
MINUTE 3 OF THE EXPERT PANEL

Invitation to comment
Ryans Road Industrial Area [FTAA-2504-1054]
(18 August 2025)

[1] This minute addresses invitations to comment on the application under section 53 of the Fast-track Approvals Act 2025 (the Act).

[2] The Expert Panel (Panel) records that it undertook a site visit Wednesday 6 August 2025. The Panel confirms that it undertook its site visit prior to finalising the invitations to comment on this application.

[3] The Panel also confirms that it has received from the Applicant amendments to the application and various technical assessments in support of those amendments. This material is available on the EPA website.

[4] The Panel would encourage persons invited to comment (see below) to consider, and where appropriate, respond to the Applicant's amendments to the application and the associated technical assessments.

[5] In accordance with section 53(2) of the Act, the Panel must invite comments from persons listed in sections 53(2) (a) to (n), where relevant. The Panel records that sections 53(2)(d) to (g) are not relevant. **Appendix 1** provides the list of prescribed persons relevant to this project invited to comment under section 53(2) of the Act.

[6] Christchurch City Council and Canterbury Regional Council have been identified as the relevant local authorities pursuant to section 53(2)(a) of the Act. For completeness, the Panel invites comments from all relevant parts of these local authorities.

[7] Section 53(2)(h) and (i) state that the owners and occupiers of the land adjacent to the land to which the application relates must be invited to comment. The Application included an appendix [*Appendix 35 – Schedule 5, Clause 5(1)(d) – Full names and address of adjacent landowners and occupiers (where known)*] that identified the names and addresses of owners and occupiers of the site and the land adjacent to the site. The EPA has also provided its advice to the Panel based on the Guidance Note entitled: *FTA Guidance Material Identifying Adjacent Land*.

[8] A separate expert panel established under the Act made the following observations regarding interpretation of the word “adjacent”:¹

[5] *The word “adjacent” is not defined in the Act. Nor has it been the subject of judicial consideration under the Act. And so, the meaning of “adjacent” must be ascertained from its text, and in the light of its purpose and its context.*²

[6] *“Adjacent” is defined in the Cambridge dictionary as meaning “very near, next to, or touching, and in the Merriam Webster as meaning “not distant”. Therefore, “adjacent” connotes “nearness”, but does not require a thing (land in this instance) to be physically adjoining. Rather, for land to be “adjacent”, it must be adjoining or nearby.*

[7] *It is comparatively easy to identify land that is adjoining. That is land that is touching and shares a common boundary. It is more difficulty to identify land that is “nearby”.*

[8] *And so, what is meant by “nearby”? That will necessarily be informed by the context within which the word is used. Here, the context is informed by the purpose of the Act, as set out in section 3 which provides that:*

The purpose of this Act is to facilitate the delivery of infrastructure and development

¹ Minute 2 of the Expert Panel regarding the Sunfield Application [FTAA-2503-1039] dated 7 July 2025

² Legislation Act 2019, s 10.

projects with significant regional or national benefits.

[9] *Relevantly here, the focus of the purpose of the Act is the facilitation of the delivery of development projects with significant regional or national benefits. The use of the words “facilitation” and “delivery” in this purpose support an interpretation of “nearby” that is relatively constrained.*

[10] *Section 10 is also of assistance. It sets out the procedural principles that apply to persons performing functions and duties and exercising powers under the Act, including the requirement to take all practicable steps to use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions, duties, or powers being performed or exercised.*

[9] Also of assistance is cl10(1), Schedule 3, regarding the procedures of Panel, which requires that a panel must regulate its own procedures as it thinks appropriate, without procedural formality, and in a manner that best promotes the just and timely determination of the approvals sought in a substantive application.

[10] The context also includes the context of the project itself, and the application’s site. In this case, there is land nearby the application site separated only by a public road. The Panel considers that land to be adjacent to the application site. The Panel also includes land that may not be immediately adjacent in this manner, but has its access adjacent.

