
MINUTE 16 OF THE EXPERT PANEL
Resumption of processing
North West Rapid Transit [FTAA-2511-1146]
13 July 2026

[1] On 9 June 2026, processing of the application was suspended following a request from the Applicant under section 64 of the FTAA.

[2] On 8 July 2026, the Applicant filed a request for processing to resume. The Panel confirms that processing of the application resumed from 11.59pm on 8 July 2026.

[3] Processing of the application has now been suspended for a total of 22 working days.

[4] The Panel confirms the following adjusted deadlines to reflect the 22-day processing suspension:

- (a) **17 July 2026**, for the additional Westgate Shopping Centre invitees to provide comment (Minute 6 and Minute 9);
- (b) **24 July 2026**, for the Applicant to respond to any comments received from the additional Westgate Shopping Centre invitees; and
- (c) The Panel's final decision is now due on **7 September 2026**.

[5] In addition to providing its response as set out in paragraph [4](b) above, the Applicant has signalled in its memorandum of 9 July 2026 that it intends to file legal submissions addressing legal issues that have arisen since lodgement, together with updated proposed designation and resource conditions.

[6] The FTAA does not expressly provide for this step. Nevertheless, the Panel must regulate its process as it thinks appropriate. In light of the suspension, the ADR process the Applicant and Council have been engaged in during the suspension, and the Applicant's iterative approach to condition drafting in response to comments, the Panel considers it appropriate to enable the Applicant to address these matters.

[7] The Panel does however require that this step be time bound. Accordingly, it directs that the Applicant's legal submissions addressing legal issues that have arisen since lodgement, together with its updated proposed designation and resource conditions, must be lodged with the EPA by **5pm 29 July 2026**.

Other Matters

Appointment of technical advisor

[8] The Panel confirms the appointment of Daryl Hughes of Hughes Traffic and Transport as independent technical advisor to the Panel under clause 10(3) of Schedule 3 of the FTAA.

Late comments received

[9] The Panel notes that since the closing of comments, several comments

have been filed out of time. Under s 81(6) of the Act, the Panel may (but is not required to) consider comments filed after the applicable timeframe at its discretion.

[10] The Panel has decided to exercise its discretion to receive and consider late comments from the following parties:

- (a) Ministry of Education
- (b) Sandy Fabrin
- (c) Shyam Patel

[11] These comments have been provided to the Applicant contemporaneously with this minute. If the Applicant elects to respond to these comments, it shall do so within 5 working days of this minute, being 20 July 2026



Lachlan Muldowney

North West Rapid Transit Expert Panel Chair