the factory exceeding the height and bulk and location controls, signage, traffic movements and hazardous materials management. Discharge consent is sought for stormwater discharge.

Water permits are sought for the ancillary water take required for earthworks and diversion of surface water.

## Part 4: Schedule of application documents

List all documents submitted with the application.

Attach additional pages if required.

Attachment number	Document name and date	Author	Document versions
1	EPA Application Form	EPA form, completed by Bloxam, Burnett & Olliver (BBO)	N/A
2	<ul style="list-style-type: none"> <li>• Proposed Ohinewai Structure Plan</li> <li>• Zoning Plan</li> </ul>	Adapt Studio	<ul style="list-style-type: none"> <li>• Rev. K</li> <li>• Rev. E</li> </ul>
3	Existing Resource Consents (Copies)	Waikato Regional Council Waikato District Council	N/A
4	Records of Title	LINZ	N/A
5	<ul style="list-style-type: none"> <li>• Integrated Transport Assessment</li> <li>• Draft Construction Traffic Management Plan</li> </ul>	BBO	<ul style="list-style-type: none"> <li>• V.1 31/03/21</li> <li>• Draft Issue 4 30/04/21</li> </ul>
6	<ul style="list-style-type: none"> <li>• Geotechnical Interpretative Report Stage 1 &amp; 2 Sleepyhead Factory</li> <li>• NZ Comfort Group Ohinewai Rail Siding Geotechnical Report for Resource Consent</li> </ul>	Initia Limited	<ul style="list-style-type: none"> <li>• REV 1 May 2020</li> <li>• REV A May 2021</li> </ul>
7	Ecological Impact Assessment Ohinewai Foam Factory and Railsiding Ohinewai Fast-Track Application	Ecology New Zealand	Revision 0 2021/03/31

8	Archaeological assessment of effects	W Gumbley Ltd.	June 2019
9	<ul style="list-style-type: none"> <li>• Preliminary Site Investigation</li> <li>• Detailed Site Investigation</li> <li>• Remediation Action and Site Management Plan</li> </ul>	Geosciences Limited	<ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 14 August 2019</li> <li>• 14 August 2019</li> </ul>
10	Civil Infrastructure Report Ohinewai Foam Factory & Rail Siding	Woods	V1 1/04/2021
11	<ul style="list-style-type: none"> <li>• Proposed Conditions - Regional</li> <li>• Proposed Conditions – District</li> </ul>	BBO	<ul style="list-style-type: none"> <li>• Version 1 May 2021 Draft</li> <li>• Version 2 May 2021 Draft</li> </ul>
12	<ul style="list-style-type: none"> <li>• Ohinewai Foam Factory &amp; Rail Siding Acoustic Assessment</li> <li>• Sleepyhead Ohinewai – Earthworks Stage 1 Construction Noise and Vibration Management Plan</li> </ul>	Marshall Day Acoustics	<ul style="list-style-type: none"> <li>• R02 20190798 1 April 2021</li> <li>• R05 20190798 29 March 2021</li> </ul>
13	Proposed Factory & Rail Siding Architectural Plans	Gaze Commercial	April 2021
14	Ohinewai Foam Factory Hazardous Substances Qualitative Assessment	Jacobs	Issue Rev 5 26 March 2021
15	Ohinewai Foam Factory & Rail Siding Landscape and Visual Assessment	Mansergh Graham Landscape Architects	R5 March 2021
16	Hazardous Substances Technical Assessment Proposed foam and bed manufacturing facility, Ohinewai	Tonkin & Taylor Limited	July 2020
17	Draft Emergency Plan	NZ Comfort Group Limited	Draft # 7 15.10.20
18	<ul style="list-style-type: none"> <li>• Tangata Whenua Governance Group (TWGG) Approval</li> <li>• KiwiRail letter of support</li> </ul>	<ul style="list-style-type: none"> <li>• TWGG</li> <li>• KiwiRail</li> </ul>	<ul style="list-style-type: none"> <li>• 31 March 2021</li> <li>• 9 April 2020</li> </ul>
19	Kaitiaki Environmental Values Assessment Report, Mana Whenua Report for Ambury Properties Ltd Proposed Sleepyhead Estate Development in Ohinewai	Whetu Consultancy Group	Final Draft 5 April 2020
20	Greenhouse Gas Emissions Assessment for the Proposed NZCG Foam Factory, Ohinewai, Waikato.	Atmospheric Science Global	March 2021
21	Sleepyhead Factory & Rail Siding Ohinewai	Property Economics	March 2021

