

**BEFORE THE EXPERT PANEL**

**FTAA-2504-1054**

**Under**

the Fast-track Approvals Act 2024

**In the matter of**

an application for approvals in relation  
to the Ryans Road Industrial  
Development

**By**

**Carter Group Limited**

Applicant

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**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH INTERNATIONAL  
AIRPORT LIMITED REGARDING EXPERT PANEL MINUTE 14  
SUSPENSION OF APPLICATION**

**Dated 16 March 2026**

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## MAY IT PLEASE THE PANEL

- 1 This Memorandum is filed on behalf of Christchurch International Airport Limited (**CIAL**) in respect of Fast-Track Approvals Application FTAA-2504-1054, being the Ryans Road Industrial Development project (**Application**). Carter Group Limited is the **Applicant**.
- 2 This Memorandum addresses the latest Minute from the Panel, granting the Applicant a suspension of an unspecified and indeterminate length<sup>1</sup>.
- 3 On the basis it might assist the Panel and conscious of the need for brevity, CIAL offers the following:
  - (a) Assuming paragraph [16](c) relates to CIAL providing more material before the Applicant provides anything further, CIAL advises it no longer seeks additional time at this stage because:
    - (i) The material CIAL filed on Thursday 12 March supports the Memorandum of Counsel on 18 December 2025 – all of which remains relevant and is now supplemented by the 12 March material;
    - (ii) The Panel's comments at [16](a) indicate it has been assisted by the 12 March material and is unsure what more might need to be filed; and
    - (iii) The process should not be burdened with additional material that may not meaningfully advance the issues before the Panel.
  - (b) On Thursday 11 March CIAL asked the Applicant whether it would be seeking a suspension. It did this because there has been a pattern of procedural asymmetry since the outset of this application. The effect of the manner in which the Applicant has sought its latest suspension request has been to again compress the time available to CIAL and Airways to respond, while then seeking additional time for the Applicant to consider and address that response. CIAL's concern about the unfairness of the process was set out in its 12 March material:

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<sup>1</sup> Minute 14 (13 March 2026) at [18](a)

6 The practical effect has been that, since the commencement of this process, the Applicant has had substantial periods of time to prepare and expand its case, whereas CIAL has had comparatively very short periods within which to review that material and respond. The procedural asymmetry is obvious. To an extent this is inherent in the FTAA, but:

6.1 It nevertheless affects the practical ability of CIAL to review and respond to the Applicant's evolving case within the limited time available; and

6.2 The imbalance is accentuated by the nature and scale of material filed by the Applicant, including the progressive filing of additional affidavits and legal submissions expanding the Applicant's case, and the short windows afforded for response.

- (c) CIAL accepts the Panel has very limited ability to alter timeframes without the Applicant requesting suspensions. However, the Panel can still – and, in CIAL's submission, must wherever possible – ensure procedural fairness. The Panel is also required to carefully document its decision on a request to suspend, including the matters going to the exercise of the Panel's discretion. This need for procedural fairness is reflected at 7.1 of the *Practice and Procedure Guidance*:

*The power to set a timeframe must be exercised consistently with the principles of natural justice and in accordance with the purpose and procedural principles of the FTAA.<sup>2</sup>*

- (d) CIAL submits the Applicant should have no more time to file additional material than CIAL and Airways were given (i.e. four working days). The Applicant is already 2 working days into this, having had the CIAL and Airways material since Thursday evening. The Applicant should be required to file any additional material by the end of Wednesday 18 March. It is noted if the Applicant chooses to file another set of conditions, this would be the fifth version. In these circumstances it is submitted a Wednesday deadline is entirely reasonable;
- (e) CIAL accepts the Panel will need at least an extra five working days to deal with any additional material filed by the Applicant. CIAL understands the Panel's discretion around suspension requests provides it the ability to account for this;
- (f) CIAL notes the Panel has afforded opportunity for "reply" from the Applicant, whereas the Applicant only sought opportunity to *further refine the proposed conditions*. The Applicant has already substantially replied to

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<sup>2</sup> Memorandum from the Conveners – Suspensions – 24 October 2025 at [8]

the CIAL case via its 23 February materials. A further reply was not sought and is unnecessary.

- 4 In accordance with fairness and natural justice, CIAL reserves its position in respect of any new material filed by the Applicant. Noting the FTAA timeframes and the inability for a panel to unilaterally alter them, the appropriate way to avoid this is for the Panel to ensure new material is not filed.

**DATED** this 16th day of March 2026



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**A C Limmer KC**  
Counsel for Christchurch International Airport Limited