

The Minister for the Environment
c/o The Environment Protection Authority
Private Bag 63002
Waterloo Quay Wellington 6140

7 July 2022

Dear Minister Parker,

RE: COVID-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Kepa Road Apartments Project (reference BRF-1757)

We are responding to your invitation for comments on an application before you for referral to the Expert Panel under the COVID-19 Response (Fast Track Consenting) Act 2020.

The application is made by Sanctum Projects Ltd and is located at 182-184 Kepa and 8 Kurahaupo Street, Orakei, Auckland (Section 745 Town of Orakei, Section 744 Town of Orakei and Lot 169A Deposited Plan 50580).

Having reviewed the application material provided, the overall intent and nature of the proposed development is supported in principle. Overall, when viewed as a totality, the proposal is considered to be generally consistent with the objectives and policies of the AUP(OIP) zones that apply across the development site.

The full commentary provided by the asset owners, Orakei Local Board and Council experts are included in this response as Appendix 1, 2 and 3.

In response to the information requirements stated in your letter:

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?*

The proposal generally fits well with the Auckland Unitary Plan policy framework, and there are some merits to the proposal which could be resolved via further redesign and information about the effects of the proposal. At this stage, little is known of the actual effects of the proposal on infrastructure, groundwater and contamination and more information is required on the effects relating to character and amenity, including on adjacent neighbours' properties as well as the wider environment due to the infringement to maximum height.

In terms of process, there is no outstanding reason/s why the application should be processed solely through the existing RMA consenting process. The application could also be processed under the FTCA process.

2. *What reports and assessments would normally be required by the Council for a project of this nature in this area?*

The project would normally require the following list of the technical reporting and assessment in order to enable a robust planning decision to be made:

- *Assessment of Environmental Effects*
- *Contamination report*
- *Landscape assessment*
- *Urban design assessment*
- *Traffic impact assessment*
- *Construction traffic assessment*
- *Infrastructure report*
- *Geotechnical investigation report*
- *Construction noise and vibration assessment*
- *Waste management plan*
- *Detailed shading analysis*
- *Groundwater assessment*
- *Mana whenua assessment*

3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?

The following have been reviewed for compliance enforcement history:

*Aaron Ghee (GHEE Teik Huat) and
Sanctum Projects Limited*

Compliance history for multiple other companies where the applicant is a director/ shareholder have also been reviewed.

No enforcement action has been taken against *Sanctum Projects Limited*.

Abatement notices and infringement notices have been issued in the past to *Phi Construction Limited (Director)*, *St Andrews Residential Limited (Director)* and *Upland Holdings Limited (Director)*. These abatement notices are met and are no longer active.

There are no significant outstanding compliance concerns for the parties.

4. Do you have any concerns that the applicant is the project management firm associated with the development rather than the landowner or developer?

Section 134 of the RMA states land use consents and subdivision consents shall attach to the land, and therefore the consent will not be attached the applicant. We therefore have no concerns in this regard. In addition, section 15 of the FTCA 2020 state an authorised person may apply under this act. Therefore, we do not have any concerns that the applicant is the project management firm associated with the development rather than the landowner or developer.

Yours faithfully,



Ian Smallburn
General Manager – Resource Consents

Appendix 1

Asset Owner / Specialist Response

From: Neil Stone, Senior Development Planner, Auckland Transport

Date: Monday 4 July 2022

Overall Summary:

Thank you for the opportunity to provide comment on the referral of the proposed 45 unit residential apartment building on Kepa Road (the Project) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (Covid 19 Recovery Act).

Based on the information provided Auckland Transport has no significant concern with this application being accepted for the fast-track consenting process. However, there are a few transport matters that will require further assessment that could result in the need for additional mitigation measures should the project be accepted.

Auckland Transport requests that, should the Project be accepted for fast-track consenting, the requirement for a Transport Impact Assessment is formally stated in the referral order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority.

Specific Comments:

The Kepa Road Apartment Traffic Memo prepared by Team dated 25 November 2021, provides an initial commentary on the application, but does not include an assessment of the proposal's effects on the transport network including pedestrian and road user safety.

