
MINUTE 5 OF THE EXPERT PANEL

Request for further information

North West Rapid Transit [FTAA-2511-1146]

7 May 2026

[1] As signalled in Minute 3 dated 5 May 2026, while the Panel is mindful of the Applicant's request to minimise requests for information (**RFI's**) during the comment phase in order to avoid inefficiency, the Panel must balance this with the need keep the process moving, in order to meet statutory deadlines, which, on a project of this size and complexity, is no simple task.

[2] Accordingly, this minute sets out a number of specific issues which the Panel requests the Applicant address.

Lapse Dates

[3] As noted by the Panel Chair during the project overview conference, the proposed 25-year lapse dates for the designation is a relevant issue for the Panel's consideration, having regard to the potential range of impacts that the designation will have on properties within or adjacent to the designation. However, no specific assessment (beyond comment in the memorandum of counsel of 15 December 2025) has been provided in respect of the proposed lapse date(s) within the Application, as compared to the default period of 10 years (section 184(1) RMA).

[4] The Panel notes that lapse dates were a significant issue in the recent Supporting Growth Alliance (**SGA**) Notices of Requirement for roading improvements in the Auckland region as heard during 2023-24, and resulted in a number of conditions to mitigate the impact of those designations on affected parties.

[5] The condition structure of SGA conditions responded to proposed lapse dates, as well as the confined (in part) urban conditions along parts of NoR routes and areas where further urbanisation would be expected to occur (e.g., the Future Urban Zone and other zones providing for further intensification). Those conditions established processes for the provision of information during the lapse period, including project updates, as well as the way in which integration with landowners, developers and utility operators would be provided for (e.g., Stakeholder Communication and Engagement Management Plan, Open Space Management Plan, Urban and Landscape Design Management Plan, etc).

[6] The Panel was advised at the conference that more recently, the Applicant has decided to pursue changes to its approach to the way in which it would engage with affected parties through the lapse period and how that would be reflected in designation or consent conditions. However, the reasons for that has not been expressed in the application documentation, and in the Panel's view the Application as presented will establish a clear contrast to the approach advanced and approved in the recent SGA NoRs and may result in a high level of uncertainty and associated effects in view of the lengthy lapse period proposed.

[7] Further justification for the lapse dates is therefore sought, including with regard to the following considerations:

- (a) The FTAA does not address NoR lapse dates, and refers instead to section 184(1) of the RMA - i.e., 10 years, having only recently been amended in August 2025 under the RM Amendment Act;
- (b) Schedule 5 clause 26(3) of the FTAA provides that, "*If no date is specified under subclause (1), the approval lapses after it commences*" – in general terms this suggests a more confined timeframe than an extended one;
- (c) Whether such an extended timeframe is consistent with the purpose of the FTAA (and Policy 4 of the National Policy Statement for Infrastructure) and whether the FTAA is the appropriate vehicle for a designation with a lapse period of this proposed duration;
- (d) The impacts of a 25-year lapse period on landowners and occupiers of land affected by the proposed designations; and
- (e) Whether further conditions are necessary and capable of appropriately managing effects arising from the proposed extent of the lapse period.

Resource consents

[8] Further to the above comments with respect to conditions, the Panel has significant concern with the proposed applications for certain regional consents, in the absence of any suitably detailed plans associated with the subject matter of those consents and, again, the absence of 'Condition 1' in respect of them. As a particular example, the Application seeks consents under section 12 of the RMA, for construction and use of structures in the

CMA, occupation of the seabed and ancillary activities in the Wai o Pareira/Henderson Creek and Huruhuru Creek, including the disturbance of substrate and the alteration or removal of mangroves, with no plans of the proposed structures provided beyond the aforementioned concept plans and designation plan. At this stage the Panel queries whether the requirements of Schedule 4 of the RMA are met by the proposed approach, and those set out in General Rule C1.2(1) of the AUP.

[9] In reviewing Appendix C to Part 4 of the application, which sets out the consents the Applicant is seeking and activity status, the information provided does not enable the Panel to determine the extent of some of the excesses of standards that consent is sought for. For example, in relation to earthworks:

- (a) E26.5.3.2(A103): To what extent does the proposal exceed the 50,000m³ threshold for the relevant area(s) under consideration (individual sections or cumulative)?
- (b) E26.5.3.2(A107): What is the extent of earthworks within the SCPA (individual sections or cumulative)?
- (c) E26.5.3.2(A118): What is the extent of earthworks within the SEA (individual sections or cumulative)?
- (d) E10.4.1(A10): To what extent do the works exceed Standards E10.6.1 and Standard E10.6.4.2?

[10] More generally, in respect of all consents sought, the Panel seeks clarification on the extent to which performance standards are not met, and therefore the extent of the proposed authorisation.

