

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

Dominion Road Mixed-use Development resource consent application (the application)

M-13 Minute of the Dominion Road Mixed-use Development Expert
Consenting Panel – 1 September 2021

1. The Dominion Road Mixed-use Development expert consenting panel met on 1 September 2021. This Minute:
 - a. Records the information received by the Panel since 20 August 2021
 - b. Requests further information from the applicant by 4pm on 3 September 2021
 - c. Directs the traffic and transportation experts to conference to prepare a joint statement and to provide that statement by 5pm on 9 September 2021
 - d. Advises the draft conditions will now be circulated on 6 September 2021, with comments to be provided no later than 5pm on Monday 13 September 2021
 - e. Confirms a hearing is likely to be held (remotely) on 16 and 17 September 2021 to address the traffic effects and the appropriate conditions (in the event consent is to be granted).

Information Received by Panel

2. On 20 August 2021, the Dominion Road Mixed-use Development expert consenting panel issued Minute 11 requesting Mr Munro to consider the rationale provided by the applicants on 9 July 2021 for retaining Level 04 of Building D and retaining the laneway and asking him to provide further advice in relation to these two aspects of the application. The Panel received Mr Munro's further advice on 24 August 2021.
3. On 24 August 2021, the Dominion Road Mixed-use Development expert consenting panel directed the EPA to request further information from the applicants. That further information was requested on 24 August 2021 and provided on 25 August 2021.
4. Direct discussions occurred between Mr Munro and the applicants' consultants on 26 and 27 August 2021. A memorandum of counsel was filed on behalf of the applicants on 29 August 2021 confirming the outcome of those direct discussions.
5. Mr Munro separately confirmed to the Panel that he could support a grant of consent to the revised proposal discussed at those meetings and, in the event that revised proposal was submitted by the applicant he would be able to confirm that advice in writing.
6. On 30 August 2021 the EPA received the responses from Auckland Transport and Stantec and the further advice sought from Harrison Grierson in Minute 10.

7. This information is all available on the EPA website here: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/dominion-road-mixed-use-development/the-application/>

Request for Further Information from Applicants

8. The Panel requests the applicants to provide:
- a. Confirmation of whether the proposal has been revised in the manner discussed with Mr Munro and, if so, plans showing the revised bulk and location of the built form (and any other amendments);
 - b. Confirmation of whether the pedestrian crossing on the Dominion Road north approach is intended to be removed and the location of the pedestrian crossing on the Dominion Road south approach in relation to the bus-stop;
 - c. Confirmation of the use of zebra pedestrian crossing bar markings at the vehicle crossings, and whether Mr Black's suggested changes to the loading bay exit onto Grange Road will be included in the proposal;
 - d. Comment on the proposed changes to the Grange Road intersection in Figure 5 of Mr Black's advice to the panel, factoring in paragraph 24 of the comments received from Auckland Transport;
 - e. Confirmation of whether a condition of consent prohibiting vehicles over 12.6m in length from accessing the supermarket is acceptable;
 - f. The information requested in paragraphs 14 – 16 of the comments received from Auckland Transport, if available;
 - g. Comment on the suggestions in paragraphs 17 – 19 of the comments received from Auckland Transport;
 - h. Any preliminary comments the applicants wish to make in response to the conditions of consent set out from paragraph 28 onwards of the comments from Auckland Transport.
9. The Panel requests the information to be sent to the EPA by email at dominionroad.fasttrack@epa.govt.nz by **4pm on Friday 3 September 2021**.

Expert Conferencing

10. The Panel directs the traffic and transportation experts to conference to prepare a joint statement that records:
- a. The issues that are agreed between the experts;
 - b. The issues upon which the experts are not agreed and the reasons (in brief, or by reference to earlier reports) for their disagreement;
 - c. For the issues of disagreement, comment on the materiality or significance of the issue or disagreement.
11. Such conferencing is to be conducted in accordance with the Environment Court protocols set out in Appendix 3 to the Environment Court Practice Note 2014.
12. The Panel requests the independent experts confirm to the EPA whether they require a facilitator and/or a recorder so that any necessary arrangements can be made.
13. The Panel requests the joint statement to be sent to the EPA by email at dominionroad.fasttrack@epa.govt.nz by **5pm on Thursday 9 September 2021**.

Draft Conditions

14. The Panel set a timetable in Minute 11 that anticipated the draft conditions being circulated for comment on 3 September. In light of the request for further information from the applicants, the Panel now expects to circulate the draft conditions for comment on 6 September 2021, with comments to be provided no later than **5pm on Monday 13 September 2021**.

Hearing

15. The Panel indicated in Minute 11 that it may issue a Notice of Hearing on 3 September 2021 for the week of 13 September 2021. In light of the responses received on 30 September 2021 it appears likely that a brief hearing will indeed be desirable. This will not be known for certain until receipt of the joint statement from the traffic and transportation experts on 9 September and the comments on the draft conditions on 13 September. However, the Panel has asked the EPA to make the necessary arrangements for a hearing to be held on **16 and 17 September** to address the traffic effects and the appropriate conditions (in the event consent is to be granted).



Bronwyn Carruthers
Chairperson
Dominion Road Mixed-use Development