

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

### Kohimarama Comprehensive Care Retirement Village Consent Application by Ryman Healthcare Limited

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M-1 Minute of the Kohimarama Comprehensive Care Retirement Village Expert Consenting Panel – 12 March 2021

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1. Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), an Expert Consenting Panel (the Panel) has been appointed to determine consent applications for the Kohimarama Comprehensive Care Retirement Village (the application). The Kohimarama Comprehensive Care Retirement Village Expert Consenting Panel (the panel), is comprised of myself (as Chairperson), Trevor Mackie, and Juliane Chetham.
2. The panel must invite written comments on the application from the persons or groups listed in clauses 17(6) and 17(7)<sup>1</sup> of Schedule 6 for a referred project.
3. In addition to the requirements of clauses 17(6) and 17(7) of Schedule 6, the panel may invite written comments from any other person that the panel considers appropriate under clause 17(8) of Schedule 6 of the Act.
4. The Panel notes that clause 17(1) of Schedule 6 prohibits them from giving public or limited notification.

#### **Determination of owners and occupiers of land who must be invited for comment (clauses 17(6)(g) and 17(6)(h) of Schedule 6)**

5. The panel has considered the application, and the extent of the land on which the project is undertaken, and the land adjacent to that land. In identifying the extent of land that is adjacent to land on which the project is to be undertaken, the panel considered that land directly adjoining, or across a road or a right-of-way and land within the context of the site, as being land that is adjacent to land on which the project is to be undertaken.
6. The panel considers that the owners and occupiers of the land parcels on which the project is to be undertaken, and the land adjacent to that land, being made up of the land parcels described in paragraph 5, must be invited for comment in accordance with clauses 17(6)(g) and 17(6)(h) of Schedule 6.
7. A map identifying these properties is appended to this Minute as map 1.

#### **Persons who must be invited for comment under clause 17(7) of Schedule 6**

8. The persons that must be invited for comment in accordance with clause 17(7) of Schedule 6 are listed in clause 6 of Schedule 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 (the referral order), being the owners or occupiers of various properties.

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<sup>1</sup> The persons that must be invited for comment in accordance with clause 17(7) of Schedule 6 are listed in clause 6 of Schedule 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

9. A map identifying the properties specified in the referral order is appended to this Minute as map 2.

**Additional person(s) the panel consider it appropriate to invite comment from (clause 17(8) of Schedule 6)**

10. In addition to the person(s) that must be invited for comment under clauses 17(6) and 17(7) of Schedule 6, the Panel, under clause 17(8) of Schedule 6 also considers it appropriate to invite comment from the following person(s):

Identified Person(s)	Reason for Inviting Comment
Auckland District Health Board	The decision letter to the applicant from the Minister for the Environment directs the panel to invite comments under section 24(2)(e) of the Act from Auckland District Health Board, however this direction was not in the referral order. As such, the panel considers it to be appropriate to invite the Auckland District Health Board to comment under clause 17(8) of Schedule 6.
Kohi Neighbours Incorporated	This is a community group that has been set up and represents the owners/occupiers of the neighbouring properties.
Ōrākei Local Board	The Local Board for the area.
Properties on John Rymer Place not identified as adjacent to land on which the project is undertaken, or in the referral order.	Due to the level of effects on these properties, particularly increased traffic and short term effects during construction. These properties are shown on map 1 appended to this minute.
Owners of the properties identified in the referral order, which do not occupy the identified property.	The referral order only requires the owner or the occupier to be invited for comment, which would mean property owners that do not live in those properties would not be invited to comment. To account for the long term effects on the area, and potentially those properties, that panel considers it appropriate to ensure the owners of all the properties identified in the referral order are invited to comment.

**Date determined for closing of comments**

11. The decision on person(s) who must be invited for comment and those that the panel considers appropriate to invite comment from was made on 11 March 2021.
12. Invitations to comment are to be sent on **12 March 2021**.
13. Clause 18(1) of Schedule 6 specifies that 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)).
14. For the Kohimarama Comprehensive Care Retirement Village application, there are a number of persons 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 and correct at law to allow time for the invitation to be received, before the 10 working days by which a written reply must be received by the EPA begins.

15. The panel has therefore allowed 5 days for delivery, and has determined the date by which comments must be received by the EPA to be **6 April 2021**.
16. Comments on the application can be sent to the EPA by email at [Rymankohimarama.fasttrack@epa.govt.nz](mailto:Rymankohimarama.fasttrack@epa.govt.nz).

