

COVID-19 Recovery (Fast-track Consenting Act) 2020

LP 14 Waitohi Picton Ferry Precinct Redevelopment Consent Application by Kiwirail Holdings Limited, Marlborough District Council and Port Marlborough New Zealand

M-2 Minute of the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel – 5 March 2021

1. On 3 February 2021, in accordance with Clause 17 of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting Act) 2020 (the Act), the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel (the panel) issued invitations to comment.
2. In accordance with clause 18 of Schedule 6 of the Act, written comments must have been received by the Environmental Protection Authority (EPA) no later than 25 February 2021. As per Minute 1 of the panel, the panel had allowed an extra 5 working days for the invitation to comment to be received, to allow for mail delays.

Late Comments Received

3. Three persons (Picton Village Bakkerij, Tombstone Motel, Lodge & Backpackers, and AJ Thomson), have sent comments to the EPA, which were received a week after they had to be received on our behalf by the EPA.
4. Neither Picton Village Bakkerij nor AJ Thomson offered a reason for lateness. One of the comments received was on the comment form prepared by the EPA (and attached the invitation to comment), for lodging of comments, which makes it clear that delivery by whatever means (this one was by post) needs to result in receipt of the comment by the EPA no later than 25 February 2021. Tombstone Motel, Lodge & Backpackers indicated that the invitation to comment had been delivered to an incorrect address.
5. Clause 18(6) and (7) of Schedule 6 of the Act, is strongly directed to maintaining good order and rapid processing of applications. All other comments were forwarded to the applicants forthwith upon their receipt, and the period for them to respond under clause 19 of Schedule 6 of the Act is measured from when original comments were due with the EPA, of which time period for their response expires today.
6. To receive the late comments now would deprive the applicants of a right to respond under clause 19 of Schedule 6 of the Act.
7. We therefore decline to receive the three comments.



Judge Laurence Newhook

Chairperson

On behalf of the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel