
MINUTE OF THE PANEL CONVENER

Panel appointments and decision time frame
Ryans Road Industrial Development [FTAA-2504-1054]

(29 July 2025)

[1] The purpose of this Minute is to confirm:

- (a) Appointment of panel members (FTAA, schedule 3).
- (b) The timing of the panel decision (FTAA, section 79).

Appointment of panel members

[2] Having considered all the matters under clauses 3, 4, and 7 of Schedule 3 of the Act, I appoint the following persons to the Panel:

- a. Chris Fowler (chair)
- b. Michael Parsonson
- c. Andrew Willis (local authority nominee)

[3] I have considered the skill set and experience required for the Panel. I have satisfied myself that the panel collectively understands te ao Māori and Māori development (clause 7 of Schedule 3).

[4] The panel members have satisfied me that they have no conflict of interests.

Number of panel members

[5] In deciding the number of members to constitute the Panel, I have considered whether it is desirable to increase the number of members of the panel, taking into consideration the circumstances set out in clause 3(7) of Schedule 3. Having canvassed the matter with participants at the Convener's Conference I

consider that there are not circumstances warranting the appointment of more than 3 persons.

[6] In making these appointments, I consider the panel will collectively have the skills and experience required under clause 7 of Schedule 3.

Daily rate

[7] As outlined in clause 8 of Schedule 3 of the Act, panel members are entitled to receive remuneration at a rate and of a kind determined by the Minister for Infrastructure in accordance with the Cabinet fees framework. The Minister has set the daily rates of non-judge panel members as \$1600 - \$5000 excluding GST.

Timeframe for a decision

[8] In accordance with s 79 (1)(a), a timeframe is set by the panel convener in accordance with ss (2). Sub-section (2)(b) states that the time frame is what the panel convener considers appropriate having regard to the ‘scale, nature, and complexity of the approvals sought in, and any other matters raised by, the substantive application’. As I am setting a timeframe, the default timeframe under s 70(b) does not apply.

[9] The applicant’s estimated timeframe was 70 working days¹ to the release of a decision. This timeframe includes:

- (a) 10 working days for the panel to evaluate the project and comments received, to draft a decision together with the proposed conditions of consent;
- (b) 5 working days for participants to comment on draft conditions;
- (c) 5 working days for the applicant to reply to by participants on conditions; and

¹ From the date of commencement i.e. from 4 August 2025.

- (d) 5 working days for the panel to evaluate comments on conditions and secondly, any Ministerial comment on the draft decision (including conditions).

[10] I did not have the benefit of the applicant's views on the appropriateness of the time frame with regards to the 'nature, scale, complexity' of the approvals sought. Regarding the timeframe, the Regional Council and City Council comments were limited to seeking 10 working days to respond to draft conditions.

[11] At the second convener's conference held on 28 July 2025,² the engagement between the applicant and statutory participants to narrow or resolve the issues that arise was described. All participants expect engagement to continue up until the date that the local authorities and administering agencies file their comments. Attached and labelled "2" is a summary of the issues raised at the second conference.

[12] While invited to propose the same, no formal arrangement has been put in place to address their differences albeit that the participants consider expert conferencing may be useful if informal discussions prove insufficient.

[13] Based on what the applicant knows to be the concerns of the statutory participants; the applicant is confident that it will not need to suspend time to reply (s 54). No representation was given in relation to other persons consulted, including – importantly - CIAL/Christchurch Airport. I say *importantly* because "safety issues" was flagged by the applicant during the conference.

Timeframe for a decision

[14] Clause 2 of section 79 of the Act outlines that the time in which a panel must issue its decision can be set by the Panel Convenor before the application is provided to the panel to consider. Given the number and complexity of the issues

² Participants at the conference are listed in Attachment 1.

outstanding, including conditions, between the statutory participants and secondly, the unknown position of the CIAL/Christchurch Airport, a longer timeframe than what was proposed by the applicant is appropriate.

[15] In my experience, ten working days to evaluate the application and other reports filed by persons commenting on the application and secondly to draft a decision, is inadequate. Having considered feedback received during the Convenor's Conference, including from the relevant administering agencies, and having regard to the scale, nature and complexity of this application, the decision time frame is 95 working days from panel commencement (approximately 19 weeks). This includes additional time for evaluating evidence, drafting and releasing the draft decision (together with its conditions), and finally considering participant responses pursuant to sections 70 and 72.

[16] The panel commencement date, for the purpose of section 53 of the Act, is 4 August 2025. The panel will invite comments by 18 August 2025, and comments will be due by 15 September 2025. 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 16 December 2025.

A handwritten signature in black ink, appearing to read 'Jane'.

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