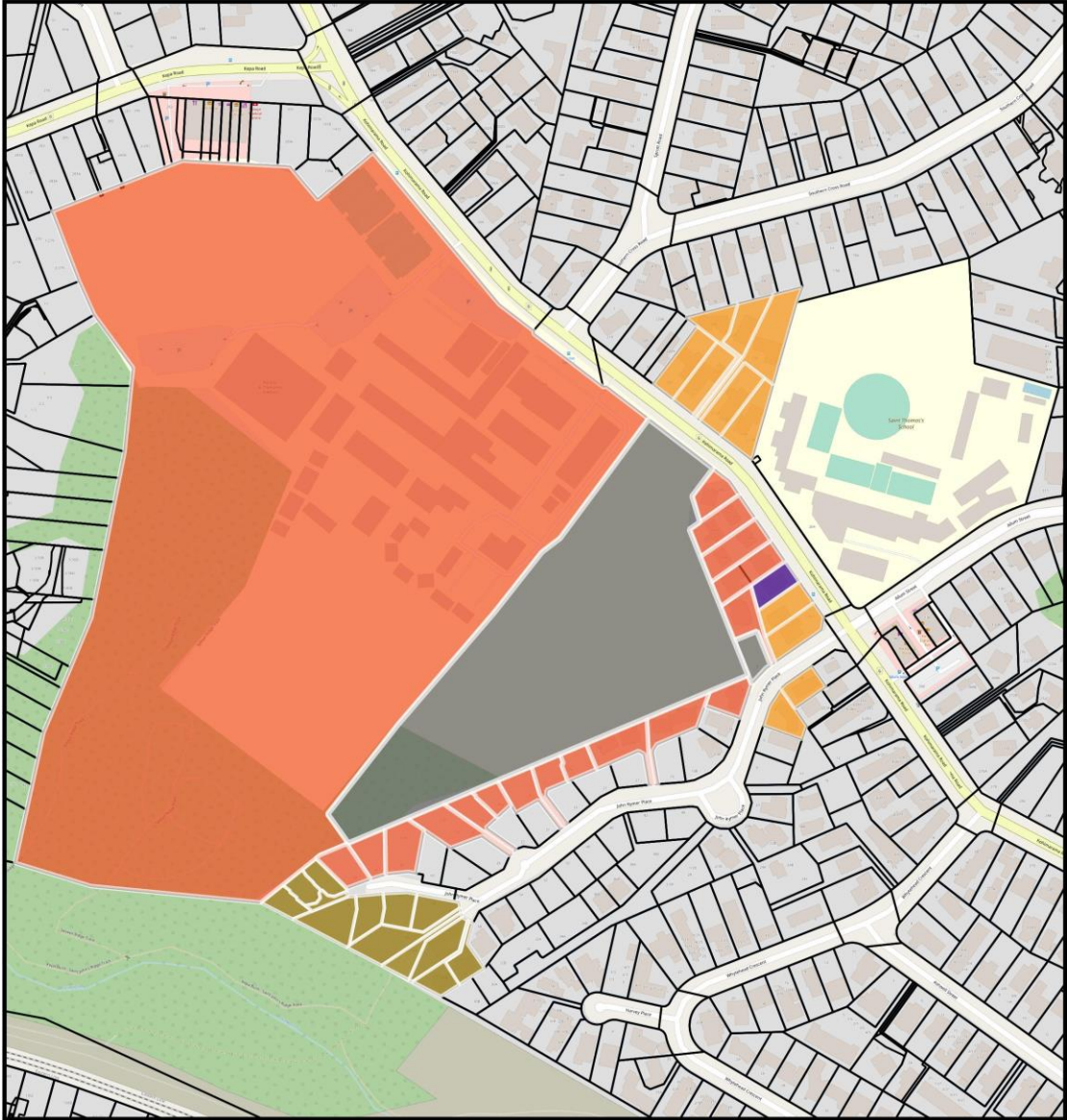
A handwritten signature in black ink, appearing to read 'Ian Gordon', with a stylized flourish at the end.

