

COVID-19 Recovery (Fast-track Consenting) Act 2020

Beachlands Housing Development by Neil Construction Limited and Fletcher Residential Limited

M-1 Minute of the Beachlands Housing Development Expert Consenting Panel – 26 November 2021

1. On 22 October 2021, Neil Construction Limited and Fletcher Residential Limited lodged an application for resource consents with the Environmental Protection Authority (EPA), for the Beachlands Housing Development (the project), under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act).
2. The Beachlands Housing Development Expert Consenting Panel (the Panel) was appointed on 22 November 2021 to determine the application for resource consents. The Panel is comprised of myself (as chairperson), Bill Kapea and David Wren.

Invitations to Comment

3. The Panel must invite written comments from the persons or groups listed in clauses 17(6) and 17(7) of Schedule 6 of the Act.
4. In addition to the requirements of clauses 17(6) and 17(7), the Panel may invite written comments from any other persons that the Panel considers appropriate in accordance with clause 17(8) of Schedule 6 of the Act.
5. The panel notes that clause 17(1) of Schedule 6 of the Act expressly prohibits them from giving limited or public notification of the application.
6. The parties that must be invited for comment in accordance with clause 17(7) of Schedule 6 of the Act are identified in clause 7 of Schedule 18 of the [COVID-19 Recovery \(Fast-track Consenting\) Referred Projects Order 2020](#).

Determination of owners and occupiers of land who must be invited for comment under clauses 17(6)(g) and 17(6)(h) of Schedule 6 of the Act.

7. The Panel has considered the application and the extent of land on which the project is undertaken and the land adjacent to that land.
8. In identifying the extent of land parcels that are considered “*adjacent to the land on which the project is undertaken*”, the Panel considered that land parcels that:
 - share a common boundary with the land on which the project is to be undertaken; or
 - are across the road from land on which the project is to be undertaken; or
 - are within close proximity to land on which the project is undertaken and considered within the context of the site;as being land that is adjacent to land on which the project is to be undertaken.
9. The Panel considers that the owners and occupiers of the land on which the project is to be undertaken and the land adjacent to that land, being the land described in paragraph 8, must be invited to comment on the application in accordance with clauses 17(6)(g) and 17(6)(h) of Schedule 6 of the Act.

10. A list identifying these properties can be found on the EPA website on the “*Comments from Invited Parties*” page which can be found here: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/beachlands-housing-development/>.
11. A map identifying these properties is appended to this Minute.
12. In addition to the person(s) that must be invited to comment under clauses 17(6) and 17(7) of Schedule 6 of the Act, in accordance with clause 17(8) of Schedule 6, the Panel may invite written comments from any other person the Panel considers it appropriate.
13. The Panel considered that it is appropriate to invite written comment from Watercare Services Limited as the owner and operator of wastewater and stormwater infrastructure which the development would be using.

Date determined for closing of comments

14. The decision on the person(s) who must be invited to comment and those that the Panel considered appropriate to invite comment from was made on 25 November 2021.
15. The EPA is to use invitations to comment on behalf of the Panel on **26 November 2021**.
16. Clause 18(1) of Schedule 6 of the Act specifies written comments must be received by the EPA on behalf of the Panel on a specified date (which must be 10 working days after the date on which the invitation is given under clause 17(2)).
17. For the Beachlands Housing Development there are a number of person(s) or groups the Panel must invite comment from that can only be contacted via postal addresses. To avoid any prejudice for postal (or non-electronic recipients) and considering the current COVID-19 Alert Level restrictions, including the Auckland border, the Panel considers it appropriate to allow time for the invitation to comment to be received, before the 10 working days by which a written comment received by the EPA begins.
18. The Panel has therefore resolved to allow 5 working days for delivery of the invitation to comment and has determined the date by which written comments must be received by the EPA to be no later than **17 December 2021**.
19. It is important to note that the Panel is not required to consider comments received by the EPA after 17 December 2021, but may do so, in its discretion, as long as the Panel has not issued its decision.
20. As public and limited notification is prohibited, only those persons or groups that have been invited to comment by the Panel can provide written comment on the application.
21. There is no right for any person to seek a waiver of the time limit.
22. As a hearing is not required under the Act and may not occur, if comments are to include expert consultant advice or legal submissions, these must be received with written comments supplied to the EPA no later than **17 December 2021**.

23. Written comments can be emailed to the EPA at beachlands.fasttrack@epa.govt.nz.

A handwritten signature in blue ink, appearing to read 'D Minhinnick', with a stylized flourish at the end.

Daniel Minhinnick

On behalf of the Beachlands Housing Development Expert Consenting Panel.

Beachlands Housing Development