[11] The Panel has also identified some land that is separated from the application site by adjoining land, or adjoining land and a road. The Panel considers that this land is also adjacent to the application site where that land separation is narrow. The owners and occupiers of that land will be invited to comment, accordingly.

[12] After considering the information from the Applicant and the advice from the EPA, the land the Panel considers to be adjacent to the application site is identified in the map of adjacent land at **Appendix 2**. The list of land parcels whose owners and occupiers will be invited to comment pursuant to section

53(2)(h) and (i) of the Act is included in **Appendix 3**.

[13] Under section 53(3) of the Act, the Panel also has discretion to invite comments from any other person the Panel considers appropriate. Whilst the discretion is broadly framed, the Panel must exercise its discretion in a principled way. The Panel has considered the following matters when deciding whether to invite other parties to provide comments:

- (a) the purpose of the Act and the procedural principles set out in section 10;
- (b) any relevant aspect of the public or community interest that requires consideration, including Treaty interests and tikanga;
- (c) the comprehensiveness and quality of the applicant's technical information and how the applicant has addressed the issue of consultation;
- (d) the likely extent of local authority participation in the application process;
- (e) whether the activity would otherwise be prohibited under relevant legislation; and
- (f) whether the application is likely to involve novel or contentious legal or disputed factual issues.

[14] Having considered these matters, the Panel has identified the following other persons from whom it invites comments:

- (a) New Zealand Transport Agency | Waka Kotahi (NZTA);
- (b) Airways New Zealand;
- (c) Civil Aviation Authority;
- (d) Orion New Zealand Limited;
- (e) Selwyn District Council;
- (f) Whitiara Centre Limited; and
- (g) Mahaanui Kurataiao Limited.

NZTA

[15] NZTA operates State Highway 1 and State Highway 73 in the vicinity of the application site. The Panel understands that NZTA is planning improvements to the roundabout on SH73 at the intersection of West Coast Road and Pound Road, and that improvements may also be planned for the Ryans Road access to SH1. The project will generate an increase in vehicle movements, including heavy traffic movements, which may have some effect on the operation of these intersections. The Panel considers that, in this context, NZTA represents a relevant part of the public interest that requires consideration and so invites comment from NZTA.

Airways New Zealand and Civil Aviation Authority

[16] By email dated 11 August 2025 the Christchurch International Airport Limited (CIAL) wrote to the EPA raising concerns about the compatibility of elements of the Ryans Road project with the safe current and future operation of the airfield. In particular CIAL noted the potential impact on critical air navigation infrastructure and aircraft movements. CIAL considers that these matters are not just the responsibility of CIAL, but also Airways New Zealand and the Civil Aviation Authority. CIAL advises that these entities occupy land, and in Airways' case own critical infrastructure, at Christchurch Airport and have statutory responsibilities for aviation safety, including the management of airspace above and adjacent to the application site.

[17] Subsequently, by email dated 14 August 2025, Airways New Zealand wrote to the EPA advising that it has a strong interest in this proposal due to the potential for impact on aviation services in the region. Airways New Zealand considers that the proposed buildings will impinge to various degrees aircraft navigational services affecting air traffic into Christchurch Airport and the surrounding area.

[18] After considering the above correspondence and noting the proximity of the application site to Christchurch Airport, the Panel considers that Airways New Zealand and the Civil Aviation Authority represent a relevant part of the public

interest that requires consideration and so invites comment from Airways New Zealand and the Civil Aviation Authority.

Orion New Zealand Limited

[19] Orion New Zealand Limited (Orion) is a network utility operator that owns above ground electricity lines located within the road reserve on the north side of Ryans Road adjoining the application site.

[20] Within the north side of the road reserve the Applicant proposes to naturalise an existing water race that is part of the Paparua Water Race Network (PWRN) and establish a pedestrian pathway. The Applicant also proposes to widen Ryans Road to accommodate greater traffic volumes.

