

File ref: FTC000037

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### **Request for information from Karaka North Village Limited in relation to Karaka North Village application under COVID-19 Recovery (Fast-track Consenting) Act 2020**

The Karaka North Village Expert Consenting Panel (the Panel) has directed the Environmental Protection Authority (EPA) to request further information from you under clause 25 of Schedule 6 of the COVID-19 Recovery Act 2020 (the Act), relating to the Karaka North Village consent application.

At the direction of the Panel, The EPA is seeking the following information:

#### **Variation to Plans**

1. The Panel notes that stage 1 of the proposed development, constitutes a subsequent application for subdivision consent for this land – the first subdivision consent for 14 super lots having been granted on 2 February 2021 (**February Consent**). The February Consent was supported by a master plan and landscape and infrastructure plans (**Plans**) approved by the Auckland Council as required by I417.9.1 – 3 of the AUP.

The Panel further notes that the current stage 1 application is supported by a variation to the Plans originally approved.

The Panel also observes that the planning analysis by Purpose Planning purports to address the matters listed in I417.9.1.1, I417.9.2.1(b) and I417.9.3.1(a) of the AUP to support the new Plans.

The Panel notes that the Executive Summary of the planning report says that the application seeks approval of the variations (presumably by the Panel) to the Plans previously approved. The Panel records that it has doubts that it has any power to approve the variations to the Plans and queries also whether such approval should be obtained from the Panel in any event.

As the Panel understands the situation the February Consent was approved on the basis of the Plans then submitted. The Panel assumes that such Plans had been approved by the Auckland Council. The relevant AUP provisions do not appear to expressly require approval of the variations to the Plans, submitted with a subsequent application. While it would seem implicit that is the purpose of the provisions, the Panel considers such approval to the variations should be given (or not) by the Auckland Council, not the Panel. The Panel can then take that approval (or not) into consideration in assessing the applications.

The Panel notes that it does not appear that the new (amended) Plans have been approved by the Auckland Council and if that is the case, the Panel considers that the applicant should provide the new (amended) Plans to the Auckland Council as soon as possible for their approval, separately and before the Panel sends out the formal invitations to comment.

Based on the analysis by Purpose Planning, the Panel does not presently see any issues with the variations to the Plans but considers the Auckland Council is best placed to provide objective comments on the changes and to say whether it would approve the variations or not. The Panel would like this information as soon as possible to assist with its assessment of the application.

### **Permitted baseline**

2. While the Panel does not consider the February Consent can be taken as part of the future environment, as it will not be given effect to, the Panel nevertheless enquires whether the applicant has any comment on whether it should be seen as constituting any sort of permitted baseline in the assessment of this new application.

### **List of infringements**

3. The Panel notes that in section 8 of the Purpose Planning report and the table showing the resource consents required, that the applicant is relying on the architectural plans provided. Yet not all the architectural plans appear to list the development control infringements for which resource consent is sought (**Infringements**). The Panel therefore requests information in the form of a Table of each Infringement, including any difference in the nature of the Infringement that occurs within a site with a split zoning. The Panel wants to ensure that each infringement has been assessed. Such list should include for example the breach of standard I417.6.2 in the Karaka North Precinct Plan.

### **Earthworks**

4. The Panel understands there will be two earthworks consents if this consent is approved. Would the applicant accept surrendering the existing earthworks consent, and if so, would the applicant accept a condition being imposed, to ensure only one earthwork consent is active over the site. This request is made to mitigate conditions being confused by Council compliance teams.

### **Staging**

5. With regard to the first tranche of work – what stages are proposed to be completed first and in what order, and is this staging able to be locked in with a condition of consent?
6. Will the wastewater and stormwater management systems for the site be constructed in their entirety prior to the completion of stage 1?
7. How does the applicant intend on compliance with the proposed subdivision condition 2:  
*Lapsing of consent 2. In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-Track Consenting) Act 2020, this consent lapses two years after the date it commences unless the consent is given effect to prior.*

Would the Applicant prefer the Panel specify the date on which a resource consent as per Schedule 6, clause 37(7)?

## Supply of Information

In accordance with clause 25 of Schedule 6 of the Act Karaka North Village Limited must:

- i. Provide electronic copies of the information or report requested; or
- ii. Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the information as soon as possible and by no later than **4pm on 7 June 2022**.

If the information requested is not received, the panel must proceed as if the request for further information has been declined.

Please note, the information will be provided to the panel, the applicant and every person who provided comments on the application/notice of requirement. The information will also be made available on the EPA website.

If you have any questions, please contact Mary McConnell, Project Lead, on 021 721 623 or [mary.mcconnell@epa.govt.nz](mailto:mary.mcconnell@epa.govt.nz)

Nāku noā, na



Alan Webb

**Chair, Karaka North Village Expert Consenting Panel**