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**MINUTE 1 OF THE PANEL CONVENER**  
**188 Beaumont Street Convener's Conference**

**[FTAA-2604-1205]**

**15 May 2026**

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[1] A conference will be held on Wednesday 27 May at 10:30am. A MS Teams invite will shortly be sent.

[2] The purpose of this conference is to gather participant views on matters arising in relation to this application filed under the Fast-track Approvals Act 2024 (FTAA). Your views will inform two decisions that I must make as panel convener regarding:

- (a) the appointment of panel members;<sup>1</sup>
- (b) the timing of the panel decision.<sup>2</sup>

**Participants at the panel convener's conference**

[3] The following persons<sup>3</sup> are invited to attend the conference:

- (a) The authorised person or applicant –Westhaven Residential Limited Partnership
- (b) The relevant iwi authorities and relevant Treaty settlement entity (see

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<sup>1</sup> FTAA, schedule 3

<sup>2</sup> FTAA, section 79

<sup>3</sup> These people are referred to as 'statutory participants' in the Guidance Note.

Schedule 2).<sup>4</sup>

- (c) Relevant local authority - Auckland Council

### **Timeframe for a decision**

[4] The Panel Convener decides the appropriate timeframe for release of the decision on the application, having regard to the scale, nature, and complexity of the approvals sought (among other matters).<sup>5</sup>

[5] If the timeframe for a decision is not appropriate this risks -

- (a) insufficient time being allowed, impacting the quality of the decision-making;
- (b) not adequately engaging with the wider requirements of public law leaving the decision susceptible to appeal or review; or
- (c) an overallocation of time which would not satisfy the procedural principles in section 10 of the Act.

### **Matters relevant to timeframe**

[6] At the conference participants are invited to:

- (a) comment on the extent of engagement by the applicant both before and following lodgement of the application;
- (b) comment on the level of complexity, including any novel or difficult legal issues, and any evidential or factual complexity;
- (c) identify the principal environmental effects and the principal issues

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<sup>4</sup> FTAA, ss 18(2)(a). Section 7 states, relevantly, all persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—the obligations arising under existing Treaty settlements. The panel must invite iwi authorities and the Treaty settlement entities and adjacent landowners and occupiers to comment on the application. The panel may also invite other Māori groups with a relevant interest to comment.

<sup>5</sup> FTAA, section 79.

likely to be in contention or other disputed matters relevant to the application and the panel's decision;

- (d) propose, or record where agreed, efficient processes to enable the panel to understand, resolve or narrow/reduce the scope of any such issues and indicate how these processes may be accounted for in the decision timeframe;
- (e) state whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted.

[7] It is anticipated that the local authorities will obtain input from planning and technical advisors to identify the likely issues. However, an assessment of merits is not required at this stage. For information about cost recovery, please refer to the EPA's cost-recovery policy (details below).

### **Composition of the Panel**

[8] I will be seeking the participants' views on the skills, knowledge, and expertise required for persons to be appointed to the panel.

[9] I have written to Auckland Council inviting them to nominate a person for appointment to the panel.

### **Preparation**

[10] In the interests of taking all practical steps to use timely, efficient, consistent and cost-effective processes, I ask that participants take the time to consider the range of matters set out in Schedule 1 and come prepared to discuss them.

[11] Participants may find useful the Guidance Note to the practices and processes under the FTAA. It is found here: [Practise and Procedure Guidance Note](#)

### **Accessibility and recording of the panel convener's conference**

[12] The conference will be held remotely, with access provided to participants. The conference will be recorded, and a copy of the recording will be made available on the fast-track website.

[13] The application documents can be viewed on the fast-track website: [188 Beaumont Street](#)

### **Cost recovery**

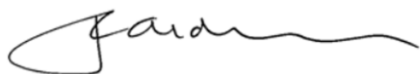
[14] Cost recovery for participation in fast-track processes is determined by the FTAA and the Fast-track Approvals (Cost Recovery) Regulations 2025.

[15] Costs for preparing and attending this conference are described in the policy. For information on costs recovery, the link to the policy is found [here](#).

