



BRF-1825

3 August 2022

Sanctum Projects Limited
c/- Nick Mattison
Director
Civix Limited
s 9(2)(a)

Dear Nick Mattison

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Kepa Road Apartments Project

Thank you for Sanctum Projects Limited application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Kepa Road Apartments Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to redevelop three suburban sections at 182-184 Kepa Road and 8 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.

The purpose of the FTCA is to promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by creating approximately 199 full-time equivalent (FTE) jobs over a 2-year construction period

2. increase housing supply by constructing apartment buildings that will provide 45 residential units
3. contribute to a well-functioning urban environment by providing housing in a location with good access to community services, public transport and natural and open spaces
4. progress faster than would otherwise be the case under standard Resource Management Act 1991 (RMA) processes, provided that the applicant lodges their applications for resource consent in a timely manner following project referral.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Information required to be submitted with your resource consent applications

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the information listed in Appendix A of this letter with any resource consent application for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the persons and groups, additional to those specified in clause 17 Schedule 6 of the FTCA, who are listed in Appendix A of this letter.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent[notice of requirement for a designation with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Hauraki Māori Trust Board
2. Ngā Maunga Whakahii o Kaipara Development Trust
3. Makaurau Marae Māori Trust
4. Ngāti Koheriki Claims Committee.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Infrastructure; Māori Crown Relations; Te Arawhiti; Housing; Education; Arts, Culture, and Heritage; Treaty of Waitangi Negotiations; Local Government; Conservation; Land Information; Defence; Transport; and Climate Change

Local authority:

Auckland Council

Other parties:

Auckland Transport
Watercare Services Limited
Hauraki Māori Trust Board
Ngā Maunga Whakahii o Kaipara Development Trust
Makaurau Marae Māori Trust
Ngāti Koheriki Claims Committee

Relevant iwi authorities:

Ngaati Whanaunga Incorporated Society
Ngāi Tai ki Tāmaki Trust
Ngāti Maru Rūnanga Trust
Ngāti Paoa Iwi Trust
Ngāti Paoa Trust Board
Ngāti Tamaoho Trust
Ngāti Tamaterā Treaty Settlement Trust Board
Ngāti Whātua Ōrākei Trust Board
Te Ākitai Waiohua Iwi Authority
Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohua
Te Kawerau Iwi Settlement Trust
Te Kupenga o Ngāti Hako Incorporated
Te Patukiriri Iwi Trust
Te Rūnanga o Ngāti Whātua
Te Whakakitenga o Waikato Incorporated

Relevant Treaty settlement entities:

Ngāti Whātua Ōrākei Trustee Limited
Te Kawerau Iwi Settlement Trust
Ngāi Tai ki Tāmaki Trust
Ngāti Tamaoho Settlement Trust
Te Patukirikiri Iwi Trust
Ngāti Paoa Iwi Trust
Te Ākitai Waiohua Settlement Trust
Ngāti Maru Rūnanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Hako Tūpuna Trust
Ngaati Whanaunga Ruunanga Trust
Ngāti Whātua Ōrākei Reserves Board

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to referral of the Kepa Road Apartments Project

Information required to be submitted with resource consent applications to a panel

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any application:

- an assessment of the relevant infrastructure for three-waters services that –
 - identifies the existing condition and capacity of that infrastructure
 - identifies any upgrades to that infrastructure that are required in connection with the project
 - identifies any funding required to carry out those upgrades (including who will provide that funding)
 - contains information on any discussions held, and any agreements made, between the applicant and Auckland Council or Watercare Services Limited (or both)
- an integrated transport assessment, including –
 - an assessment of the effects of the project on the local road network
 - an assessment of how the project will support people to use public transport and active modes of transport (such as walking and cycling)
 - information on any discussions held, and any agreements made, between the applicant and Auckland Transport
- an urban design and landscape assessment of the development.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any consent application for the project from the following additional persons or groups:

- Auckland Transport
- Watercare Services Limited
- Hauraki Māori Trust Board
- Ngā Maunga Whakahii o Kaipara Development Trust
- Makaurau Marae Māori Trust
- Ngāti Koheriki Claims Committee