

File ref: FTC000051

16 May 2022

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Dear Russell/Anna

**Amended Request for information No 1 from Auckland Council in relation to the Drury East Stage 1 Precinct resource consent application under COVID-19 Recovery (Fast-track Consenting) Act 2020**

On 12 May 2022, the Drury East Stage 1 Precinct Expert Consenting Panel (the Panel) directed the Environmental Protection Authority (EPA) to request further information from Auckland Council under clause 25 of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), relating to the Drury East Stage 1 Precinct resource consent application.

The further information requested was outlined in Appendix 1 of the request. On 13 May 2022 the Panel received a replacement version of the advice from Mr Nigel Mark Brown. The advice from Mr Mark Brown dated 12 and 13 May can be viewed on the EPA website at the following link: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/drury-east-stage-1-precinct/reports-and-advice/>

At the direction of the Panel, the EPA is seeking the following information outlined in **Appendix 1** based on the replacement version of the advice from Mr Nigel Mark Brown.

**Supply of Information**

In accordance with clause 25 of Schedule 6 of the Act Auckland Council must:

- a) Provide electronic copies of the information or report requested; or
- b) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information to the EPA by **5pm Tuesday 24 May 2022**. This replaces the timeframe of 5pm Friday 20 May 2022 specified in the earlier Request for Information.

If the information requested is not received, the Panel must proceed as if the request for further information has been declined.

Please note, the information will be provided to the Panel, the applicant and every person who provided comments on the application. The information will also be made available on the EPA website.

### **Cost Recovery**

Please note that Auckland Council is entitled to set, and recover from the EPA, a reasonable charge for the supply of information requested by the EPA under clause 7(4) of Schedule 6 of the Fast-track Consenting Act.

If you have any questions or further queries, please don't hesitate to contact me on (04) 474 5523 or by email [gen.hewett@epa.govt.nz](mailto:gen.hewett@epa.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Gen Hewett', written in a cursive style.

Gen Hewett

**Senior Advisor**

## Appendix 1 – Further information requested

1. The Drury East Stage 1 Precinct Panel considering the Fast-track Consenting application by Fulton Hogan requests some further information from Auckland Council on matters arising since the decision on Private Plan Change 49 and the technical advice on flooding and stormwater received from Mr Nigel Mark-Brown<sup>1</sup>. The replacement advice from Mr Nigel Mark-Brown dated 13 May 2022 is to be considered for this response.

The Panel has yet to determine the weight that should be given to PC 49, if any, and would be assisted by receiving the information below.

2. The Panel requests comment from Auckland Council as follows:
  - (a) How the PC 49 transport triggers contained in Table 1X.6.1 should be applied to the Drury East Stage 1 Precinct site (the Fulton Hogan site) given that Table 1X.6.1 applies to the entirety of the plan change area as per Precinct Plan 2 in 1X.10.3 of the PC 49 decision.
  - (b) An update to Auckland Council's comments on conditions proposed in the Drury East application in light of the PC 49 decision. We note the Council's initial comments on consent conditions at Section 11 of its comment on the application<sup>2</sup>.
  - (c) The advice provided to the Panel by Mr Mark-Brown concerning flooding and stormwater issues including regarding the need to protect the capacity of the culverts on Fitzgerald Stream prior to later upgrades being done on Flanagan Road, Great South Road and at the railway line.
  - (d) Mr Mark-Brown's advice regarding the management of communal and private stormwater between each of the subcatchments on the Fulton Hogan site.
  - (e) The appropriate wording of additional conditions recommended by Mr Mark-Brown – including the adoption of the more recent and higher RCP8.5 climate change provision rather than the unmodified 2015 provision carried into the 2022 edition of the Auckland Council Code of Practice for Stormwater.

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<sup>1</sup> On 12 May 2022 Mr Mark Brown provided advice to the Panel on stormwater and flooding. On 13 May 2022 a replacement version of the advice was received. The advice from Mr Mark Brown dated 12 and 13 May can be viewed on the EPA website at the following link: <https://www.epa.govt.nz/fast-track-consenting/referred-projects/drury-east-stage-1-precinct/reports-and-advice/>

<sup>2</sup> <https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Drury-East/invitations-to-comment-/comments-received/08Mar22-Auckland-Council-FTC51-Comments-Received.pdf>