The main objective of Transport Impact Assessment is to ensure that the transportation effects of a new development proposal are well-considered, that there is an emphasis on efficiency, safety and accessibility to and from the development. The assessment should also ensure any adverse transport effects of the development have been effectively avoided, remedied or mitigated. This is reinforced by Policy B3.3.2(5)(f) of the Auckland Regional Policy Statement which requires activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure. Auckland Transport requests the following matters to form part of the requested Transport Impact Assessment:

- *An assessment of pedestrian and vehicle intervisibility at the proposed Kurahaupo Street vehicle crossing is required. The footpath on Kurahaupo Road borders on boundary of the site of the site which could result in visibility issues, therefore the assessment will need to demonstrate that intervisibility between pedestrians and vehicles leaving the site is achieved as per the requirements of Austroads/Waka Kotahi Pedestrian Planning and Design Guide. This assessment should also provide measures to avoid, remedy or mitigate any adverse effects identified.*
- *Vehicle tracking plans/assessment for internal manoeuvring within the basement parking area, ensuring that all vehicles, including loading and refuse collection trucks, can exit the site in a forward direction.*
- *Pedestrian amenity and how any existing and proposed pedestrian infrastructure would meet user demand under the AUP(OP);*
- *Queuing analysis and tracking to confirm whether vehicles entering the site will experience and/or result in any conflict points;*
- *An assessment of loading and servicing in accordance with the AUP(OP);*

- *Assessment of bicycle parking requirements for the residential units, and how the proposed bicycle parking provision will meet the needs of the user under the AUP(OP);*
- *A Draft Construction Traffic Management Plan (CTMP) covering an assessment of effects on construction traffic (including measures to maintain safe and efficient operation for all road users), the construction period and associated earthworks;*
- *Assessment of effects for any other reason for consent under Chapter E26 Infrastructure and Chapter E27 Transport of the AUP(OP);*
- *How any potential adverse effects on user safety and operations will be avoided, remedied and/or mitigated; and*
- *Whether the Project meets the relevant objectives and policies of the AUP(OP) as they relate to transport.*

Auckland Transport highlights the need for an assessment in accordance with E17.4.1 of the effects including mitigation measures and with regard to climate change for the removal of any mature trees in the road corridor. Please note that a Corridor Access Request will be required for any works within the road corridor.

As an advice note to Council, Auckland Transport also wishes to raise a concern regarding the bicycle parking arrangement proposed. The location and design of the long stay bicycle parking area is not considered appropriate in terms of size, access and level of amenity. The bicycle parking design within the basement is considered an indirect location and concerns are raised with regard to the size of the space provided. Auckland Transport considers the design as presented could discourage users from using cycling as a mode of transport.

Given the need to review any potential adverse effects on the transport network, Auckland Transport requests that any referral order for this project requires the Expert Consenting Panel to include Auckland Transport as a person who must be invited to comment on the project.

Asset Owner / Specialist Response

From: Katja Huls, Major Principal Strategic Development, Healthy Waters, Auckland Council

Date: 04/07/2022

Overall Summary:

The application is for 6 and 7-storey apartments on Kepa Road comprising 45 units in total. The site is shown on the plan below.



Constraints

Stormwater

The site drains north towards Mission Bay catchment. The developer will need to attenuate flows to pre-development 10 year ARI peak flow level to manage downstream capacity and flood risk.

[The Auckland Region-wide Stormwater NDC](#) schedule 4 “Brown Field Small” i.e. less than 5,000m² and less than 20 lots requirements, should apply.

Combined Network (stormwater and wastewater)

The existing performance of the wastewater network indicates significant capacity constraints and wet weather response within the sewer network downstream of the proposed development. There is a constraint in the downstream network in a 225mm pipe.

Investigation work is being undertaken to identify combined stormwater connections to the wastewater network. In addition, a programme of work is scheduled to confirm system performance and identify residual network upgrades that are required post separation of stormwater flows.

These planning studies will confirm further network upgrades or augmentations, but are some years from identifying the final solutions, however short term mitigation of network performance is anticipated from combined network investigations.

Depending on the timing of the proposed development; there may be a need to mitigate the increase in peak flow on the downstream network to ensure overflow performance does not degrade.

Resolving Inflow and Infiltration to facilitate development

In order to facilitate development prior to wider catchment solutions being implemented, the developer could contribute to asset optimisation by taking part in joined up investigations and possible private property sewer separation. This work could be in the form of technical assessment or funding contributions to the necessary technical assessment.

This work could remove stormwater from the wastewater network, enabling development without degrading overflow performance. Acceptable solutions could be in form of an off-set within the wastewater and stormwater catchment.

