

BEFORE A PANEL OF INDEPENDENT HEARINGS COMMISSIONERS

FTA-2502-1019

UNDER The Fast Track Approvals Act 2024 ("**FTAA**")

IN THE MATTER of an application by Kiwi Property Holdings No.2 Limited ("**the Applicant**") under section 42 FTAA for approvals relating to the Drury Metropolitan Centre – Consolidated Stages 1 and 2 Project

MEMORANDUM OF COUNSEL FOR THE APPLICANT IN RESPONSE TO MINUTE 10 OF THE PANEL

10 OCTOBER 2025

**ELLIS GOULD
LAWYERS
AUCKLAND**

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MAY IT PLEASE THE PANEL:

Introduction

1. This memorandum is filed on behalf of Kiwi Property Holdings No.2 Limited (“**Kiwi Property**”), the applicant for the Drury Metropolitan Centre – Consolidated Stages 1 and 2 Project (“**Project**”). It responds to the Panel’s requests in Minute 10 (“**Minute 10**”) for Kiwi Property to respond by 5 pm Friday 10 October advising:
 - (a) When the Panel can expect to receive the supplementary JWS Stormwater and Flooding;
 - (b) When the Panel can expect to receive the Applicant’s amended conditions; and
 - (c) Whether the Applicant is prepared to request a brief suspension of processing of the application.

2. In response, Kiwi Property can advise:
 - (a) The supplementary JWS Stormwater and Flooding was filed with the EPA yesterday evening, 9 October 2025.
 - (b) An updated set of conditions, reflecting agreements reached at caucusing will be filed with the EPA by close of business on Monday 13 October 2025, although, Kiwi Property will endeavour to file these earlier, if possible.
 - (c) In those circumstances, and given the impending decision date, Kiwi Property confirms that it requests a five working day suspension commencing 12.01am Tuesday 15 October 2025 and concluding 11.59pm Monday 20 October 2025. This request is made pursuant to section 64 of the Fast Track Approvals Act 2024.

3. Kiwi Property acknowledges that the Panel may continue to review and assess the Project during the suspension period, and confirms that it will cover costs incurred by the Panel during that period.

DATED this 10th day of October 2025

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a cursive 'D' followed by a horizontal line. The second part is a cursive 'A' followed by a horizontal line.

Douglas Allan / Alex Devine

Counsel for Kiwi Property Holdings No. 2 Limited