

## 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-4 Minute of the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel – 16 April 2021

---

1. On 14 April 2021, the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel (the panel), invited comments on draft conditions from all those who responded to the invitation for comment given under clause 17(2) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act).
2. Comments were to be received by the Environmental Protection Authority (EPA), no later than 5:00pm on 21 April 2021.
3. On 15 April 2021, the panel received a request from Te Ātiawa Trust to have 15 working days to provide comments on the draft conditions.
4. The panel has deliberated about the request and the reasons given for it (including lack of resources and insufficient time to seek technical advice). The panel cannot grant 15 working days because that would take the period right up to the mandatory final date for release of the decision, leaving no time for comments on the draft conditions to be properly considered or at all.
5. The panel grants an additional 5 working days, taking the date for lodgement of comments with the EPA to **5:00pm on 29 April 2021**.
6. In fairness to all parties who were invited to provide comment on the draft conditions, the panel extends the period to that date for them all.
7. Te Ātiawa alleges that to require them to undertake the work without compensation perpetuates a Treaty Breach because without remuneration the cost will be covered by the products of Treaty Settlement.
8. The panel is an adjudicative body without its own financial resources, so has no fund from which to pay compensation. The Act makes no provision for the Panel, or the EPA to pay costs or compensation to anyone, so we regret that Te Ātiawa will need to take that matter up with the Crown through other avenues.



Judge Laurence Newhook

**Chairperson**

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