Asset Owner / Specialist Response

From: *Tarso Girio, Technical Lead Engineer, Watercare Services Limited.*

Date: 04 of July 2022

Overall Summary:

The proposal is for subdivision and land development to create 45 apartments within two building blocks (Block A and B) at 182-184 Kepa and 8 Kurahaupo Street, Orakei.

No water and wastewater flow or water supply-demand data were provided as part of this application.

Water supply: There is capacity in the local water supply network.

Wastewater: There are potentially significant capacity constraints in the wastewater network. Depending on the timing of the proposed development, there may be a need to mitigate the increase in peak flow on the downstream network to ensure overflow performance does not degrade.

Water Supply:

At this stage, the existing 200mm CI watermain on Kepa Road and 100 AC on Kurahaupo Street have sufficient available capacity to accommodate this development.

Wastewater

Based on the high-level flow estimation, the existing performance of the wastewater network indicates significant capacity constraints and wet weather response within the sewer network downstream of the proposed development. There is a constraint in the downstream network in a 225mm pipe.

Investigation work is being undertaken to identify combined stormwater connections to the wastewater network. In addition, a programme of work is scheduled to confirm system performance and identify residual network upgrades that are required post-separation of stormwater flows.

These planning studies will confirm further network upgrades or augmentations but are some years from identifying the final solutions, however short-term mitigation of network performance is anticipated from combined network investigations.

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This work could remove stormwater from the wastewater network, enabling development without degrading overflow performance. Acceptable solutions could be in the form of an offset within the wastewater and stormwater catchment.

Appendix 2

From: s 9(2)(a)
To: s 9(2)(a)
Cc: [RES Local Board Orakei](#)
Subject: Re: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020
Date: Monday, 4 July 2022 2:52:22 pm

General Comments about Large Scale Development Applications

1. Local Boards across the region are facing challenges with ensuring developers comply with the new generous provisions of the Unitary Plan. Some will naturally test the Unitary Plan interpretations to give them the best commercial outcome. The Unitary Plan sets out clear zoning (H13.Business-Mixed zone use) and height regulations under section I332 Tamaki Precinct. The challenge for commissioners, if appointed, and the Council is when infringements are allowed, for example, to exceed the stated regulated heights, a precedent is set for other developers to then use to justify their future projects and proposals to this level, and thereby further endorse the "contraventions".
2. The Ōrākei Local Board advocates strongly for the integrity of the Unitary Plan to remain and for the Council to ensure that serious infractions will not be permitted/approved. What is decided and approved now in terms of zoning, height, height in relation to boundary, and other aspects of the Plan will determine what can be accepted in future.

Height, height in relation to boundary

3. The Board is most concerned about significant height infringements in the application and the negative affect of these on community well-being. The community has reason to expect a built environment under the AuP (I332.6.1) – the building height to not exceed 18m in height.
4. The two towers (Block A, 7 stories; Block B 6 stories) each exceed the permitted maximum building height for the precinct,
5. Over the past few years there have been several major developments where the Board has re-emphasized its views and principles with regards height, bulk, and impact on the surrounding environment as listed below:
 - - Ryman Retirement Village – 223 Kohimarama Road
 - Summerset Retirement Village – St Johns Road
 - Oceania Retirement Village – Waimarie Street
 - Mission Bay Shopping development – Patteson Ave/ Marau Crescent
 - Stonefields apartment building

General comments on the Restricted Discretionary activities

The Board notes there are 18 Restricted Discretionary activities which on a cumulative basis will have significant impacts on the community vicinity.

The Board is very cognisant that Kepa Road is an intensively utilised arterial route connecting the eastern Auckland suburbs through to the inner city and we are interested in the modelling undertaken for the transport management plans.

The Board has successfully advocated for a precautionary approach regarding other nearby high-rise developments. For example, in 2017, Commissioners agreed with the Board's views regarding the proposed Todd Property development of an apartment complex in Stonefields which would have exceeded the Unitary Plan's height limits and have a negative impact on the surrounding area and the Stonefields Heritage Trail. The Commissioners rejected the application to exceed height limits along the southern perimeter of Stonefields.

