
MINUTE OF THE PANEL CONVENER
Convener's Conference Homestead Bay [FTAA-2506-1071]
31 July 2025

[1] A conference will be held on 13 August 2025 at **10 am**. A MS Teams invite shortly be sent.

[2] The purpose of this conference is to gather participant views on matters arising in relation to the application filed under the Fast-track Approvals Act 2024 (FTAA). Your views will inform two decisions that I must make as panel convener regarding:

- (a) the appointment of panel members;¹
- (b) the timing of the panel decision.²

Participants at the panel convener's conference

[3] The following persons³ are invited to attend the conference:

- (a) The authorised person or applicant –
 - i. RCL Homestead Bay Limited
- (b) Relevant iwi authority and relevant Treaty settlement entities (see Schedule 3).⁴

¹ FTAA, schedule 3

² FTAA, section 79

³ These people are referred to as 'statutory participants' in the Guidance Note.

⁴ FTAA, ss 18(2)(a). Section 7 states, relevantly, all persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—

- (c) Relevant administering agency –
 - i. Department of Conservation
 - ii. Ministry for the Environment
- (d) Relevant local authority –
 - i. Otago Regional Council
 - ii. Queenstown Lakes District Council

Timeframe for a decision

[4] The Panel Convener decides the appropriate timeframe for release of the decision on the application. The Convener does so having had regard to the scale, nature, and complexity of the approvals sought (among other matters).⁵ Complexity is in part a function of the issues that arise on this application.

[5] If the timeframe for a decision is not appropriate this risks -

- (a) insufficient time being allowed, impacting the quality of the decision-making;
- (b) not adequately engaging with the wider requirements of public law leaving the decision susceptible to appeal or review; or
- (c) an overallocation of time which would not satisfy the procedural principles in section 10 of the Act.

[6] At the conference participants are invited to:

- (a) comment on the level of complexity including any novel or difficult

the obligations arising under existing Treaty settlements. The panel has a discretion to invite the iwi authorities and the Treaty settlement entities together with other Māori groups with a relevant interest to comment.

⁵ FTAA, section 79.

- legal issues, any evidential complexity, or any factual complexity;
- (b) identify, as a feature of this complexity, the principal issues in contention or other disputed matters;
- (c) state whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted; and
- (d) propose efficient processes to enable the panel to understand, resolve or narrow the scope of any likely issues and indicate how these processes may be accounted for under the decision timeframe.

[7] It is anticipated that the local authorities and administering agencies will obtain input from planning and technical advisors to identify the likely issues. However, an assessment of merits is not required at this stage. For information about cost recovery, please refer to the EPA's cost-recovery policy (details below).

Composition of the Panel

[8] While I am not seeking nominations, I will be seeking the participants views on the skills, knowledge and expertise of the persons to be appointed to the panel.

Accessibility and recording of the panel convener's conference

[9] The conference will be held remotely, with access provided to participants. The conference will be recorded, and a copy of the recording will be made available on the fast-track website.

[10] The application documents can be viewed on the fast-track website here: [Substantive application | Fast-track website](#)

Cost recovery

[11] Cost recovery for participation in fast-track processes is determined by the FTAA and the Fast-track Approvals (Cost Recovery) Regulations 2025.

[12] Costs for preparing and attending this conference are described in the policy. For information on costs recovery, the link to the policy is found here: [Policy for Fast-track Fees, Levies and Cost Recovery - June 2025](#)

Preparation

[13] In the interests of taking all practical steps to use timely, efficient, consistent and cost-effective processes, I ask that participants take the time to consider the range of matters set out in Schedules 1 and 2 and come prepared to discuss them.

[14] Participants may find useful the Guidance Note to the practices and processes under the Act. It is found here: [Practice and Procedure Guidance Note](#)

Directions

[15] I direct:

- (a) The participants are to file a written response to the matters set out in this Minute, including Schedules 1 and 2 (attached).
- (b) Written responses and confirmation of attendance are to be filed by 12.00pm Monday 11 August 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

Schedule 1: Participants' estimated timeframe⁶

Task	Working days	Date
Panel commencement	N/A	XXX 2025 (nominal)
Invite comment from relevant parties	10 W/D later	XXX 2025
Comments close (ss 53 & 54)	20 W/D later	XXX 2025
Comments close for applicants (s 55)	5 W/D later	XXX 2025
Any other procedural steps, evaluation and decision writing	XXX W/D (say)	XXX 2025
Draft decision is to approve		
Draft conditions and decision to participants (s 70)	XXX W/D (say)	XXX 2025
Participant comments on draft conditions (s70(2))	XXX W/D later	XXX 2025

⁶ Note: a draft decision to decline is not included in this timeframe. If the statutory timeframe it is insufficient, the applicant will need to apply to suspend the application under s 64 FTAA.

