

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

Papakura to Drury South State Highway 1 Improvements- Stage 1B1 resource consent applications and notices of requirement (the application)

M-1 Minute of the Papakura to Drury South State Highway 1 Improvements Expert Consenting Panel – 3 September 2021

Additional persons to be invited to comment and closing date for comments

1. Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act) the panel must invite written comments on the application from the persons or groups listed in clauses 17(4) and 17(5) of Schedule 6 for a listed project.
2. In addition to the requirements of clause 17(4) the panel may invite written comments from any other person that the panel considers appropriate under clause 17(5) of the Act.
3. The Panel notes that clause 17(1) of Schedule 6 prohibits them from giving public or limited notification.
4. The panel has carefully considered the land/areas covered by this application and also considers that it is appropriate to invite written comment from the following

Iwi organisations:

5. Ngāti Maru (Hauraki) Treaty Settlement Negotiators and Ngāti Te Ata Claims Support Whānau Trust as these two iwi organisations are in negotiations or have initialled a Deed of Settlement but have not yet formally settled with the Crown.

Parties who have made claims under the Marine and Coastal Area (Takutai Moana) Act 2011

- Ngāti Kawau
- Te Waiariki Korora

Next Steps and timeframes

6. 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)).
7. For the Stage 1B1 application of the Papakura to Drury South State Highway 1 improvements project there are a number of persons or groups to be invited to comment 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 invitations to be received, before the 10 working days by which a written reply must be received by the EPA begins.

8. This interpretation of when notice is “given” under Clause 18(1) (and Clause 17(2)) of Schedule 6, is consistent with Rule 6.6 of the High Court Rules 2016 which treats service of documents served to a Po Box as having occurred either on the fifth day after the day on which it was posted or the day it is received whichever is the earliest.
9. In this case because a date must be specified in the invitation on which a reply is to be received, such date will be 15 working days after the date on which the invitation will be posted.
10. The Panel also recognises the current limitations due to COVID-19 restrictions.
11. To allow the significant number of invitations to be prepared and due to the COVID-19 restrictions, the invitations to comment will be posted on **Friday 3 September 2021**.
12. Comments on the application can be sent to the EPA by email at papakuradrury.fasttrack@epa.govt.nz or by post and must be received by **Friday 24 September 2021**.



Michael Savage
Chairperson

Papakura to Drury South State Highway 1 Improvements Expert Consenting Panel