The Ōrākei Local Board's view is that this development must be considered with the cumulative development activity in the overall area and the consequent impact on our communities. This means our communities are receiving significant change to their built environment. There are several major developments, proposed and underway, in the Ōrākei Local Board's area. These include:

- Shundi Development – Morrin Road
- Housing NZ and SHA developments in Orakei/Meadowbank
- Ōrākei Point – Ōrākei Village
- Kepa Road apartments – Horizon (4 stories only), Outlook (3 buildings, 43 apartments, 5 stories) , The Ridge (4 stories). All of which went through the Auckland Council resource consenting process.
- Caughey Preston – Upland Road
- Corran School – Remuera Road
- St Kentigners Girls school complex – Shore Road

The Board dispute the comment on page 10 of the application – where it states that ..."the Local Board is generally opposed to any form of intensification in their area...". The Board acknowledge good design, planning and collaboration with public notification – and will continue to uphold the principles of the Unitary Plan.

The recent threat of the National Policy Statement – Urban Development – has made the Board more resilient and determined to uphold the principles of the Unitary Plan. In particular the Fast Track Covid Act was a means to facilitate economic recovery – not a back door opportunity to fast tracking developments and bypassing the rigour of proper resource consenting processes.

Troy Churton
Orakei Local Board

From: David Yue Pan <s 9(2)(a) >

Sent: 28 June 2022 14:45

To: Troy Churton (Orakei Local Board) <s 9(2)(a) >

Cc: RES Local Board Orakei <OrakeiLocalBoard@aucklandcouncil.govt.nz>

Subject: RE: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020

Hi Troy

Further to my email, please find attached the following information:

- Ministry for the Environment consultation letter
- Application form/covering report

Kind regards,

David

**David Pan | Principal Specialist - Planning
Central Resource Consenting**

Phone s 9(2)(a)

Auckland Council

Level 6, Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland

aucklandcouncil.govt.nz

From: David Yue Pan

Sent: Tuesday, 28 June 2022 2:42 pm

To: Troy Churton (Orakei Local Board) <s 9(2)(a)>

Cc: RES Local Board Orakei <OrakeiLocalBoard@aucklandcouncil.govt.nz>

Subject: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020

Hi Troy

The Auckland Council has received a request from the Ministry for the Environment for comments on an application that is under consideration for the COVID-19 Recovery (Fast-track Consenting) Act 2020. The project is described as follows:

Kepa Road Apartments

Address: 182-184 Kepa and 8 Kurahaupo Street, Orakei, Auckland

The project is for subdivision and land development to create 45 apartments within two building blocks (Block A and B) with two basement levels that span beneath the two apartment blocks, at the corner of Kepa Rd and Kurahapo St in Orakei. All existing vegetation, buildings and structures on the subject site are to be removed to enable the construction.

The project involves the following activities:

- works within street tree/ street tree removal
- dewatering/ diversion of groundwater
- dwelling construction
- disturbance of contaminated land
- associated car parking, earthworks and subdivision

Please note that this proposal has not been the subject of a resource consent application to date.

You are being contacted to provide comments on the proposal as Local Board Councillor.

Please note that I must receive your comments by COB Monday 4 July 2022 and that this deadline reflects the timeframes in the COVID-19 Recovery (Fast-track Consenting) legislation and is not negotiable and cannot be extended.

A full copy of the application with all attachments that have been supplied to the council can be downloaded from: Kepa Road Apartments – [databox link to documents](#)

Your comments on this proposal are sought by way of return email which must be received by **COB Monday 4 July 2022**.

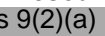
Please let me know if you have any queries.

Kind regards,

David

David Pan | Principal Specialist - Planning

Central Resource Consenting

Phone  s 9(2)(a)

Auckland Council

Level 6, Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland

aucklandcouncil.govt.nz

From: s 9(2)(a) [REDACTED]
To: s 9(2)(a) [REDACTED]
Cc: [RES Local Board Orakei](#)
Subject: Re: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020
Date: Thursday, 30 June 2022 8:15:15 pm

Further- we don't believe this application warrants the fast track process.

We believe this site is very suitable for intensification and the development of apartment buildings. Similar developments have been completed along the Kepa Road ridgeline as was enabled by the Auckland Unitary Plan. All developments to date have been processed via the Auckland Council consenting process without requirement for notification - so no significant delays. We see no need for this application to receive special treatment. Examples of similar approved by Auckland Council process developments are –

Outlook – 43 apartments replacing 2 homes at 236 Kepa Rd
Horizon – 41 apartments replacing 3 homes at 250-254 Kepa Rd
The Ridge – 44 apartments replacing 1 home at 243 Kepa Rd
245Kepa – 19 Terraced houses replacing 2 homes at 245 Kepa Rd
246Kepa – 10 luxury Townhouses replacing 1 home at 246 Kepa Rd
Colenso Villas on Kepa – 12 townhouses replacing 2 homes at 197 Kepa Rd

It is worthy to note that all the examples above have been largely compliant with AUP zoning rules while still enabling significant intensification on their sites and there are many more examples in other streets close by.

