
MINUTE OF THE PANEL CONVENER
Commencement date for panel appointments
Delmore [FTAA-2502-1015]

(2 May 2025)

[1] The purpose of this Minute is to confirm the timing of the panel appointment and the decision timeframe.

[2] During the conference on Wednesday 30th April, I was advised that Auckland Council has yet to engage with Delmore on this Fast-track application. Consequently, the Council is concerned that the response time under s 53 – 20 working days – will be inadequate given the complexity of this project. The Council has, however, engaged a team of internal and external experts who are ready to provide comments when invited by the Panel under s 53 of the Fast-track Approvals Act 2024.

[3] I am not aware of any provision in the Act that prevents Auckland Council from engaging with an applicant at a time before a request for comment is made under s 53. The issue of cost-recovery - whether under the Act or from the Applicant directly - is a different matter about which, in the case of the latter, there may be more than one solution.

A way forward

[4] In the meantime, when setting the time frame for a decision, I need to consider the position that the participants find themselves in today.

[5] To that end, I seek the Applicant's and Council's views whether this

application may be progressed in a timely, efficient and cost-effective manner if the panel, when seeking comments, asks Auckland Council to:

- (a) to identify any issues with the application;
- (b) to identify and address any drafting issues with the conditions and management plans; and
- (c) to make any other comment identified by the panel.

[6] I consider that twenty working days is adequate for the Council, having read and considered the application, to identify the issues. Issue identification may also require the Council's experts visiting the site and meeting with the applicant's technical advisors. Issue identification does not require the Council to prepare any technical reports. The panel will decide whether it wishes to seek further information or reports from the Council under s 67 of the Act on the issues identified.

[7] I understand that the Council may be able to recover its costs under ss 53 and 67 of the Act, but it is to seek confirmation from the EPA before incurring these costs.

Time frame for decision

[8] Given the Council's indication that it is likely to raise significant concerns with the proposal, I am unable to agree with the Applicant's proposal that the decision be released 35 days after the comments are received. Indeed, this is not provided for under the proposal above.

[9] I have assigned my functions, duties and powers to the Associate Conveners in relation to this application. Helen Atkins will be convening the project, and she anticipates setting up the panel next week and deciding on time frame.

[10] If any participants have any comments in relation to the proposed way

forward, they are to write to Associate Convener Helen Atkins by Monday, **5 May 2025**.

A handwritten signature in black ink, appearing to read 'Jane'. The letter 'J' is large and stylized, with a long vertical stroke and a curved bottom. The letters 'ane' are written in a cursive script to the right of the 'J'.

Jane Borthwick
Panel convener for the purpose of the Fast-track Approvals Act 2024