Ian Gordon

**Kohimarama Comprehensive Care Retirement Village Expert Consenting Panel**

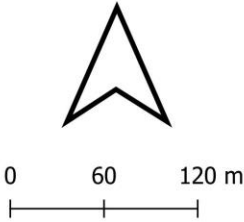
# Map 1

## Kohimarama Comprehensive Care Retirement Village (RP 24) - Project Area and Surrounding Parcels



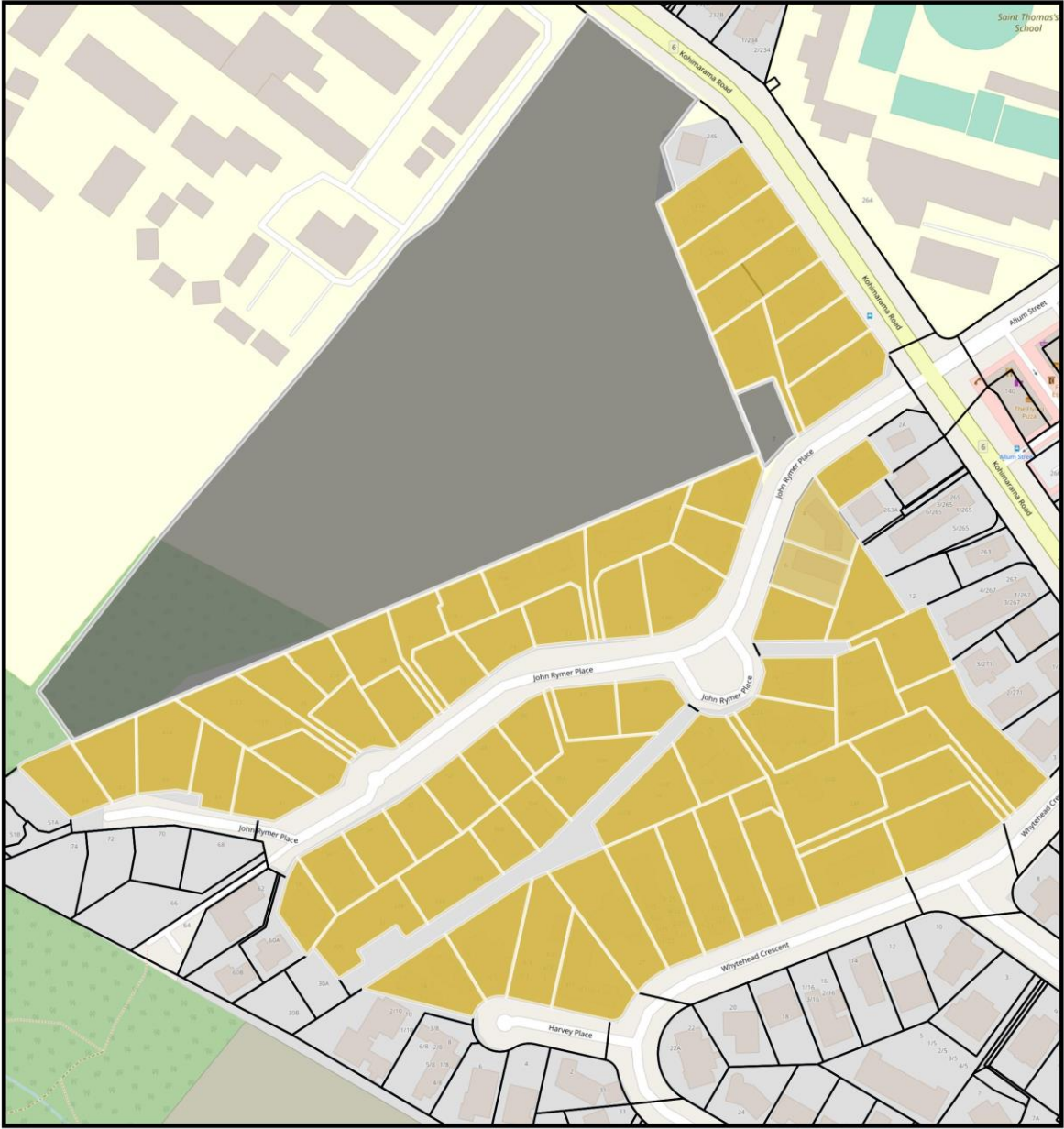
**Legend**

- Land on which the project is to be undertaken
- Parcels directly adjoining land on which the project is undertaken
- Parcels within the context of the site
- Parcels not directly adjoining but across the road from land on which the project is undertaken
- Appropriate Parties



# Map 2

## Kohimarama Comprehensive Care Retirement Village (RP 24) - Project Area and Surrounding Parcels



**Legend**

- Land on which the project is to be undertaken
- Order in Council identified properties

