

COVID 19 Recovery (Fast-track Consenting) Act 2020

Wooing Tree Estate resource consent application

M-9 Minute of the Wooing Tree Estate Expert Consenting Panel – 14 September 2021

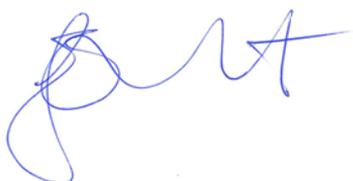
Invitation to comment on draft conditions

1. Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act) the Panel must provide a copy of and invite written comments on its draft conditions from the applicant and every person or group who provided comments in response to the invitation issued earlier by the Panel under clause 17(2) of the Act, before granting a resource consent.
2. Before making its final decision on the consent application, the Panel must have regard to all comments received.
3. The Panel now invites comments on its draft conditions. The draft conditions are available on the EPA website here: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/woosing-tree-estate/draft-conditions/>
4. Please note that this is an opportunity to comment on the draft conditions, and this should be the focus of any comments received
5. Comments on the draft conditions can be sent to the EPA by email at woosingtree.fasttrack@epa.govt.nz or by post and must be received by Tuesday 21 September 2021.

Important Matter relating to the draft conditions

6. The draft suggested conditions advanced by the applicant for consent included at the end of the document (after the concluding advice notes) the following:
Cancellation of Condition Specified in Consent Notice CONO 5242187.2
Pursuant to section 221(3)(b) of the Resource Management Act 1991 Condition 1 as specified in consent notice CONO 5242187.2 is hereby cancelled as it relates to Section 3 SO 461514 unless this has already been cancelled pursuant to a previous consent.
7. The Panel observes:
 - a. The paragraph reproduced above is not expressed as a numbered condition and relates to cancellation of a consent notice already on the title consequent on an earlier consent.
 - b. The application made to the Panel does not appear to include any reference to s221(3) or s221(3A) RMA. No assessment under those sections has been provided. The Panel does not have a copy of consent notice 5242187.2.

- c. There is a question as to whether the Panel has jurisdiction to consider and determine an application under s221(3).
8. Accordingly, the Panel has deleted the suggested paragraph from the draft conditions. Comments are invited on the Panel's observations in paragraph 7 above (if the applicant wishes to pursue the matter).

A handwritten signature in blue ink, appearing to read 'J Brabant', is positioned above the typed name.

Jeremy Brabant
Chairperson
Woong Tree Estate Expert Consenting Panel