

File ref: FTC000023

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Tēnā koe

Request for information from Ambury Properties Limited in relation to Ohinewai Foam Factory under COVID-19 Recovery (Fast-track Consenting) Act 2020

The Ohinewai Foam Factory Expert Consenting Panel (the Panel) has directed the Environmental Protection Authority (EPA) to request further information from you under clause 25 of Schedule 6 of the COVID-19 Recovery Act 2020 (the Act), relating to the Ohinewai Foam Factory Consent Application.

Information Request – Part A

As directed by the Panel, the EPA requests the following information:

1. The plans for the rail siding for both Options 1 and 2 show three tracks but no track loop on which trains might turn around before travelling back to the North Island Main Trunk Line (NIMT).
 - a. Provide a full explanation of how this rail siding will operate.
 - b. The Panel assumes the train entering the rail siding will have an engine at the front of the train and this will pull the train into the siding. How is it proposed to exit the rail siding (i.e. will the train be turned around in the rail siding area and if so, how and where?)
 - c. If it is not intended to exit the rail siding using an engine at the front of the train, how will safety at the level crossing be addressed?
2. The application has suggested the rail siding could be used by other industrial or business activities in the immediate area in the future.
 - a. How will other users access the rail siding if the rail siding is entirely on the applicant's land?
 - b. If, through this application, controls were placed on the hours or frequency in which the rail siding could be used, how would that impact on other possible future users of the rail siding, who will not be operating under any conditions of consent granted to Ambury Properties Limited (APL) for the foam factory?
3. Provide a more detailed plan showing the location and size of the acoustic barrier/ bund discussed in Marshall Day's report dated 27 July 2021. What is the visual impact of the proposed acoustic barrier/bund, particularly on the residents of 85 Lumsden Road?
4. The Panel is unable to assess the impact of the changes to Wetland 1 and 2 arising from Option 2 for the rail siding.

- a. Provide a new plan showing the precise nature of the changes proposed to Wetlands 1 and 2 and overlap this with the current design.
 - b. Explain how the proposed amendments to Wetland 2 vary from that described for Option 1 in terms of any affect on the overall stormwater management regime for the proposal.

5. In answering question (d), page 2 of the BBO letter dated 27 July 2021 states:
“The proposed rail siding to service the factory development was identified in its current location as part of a master planning exercise commenced in 2018 and developed into what is now the Ohinewai Structure Plan and forms the Ohinewai zone in the Proposed Waikato District Plan – Decisions Version.”
 - a. Does the Ohinewai zoning contain or require any specific design details for a rail siding?
 - b. If so, what implications then arise for rail siding Option 2?

6. Rail siding Option 2 appears to result in the realignment of Lumsden Road and the apex of the resultant bend being located much closer to Building 2.
 - a. How does the applicant propose to address traffic safety in this regard and how this might be conditioned?
 - b. Does this fall within any required safety audit?

7. Section 6.1.4 of the ecological assessment addressed the general effect of lighting on bats but did not specifically address the effect of the lighting of the digital sign on bats, including their movements through this environment.
 - a. Provide this assessment of the effects of the lighting of the digital sign on bats, including their movements through this environment.

8. Advise whether the applicant is asking the Panel to consider both Options 1 and 2 for the rail siding. If both options are preferred, provide suggested draft conditions addressing this.

In accordance with clause 25 of Schedule 6 of the Act APL must

- a) Provide electronic copies of the information or report requested; or
- b) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information requested under Part A to the EPA no later than **Thursday 5 August 2021**.

Information Request – Part B

As directed by the Panel, in addition to the information requested under Part A, the EPA also requests the following information:

1. Provide a full set of drawings specific to rail siding Option 2 (i.e. all contingent modifications) so that all effects of this option are clear and can be properly assessed.

In accordance with clause 25 of Schedule 6 of the Act Ambury Properties Limited must

- c) Provide electronic copies of the information or report requested; or
- d) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information requested under Part B to the EPA no later than **Tuesday 10 August 2021**.

Please note, the information will be provided to the panel, the application and every person who provided comments on the application/notice of requirement. The information will also be made available on the EPA website.

If you have any questions or further queries, please don't hesitate to contact Alex Erceg on alexander.erceg@epa.govt.nz or 027 293 6728.

Nāku noā, na

A handwritten signature in black ink, appearing to read 'Sandra Balcombe', with a long, sweeping tail stroke extending to the right.

Sandra Balcombe
Manager Land and Oceans Applications