[21] After considering the above matters and noting the limited space within the road reserve to accommodate the above activities, the Panel considers that Orion represents a relevant part of the public interest that requires consideration, and so invites comment from Orion.

Selwyn District Council

[22] The water race along Ryans Road, which is a lateral of the PWRN, is proposed to be naturalised by the Applicant. The Panel understands that this section of the PWRN is managed by the Selwyn District Council and that approval under a bylaw administered by the Selwyn District Council is required for the proposed naturalisation works. The Applicant advises that it has already commenced consultation with the Council about these works.³

[23] After considering the above matters the Panel considers that the Selwyn District Council represents a relevant part of the public interest that requires

³ Memorandum for Carter Group Limited dated 25 July 2025 at [7]

consideration, and so invites comment from the Selwyn District Council.

Whitiora Centre Limited and Mahaanui Kurataiao Limited

[24] The Treaty settlements and other obligations (Section 18) report prepared by the Ministry for the Environment dated 16 June 2024 identifies Whitiora Centre Limited and Mahaanui Kurataiao Limited as having a relevant interest in the application pursuant to s18(2)(k) of the Act as follows:

We consider the following entities, owned by the relevant papatipu rūnanga, as other Māori groups that may have relevant interests in the application, as they may represent the papatipu rūnanga on environmental and other policy matters in the project area:

a. Whitiora Centre Limited (owned by Te Ngāi Tūāhuriri Rūnanga); and

b. Mahaanui Kurataiao Limited (owned by Te Taumutu Rūnanga and five other papatipu rūnanga)

[25] The Panel also understands that the Applicant has already commenced consultation with each of these entities. After considering the above matters the Panel considers that Whitiora Centre Limited and Mahaanui Kurataiao Limited represents a relevant part of the public interest that requires consideration, and so invites comment from Whitiora Centre Limited and Mahaanui Kurataiao Limited.

[26] For ease of reference, the parties that are invited by the panel to comment pursuant to s53(3) of the Act are identified in **Appendix 4**.

[27] The Panel has also considered that there are some particular matters that it would like to have comment on, particularly from Christchurch City Council, Environment Canterbury, Director-General of Conservation, Christchurch International Airport Limited, New Zealand Transport Agency, Airways New Zealand, Civil Aviation Authority, Orion New Zealand Limited, and Selwyn District Council. These matters are contained in **Appendix 5**.

[28] The invitation to comment is dated Monday 18 August 2025 and the date for

comments is 20 working days from this date (section 54 of the Act), namely, **Monday 15 September 2025.**

[29] Comments must be made to the EPA:

- (a) by email to substantive@fasttrack.govt.nz;
- (b) by post to Private Bag 63002, Wellington 6140 New Zealand; or
- (c) in person to Stewart Dawson's Corner, 366 Lambton Quay, Wellington 6011



