
MINUTE 9 OF THE EXPERT PANEL
Request for further information under section 67 FTAA
Delmore [FTAA-2502-1015]

(14 July 2025)

[1] Auckland Council (**Council**) provided its comments to the Delmore Expert Panel (**Panel**) on 25 June 2025. Council recommended that the Panel exercise its discretion under section 67 as follows:

The Applicant has provided some additional material post-12 June 2025 and has foreshadowed further material being provided by 2 July 2025. The Panel may wish to consider exercising its power under section 67 of the FTAA to request further assessment by the Council family on updated material. The Council family comments have also identified a range of important information gaps, and the Panel may also wish to consider exercising its power under section 67 in relation to those matters.¹

[2] In paragraphs [44] to [48] of the Memorandum of Strategic and Planning Matters dated 25 June 2025 the Council listed the outstanding material from the Applicant and the Council's review limitations.

[3] The Applicant suspended the application until Monday 7th July 2025² to provide it with an opportunity to fully consider the Council's comments. The Applicant has now responded to the Council's comments and there are numerous (148) documents to review.

¹ Memorandum of Legal Comments of Counsel for Auckland Council, Auckland Transport, and Watercare Services Limited dated 25 June 2025 at paragraph [5.3].

² As confirmed in Minute 6, dated 2 July 2025.

[4] The Applicant addresses the Council's section 67 request in its response in the Memorandum of Counsel for the Applicant with Response to Comments dated 5 July 2025 at paragraph 7.5 and suggests a five working day period for the Council's response if we were to request further information.

[5] As the Applicant and the Council are aware the Panel indicated that we are likely to issue a section 67 request for further information. This minute contains that direction.

Directions

[6] The Council is requested, pursuant to section 67 FTAA, to review the response from the Applicant and provide any further information that the Council considers is necessary for the Panel to consider. This includes the matters listed in the Council's comments memorandum – but is not limited to those matters. Having said this, we do request that the Council is mindful of how much material that the Panel has to consider and that it keeps its response as succinct as possible.

[7] We do not agree it is appropriate to limit the timing of the Council's response to section 67 given that that section provides for a 10-working day response and given the numerous materials provided with the Applicant's response, noting that many of the materials had not been reviewed by Council with its section 53 comments.

[8] Therefore, the Council's response is due by the end of 28 July 2025.



Helen Atkins
Delmore Expert Panel Chair