Ecological Assessments

[11] The memorandum of counsel of 27 April 2026 included provision of two ecological peer review reports, and a redacted version of the Applicant's original Ecological Assessment. The memorandum advised that the peer review of freshwater and ecological components of the December 2025 Ecological Assessment was in response to differing recommendations of the Applicant's planner (Part 4 of the Application), and that the peer review reports "*supercede some parts of the Ecological Assessment*".

[12] Having regard to the extent of redacted components of the Ecological Assessment, the Panel is unclear whether the author of that original Ecological Assessment is aware of the redactions made to their report. Please provide confirmation as to whether the report author remains of the view(s) set out within the remaining parts of the report in light of the redactions of certain of their recommendations (with that content since removed from the version now within the Application webpage, but which remains of the same December 2025 date of issue).

Effects assessments

[13] The Panel notes some initial queries in respect of the Landscape and Transport assessments, as set out below.

Landscape and Visual Assessment

[14] The following questions arise in respect of the Landscape and Visual Assessment (**LVA**), in terms of the evaluation provided and the particulars of the Project, as far as can be discerned from the information provided:

- (a) Section 4.2.2.2 of the LVA states: “Where bridges span through the CMA they will be at a similar level to the existing SH16 carriageway and will be viewed as visually integrated elements, complementing the existing SH16 bridges and infrastructure”; (section 4.2.2.3 goes on to refer to ‘colocation’, and ‘integrated with’). Further comment is sought in respect of the Henderson Creek crossing in particular, where it appears to be located approximately 40-50m south of SH16. Comment is also sought as to the author’s assumptions as to the form and scale of the structure itself, including the likely support structures within the CMA and the natural character value of the creek in this location.
- (b) The LVA assessment refers at numerous places to the ‘presumption of landscaping’ being carried out, along with riparian margin restoration. Clarification is sought as to how is this to be ensured (beyond the broad requirements of Condition 26), and whether there a specific landscape strategy proposed for this landscaping (e.g., nature of species, expected specimen tree distribution/heights etc) that is relevant to the context and landscape conditions of the various sections of the designation route? See also item (g) below.
- (c) Please advise why no specific assessment has been provided in respect of the effects of the overpass and intersection structures on the landscape values of the ONF at Orangihina Park (Harbour View Pleistocene Terraces).
- (d) Section 4.3.1.1 (Stations): The LVA advises that “[t]he scale and form of the proposed stations per the Indicative Design will be consistent with the anticipated character and land use along the transport corridor. They will not be out of context or unexpected

within this environment”. Please provide additional comment in this regard with respect to the current residential context of McCormick Green (Te Atatu).

- (e) The Panel queries why, for proposed crossings of SH16, and the Great North Road viaduct, visual perspective illustrations have not been provided to assist to inform the assessments provided in the LVA (noting the comment that these structures “will be highly visible due to their scale”).
- (f) Section 4.4.2 of the LVA advises that there is a lack of design certainty and that the potential for more vertical changes would be ‘moderate/moderate-high’ in regard to Westgate, Royal Road, Lincoln Road, Te Atatu and Point Chevalier. Please advise as to how a change in effects of this scale is to be managed.
- (g) Section 6 of the LVA incorporates a recommendation that landscape plans are provided for each stage as follows:

The landscape plan shall have regard to:

- NZTA Landscape Guidelines 2018 (or any subsequent updates);
- Bridging the Gap: NZTA Urban Design Guidelines 2013 as it relates to landscape treatments; and shall
- Integrate mitigation required by other conditions of the Project designation and resource consents; and
- Any previously completed stage of the Project.

However, proposed Condition 26 is as follows:

Landscape Planting

- (a) The Requiring Authority shall, where practicable:
 - (i) Retain existing mature, native vegetation
 - (ii) Plant at stations and batter slopes
 - (iii) Use eco-sourced native vegetation

- (iv) Integrate planting with any planting required by conditions of resource consents for the Project.
- (b) For planting under (a), the Requiring Authority shall:
- (c) Undertake planting within the first planting season following Completion of Construction;
 - (i) undertake pest plant control for a five year period; and
 - (ii) monitor planted areas and undertake replacement planting as necessary for a five year period or until 80% canopy cover is achieved (whichever is less).
- (d) The measures described in (a) shall be shown in the Outline Plan.

[15] Please advise of the basis as to why the proposed condition does not incorporate the matters recommended in the LVA.

