
MINUTE 9 OF THE EXPERT PANEL
Acceptance of Late Comments on Draft Conditions and clarification as to
scope of Panel's consideration
The Point Mission Bay [FTAA-2511-1133]
28 May 2026

[1] On 8 May 2026, the Panel invited comments on draft conditions pursuant to section 70 of the Fast-track Approvals Act 2024 (FTAA). These persons were given until 22 May 2026 to submit their comments.

[2] Since the closing of comments, a late comment came in from the landowners of 59 Te Arawa Street. Under section 81(6) of the FTAA, the Panel may (but is not required to) consider comments filed after the applicable timeframe at its discretion.

[3] The Panel has decided to consider the late comment from the landowners of 59 Te Arawa Street, including because the delay was small and there is not considered to be any prejudice to the Applicant or other parties. The Panel invites the Applicant to respond to the comment from the landowners of 59 Te Arawa Street no later than 29 May 2026.

[4] The Panel also observes that a number of comments are focussed on the draft decision and the Panel's overall decision to grant consent to the proposal. Under section 70 of the FTAA, the Panel is required to invite comments on the draft conditions. (The FTAA provides a separate requirement under section 72 for comments on the draft decision and draft conditions from two Ministers. No substantive comments were provided by the Minister.) As a result, our consideration of comments is accordingly limited to the conditions we have

proposed. There is no opportunity to reconsider the Panel's overall decision.

[5] However, the Panel wishes to make the following clarifications in response to some of the comments received.

- (a) Fleur Nixon raises a concern regarding a conflict of interest and suggests that this was not stated. Each of the panel members disclosed any potential conflicts of interests prior to our engagement, and these were disclosed in the register of interests from February 2026 ([Expert Panel's register of interests](#)). This included reference to Russell McVeagh's work for Ngāti Whātua Ōrākei as identified by Ms Nixon. No issue has previously been raised in relation to any conflict of interest. The Panel is comfortable that all relevant interests have been disclosed, and have had no bearing on the Panel's ability to unanimously reach agreement on the proposal as reflected in the decision.
- (b) Fleur Nixon also raises a concern with paragraph 230 of the draft decision, suggesting it is critical of invited parties for focussing on environmental effects of the proposal rather than referencing planning documents. The decision contains no such criticism. The Panel carefully considered the environmental effects of the proposal at length in Part E. Paragraph 230 sits within Part F of the Decision which addresses the relevant planning framework. It recognises that invited parties fairly focussed on environmental effects, and therefore in its evaluation of the relevant planning framework the Panel considered the "key planning issue" from the invited comments, even though those comments did not frame it in that way. It should not be treated as any criticism of the approach taken by invited parties.

A handwritten signature in blue ink, appearing to read "D. Minhinnick". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Daniel Minhinnick

The Point Mission Bay Expert Panel Chair