

Fast-track Approvals Act 2024

MINUTE 4 OF THE EXPERT PANEL

Update on the Application
Drury Metropolitan Centre [FTAA-2502-1019]

(8 September 2025)

Technical advisors

- [1] The Panel confirms the appointments of Nigel Mark-Brown and Leo Hills as technical advisors for stormwater and traffic matters respectively. I
- [2] The Panel has sought external legal advice from Vanessa Hamm involving several issues raised in the legal memoranda from the Applicant and Auckland Council relating to “banking” development capacity (and associated issues relating to the proposed lapse date and receiving environment) and the jurisdiction and process relating to Auckland Council’s suggestion that the application could be partially granted or conditions imposed to address the “capacity banking” concerns . The advice will be published when available.

Update

- [3] As outlined in Minute 3, the Applicant provided its response to invited comments on 28 August 2025. The panel and its technical advisors have had time to consider responses from all parties invited to comment as well as the feedback on those comments from the Applicant.

[4] The Panel has identified certain matters which are subject to a further information request to the Applicant under section 67 of the FTAA.

- (a) The Panel acknowledges that some issues may best be resolved through expert conferencing and seeks input from the Applicant and any parties who have provided comments in relation to the following proposal, by no later than 5 p.m. on Wednesday 10 September: It is proposed to arrange two expert conferences focussing (separately) on stormwater issues and transportation issues, with the assistance of other experts on particular issues as required (such as engineering, ecology and planning);
- (b) The Panel's technical advisors will participate in the relevant conferencing, which will be limited to experts only;
- (c) It is proposed that conferencing be facilitated. The EPA is contacting suitable facilitators to inquire as to availability;
- (d) It is proposed that conferencing occur on-line to enable relevant supporting experts to participate in specific issues only, but a combination of in person and on-line could also be suitable;
- (e) The Panel and its technical advisors would circulate a proposed agenda in advance setting out the issues they would like addressed, for comment by the participants;
- (f) The Panel's technical advisors would circulate summaries of expert opinion in advance to other expert participants, and the other participants would prepare and circulate summaries of opinion in response. Those documents would be confidential to the conferencing;
- (g) Experts would aim to produce a joint witness statement (JWS) at the conclusion of conferencing setting out areas of agreement and disagreement (with reasons) and the JWS would be referred to the Panel for consideration as part of its deliberations and made available to the parties;

- (h) The Environment Court's Practice Note 2023 (Code of Conduct for Expert Witnesses) would apply to the conferencing (including the expert summaries and JWS);
- (i) The following timetable is proposed (one half to one full day is considered sufficient for each conference):
 - (i) Panel to circulate conferencing agenda and confirm expert participants required by 5 p.m. Thursday 11 September
 - (ii) Applicant to respond to s 67 request by 5 p.m. Friday 19 September
 - (iii) Panel's experts to circulate summary statements to other experts and facilitator by 5 p.m. Wednesday 24 September;
 - (iv) Other experts to circulate summary statements to other experts and facilitator by Wednesday 1 October;
 - (v) Caucusing to occur on Thursday 2nd and Friday 3rd October
 - (vi) JWS to be circulated no later than 5 p.m. Monday 6th October.



Mary Hill

Drury Metropolitan Centre Expert Panel Chair