Applicant response to participants on conditions (s 70(4))	5 W/D later	XXX 2025
Draft decision to Ministers (s 72)	XXX W/D (say)	XXX 2025
Response from Ministers (s 72)	10 W/D later	XXX 2025
Applicant response to Ministers (allow)	W/D later (say)	XXX 2025 (approx.)
Evaluate	W/D later (say)	XXX 2025 (approx.)
Any other procedural step and evaluation.	W/D later (say)	XXX 2025 (approx.)
Decision release	W/D later (say)	XXX 2025

Schedule 1 – Matters to consider when preparing for conference

Approvals

[1] The number and range of approvals sought.

Complexity

[2] The level of complexity will have a bearing on the appropriate frame for decision making and may include:

- (c) Legal Complexity: novel or difficult legal issues -
 - (i) involve untested law or interpretation of statute;
 - (ii) involve application for multiple approvals;
 - (iii) interface with two or more statutes; and
 - (iv) engage constitutional law and public law.
- (d) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence -
 - (i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and
 - (ii) often involve technical or scientific analysis.
- (e) Factual Complexity: arises from the volume and nature of evidence -
 - (i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and
 - (ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.

Issues

[3] In addition to the matters noted in the Minute, describe:

- (a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.
- (b) if the application concerns an activity the same or similar to one

previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application.

- (c) any statutory process that coincides with the 30-working day period (if proposed).⁷

Mātauranga and tikanga

[5] Iwi authorities and Treaty settlement entities are invited to discuss:

- (a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur;
- (b) seek guidance on any requirement to protect sensitive information.

Panel membership

[4] Consider:

- (a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3.⁸
- (b) whether there are factors that warrant the appointment of more than four panel members, such as:
 - (i) the circumstances unique to a particular district or region; or
 - (ii) the number of applications that have to be considered in that particular district or region; or
 - (iii) the nature and scale of the application under consideration; or
 - (iv) matters unique to any relevant iwi participation legislation.

⁷ The 30-working day period under s 79(1)(b) includes the 5 working day period for an applicant to respond to comments (s 55); the unspecified period for participants to comment on proposed conditions (s 70); a 10 working day period for government ministers to comment on a decision (s 72).

⁸ FTAA, schedule 3, cl 3(7).

Procedural requirements

[6] Consider and prepare to indicate:

- (a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).
- (b) the timing of expert conferencing or wānanga;
- (c) the referral of two or more participants or topics to mediation;
- (d) the requirement for any form of hearing process including:
 - (i) disputed facts or opinions;
 - (ii) proposed conditions; or
 - (iii) legal issues.

Anything else?

[7] Is there any other information needed to decide time frames or panel composition?

Schedule 3: relevant iwi authorities and relevant Treaty settlement entities
FTAA, s 18(2)(a)

- Iwi authorities:
 - a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.
- Treaty settlement entities:
 - a. Te Rūnanga o Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
 - b. Te Rūnanga o Moeraki, representing Moeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
 - c. Kāti Huirapa Rūnaka ki Puketeraki, representing Puketeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
 - d. Te Rūnanga o Ōtākou, representing Ōtākou, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
 - e. Hokonui Rūnanga, representing Hokonui, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
 - f. Waihōpai Rūnaka, representing Waihōpai, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
 - g. Te Rūnanga o Awarua, representing Awarua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
 - h. Te Rūnanga o Ōraka-Aparima, representing Ōraka-Aparima, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Copy to

- Aukaha, representing Otago-based papatipu rūnaka – Moeraki, Puketeraki, Ōtākou and Hokonui; and
- Te Ao Mārama Incorporated, representing Murihiku papatipu rūnanga – Ōraka Aparima, Waihōpai, Awarua and Hokonui.