	Fast-Track Referral Economic Effects Report		
22	Social Impact Assessment Memorandum	Quigley and Watts	31 August 2020
23	Waikato District Plan & Waikato Regional Plan Objective and Policies Assessment	BBO	Undated
24	NPS-Freshwater Objectives and Policies Assessment	BBO	Undated
25	Regional Policy Statement Objectives and Policies Assessment	BBO	Undated
26	Waikato Tainui Environmental Plan Objectives and Policies Assessment	BBO	Undated

## Part 5: Description of inquiries made to identify occupiers

**Please explain what reasonable inquiries were made to identify the occupiers of the land on which the project is to be undertaken and the land adjacent to that land.**

Attach additional pages if required.

Extensive engagement with the local community, including the adjacent landowners and occupiers has been completed by Ambury Properties Limited (APL) over the course of development planning over the previous 18-24 months.

Many of the property owners have been contacted by representatives of APL and that confirmed the names and addresses of the occupiers of the land adjacent to the subject site.

## Part 6: Is this application part of a project planned to proceed in stages?

Yes (see below)

No

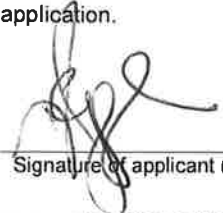
**If the project is planned to proceed in stages, please provide details of the nature and timing of the staging and indicative lodgement dates for each stage. Note that a new application should be lodged for each separate stage.**

Attach additional pages if required

## Part 7: Signature

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct, and that I am authorised to make this application.

I understand that the EPA can recover actual and reasonable costs incurred in relation to this application.

 David Goza  
Ambury Properties Ltd.

Signature of applicant (or person authorised to make application) \_\_\_\_\_ Date 14/05/21

**Note: The information checklist on the following page must be completed prior to lodging this application. The checklist is designed to assist you in providing all the relevant information. If an application does not comply with all requirements then the EPA must return it to the person who lodged it.**

# Resource Consent Application Checklist

<p>In accordance with clauses 9-12 of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 the following information must be provided for resource consents for listed or referred projects:</p> <p>(all clauses in this checklist are from Schedule 6 of the Act)</p>	<p>Application Reference (Section and page)</p>	<p>✓</p>
<p>A description of the proposed activity (clause 9(1)(a))</p>	<p>Section 4, p.21</p>	<p>✓</p>
<p>A description and map of the site at which the activity is to occur (clause 9(1)(b))</p>	<p>Section 3, p. 9 Map of site p. 10</p>	<p>✓</p>
<p>Confirmation that the consent application complies with clause 3(1) (clause 9(1)(c))</p>	<p>Section 1.1., p.2</p>	<p>✓</p>
<p>The full name and address of each owner of the site and of land adjacent to the site, and each occupier of the site and of land adjacent to the site who, after reasonable inquiry, is able to be identified (clause 9(1)(d))</p>	<p>Sections 3.2 &amp; 3.4., p.12-13</p>	<p>✓</p>
<p>A description of any other activities that are part of the proposal to which the application relates (clause 9(1)(e))</p>	<p>Section 2.6, p.7 Section 4, p.21 Section 4.1, p.22 Section 5.2, p.43 Section 5.3, p.45</p>	<p>✓</p>
<p>A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the proposal to which the application relates (clause 9(1)(f))</p>	<p>Section 5.3.3, p.48</p>	<p>✓</p>
<p>An assessment of the activity against</p> <ul style="list-style-type: none"> <li>(i) Part 2 of the Resource Management Act 1991; and</li> <li>(ii) the purpose of the Act; and</li> <li>(iii) the matters set out in section 19 of the Act</li> </ul> <p>(clause 9(1)(g))</p>	<p>Section 11, p.76 Section 12. p.78</p>	<p>✓ ✓</p>
<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> <li>(i) a national environmental standard:</li> <li>(ii) other regulations made under the Resource Management Act 1991:</li> <li>(iii) a national policy statement:</li> <li>(iv) a New Zealand coastal policy statement:</li> <li>(v) a regional policy statement or proposed regional policy statement:</li> <li>(vi) a plan or proposed plan;</li> <li>(vii) a planning document recognised by a relevant iwi authority and lodged with a local authority</li> </ul> <p>Including an assessment of the activity against:</p> <ul style="list-style-type: none"> <li>• Any relevant objective, policy, or rules in any of the documents listed above.</li> </ul>	<p>Section 10.1, p. 71 Section 10.2, p. 71 Section 10.3, p. 72 N/A Section 10.5, p. 74 Section 10.6, 10.7, 10.8 p. 75 Section 10.4 &amp; 10.9, p. 72 &amp; 75</p>	<p>✓</p>