Chris Fowler
Expert Panel Chair

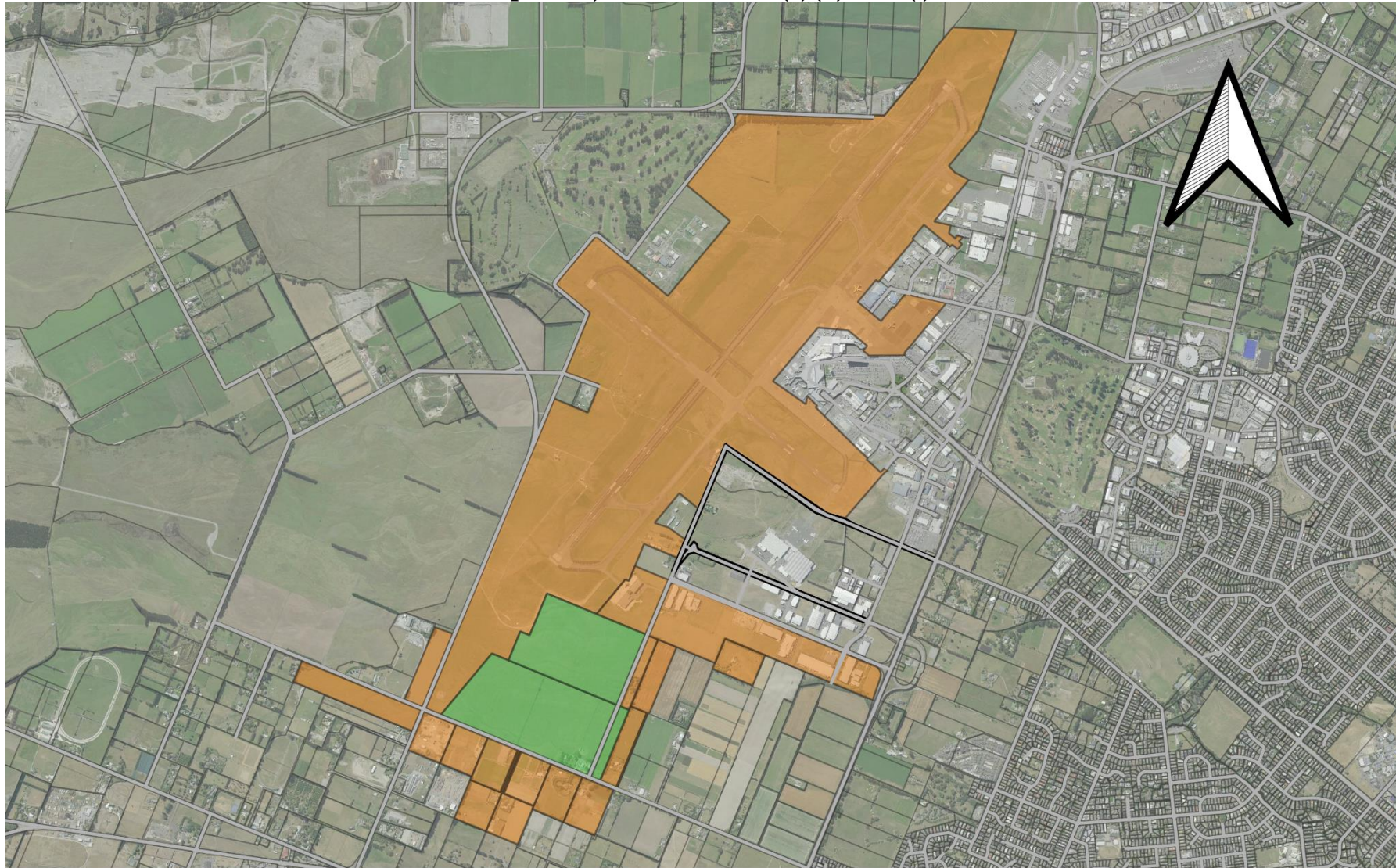
Appendix 1
Parties invited to comment under section 53(2) of the Act

Section of Act	Description from Act	Party identified
53(2)(a)	the relevant local authorities	<ul style="list-style-type: none"> • Christchurch City Council • Environment Canterbury (ECAN)
53(2)(b)	the relevant iwi authorities	<ul style="list-style-type: none"> • Te Rūnanga o Ngāi Tahu
53(2)(c)	<p>any relevant Treaty settlement entities, including, to avoid doubt,—</p> <p>(i) an entity that has an interest under a Treaty settlement within the area to which the substantive application relates; and</p> <p>(ii) an entity operating in a collective arrangement, provided for under a Treaty settlement, that relates to that area</p>	<ul style="list-style-type: none"> • Te Rūnanga o Ngāi Tahu • Te Ngāi Tūāhuriri Rūnanga • Te Taumutu Rūnanga
53(2)(d)	any protected customary rights groups and customary marine title groups whose protected customary rights area or customary marine title is within the area to which the substantive application relates	<ul style="list-style-type: none"> • N/A
53(2)(e)	any applicant group under the Marine and Coastal Area (Takutai Moana) Act 2011 that is identified in the report prepared under section 18 or 49 and seeks recognition of customary marine title or protected customary rights within the area to which the substantive application	<ul style="list-style-type: none"> • N/A