### **Directions**

[16] I make the following directions:

- (a) The participants are requested to file a written response to the matters set out in this Minute, including Schedule 1 (attached).
- (b) Written responses and confirmation of attendance should be filed by 5pm on **25 May 2026**.



Jennifer Caldwell

Associate panel convener for the purpose of the Fast-track Approvals Act 2024

## **Schedule 1 – Matters to consider when preparing for conference**

### **Approvals**

[1] The number and range of approvals sought.

### **Complexity**

[2] The level of complexity will have a bearing on the appropriate frame for decision making and may include:

- (a) Legal Complexity: novel or difficult legal issues -
  - (i) involve untested law or interpretation of statute;
  - (ii) involve application for multiple approvals;
  - (iii) interface with two or more statutes; and
  - (iv) engage constitutional law and public law.
- (b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence -
  - (i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and
  - (ii) often involve technical or scientific analysis.
- (c) Factual Complexity: arises from the volume and nature of evidence -
  - (i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and
  - (ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.

### **Issues**

[3] In addition to the matters noted in the Minute, describe:

- (a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.
- (b) if the application concerns an activity the same or similar to one

previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application.

- (c) any statutory process that coincides with the 30-working day period (if proposed).<sup>6</sup>

### **Mātauranga and tikanga**

[5] Iwi authorities and Treaty settlement entities are invited to discuss:

- (a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur;
- (b) seek guidance on any requirement to protect sensitive information.

### **Panel membership**

[4] Consider:

- (a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3.<sup>7</sup>
- (b) whether there are factors that warrant the appointment of more than four panel members, such as:
  - (i) the circumstances unique to a particular district or region; or
  - (ii) the number of applications that have to be considered in that particular district or region; or
  - (iii) the nature and scale of the application under consideration; or
  - (iv) matters unique to any relevant iwi participation legislation.

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<sup>6</sup> The 30-working day period under s 79(1)(b) includes the 5 working day period for an applicant to respond to comments (s 55); the unspecified period for participants to comment on proposed conditions (s 70); a 10 working day period for government ministers to comment on a decision (s 72).

<sup>7</sup> FTAA, schedule 3, cl 3(7).

**Procedural requirements**

[6] Consider and prepare to indicate:

- (a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).
- (b) the timing of expert conferencing or wānanga;
- (c) the referral of two or more participants or topics to mediation;
- (d) the requirement for any form of hearing process including:
  - (i) disputed facts or opinions;
  - (ii) proposed conditions; or
  - (iii) legal issues.

**Anything else?**

[7] Is there any other information needed to decide time frames or panel composition?

**Schedule 2: relevant iwi authorities and relevant Treaty settlement entities  
invited to attend<sup>8</sup>**

- [1] Ngāti Whātua o Ōrākei Trust Board
- [2] Ngāi Tai ki Tāmaki Trust
- [3] Te Kawerau Iwi Settlement Trust
- [4] Ngāti Tamaoho Settlement Trust
- [5] Te Ākitai Waiohua Waka Taua Inc
- [6] Hako Tūpuna Trust
- [7] Ngāti Maru Rūnanga Trust
- [8] Ngāti Pāoa Iwi Trust
- [9] Te Patukirikiri Iwi Trust
- [10] Ngāti Tamaterā Treaty Settlement Trust
- [11] Ngaati Whanaunga Incorporated Society
- [12] Te Rūnanga o Ngāti Whātua
- [13] Ngāti Te Ata Claims Support Whānau Trust
- [14] Te Ākitai Waiohua Settlement Trust
- [15] Tūpuna Taonga o Tāmaki Makaurau Trust / Whenua Haumi Roroa  
o Tāmaki Makaurau Limited Partnership
- [16] Ngaati Whanaunga Ruunanga Trust

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<sup>8</sup> FTAA, s 18(2)(a)

[17] Taonga o Marutūāhu Trustee Limited / Marutūāhu Rōpū Limited Partnership

[18] Ngāti Koheriki Claims Committee

[19] Ngāti Tamaoho Trust