Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

MINUTE 8 OF THE PANEL CONVENER

Decisions on panel appointment and timeframe

Wairakei South [FTAA-2605-1227]

16 November 2026

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[1] In Minute 7 I indicated my intention to appoint named panel members and to fix a timeframe of 80 working days for this Application, with a panel commencement date of 30 November 2026. I extended a short opportunity to the Applicant and local authorities to comment on the **proposed commencement date** before publishing a final minute.

[2] The EPA has received the following memoranda and correspondence in response to Minute 7:

a. Memo from the Applicant dated 11 November 2026, opining that there is "*nothing preventing the Panel being appointed as of 13 November 2026 and commencing work on 20 November 2026*" and seeking a 50 working day decision timeframe instead of the proposed 80 working days;

b. Letter from Western Bay of Plenty District Council dated 11 November 2026 supporting both the commencement date and the decision timeframe proposed in Minute 7;

c. Letter from Te Maru o Kaituna (TMK) dated 11 November 2026 seeking a later panel commencement date that would see the invitation to comment being issued in mid to late January 2027, and reiterating its request for appointment of a fourth panel member with expertise in tikanga Māori, Treaty settlement implementation and statutory river co-governance;

d. Email from Bay of Plenty Regional Council dated 12 November 2026,

opposing the Applicant's request in respect of earlier commencement and a shorter decision timeframe, supporting TMK's request for an extended timeframe (presumably a delayed commencement date) and noting, in respect of TMK's appointment request, the ability of the panel to commission a specialist adviser to address the matters raised.

[3] The process of getting to the stage of panel appointment and commencement on this Application has been longer and more convoluted than it should have been, due in no small part to the Applicant's attitude at the outset to the need for additional work on stormwater modelling and other information, and initial insistence on a challenging timeframe for what all parties acknowledge is a complex Application.

[4] The joint memorandum dated 30 October, filed in response to Minute 6, provided a perfect opportunity for both the Applicant and the Councils to indicate an agreed date by which all parties would be ready for panel commencement. That opportunity was not taken, with the memorandum instead indicating a projected timeframe for completion of the modelling work (@mid-December) from which I then had to extrapolate an appropriate commencement date.

[5] There are a range of matters that are currently informing my decisions on panel appointment and commencement dates, including panel member availability, pressure on EPA staff with multiple panels due to commence in the next 4 weeks, and the nuances of allowing sufficient time for both panels and other participants (including invited commenters) to respond to the invitation to comment over the December-January period.

[6] Having regard to all of those matters, and cognisant of the time elapsed since the first conference in July (during which **all parties** have had time to review and assess the Application material) I am not minded to amend the dates I proposed in Minute 7, other than to delay commencement by an additional couple of days which will have the effect of making comments due at the start of February 2027.

[7] I encourage all parties to make the most of the weeks remaining prior to the end of year break, both to complete the work signalled in the joint memorandum and to prepare to respond to the invitation to comment.

[8] In response to TKM's request regarding a fourth panel member, I am satisfied that the panel members I intend to appoint have experience with and a good understanding of te ao Māori, Treaty settlement implementation and statutory river co-governance arrangements generally. The panel is able to retain specialist expertise in tikanga Māori if it considers that to be necessary.

Decision

[9] I confirm that I will be appointing the following members of the Expert Panel:

a. Gerald Lanning (chair)

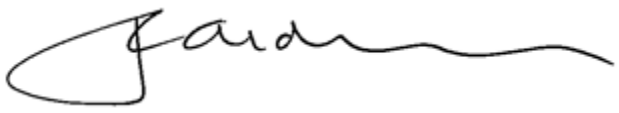
b. Greg Hill (local authority appointee)

c. Kyle Christensen (stormwater engineer).

[10] The appointment date will be **25 November 2026** and the commencement date will be **2 December 2026**.

[11] I fix the decision timeframe at **80 working days** following the receipt of comments, for reasons outlined above and in Minute 7. The decision will therefore be due on **1 June 2027**, assuming the invitation to comment is sent by **16 December 2026** but subject to any suspension that may be initiated by the Applicant.

[12] In terms of next steps, the participants will be contacted by the EPA on behalf of the Expert Panel upon commencement.



Jennifer Caldwell
Associate Panel Convener for the purpose of the Fast-track Approvals Act 2024