
MINUTE 17 OF THE EXPERT PANEL

Expert witness conferencing

Delmore [FTAA-2502-1015]

(5 August 2025)

[1] The purpose of this Minute is to set out our request for expert witness conferencing and to set the process for that conferencing and the specific matters that we require be addressed at that conferencing.

[2] The expert witness conferencing will be facilitated by Dave Serjeant. The Panel indicated in Minute 5 that Mr Serjeant had been appointed as a technical advisor and one of his roles was to independently facilitate expert witness conferencing. Mr Serjeant is authorised to:

- (a) Act as independent facilitator;
- (b) In conjunction with the EPA Application Lead (Daya Thomson) invite the experts to the expert conferencing session(s);
- (c) Determine the nature of the conferencing session(s) (e.g. whether all experts conference together or the engineering experts and planning experts conference separately;
- (d) In conjunction with the EPA organise the session(s) (including format, agenda, attendance and Joint Witness Statement(s) (JWS), time and venue – in person or on-line as appropriate;
- (e) Report to the Chair of the Panel on an as -required basis on progress with the conferencing session(s) and on any JWS setting out the outcomes, including matters agreed and not agreed.

[3] The date(s), time(s) and format (in-person or virtually) of the expert conferencing session(s) will be organised by Mr Serjeant in conjunction with the EPA. The participants

are to inform Ms Thomson of those expert witnesses (name, expertise, and contact details) who will attend the conferencing session(s).

[4] The attendees at the conference should be planning and engineering experts who can assist with answering the questions sets out in Appendix 1. We note that in addition to the Applicant and Auckland Council that one of the commentators, AVJ Hobsonville Pty Ltd, has engaged a planning an engineering expert. They are also entitled to attend the expert conferencing.

[5] The purpose of the conferencing is broadly to answer the questions set out in **Appendix 1**. Mr Serjeant is authorised to prepare a specific agenda of questions, which the Panel will review and confirm. This agenda will be provided to the experts prior to the conferencing session.



Helen Atkins
Chair Delmore Expert panel

APPENDIX 1

QUESTIONS FOR EXPERT WITNESS CONFERENCING

Context

The Panel considers that providing this context to the expert witness conferencing is appropriate. Mr Serjeant is cognisant of this context, and he may explore it further at the conferencing session/s.

The Panel has concerns with regards to the proposed conditions and how they will appropriately manage the adverse effects that have been identified by the participants, including the Applicant. In addition, the Panel has concerns as to how the proposed conditions will deliver on the benefits that the Applicant has identified will result from the Application.

Questions

General consenting question

1. Are the experts in agreement that the Application identifies all of the consents required under the Resource Management Act 1991?
2. Are the experts in agreement that the proposed subdivision consent conditions are the most appropriate with specific reference to the staging plans, the roading issues (including the JOALs) and the location of the bush lot covenant areas and those areas that will be subject to ecological protection?

Common Infrastructure Question

3. Are the experts in agreement that the conditions that relate to enduring nature of the way in which the Common Infrastructure will be managed and maintained are fit for purpose. For ease of reference the Common Infrastructure conditions of interest to the Panel are referred to in **Appendix 2**.
4. Are the experts in agreement that Common Infrastructure conditions are robust enough to ensure that the adverse effects identified in the Application are appropriately managed and the benefits identified in the application are realised.

Approach to Wastewater management

5. The Panel notes that the amended AEE refers to three wastewater solutions namely:
 - Connection to the public wastewater network;
 - Construction of a wastewater treatment plant;
 - A contingency option that requires untreated wastewater to be taken off-site.

6. The question is - are the experts in agreement that is clear in the conditions what the triggers are in relation to the solution that is ultimately adopted? For example, in numerous places in the AEE it notes that: *It is anticipated that wastewater will go into the Watercare network, however, if this is not possible, a wastewater system has been designed and will be built on-site.* What are the circumstances that would trigger an alternative to the connection to the public wastewater network?

APPENDIX 2 – COMMON INFRASTRUCTURE CONDITIONS

The Application includes a number of proposed conditions of consent that will endure for a period beyond the period when the Applicant will no longer be in the owner of the Site, for example:

- The Wetland Offset Plan (condition 2.1.12)
- Implementation and Maintenance Plan (condition 2.1.22)
- Waste management (condition 2.1.24 and 3.1.10))
- Private Stormwater Infrastructure (condition 3.1.9)

Proposed condition 3.1.11 (120) requires the consent holder to prepare the necessary documentation to create a society, body corporate, association or other body acceptable to Council (Residential Society) who will be responsible for the management of the Common Infrastructure.

The Common Infrastructure is defined in the Stage 1 and Stage 2 tables to condition 3.1.11 as being:

Stage 1

- Jointly Owned Access Lots (as listed in the table for Stage 1)
- The Wastewater Treatment Plant
- Lot 5001 – the wastewater disposal field and existing consent notice area
- Lot 1901, 1904, 1905 and 1908 – ecological bush areas
- Bush covenant areas, Lots 16, 17, 76-86, 106-119, 120-127, 155-167, 204-209, 211-226, 228, 243-0245, 250-256, 260-268, 277-279, 303-307, 315-318, 352-359 and 471

Stage 2

- Jointly Owned Access Lots (as listed in the table for Stage 2)
- Lot 1922, 1920 and 1910 – ecological bush areas
- Bush covenant areas, Lots 604-623, 636, 664, 668, 673, 677-690, 931-948, 942-958, 999-1023, 1028-1047, 1052-1055, 1057-1056, 1060, 1215-1216, 1218-1238, 1244-1250, 1270-1272 and 1274-1278.

The condition requires all the lots listed in column 3 of the table to pay a level to the Common Infrastructure.

Proposed condition 3.1.11 (121) notes that membership of the Residential Society is compulsory which will be secured by way of consent notice and covenant in gross.