
MINUTE OF THE PANEL CONVENER

Advising of the Expert Panel Appointment and Decision Timeframe
FTAA-2512-1157

10 March 2026

[1] A conference was held on 6 March 2026 to gather participant views on matters arising in relation to the application filed under the Fast-track Approvals Act 2024 (FTAA). A list of persons who attended the conference is attached to this minute and marked “A”.

[2] I have taken into consideration the views expressed by the participants when deciding the timeframe for the decision and the composition of the panel.

The application

[3] The New Zealand Transport Agency (NZTA) seeks various approvals to extend State Highway 1 on the Christchurch Northern Corridor between Belfast and Pegasus. The route would begin approximately 600 metres south of the Kaiapoi River Bridge and end approximately 700 metres north of the Pegasus/Ravenswood intersection. The application includes upgrades to about 4 kilometres of the existing SH1 and construction of a new 7-kilometre bypass around Woodend township. The alignment is designated in the operative Waimakariri District Plan, although this application proposes alterations to the designation to accommodate the proposed design and to amend the designation conditions.

[4] The approvals sought are:

- (a) Resource consents that would otherwise be applied for under the Resource Management Act;
- (b) An alteration to the existing Project designation for which a notice of requirement would otherwise be lodged under the RMA;
- (c) A wildlife approval for an act or omission that would otherwise be an offence under the Wildlife Act 1953;
- (d) An approval or dispensation that would otherwise be applied for under the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity; and
- (e) Archaeological authorities that would otherwise be applied for under the Heritage New Zealand Pouhere Taonga Act 2014.

Management plans

[5] While the draft condition set provides for 13 management plans, these are not attached to the substantive application.

[6] Instead, NZTA will circulate two draft management plans in the week commencing 9 March 2026. NZTA has engaged Whitiora on the Archaeological and Cultural Sites Management Plan, but not yet (relevantly) the Director-General of Conservation or Heritage New Zealand. The plans are:

- (a) Archaeological and Cultural Sites Management Plan; and
- (b) Lizard Management Plan.

[7] For the other management plans, NZTA intends to prepare these in parallel with, but outside of, the FTAA process. Whitiora excepted, it does not appear to be NZTA's intention to engage local authorities on the draft management plans.

[8] Whitiora expects to be involved in drafting the other management plans over the next two months, allowing that drafting process to conclude before it comments on the application. In that case, Whitiora may, if it chooses, provide the panel with written comments within the statutory timeframe.

Architecture of the conditions

[9] The architecture of conditions is likely to be a key issue for the panel.

[10] In the absence of draft management plans, conditions clearly defining environmental outcomes or objectives are imperative. Participants say the proposed conditions of consent do not contain the level of technical information required for them to be confident that the effects of the project will be - or can be - appropriate managed.

[11] Management plans are a useful technique where the method to achieve an outcome or objective may not be known until final design, or, as NZTA submits, until a contractor is appointed. Importantly, under this technique, the consent holder does not determine the eventual level of adverse effects of the project; this is decided by the panel under sections 81 and 85.

[12] While NZTA's view is that the intended outcomes of the project are stated in the condition set, I was told that the reports attached to the substantive application contain information that could supplement the proposed conditions if the panel consider this is necessary.

Local authorities and Administering Agencies

[13] The Regional Council¹ and administering agencies report that the absence of management plans has added complexity and limited the evaluation of the project. However, NZTA does not support extending the commencement date of this application to allow draft management plans to be lodged.

[14] This should be a relatively straightforward application; there is, after all, an existing designation for the project in the District Plan. If NZTA intends to commence work in summer, I anticipate that its project design is sufficiently

¹ The applicant seeks seven regional consents.

advanced to enable meaningful discussion about infrastructure sizing and location, and the effects of stormwater on the environment.

[15] While the participants hold different views about the production of draft management plans as part of the FTAA process, the condition requirements for projects relying on management plans are straightforward. Further, all conditions must be clear, certain and enforceable. There is still time to make a concerted effort before comments on this application are lodged. At my urging, NZTA agrees meet directly with the participants and their experts, to address remaining information gaps² and to progress discussions on the content of conditions.