This application deserves the full evaluation of impacts that can only be completed by local Council who have the experience and local knowledge required. For example, this site sits directly opposite the Ngati Whatua Orakei Pourewa Gardens so there are very specific local impacts to be taken into consideration. A fast track process would restrict the opportunity for Ngati Whatua Orakei to assess the impacts.

As a private development this is not what was intended as a candidate for the Fast Track legislation. The argument of job creation in the construction industry is not valid or necessary with current shortages of labour and materials in that sector. Creating more homes is also not an urgent requirement in this area with many intensification projects completed and underway in the area, all of which have followed the local RMA process.

The application notes several breaches and enforcement actions by Auckland Council on companies associated with the developer which strengthens the argument for local Council review.

There is now an established model of apartments along Kepa Road, generally keeping within the AUP height limits. We note that the applicant's plan calls for a significant breach in the AUP height limits (along with several other non-compliant points) and it appears that this application is seeking to set a precedent by dodging the local consent process in order to obtain rule breaches that would possibly otherwise not be approved. The applicant would be aware of the Mission Bay Local Center development application which also sought significant height breaches and after very full review has been declined by both the Resource Consent process and the

Environment Court Appeal process. It would be a mistake to set a precedent of allowing private developments to bypass local review processes in order to breach local rules for the benefit of “maximum dwelling yield”, a.k.a more developer profit.

We believe that breaches to AUP rules should only be made if there is significant community benefit and we can see no such benefits in this application. We would request that it is declined from the fast track process and reverted to Auckland Council for processing.

Troy Churton

Orakei Local Board

From: Troy Churton (Orakei Local Board)
Sent: 30 June 2022 12:48
To: David Yue Pan <s 9(2)(a) >
Cc: RES Local Board Orakei <OrakeiLocalBoard@aucklandcouncil.govt.nz>
Subject: RE: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020

This application is inappropriate. There is no need for fast tracking under COVID conditions. The current economic state of the construction industry is one where demand exceeds supply across the supply chain from labour to materials. There is no reason to process this larger project outside normal RMA processes. Two buildings of six and seven storeys will also substantially change the nature of the area. Intensification is occurring in this area without fast tracking. The effects on the surrounding community will be “more than minor”.

This development should go through normal consenting processes and be notified.

With thanks

Troy Churton | Local Board member
Orakei Local Board

Office: 25 St Johns Road, Meadowbank Village

Email: s 9(2)(a)

Visit our website: aucklandcouncil.govt.nz

From: David Yue Pan <s 9(2)(a) >
Sent: Tuesday, 28 June 2022 2:45 PM
To: Troy Churton (Orakei Local Board) <s 9(2)(a) >
Cc: RES Local Board Orakei <OrakeiLocalBoard@aucklandcouncil.govt.nz>
Subject: RE: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020

Hi Troy

Further to my email, please find attached the following information:

- Ministry for the Environment consultation letter

- Application form/covering report

Kind regards,

David

**David Pan | Principal Specialist - Planning
Central Resource Consenting**

s 9(2)(a)

Auckland Council

Level 6, Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland

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From: David Yue Pan

Sent: Tuesday, 28 June 2022 2:42 pm

To: Troy Churton (Orakei Local Board) <s 9(2)(a)>

Cc: RES Local Board Orakei <OrakeiLocalBoard@aucklandcouncil.govt.nz>

Subject: Kepa Road Apartments – COVID-19 Recovery (Fast-Track Consenting) Act 2020

Hi Troy

The Auckland Council has received a request from the Ministry for the Environment for comments on an application that is under consideration for the COVID-19 Recovery (Fast-track Consenting) Act 2020. The project is described as follows:

Kepa Road Apartments

Address: 182-184 Kepa and 8 Kurahaupo Street, Orakei, Auckland

The project is for subdivision and land development to create 45 apartments within two building blocks (Block A and B) with two basement levels that span beneath the two apartment blocks, at the corner of Kepa Rd and Kurahapo St in Orakei. All existing vegetation, buildings and structures on the subject site are to be removed to enable the construction.

