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Tēnā koe Jillian

EPA seeks views on calling in Te Awamutu waste-to-energy resource consent applications

I write to you on behalf of Waipā District Council (Waipā) to respond to your letter dated 19 March 2024 asking Waipā provide its view on certain matters relating to the request for call in made to the Minister for the Environment on 7 February 2024. The request for call in relates to the resource consent application from Global Contracting Solutions Limited (GCS) to construct and operate a waste incineration plant proposed in Te Awamutu.

Your letter outlined a number of points you would like our views on; for ease of reference, I have used these as headings.

Whether the matter is, or is part of, a proposal of national significance and why, particularly in respect of the factors set out in section 142(3)(a) of the Resource Management Act (RMA);

As set out in our request to the Minister (dated 7 February 2024), Waipā have supported the call in request made by Waikato Regional Council (WRC) dated December 2023. The matters WRC have outlined include several relevant factors relating to the widespread community interest in the proposed waste incineration plant and its potential for emission of greenhouse gases to have subsequent effects on climate change, as well as the technology, processes, or methods being new to New Zealand and that may affect its environment. Whilst the results of consultation with mana whenua were not provided with the application, it is considered likely the development will be of high interest to mana whenua.

I have viewed the letter WRC are issuing in response to their similar request from the EPA, and I can confirm that the additional detail they have provided to these matters continue to be supported by Waipā.

Please note that this consideration does not provide any connection to the potential views of Waipā on the definitions or considerations of the proposed Fast-track Approvals Bill for “regionally and nationally significant infrastructure and development projects”.

Whether the Minister should call in the matter and why;

Waipā’s position is that the Minister should call in the matter due to the connected nature of the consents being processed by Waipā and WRC. In the interests of the applicant GCS, the significant number of submitters involved and our community, any decision-making around this issue must be clear, co-ordinated and consistent and that there should be only one hearing process undertaken.

If the matter is called in, whether the Minister should direct the matters to be decided by a Board of Inquiry or the Environment Court, and why;

Waipā would like to advocate for the Board of Inquiry process. A Board of Inquiry process is less confronting than the Environment Court for our lay-community submitters, is less likely to require lawyers (and their additional cost) for our submitters and it has the potential to be held locally (Te Awamutu being our preference, given 575 submitters who have advised they wish to be heard).

A Board of Inquiry process also provides an opportunity for our Joint Management Agreement partners (Waikato-Tainui, Raukawa and Te Nehenehenui) to be considered as Board members to ensure there is a strong grounding in the Waikato and Waipā River settlements in decision-making. This development is within the takiwā of all three iwi partners and Waipā would support this consideration.

Your Council's capacity to process this matter; and

The GCS application is currently being jointly processed by WRC and noting that WRC are taking the lead role. While processing this application would place significant pressure on Waipā resources due to the scale of community interest and technical input required, Waipā does have capacity to process this application if required to.

Any other information you consider may be relevant to the Minister's decision.

As indicated above, our JMA partners would like to be involved in the provision of your advice to the Minister and any future decision making process should the matter be called in. If you haven't contacted them previously, we would recommend you do so and can provide contact details on request.

I thank you again for your agreement to provide this response a couple of days later than your originally stipulated date. I hope this does not impact your ability to provide your advice to the Minister within the 20 working days you are provided with (s144A (3) of the RMA). Waipā is very mindful of timeframes for our community and the applicant.

In conclusion, Waipā considers that the matters included in this development are a proposal of national significance and should be called in by the Minister for the Environment and referred to a Board of Inquiry to decide.

If you require any further information or wish to discuss the matters raised, please contact me directly.

Ngā mihi



Wayne Allan
GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES