

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

Federal Street Residences by P0012 Auckland NZ Pty Limited

M-1 Minute of the Federal Street Residences Expert Consenting Panel – 23 March 2022

1. On 22 February 2022, P0012 Auckland NZ Pty Limited (the Applicant) lodged an application for resource consents with the Environmental Protection Authority (EPA), for the Federal Street Residences (the Project), under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act).
2. The Federal Street Residences Expert Consenting Panel (the Panel) was appointed on 18 March 2022 to determine the application for resource consents. The Panel is comprised of myself (as Chairperson), Maxine Moana-Tuwhangai and David Mead.

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) of Schedule 6 of the Act, 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.
6. The parties that must be invited to provide written comment in accordance with clause 17(7) of Schedule 6 of the Act are identified in clause 7 of Schedule 36 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 to be undertaken and the land adjacent to that land
8. In identifying the extent of the land parcels that are considered “*adjacent to the land on which the project is to be undertaken*”, the Panel considered that land that is adjacent to land on which the project is to be undertaken are land parcels that:
 - a. share a common boundary with land on which the Project is to be undertaken;
 - b. land parcels that do not share a common boundary, but are separated by a road from the land on which the Project is to be undertaken; and
 - c. land that is considered within the context of the site.
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.

A list identifying these properties can be found on the EPA website here:

<https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Federal-Street/comments-received/FTC55-invitee-list.pdf>

10. Further, a map identifying these properties is appended to this Minute.

Appropriate Parties

11. In addition to the person(s) that must be invited to comment under clauses 17(6) and 17(7) of Schedule of the Act, in accordance with clause 17(8) of Schedule 6 of the Act, the Panel may invite written comments from any other person the Panel considers appropriate.

12. The Panel considered that it is appropriate to invite written comment from Heart of the City Auckland due to the role it plays as the business association for Auckland's City centre.

Date determined for closing of comments

13. 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 23 March 2022.

14. The EPA is to issue the invitations to comment on behalf of the Panel on **24 March 2022**.

15. Clause 18(1) of Schedule 6 of the Act requires written comments to 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)).

16. For this Project, 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) 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 must be received by the EPA begins.

17. The Panel has therefore allowed 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 **14 April 2022**.

18. It is important to note that the Panel is not required to consider any comments received by the EPA after 14 April 2022, but may do so, in its discretion, as long as the Panel has not issued its decision.

19. As public and limited notification is prohibited under this Act, only those person(s) or groups invited to comment by the Panel can provide comment on the Application.

20. There is no right for any person to seek a waiver of the time limit comments must be received by, being 14 April 2022.

21. Written comments can be emailed to federalstreet.fasttrack@epa.govt.nz.

A handwritten signature in blue ink, appearing to read 'Gerry'.

Gerald Lanning

On behalf of the Federal Street Expert Consenting Panel

Federal Street Residences

