

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

Waihoehoe Precinct

M-7	Minute of the Waihoehoe Precinct Expert Consenting Panel – 7 April 2022
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Acceptance of late comment received on the application

1. As outlined in Minute 1, the Panel must invite written comments on the application from the persons or groups listed in clause 17 of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act).
2. Comments on the application closed on Tuesday 22 March 2022.
3. On 21 March 2022, the Panel received a request to receive a late comment from Josephine Kleinsman.
4. Under clause 18 of Schedule 6 of the Act the Panel is not required to consider any comments received after the time specified in the invitation, but may do so in its discretion, as long as the Panel has not issued its decision.
5. The EPA signalled in an email of 22 March 2022 to Josephine Kleinsman that the comment would be accepted up until 5 April 2022.
6. On 5 April 2022, the Panel received the comment from Josephine Kleinsman.
7. The Panel has reviewed the late comment received and in this case has confirmed its decision to accept the late comment. Given the proximity of Ms Kleinsman's property to the application site, and the potential effects of the proposed development on her property it is in the interests of justice that she be entitled to have her comments taken into account by the panel.
8. Clause 19 of Schedule 6 of the Act provides the consent applicant an opportunity to provide a response to comments received which must be no later than 5 working days after the date by which comments were to be provided.
9. The Panel notes that processing the application was suspended from 5pm on 24 March 2022 until a request is received from the applicant to resume processing the application. The Panel

acknowledges the stated purpose of the suspension is to provide an opportunity for the applicant to consider and respond comprehensively to comments received.

10. The Panel requests the applicant to consider the comment received from Josephine Kleinsman when it provides its response to comments received on the application after processing of the application is resumed.

11. All comments received on the application can be viewed on the EPA website at:
<https://www.epa.govt.nz/fast-track-consenting/referred-projects/waihoehoe-precinct/comments-from-invited-parties/>

A handwritten signature in black ink, appearing to read 'Lachlan Muldowney', with a long horizontal stroke extending to the right.

Lachlan Muldowney
Chairperson

Waihoehoe Precinct Expert Consenting Panel