	relates	
53(2)(f)	ngā hapū o Ngāti Porou if the area to which the substantive application relates is within or adjacent to, or the activities to which it relates would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou	<ul style="list-style-type: none"> • N/A
53(2)(g)	the tangata whenua of any area within the area to which the substantive application relates that is a taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996	<ul style="list-style-type: none"> • N/A
53(2)(h)	owners of the land to which the substantive application relates and the land adjacent to that land	<ul style="list-style-type: none"> • See Appendix 3
53(2)(i)	occupiers of the land to which the substantive application relates and the land adjacent to that land unless, after reasonable inquiry, an occupier cannot be identified	<ul style="list-style-type: none"> • See Appendix 3
53(2)(j)	the Minister for the Environment and other relevant portfolio Ministers	<ul style="list-style-type: none"> • Minister of Housing • Minister for Conservation • Minister for Infrastructure • Minister for Treaty of Waitangi Negotiations • Minister for Social Development and Employment • Minister for Building and Construction • Minister for the Environment

		<ul style="list-style-type: none"> • Minister for South Island • Minister for Regional Development • Minister for Climate Change
53(2)(k)	relevant administering agencies	<ul style="list-style-type: none"> • Christchurch City Council • Environment Canterbury (ECAN) • Department of Conservation • Ministry for the Environment
53(2)(l)	any requiring authority that has a designation on land to which the substantive application relates or on land adjacent to that land	<ul style="list-style-type: none"> • Christchurch International Airport Limited
53(2)(m)	<p>if the approvals sought in the substantive application include—</p> <p>(i) an approval described in section 42(4)(a) or (d) (resource consent or designation), the persons and groups listed in clause 13 of Schedule 5:</p> <p>(iv) an approval described in section 42(4)(h) (wildlife approval), the persons listed in clause 4 of Schedule 7:</p>	<ul style="list-style-type: none"> • Director-General of Conservation • New Zealand Conservation Authority • Relevant Conservation Board • New Zealand Fish and Game Council • Game Animal Council
53(2)(n)	any persons or groups specified by the Minister under section 27(3)(b)(iii).	<ul style="list-style-type: none"> • N/A


Appendix 2
Map of adjacent land – 53(2)(h) and (i)



Legend

-  Substantive application land invited to comment under s53(2)(h) and (i)
-  Adjacent land invited to comment under s53(2)(h) and (i)

0 750 1,500 m



Appendix 3
**Owners and occupiers of the properties to which the substantive
application relates and the land adjacent to that land**

Land parcel address		
104 Ryans Road, Yaldhurst	700 Memorial Avenue, Harewood	73 Grays Road, Yaldhurst
74 Ryans Road, Harewood	60 Grays Road, Yaldhurst	111 Ryans Road, Yaldhurst
187 Ryans Road, Yaldhurst	189 Ryans Road, Yaldhurst	191 Ryans Road, Yaldhurst
211 Ryans Road, Yaldhurst	614 Pound Road, Yaldhurst	83 Ryans Road, Yaldhurst
95 Ryans Road, Yaldhurst	70 Ryans Road, Yaldhurst	70 Grays Road, Yaldhurst
88 Grays Road, Yaldhurst	251 Ryans Road, Yaldhurst	677 Pound Road, Yaldhurst

Appendix 4
Parties invited to comment under s53(3) of the Act.

Other parties invited to comment
<ul style="list-style-type: none">• New Zealand Transport Agency Waka Kotahi (NZTA);• Airways New Zealand;• Civil Aviation Authority;• Orion New Zealand Limited;• Selwyn District Council;• Whitiara Centre Limited; and• Mahaanui Kurataiao Limited

Appendix 5

Particular matters that the Panel would like to receive comment on.

