

Fast-track Approvals Act 2024

MINUTE 6 OF THE EXPERT PANEL

Pound Road Industrial Development [FTAA-2505-1057]

24 November 2025

[1] By minute dated 11 November 2025, at the request of the Applicant under s 64 the processing of the Application was suspended (**Suspension**).

[2] During the Suspension, the Applicant confirmed it consented to the Panel continuing “evaluation or decision-making work during the suspension” subject to a “caution against the Panel spending significant time or cost in relation to Transport, Infrastructure, and Urban Design matters”.

[3] After the Suspension was granted, the Panel were advised by the EPA that late comments had been received from KiwiRail, a party that had been invited to comment under s 53.

[4] Under s 81(6) the Panel may, in its discretion, consider comments received after the timeframe to provide comments in s 54.¹

[5] The Panel have not viewed the comments received from KiwiRail. It follows that it has not formed a view on if it should or can accept the late comments.

[6] The purpose of this minute is to seek the Applicant’s views on how the Panel should address this matter given the Application is under the Suspension.

¹ On its face s 81(6) is difficult to reconcile with s 54(4).

[7] It is the Panel's tentative view that while the Application is suspended any steps the Panel may wish to take to consider how to deal with the late KiwiRail comments would be beyond the matters contemplated in paragraph [2] above.

[8] The Panel therefore seeks the Applicant's view on whether that is correct, and, if so, can the Panel determine if it will accept the late comments now, perhaps in light of the wide powers to regulate its own process and the directions in s 10? Or is the fact the application is under a s 64 suspension mean no such steps can be taken and it cannot determine the matter until the Panel resumes processing the Application under s 65 (or s 66)?

[9] For the avoidance of doubt, as the Panel has not seen the KiwiRail comments, the Panel are not seeking substantive comments on whether it should accept the KiwiRail comments.



Chris Thomsen

Pound Road Industrial Development Expert Panel Chair