The project involves the following activities:

- works within street tree/ street tree removal
- dewatering/ diversion of groundwater
- dwelling construction
- disturbance of contaminated land
- associated car parking, earthworks and subdivision

Please note that this proposal has not been the subject of a resource consent application to date.

You are being contacted to provide comments on the proposal as Local Board Councillor.

Please note that I must receive your comments by COB Monday 4 July 2022 and that this deadline reflects the timeframes in the COVID-19 Recovery (Fast-track Consenting) legislation and is not negotiable and cannot be extended.

A full copy of the application with all attachments that have been supplied to the council can be downloaded from: Kepa Road Apartments – Out of Scope

Your comments on this proposal are sought by way of return email which must be received by **COB Monday 4 July 2022**.

Please let me know if you have any queries.

Kind regards,

David

**David Pan | Principal Specialist - Planning
Central Resource Consenting**

s 9(2)(a) [REDACTED]

Auckland Council

Level 6, Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland

aucklandcouncil.govt.nz

Appendix 3

Asset Owner / Specialist Response

From: Hester Gerber, Parks Planning Team Leader, Auckland Council

Date: 29 June 2022

Overall Summary:

I had Rahman Bashir from my team looking at the proposal and he comments as follow:

"I have assessed this application and there is nothing to comments on from a parks planning lens. There are no open spaces adjoining the site nor are they vesting any roads.

I can see that the street trees to the south of the site are being retained but works seems to be untaken within the protected root zone – as this will trigger input from our earthworks, streams and trees team.

There is a open space across the road and is roughly 30m from the proposed development. Taking into account the zoning of the site being business mixed use and THAB, the outcome will not cause for a significant over shadowing or any adverse effect on the open space"

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Neil Stone – Senior Development Planner
	s 9(2)(a)
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Kepa Road Apartments
General comment	<p>Overall Summary:</p> <p>Thank you for the opportunity to provide comment on the referral of the proposed 45 unit residential apartment building on Kepa Road (the Project) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (Covid 19 Recovery Act).</p> <p>Based on the information provided, Auckland Transport has not identified any significant concern with this application being accepted for the fast-track consenting process. Given the high level nature of the material submitted with this application, however, there may be additional matters that come to light when a more complete assessment is submitted and there may be the need for additional consideration of mitigation measures should the project be accepted.</p> <p>Auckland Transport requests that, should the Project be accepted for fast-track consenting, the requirement for a Transport Impact Assessment is formally stated in the referral order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority and that Auckland Transport is specifically referenced as a person to be invited to comment on the application.</p> <p>Specific Comments:</p> <p>Auckland Transport supports access to this development from a local road as shown on the application material which includes the removal of the arterial road access from 182 Kepa Road as well as the removal of the access of 184 Kepa Road located at the corner of Kepa Road/Kurahaupo Street intersection which would have triggered a vehicle access restriction control.</p> <p>Auckland Transport supports the provision of the internal car parking spaces to provide for the parking needs for this development and reduce the need for on street parking.</p> <p>The Kepa Road Apartment Traffic Memo prepared by Team, dated 25 November 2021, provides initial commentary on the application, but does not include an</p>

assessment of the proposal's effects on the transport network, including an assessment on pedestrian and road user safety.

The main objective of a Transport Impact Assessment is to ensure that the transportation effects of a new development proposal are well-considered and addressed, including an emphasis on efficiency, safety and accessibility to and from the development.

The assessment should ensure that any adverse transport effects of the development have been effectively avoided, remedied or mitigated. This is reinforced by Policy B3.3.2(5)(f) of the Auckland Regional Policy Statement which requires activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.

Auckland Transport requests the following matters form part of the requested Transport Impact Assessment:

