

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

Rotokauri North Stage 1

M-1

Minute of the Rotokauri North Stage 1 Expert Consenting Panel – 31 May 2022

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 Rotokauri North Stage 1 (the application). The Panel is comprised of myself (as Chairperson), Shane Solomon and Alan Watson.

Invitation to Comment

2. The Panel must invite written comments on the application from the persons or groups listed in clauses 17(6) and 17(7)¹ of Schedule 6 of the Act 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.
4. The Panel notes that clause 17(1) of Schedule 6 prohibits them from giving public or limited notifications.

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, 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 consider that land directly adjoining, land across a road, or land across open space, 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.

¹ The persons that must be invited for comment in accordance with clause 17(7) of Schedule 6 are listed in clause 7 of Schedule 21 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

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

7. The persons that must be invited for comment in accordance with clause 17(7) of Schedule 6 are listed in clause 7 of Schedule 24 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 (the referral order).
8. The persons specified in the referral order are:
 - (a) Waka Kotahi – New Zealand Transport Agency; and
 - (b) Rotokauri North Tangata Whenua Working Group; and
 - (c) Associate Minister for the Environment.

Persons who may be invited for comment under clause 17(8) of Schedule 6

9. The Panel has considered owners of property nearby the application site who are likely to be affected by the application and who may be invited for comment in accordance with clause 17(8) of Schedule 6. The Panel has determined to invite a small number of nearby property owners (who took a particular interest in the recent private plan change application relating to the application site) to comment on the application.

Date determined for closing comments

10. 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 30 May 2022.
11. Invitations to comment are to be sent on **1 June 2022**.
12. Clause 18(1) of Schedule 6 specifies that written comments must be received by the Environmental Protection Authority (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) of Schedule 6).
13. For the 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 timeframe by which a written reply must be received by the EPA begins.
14. 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 **23 June 2022**.
15. Comments on the application can be sent to the EPA by email at Rotokauri.fasttrack@epa.govt.nz

Francelle Lupis

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Chair

Rotokauri North Stage 1 Expert Consenting Panel