Invitees are requested to comment on all aspects of the proposal that they consider to be of relevance and significance to their specific interests. Within that scope, and for the avoidance of doubt, the Panel seeks specific comments / response to the matters listed below (in addition to any comments invitees wish to make). The Panel is aware that invitees are already intending to provide comments on many of these matters.

Christchurch City Council (CCC)

Economics and land demand

- The Panel understands that CCC has commissioned an independent review of the applicant's Appendix 20 Economic Assessment. The Panel requests that it be provided a copy of that review, as well as comments on the applicant's Appendix 21 Industrial Land Market Assessment and Appendix 22 Industrial Land Demand Assessment.

National Policy Statement for Highly Productive Land (NPS-HPL)

- The Panel is aware that CCC has commissioned an agronomist to undertake a productive land assessment. The Panel requests that it be provided a copy of that assessment as part of the CCC response to all matters relevant to the NPS-HPL.
- The Panel also requests that CCC provides an opinion on which of the National Planning Standards zones is the nearest equivalent to the Rural Fringe Zone of the Christchurch District Plan.
- In the event that that opinion is that the equivalent National Planning Standards zone is General Rural or Rural Production, CCC is requested to comment on whether it considers that the proposal can be approved through the various exemption pathways provided for under the NPS-HPL.
- In the event that CCC considers that none of the NPS-HPL exemptions are available:

- CCC is requested to comment on how the ‘avoid’ provisions in the NPS-HPL are to be approached when deciding this application under the FTAA and
- CCC is requested to comment on the significance of any adverse impacts arising from loss of LUC Class 2 soils when deciding this application under the FTAA.

Activities enabled by the consent

- Identification of the industries that are potentially enabled by the consent and conditions that are sought, and any further restrictions on the scope of activities that it considers should be imposed.

Transport

All matters that it considers relevant to the functions of local roads, and including:

- access to Lots 57 to 60 directly from Ryans Road;
- road upgrade widths of Ryans Road and Grays Road;
- traffic speed limits on Ryans Road and Grays Road;
- the extent and timing of the upgrade of the Pound Road – Ryans Road intersection, including the availability of funding;
- Clarify whether the Council has a role in the Traffic Management Plan process and, if so, what that role would be

Conditions

CCC is requested to provide comment on the full set of conditions proposed by the applicant, including a tracked change version of the conditions that may include comment boxes that explain changes. Within that, the Panel seeks specific comment on the following.

- Whether the documents generally referred to in Condition 1 should be listed in an appendix of the conditions.
- Whether it considers that the incorporation by reference to various Christchurch District Plan rules and standards into consent conditions will

adequately manage the effects associated with those conditions. This includes, but is not limited to, building height, noise, lighting, and setbacks.

- The need for dust monitoring.
- The appropriate lead in time for notice of commencement of works to be provided by the consent holder.
- Whether Condition 41 is necessary given the need for a building consent, or other conditions such as Condition 12 - Aircraft Protection, given these need to be complied with in any case.
- Whether CCC should have a certification role in the various management plans required by the proposed consent conditions, and if so, to which plans certification should apply.
- Whether there is a requirement for ‘implementation’ conditions i.e. conditions that require the various management plans to be implemented.

Planning assessment

- Does the access to Lots 57 to 60 trigger another reason for consent?
- Is there an additional infringement relating to the minimum lot size of the zone (refer to 8.6.1.5.a Appendix 19 District and Regional Plan Compliance Assessment).
- The relevance of CDC Chapter 10 D1 in relation to the designation.
- The relevance of the National Policy Statement for Urban Development 2020 and specifically, whether the site is within an “urban environment” as defined by the NPS-UD.
- The relevance of the Greater Christchurch Spatial Plan.
- Confirmation that the revised size and separation of the proposed stormwater treatment basins now complies with permitted activity Rule 6.7.4.3.1.a.
- The adequacy of Appendix 11 Landscape and Visual Assessment, particularly in relation to properties located along Ryans Road, Grays Road and Pounds Road.
- Any matters of discretion that would be appropriately considered.