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<ul style="list-style-type: none"> <li>Any requirement, condition, or permission in any of the documents listed above</li> <li>Any other requirements in any of those documents</li> </ul> <p><b>(clause 9(1)(h)) and clause 9(2) and (3))</b></p>	<p>Refer to Appendices 23-26</p>	<p>✓</p>
<p>Information about any Treaty settlements, that apply in the project area, including the identification of the relevant provisions in those Treaty settlements, and a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area <b>(clause 9(1)(i))</b></p>	<p>Section 7, p.53. Section 10.4, p.72</p>	<p>✓</p>
<p>The conditions proposed for the consent. <b>(clause 9(1)(j))</b></p>	<p>Section 9, p. 69 (&amp; Appendix 11)</p>	<p>✓</p>
<p>An assessment of the activity's effects on the environment, which must:</p> <ul style="list-style-type: none"> <li>Include the information required by clause 10 of Schedule 6; and</li> <li>Cover the matters specified in clause 11 of Schedule 6.</li> </ul> <p><b>(clauses 9(4) 10 and 11)</b></p>	<p>Section 8, p.53 (and various technical reports included as appendices)</p>	<p>✓</p>
<p>A cultural impact assessment:</p> <ul style="list-style-type: none"> <li>Prepared by or on behalf of the relevant iwi authority or authorities; or</li> <li>If one is not provided, a statement of the reasons given by the iwi authority for not providing it</li> </ul> <p><b>(clause 9(5))</b></p>	<p>Not provided as discussed in Section 7.1, p. 52</p>	<p>✓</p>
<p>If a permitted activity is part of the proposal to which the consent application relates, include a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity. <b>(clause 9(6)(a))</b></p>	<p>Section 5.2, p.43</p>	<p>✓</p>
<p>If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, include an assessment of the activity against any resource management matters set out in the planning document. <b>(clause 9(6)(b))</b></p>	<p>N/A</p>	<p></p>
<p>In the case of a referred project, all additional information required by the referral order <b>(clause 9(6)(c))</b></p>	<p>Outlined in Section 1.2, p. 2</p>	<p>✓</p>
<p><b>Subdivisions or Reclamation</b></p>		
<p>If the application is for subdivision, in addition to the information required under clause 9, an application for a subdivision in a project area must include information that adequately defines:</p> <ul style="list-style-type: none"> <li>The position of all new boundaries;</li> <li>The areas of all new allotments, unless the subdivision involves a cross lease, company lease or unit plan;</li> </ul>	<p>N/A</p>	<p></p>

<p>In accordance with clauses 9-12 of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 the following information must be provided for resource consents for listed or referred projects:</p> <p>(all clauses in this checklist are from Schedule 6 of the Act)</p>	<p>Application Reference (Section and page)</p>	<p>✓</p>
<ul style="list-style-type: none"> <li>• The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips</li> <li>• The locations and areas of existing esplanade reserves, esplanade strips and access strips</li> <li>• The location and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the Resource Management Act 1991</li> <li>• The locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991</li> <li>• The locations and areas of land to be set aside as new roads</li> </ul> <p><b>(clause 12(1))</b></p>		
<p>If the application is for reclamation(s), in addition to the information required under clause 9, information must also be included to show the area to be reclaimed, including the following:</p> <ul style="list-style-type: none"> <li>• The location of the area to be reclaimed</li> <li>• If practicable, the position of all new boundaries</li> <li>• Any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip</li> </ul> <p><b>(clause 12(2))</b></p>	<p>N/A</p>	

<p>Other restrictions or obligations</p>	<p>Application Reference (Section and page)</p>	<p>✓</p>
<p>In the case of a listed project, the application complies with any restrictions or obligations in Schedule 2</p> <p>OR</p> <p>In the case of a referred project, the application complies with any restrictions or obligations in Schedule 3 and the referral order</p>	<p>Section 1.2, p. 2</p>	<p>✓</p>
<p>Confirmation that the project does not include any of the activities set out in clause 2(4) of Schedule 6</p>	<p>Section 1.1, p. 2</p>	<p>✓</p>

Evidence of authorisation	Application Reference (Section and page)	✓
Evidence of authorisation if you are making this application on behalf of the applicant who must be a person authorised in accordance with section 15 of the Act	N/A	