- An assessment of pedestrian and vehicle intervisibility at the proposed Kurahaupo Street vehicle crossing. The footpath on Kurahaupo Road borders on boundary of the site which could result in visibility issues, therefore the assessment will need to demonstrate that intervisibility between pedestrians and vehicles exiting the site is achieved in accordance with the requirements of the Austroads and Waka Kotahi – NZ Transport Agency Pedestrian Planning and Design Guide. This assessment should also provide measures to avoid, remedy or mitigate any adverse effects identified.
- Pedestrian amenity and how any existing and proposed pedestrian infrastructure would meet user demands under the Auckland Unitary Plan (Operative in Part);
- Vehicle tracking plans/assessment for internal manoeuvring within the basement parking area, ensuring that all vehicles, including loading and refuse collection trucks, can exit the site in a forward direction. This should include an assessment of loading and servicing in accordance with the Auckland Unitary Plan (Operative in Part);
- Assessment of bicycle parking requirements for the residential units, and how the proposed bicycle parking provision will meet the needs of the user under the Auckland Unitary Plan (Operative in Part);
- A Draft Construction Traffic Management Plan (CTMP) covering an assessment of effects on construction traffic (including measures to maintain safe and efficient operation for all road users), the construction period and associated earthworks;
- Assessment of effects for any other reason for consent under Chapter E26 Infrastructure and Chapter E27 Transport of the Auckland Unitary Plan (Operative in Part);
- How any potential adverse effects on user safety and operations will be avoided, remedied and/or mitigated; and
- Whether the Project meets the relevant objectives and policies of the Auckland Unitary Plan (Operative in Part) as they relate to transport.

Auckland Transport highlights the requirement for an assessment for mature tree removal in accordance with E17.4.1 of the Auckland Unitary Plan. As part of this, Auckland Transport notes that the location of the street trees to be removed is not clear on the landscape plans. This will need to be addressed in any application to the Environmental Protection Authority or to Auckland Council if not addressed as part of this consent assessment process. Landowner approval from Auckland Council will be required for these works and a Corridor Access Request will need to be approved by Auckland Transport prior to any work taking place in the road corridor.

	Given the need to review any potential adverse effects on the transport network, Auckland Transport requests that any referral order for this project requires the Expert Consenting Panel to include Auckland Transport as a person who is to be invited to comment on the project.
Other considerations	Click or tap here to provide any information you consider relevant to the Minister's decision on whether to refer the project to an expert consenting panel.
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Watercare Services Limited
Contact person (if follow-up is required)	Shane Lawton, Head of Developer Services, s 9(2)(a)
	Mark Iszard, Head of Major Developments, s 9(2)(a)
	Tarso Girio, Technical Lead Engineer, s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Kepa Road Apartments at 182-184 Kepa St & 8 Kurahaupo Street
General comment	<p>Date: 05 of July 2022</p> <p>Overall Summary:</p> <p>The proposal is for subdivision and land development to create 45 apartments within two building blocks (Block A and B) at 182-184 Kepa and 8 Kurahaupo Street, Orakei.</p> <p>No water and wastewater flow or water supply-demand data were provided as part of this application.</p> <p>Water supply: There is capacity in the local water supply network.</p> <p>Wastewater: There are potentially significant capacity constraints in the wastewater network. Depending on the timing of the proposed development, there may be a need to mitigate the increase in peak flow on the downstream network to ensure overflow performance does not degrade.</p> <p>Water Supply:</p> <p>At this stage, the existing 200mm CI watermain on Kepa Road and 100 AC on Kurahaupo Street have sufficient available capacity to accommodate this development.</p>

	<p>Wastewater:</p> <p>Based on the high-level flow estimation, the existing performance of the wastewater network indicates significant capacity constraints and wet weather response within the sewer network downstream of the proposed development. There is a constraint in the downstream network in a 225mm pipe.</p> <p>Investigation work is being undertaken to identify combined stormwater connections to the wastewater network. In addition, a programme of work is scheduled to confirm system performance and identify residual network upgrades that are required post-separation of stormwater flows.</p> <p>These planning studies will confirm further network upgrades or augmentations but are some years from identifying the final solutions, however short-term mitigation of network performance is anticipated from combined network investigations.</p> <p>Depending on the timing of the proposed development, there may be a need to mitigate the increase in peak flow on the downstream network to ensure overflow performance does not degrade.</p> <p>Resolving Inflow and Infiltration to facilitate development</p> <p>In order to facilitate development prior to wider catchment solutions being implemented, the developer could contribute to asset optimisation by taking part in joined-up investigations and possible private property sewer separation. This work could be in the form of technical assessment or funding contributions to the necessary technical assessment.</p> <p>This work could remove stormwater from the wastewater network, enabling development without degrading overflow performance. Acceptable solutions could be in the form of an offset within the wastewater and stormwater catchment.</p>
Other considerations	Click or tap here to provide any information you consider relevant to the Minister's decision on whether to refer the project to an expert consenting panel.
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

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