[16] Finally, I record that there has been regular pre- and post- lodgement engagement between the District Council³ and NZTA. The District Council has a good understanding of the project. While the District Council has yet to engage a landscape architect to evaluate the project, its internal resources are sufficient to evaluate the project. The District Council notes that there are several areas where functions between the local authorities and administering agencies overlap and asks that this be allowed for in the timeframe.

² Information gaps include further survey work suggested by the Regional Council and the Director-General. In separate emails dated 9 March 2026, for the Council, this work does not depend on the season, but temperature. For the Director-General I am told:

“The NZ mudfish survey guidelines recommend late winter through spring for fry sampling (which is quickest and easiest). Adult sampling is usually winter onwards, but could be in autumn in some places if significant winter rains have started (also in guidelines). It will depend a lot on the terrain because most wetlands 'get bigger' over the winter as intermittent margins get inundated (which is where aestivating mudfish will be located). It's been a wet summer but it's still early enough that mudfish sampling done now wouldn't be able to cover sufficient potential habitats (and for a species with this Threat classification you would want to cover sufficient potential habitats).”

³ The applicant seeks a single district approval.

Timeframe

[17] NZTA proposes a timeframe of 50 working days, however this estimate commences after the applicant's response to comments is received⁴ and does not allow Government ministers a full 10 working days to respond to a draft decision as per s 72. Recalculated, the NZTA estimate is 59 working days.

[18] NZTA's estimate of 59 working days contrasts with the Regional Council's 65 working days. The Director-General does not estimate the time required but asks that the timeframe include a possibility that the panel may request further information or reports under s 67.⁵

[19] With regard to the matters listed in s 79 (2) of the Act and given NZTA's commitment to advancing discussions with the participants, the timeframe for a decision is 60 working days.

[20] The panel commencement date, for the purpose of section 53 of the Act, is 24 March 2026. The panel will invite comments by 9 April 2026, and comments will be due by 8 May 2026. The applicant's response is due on 15 May 2026. Subject to the processing of the application being suspended for any of the reasons outlined in section 60 of the Act, the decision on the application will be due on 4 August 2026.

⁴ The EPA calculates timeframe as commencing after participant comments are received.

⁵ Director-General notes further reports may be required in relation to the draft lizard management plan and the ecological valuation of the wetlands and for the possibility of an alternative offset. The Regional Council is also concerned with the proposed offset.

Skills, qualifications and experience of expert panel

[21] By 17 March 2026, I will appoint the following persons to the expert panel:

- (a) Rob van Voorthuysen (Chair)
- (b) Dr Greg Burrell (local authority nominee)
- (c) Cameron Lines

[22] I have considered the skill set and experience required for the Panel and am satisfied that, collectively, it has the knowledge, skills, and expertise relevant to the approvals sought, including expertise in environmental matters. The members also include individuals who understand te ao Māori and Māori development, ensuring appropriate capability in this regard.

[23] Whitiara suggests that a person be appointed to the panel who is knowledgeable in the history of Ngāi Tūāhuriri and its contemporary views and priorities for how land and water are managed. For two reasons, I have not made this appointment: (a) the panel has a detailed statement concerning the cultural values, interests and priorities of Ngāi Tūāhuriri prepared by Whitiara⁶, and (b) except for the Archaeological and Cultural Sites Management Plan, Whitiara engagement on management plans will be outside the FTAA process.

Finally, the panel members have satisfied me that they have no conflicts of interest.

Jane Borthwick

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



⁶ At the convener's conference I was told that Whitiara holds a full delegation from Ngāi Tūāhuriri to speak on its behalf.

Attachment AAttendees at Convener's Conference

Organisation	Personal
Waimakariri District Council	Wendy Harris
	Nirosha Seelaratne
	Denise Cowan
ECAN	Joanne Mitten
	Sam Prystupa
	Sarah Scott
Whitiora Centre Limited	Nicola Rykers
	Ruiha Johnson
NZTA	Nicky McIndoe
	Bill Harrington
	Kristina Mead
DOC	Gen Hewett
	Ellienda Komene
HNZPT	Mel Russel
	Emma Clifford