

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

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

M-6 Minute of the Dominion Road Mixed-use Development Expert Consenting Panel – 29 June 2021

Comments received on the application

1. As outlined in Minute 1, the Panel must invite written comments on the application from the persons or groups listed in clauses 17(6) and 17(7) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020.
2. In Minute 1 the Panel also identified additional persons that the panel considered appropriate to invite comments from under clause 17(8) of the Act. This included the owners and occupiers of 84, 84A and 85 Prospect Terrace and 109 and 124 Grange Road on the basis that these properties while not adjacent are within sufficiently close proximity to the project site for the Panel to be interested in their view.
3. Comments on the application closed on Wednesday 16 June 2021. All comments received from invited parties are available on the EPA website here: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/dominion-road-mixed-use-development/comments-from-invited-parties/>
4. Of the non-adjacent residential properties invited to comment, comments were received from 109 and 124 Grange Road.
5. The EPA also received comments from the owners/occupiers of 52 Prospect Terrace. This property was not identified by the Panel to be invited to comment on the application under clauses 17(6) – 17(8) of the Act. The EPA provided these comments to the Panel on 23 June 2021.
6. The Panel notes the Act is silent on whether any person not invited to comment can provide comments. There is no equivalent to RMA s96, and no cross reference to RMA s96. The Act requires a panel to consider comments received in response to an invitation when considering the application (clause 31(1)). It also allows a panel to consider “any other matter” the panel considers relevant and reasonably necessary to determine the consent. Had the comments received from 52 Prospect Terrace raised any new or different issues to those raised by the other commenters, the Panel may have categorised the comments as an “other matter” under clause 31(1)(d). However, the Panel has reviewed the comments and are of the view that they do not raise any new or different issues to those received from the persons invited to comment.

7. On this basis the Panel will not consider the comments received from 52 Prospect Terrace when considering the application.

A handwritten signature in blue ink, appearing to be 'Bronwyn Carruthers', written in a cursive style.

Bronwyn Carruthers
Chairperson
Dominion Road Mixed-use Development