
MINUTE 4 OF THE EXPERT PANEL

Administrative error regarding invitations to comment

Auckland Prison Capacity Increase Expert Panel

FTAA-2603-1179

24 July 2026

[1] On 29 June 2026 the Panel issued Minute 2 recording its decision on which parties were invited to comment on the Substantive Application for the Auckland Prison Capacity Increase project under section 53 of the Fast-track Approvals Act 2024 (FTAA).

[2] It has been brought to our attention that due to an administrative error by the EPA, certain parties were not actually sent an invitation to comment on 29 June 2026.

[3] The parties affected by the administrative error are:

- (a) Upper Harbour Local Board;
- (b) Pāremoremo Residents and Ratepayers Association;
- (c) NZ Police; and
- (d) New Zealand Defence Force.

[4] The Panel has no statutory power to extend the date by which comments are to be made. The Panel nevertheless hopes that any of the parties listed at [3] above who wish to make comments are able to do so by 28 July 2026.

[5] If those parties are unable to meet that statutory time frame, the Panel observes that it has a discretion pursuant to section 81(6)(b) of the FTAA to

consider comments made after the applicable time frame, provided it has not yet made its decision on the approvals sought.

[6] One of the factors that the Panel may consider when deciding whether to exercise that discretion, is the period of time within which late comments are made, relative to the time that the EPA's administrative error was brought to the attention of the party making the comment.

[7] Comments must be made to the EPA:

- (a) by email to substantive@fasttrack.govt.nz;
- (b) by post to Private Bag 63002, Wellington 6140, New Zealand; or
- (c) in person to Stewart Dawson's Corner, 366 Lambton Quay, Wellington, 6011.

[8] The application may be accessed on the Fast-track website here:
<https://www.fasttrack.govt.nz/projects/auckland-prison-capacity-increase>



Philip Maw

Auckland Prison Capacity Increase Expert Panel Chair