Environment Canterbury (ECan)

- Comment on whether the draft RPS plan changes associated with soils mapping is relevant to the proposal.
- Comment on the relevance of the NPS-HPL to the application, to the extent that ECan considers its comments are necessary.
- Comment on Appendix 27 Assessment of Groundwater Effects and any potential impacts of the proposal on groundwater recharge.
- The appropriateness of the proposed naturalisation of the water race and any additional matters to be addressed, including construction issues.
- Whether ECan should have a certification role in the various management plans required by the proposed consent conditions, and if so, to which plans certification should apply.
- Any other matters identified for CCC above that it considers to be relevant and within the scope of its functions.
- A tracked-change copy of the proposed conditions that clearly show changes sought by ECan. Comment boxes may be used to explain the changes sought against each amendment or addition to conditions.

Director-General of Conservation

- The adequacy of the proposed resource consent conditions associated with the management for effects on lizards and lizard habitat and tracked changes of any amendments requested.
- The adequacy of the Lizard Management Plan provided in Appendix 7 Lizard Habitat Assessment and Lizard Management Plan.
- Section 51 report requested by the 4 June 2025 Minute of the Panel Convener, the details of which are noted below for reference:
 - i. Pursuant to section 51(1) of the Act, the Director-General of Conservation is to file a report advising how the weighting of matters set out in Schedule 7, clause 3 of the Act should be approached,

having regard to relevant senior court decisions.⁴

- ii. Pursuant to section 51(2)(c) of the Act, if the Director-General of Conservation does not agree with, or wishes to amplify, the expert and planning assessment lodged in support of the wildlife approval, it must file a report in accordance with Schedule 7, clause 3.⁵
- iii. For the avoidance of doubt, the Director-General of Conservation:
 - a. may confirm and append advice previously given in response to a panel convener's directions under s 51(1) on another project; and
 - b. does not need to provide an assessment of the approval pursuant to s 51(2)(c) if it concurs with the expert and planning assessments filed by the applicant.⁶
- Whether the Director-General considers that the Applicant applied for the permit to relocate ('liberate') the salvaged lizards, whether there are any related scope issues arising under the substantive application and, if so, how might any such issues be resolved (whether by certifying condition or otherwise).⁷
- Any other relevant matters within the jurisdiction of the Director-General.

Christchurch International Airport Limited (CIAL)

- All matters that CIAL considers relevant to its activities, including safety related comments on:
 - the proposed built form and lighting conditions;
 - the Avifauna Assessment recommendations for pre and post-development management of birdstrike risk; and
 - the proposed stockpiles on the northern boundary of the site.
- A tracked-change copy of the proposed conditions that clearly show changes

⁴ Ibid at [4]

⁵ Ibid at [5]

⁶ Ibid at [6]

⁷ See Minute 2 of the Panel Convenor at [28]-[30] for further details

sought by CIAL. Comment boxes may be used to explain the changes sought against each amendment or addition to conditions.

New Zealand Transport Agency

Any matters relevant to effects on state highways, including but not limited to the State Highway 73 – Pound Road intersection, the Ryans Road – State Highway 1 intersection, and the State Highway 1 – State Highway 73 intersection.

Airways New Zealand (Airways)

Any matters relevant to Airways' functions, operations and infrastructure.

Civil Aviation Authority (CAA)

Any matters relevant to CAA functions and operations.

Orion New Zealand Limited

Any matters associated with Orion infrastructure and operations, including matters that may be relevant to existing or future upgrades of Orion infrastructure along Ryans Road and Grays Road.

Selwyn District Council

Any matters relevant to the naturalisation of the water race and culverting of the race at various locations along Ryans Road.