

# Your Comment on the Ohinewai Foam Factory

All sections of this form with an asterisk (\*) are mandatory.

## 1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

<b>Organisation name (if relevant)</b>	Environmental Defence Society Inc		
<b>*First name</b>	Cordelia		
<b>*Last name</b>	Woodhouse		
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## 2. \*We will email you draft conditions of consent for your comment about this application

<b>X</b>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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## 3. Please provide your comments on this application

If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages

### INTRODUCTION

1. The Environmental Defence Society (**EDS**) is a not-for-profit, non-governmental environmental organisation. It was established in 1971 with the objective of bringing together the disciplines of law, science, and planning to promote better environmental outcomes in resource management. EDS has an extensive involvement in advocating for good environmental outcomes, including for biodiversity and freshwater, in Aotearoa New Zealand.
2. The Ohinewai Foam Factory project at Lumsden Road and Balemi Road, Ohinewai in the northern Waikato is proposed as the core element of a new urban settlement. The 'Sleepyhead' proposal has frequently been in the news in relation to the rezoning of land and enablement of this development as part of the Waikato Proposed District Plan (PDP) review process.
3. The PDP Independent Hearing Panel released its decision on the rezoning on 24 May 2021 confirming the zoning, putting in place the Ohinewai Structure Plan and zoning which creates both Industrial and Residential Precincts. The details of the decision, and its implications for the

decision criteria for this application, have been addressed by the applicant in a reply to a request for further information from the Expert Consenting Panel. The reply also amends elements of the application by responding to the rezoning including the landscape and visual assessment, the provision of a draft ecological rehabilitation and management plan and updated proposed conditions of consent. The applicant also responds in detail as to why considerable weight should be given to the proposed zoning over the zoning of the Operative District Plan.

4. The applicant has already obtained District Council and Regional Council resource consents for:
  - a. bulk earthworks and stormwater management for access to the factory site and the site itself (these consented are being implemented currently); and
  - b. stormwater discharges and air discharges from the foam factory.
5. The current application (the **Application**) seeks consent for:
  - a. the proposed industrial activity and for the use and storage of hazardous substances relating to foam manufacture (toluene diisocyanate and polyalcohols);
  - b. ancillary traffic and signage matters;
  - c. minor building height exceedances;
  - d. further earthworks and stormwater and groundwater management consents for the site including the proposed rail siding that will be used for the import and export of materials and products from Auckland and Tauranga ports.
6. Much of the zone change information package for the PDP has been utilised to support the Application, together with project specific information for the above consents sought.

#### **KEY ISSUES**

7. The key issues arising from the application are set out below.

##### Economic effects

8. The Application can be distinguished from others being considered under the Act in terms of its strong contribution to regional employment, not just in terms of development employment, but also operating employment associated with the foam factory. Six hundred jobs (direct operating employment) in the north Waikato is a significant number.
9. The proposal to utilise the rail infrastructure is also of significant economic and carbon emissions reduction benefit as described in the greenhouse gas assessment, principally through no longer using methylene chloride as a refrigerant in production and road/rail freight savings.

##### Ecological effects

10. EDS considers that the draft ecological rehabilitation and management plan addresses the potential for long-tailed bat habitat and black mudfish habitat in an appropriate precautionary way.
11. Further, although site waterways comprise degraded farm drains and the provisions of the NES-FW are not triggered, sediment discharges are appropriately controlled so that the values of the nearby lakes are protected.

##### Cultural effects

12. The Application includes a positive kaitiaki environmental values assessment report and a support letter from the Waikato Tainui tangata whenua governance group (TWWG). These documents address the important matters contained in Te Ture Whaimana o Te Awa o Waikato, the 'Vision and Strategy' for the River, which prevails over any inconsistent provision in an NPS, the New Zealand Coastal Policy Statement or any national planning standard, and the Waikato Tainui Environmental Plan have both resulted from the Waikato-Tainui Settlement Act (Waikato River

Act) with the purpose of implementing co-management of the Waikato River. The support expressed relates to ongoing and long-term commitments to employment, training and environmental initiatives.

#### Hazardous substances

13. The quantitative risk assessment ranked each of the five credible spill or fire risks as low. However, storage of 140,000 litres of diisocyanates nevertheless represents a significant risk management responsibility within a new urban environment.
14. EDS considers that the information provided in the Application appropriately assesses this risk and proposes management through effective site design (e.g. proposed spill containment measures, vapour filtration, fire protection systems) and operational procedures (e.g. unloading and safe handling procedures and the Emergency Plan).

#### **CONCLUSION**

15. EDS considers that the Application includes a comprehensive and robust set of conditions to address the above effect. It therefore recommends that the Application be supported.
16. The Application aligns closely with the purpose of the Act, and all potential environmental effects, as identified in Schedule 6, Clause 11 of the Act, have been appropriately addressed. In terms of strategic analysis, the costs and benefits of a new urban settlement for the north Waikato have been rigorously examined in the PDP process, and while the decision of the PDP Independent Hearing Panel to support rezoning is subject to appeal, EDS's review of the the reasons for that decision suggests that it is unlikely to be overturned.