Transport

[16] The following questions arise in respect of the Assessment of Transport Effects (**ATE**), in terms of the evaluation provided and the particulars of the Project, as far as can be discerned from the information provided by the Applicant to date:

- (a) The ATE concludes that with mitigation of a CTMP, any temporary effects during construction can be managed to no more than minor. The Panel requires the Applicant define what it considers to be 'minor' effects - e.g., could this be via a one or two step loss in LOS or a certain level of reduction in capacity?
- (b) The Panel is interested in testing the Applicant's definition of 'temporary effects' for each stage noting that some stages of construction are expected to take up to four years.

- (c) Section 3.3.1.3 of the ATE recommends widening of the Hobsonville off-ramp before construction works start – however this is not identified within the draft conditions and whether it will impact on the overall timeframe of construction or level of effects if it is not undertaken. The Panel seeks clarification on this matter.
- (d) The ATE refers to several transport models utilised to determine both construction and operational effects on both SH16 and the local road network. However, it provides no material outputs to validate the conclusions made. The Panel seeks more information in this regard to verify the assumptions on level of effect on the road network both during construction and operationally.
- (e) Westgate Shopping Centre: The ATE indicates the potential for the loss of 244 parking spaces. What is the current usage rate of the 1,350 spaces referred to in the ATE and can 244 spaces be removed and parking supply be reasonably sustained?
- (f) Royal Road station: The ATE recommends (at p15): “the construction of the new bus overbridge to be completed prior to commencing the underpass construction. This will enable general traffic to be diverted onto the overbridge during underpass works, diverting traffic away from construction areas and maintaining east–west connectivity across Royal Road”. However, this is not identified within the draft conditions. The Panel seeks greater clarification on the effects of this diversion during construction and how it is to be secured via consent conditions.
- (g) The Panel queries whether the expected construction timeframe

for the Royal Road overbridge incorporates the existing piers (currently covered, as described during the site visit) on the western side of SH16, but also the need to relocate the Watercare NH1 main and associated connections.

- (h) Lincoln Road: The Panel seeks clarification with respect to the overlap with AT designation 1477 as to the rationale for this overlap, and in terms of timeframes and compatibility of indicative design approaches for each designation (noting also the requirement within the AT designation for a Detailed Urban Design and Landscape Design Plan).
- (i) Ian McKinnon Drive Connection: The ATE identifies the effect of ‘Short term congestion’, but notes a three-year construction period. Can this timeframe and description of effects be clarified.
- (j) Pt Chevalier: The ATE at p21 indicates a construction timeframe of three and half years for the Pt Chevalier Station and underpass. However, at p22) a construction period of three years is indicated. Please clarify which one is correct.
- (k) Page 23 of the ATE states: “We recommend that two-way bus movements across the Carrington Road bridge are maintained throughout the construction period around Point Chevalier to preserve the operational reliability of existing bus services, including the OuterLink route, which operates every 12 minutes on weekdays from 6am to midnight.” However, this is not identified within the draft conditions. The Panel seeks clarification on how this will be accommodated or the level of effects if it is not undertaken.
- (l) On p23 the ATE states: “The Indicative Design shifts the SH16

motorway lanes southwards over a distance of approximately 800m to enable construction of a section of busway between the motorway and properties immediately north of the motorway, east of the Carrington Road bridge. This will require temporary narrowing and shifts of all motorway lanes. Widening occurs progressively from the south creating additional working room. Temporary speed limits and temporary traffic measures will slow vehicle movement on SH16 and lead to reduced road capacity, congestion and longer travel times for general traffic. In our opinion the temporary delays will be minor”. There appears no basis provided for this conclusion. The Panel seeks clarification on this matter. On what basis is the conclusion formed and how is this addressed within the conditions.


- (m) The ATE at 3.5.4 states: “We recommend CTMPs to consider construction sequencing within individual work packages and in coordination with other work packages in the Project (if staging were to change or accelerate) and with other concurrent projects in the area. CTMPs should provide measures to address any cumulative effects that may arise from simultaneous activities”. However, this is not identified within the conditions. The Panel seeks clarification on how this will be addressed.
- (n) The ATE at 4.3.6 states: “We understand property access relocation will be addressed through PWA processes, and therefore there will be no adverse effects.” Why is there then specific conditions that relate to continued supermarket access (Pt Chevalier and Westgate), and the basis and sufficiency of specific condition requirements?

Conclusion

[17] Given the scope of this RFI, the Panel considers that it is likely that at least some of the ground covered in the RFI is likely to also arise in comments received, which can then be the subject of a response from the Applicant.

[18] On this basis, the Panel requests that the Applicant determine which of the matters raised should be responded to directly, and which matters might best be addressed in the context of a response to comments.

[19] Of the matters which the Applicant elects to respond to directly, the response is required by 21 May 2026. The balance of the RFI must be addressed within the Applicant's response to comments. Once that material is available the Panel will determine what, if any, further RFI's are necessary.



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North West Rapid Transit Expert Panel Chair