

Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



MFE BRF-2758

DOC 22-B-0039

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 – Whenuapai Development Project

Cabra Developments Limited has applied to refer the Whenuapai Development Project (project) to an expert consenting panel (a panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA). This letter is sent to you pursuant to section 21(2) of the FTCA.

The project is described in Appendix A and the application documents are in Attachment 1. As the project is partly within the Coastal Marine Area (CMA), the Minister of Conservation (Willow-Jean Prime) and I will jointly decide on the application.

Minister Prime and I invite Auckland Council to provide written comments on the referral application. A template is provided for this purpose in Attachment 2. Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to our 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?

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 the request for comments to anyone outside your organisation.

If we decide to accept the application and the project is referred to a panel, the Auckland 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 needed for the project. The applicant will provide a detailed assessment of environmental effects and cultural impact assessment(s) at this stage and the council will have the opportunity to provide further comments to the panel.

Please provide written comments via return email within 10 working days if you wish us to take them into consideration when making our decision.

If you wish to discuss this 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 be 'D. Parker', written over a light blue circular stamp.

Hon David Parker
Minister for the Environment

Appendix:

- A. Details of proposed project

Attachments:

1. Application to refer the Whenuapai Development Project to an expert consenting panel, including supporting information (Databox link in covering email)
2. Response template for written comments

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

Appendix A - Proposed project

Project	Applicant	Details
Whenuapai Development	Cabra Developments Limited	<p>The project is to subdivide land on four separate sites in Whenuapai, Auckland covering a total of approximately 13.7 hectares, and construct a residential development on three of the sites and a light industrial development on the fourth. The three sites for residential development are located at 15 Clarks Lane (Site A), 10 Sinton Road (Site B) and 16 Sinton Road (Site C), and the light industrial site is located at 90 Trig Road (Site D). The project will include works within the Clarks Lane and Sinton Road road reserves and will involve new wastewater infrastructure extending onto the adjacent properties at 12 and 14 Sinton Road, Whenuapai.</p> <p>The project includes the construction of approximately 227 residential units (84 on Site A, 62 on Site B and 81 on Site C), and the creation of 9 lots intended for industrial use and construction of 2 industrial warehouse buildings on Site D. The project also includes the construction of supporting infrastructure including roads and reserves intended to vest with Auckland Council, accessways and three-waters services. The applicant intends to apply for separate resource consents for each site.</p> <p>Part of the project, the discharge of stormwater for Sites A, B and C, will occur in the coastal marine area (CMA).</p>