

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

Waimārie Street¹

M-1

Minute of the Waimārie Street Expert Consenting Panel – 10 February 2022

Persons to be invited to comment on the application and closing date for comments

Project

1. On 1 November 2022, Sanctum Projects Limited (*SPL*) Limited lodged an application (*application*) for resource consents with the Environmental Protection Authority (*EPA*), for the construction of 58 residential dwellings and related subdivision of sites at 43A and 45 Waimarie Street, and 819 Riddell Road (*Site*), under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (*Act*).

Panel

2. The Waimārie Street Expert Consenting Panel (*Panel*) was appointed on 16 December 2022 (effective from 23 January 2023) to determine the application. The Panel is comprised of myself - Luke Hinchey (as chairperson), Belinda Messenger and David Mead.

Invitations to Comment

3. 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.
4. 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.
5. The Panel notes that clause 17(1) of Schedule 6 of the Act expressly prohibits us from giving limited or public notification of the application
6. In terms of clause 17(6)(g)-(h) 'the owners and occupiers of the land on which the project is to be undertaken and the land adjacent to that land', the Panel has considered the application and the site's physical setting. The Panel considers that adjacent land includes:
 - a. land that shares a common boundary with the Site or is separated from the Site by a road and/or driveway; and
 - b. land that is within the context of the Site.
7. A map identifying the adjacent land is at **Schedule 1**. The Panel further records that had it not considered all the properties identified as being adjacent to the Site, it would have in any event

¹ [Schedule 48](#), COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

regarded the owners and occupiers of those properties as persons that it would consider as appropriate to invite comment from under clause 17(8) of Schedule 6 of the Act.

8. The parties under clause 17(7) are identified in [Schedule 48](#), clause 7.
9. The Panel may also invite written comments from “*any other person*” that the Panel considers appropriate under clause 17(8) of the Act. In this case, the Panel has identified the St Heliers and Glendowie Residents Association as falling into this category.

Next steps and timeframes

10. 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)).
11. For this application, 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 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 to run. This interpretation of when notice is “given” under Clause 18(1) of Schedule 6, is aligned 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 working day after the day on which it was posted or the day it was received - whichever is the earliest.
12. In this case, because the date on which a reply is to be received must be specified in the invitation, that date will be 15 working days after the date on which the invitation is posted.
13. To allow the invitations to be prepared, the invitations to comment will be posted on 14 February 2023.
14. Comments on the application can be sent to the EPA by email at Waimariestreet.fasttrack@epa.govt.nz or by post and must be received by 7 March 2023.



Luke Hinchey

Chairperson

Waimarie Street Expert Consenting Panel

Schedule 1
Map of the Site and Adjacent Land

Waimarie Street land and road parcels



Legend

- Project site
- Adjacent land in the context of this site
- Roads

