

BRF-1757

27 June 2022

Jim Stabback
Chief Executive Officer
Auckland Council
Email: s 9(2)(a)

Dear Jim Stabback

COVID-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Kepa Road Apartments Project

The Minister for the Environment (Minister) has received an application from Sanctum Projects Limited to refer the Kepa Road Apartments Project (project) to an expert consenting panel (panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The project is described in Appendix A and a link to the application documents (provided as Attachment 1 is in the covering email.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite Auckland Council to provide written comments on the referral application. A template is provided for this purpose (Attachment 2). Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to the Minister's decision on whether or not to accept the application.

Specific questions on the application

1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?
2. What reports and assessments would normally be required by the Council for a project of this nature in this area?
3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?
4. Do you have any concerns that the applicant is the project management firm associated with the development rather than the landowner or developer?

The above information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or request for comments to anyone outside your organisation.

If the Minister accepts the application and the project is referred to a panel, the Council will have the opportunity to nominate a local authority representative (who could be a councillor or independent hearings commissioner) to sit on the panel and determine the RMA approvals for the project. The applicant will provide a detailed assessment of environmental effects and cultural impact assessments at this stage and the Council will have the opportunity to provide further comments to the panel. The Ministry for the Environment has prepared guidance on local authority involvement with fast-track consenting projects which you can access on the Ministry for the Environment website.

Please provide Auckland Council's comments via return email within 10 working days to ensure that the Minister takes them into consideration when making his decision. Note that the Minister is not required to consider any comments provided after this time.

If it is more efficient for you to discuss the application, please contact the Ministry for the Environment's Fast-track Consenting Team at fasttrackconsenting@mfe.govt.nz to arrange an appointment.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S Frame', with a stylized flourish at the end.

Stephanie Frame
Manager, Fast-track Consenting Team

Appendix:

- A. Details of proposed project

Attachments:

1. Application to refer the Kepa Road Apartments Project to an expert consenting panel, including supporting information (Databox link)
2. Response template for written comments

cc: Ian Smallburn, General Manager Resource Consents
s 9(2)(a)

Appendix A – Details of proposed project

Project	Applicant	Details
Kepa Road Apartments	Sanctum Projects Limited	<p>The project is to redevelop three suburban sections at the corner of Kepa Road and Kurahaupo Street in Ōrākei, Auckland, by removing existing vegetation and buildings, and constructing a residential development consisting of two apartment buildings that will provide 45 residential units, associated driveways, infrastructure and landscaped areas. The new buildings will be 6 storeys (approximately 17 metres high) and 7 storeys (approximately 21 metres high) with two basement levels that will span between the buildings and provide approximately 60 car parks.</p> <p>The project will involve activities such as demolishing existing buildings and infrastructure, trimming and removing vegetation (including trees on roads), carrying out earthworks (including disturbing potentially contaminated soil), constructing residential buildings, taking, diverting and discharging groundwater to land, discharging stormwater containing contaminants to land, constructing vehicle access and basement parking areas, constructing infrastructure for three waters services, carrying out a subdivision, and landscaping including planting.</p>