
MINUTE 10 OF THE EXPERT PANEL
Request for Comment on Draft Conditions
Takitimu North Link – Stage 2
[FTAA-2507-1085]

25 February 2026

- [1] This minute invites comment on:
- a) The draft conditions of consent from specified parties in accordance with section 70 of the Fast-track Approvals Act 2024 (FTAA); and
 - b) The draft decision and conditions from specified Ministers of the Crown in accordance with section 72 of the FTAA.
- [2] The draft decision, including the draft conditions which are contained in **Appendices 1A and 1B** of the draft decision, are appended to this Minute.

Section 70

- [3] Comments on the draft conditions are invited from the following parties in accordance with section 70 of the FTAA:
- a) The Applicant – New Zealand Transport Agency;
 - b) Every person or group that provided comments under section 53 of the FTAA;
 - c) The local authority or other body with statutory responsibility to

enforce or monitor compliance with the conditions, being Western Bay of Plenty District Council, Bay of Plenty Regional Council, Department of Conservation and Heritage New Zealand Pouhere Taonga.

Section 72

- [4] Comments on the draft decision including the draft conditions are also sought from the Minister of Māori Crown Relations and the Minister for Māori Development, in accordance with section 72 of the FTAA. The Ministers are required to respond by **11 March 2026**.

Directions

- [5] The Panel requires all comments to be provided by close of business **Friday 6 March 2026**, but would be assisted if comments were able to be provided earlier.
- [6] Any response by the Applicant to comments provided by the parties listed in [3] above must be provided no later than close of business on **Friday 13 March 2026**, in accordance with section 70(4) of the FTAA.
- [7] To assist the parties in providing comments on the conditions, the Panel has provided a brief explanation below of the key changes made by the Panel to the condition set provided by the Applicant on Monday 16 February 2026.
- [8] For ease of reference, the Panel has also provided a track change version of the conditions which show the changes made by the Panel. Comments accompany the track changes to assist with understanding the Panel's decision and to assist parties making any comments.

- [9] To assist the Panel in finalising its decision, the Panel seeks specific clarification from the Applicant and views from the parties on certain matters, which are set out below.
- [10] The Panel sought further advice from its appointed technical experts on the ecological and stormwater management issues raised in the Applicant's closing legal submissions dated 16 February 2026 (**Closing Submissions**). That advice is **attached** to the Minute to assist the parties in commenting on the draft conditions (**Appendices 2A and 2B**). For completeness, we also **attach** the advice provided by the Panel's traffic and transportation advisor dated 28 January 2026 (**Appendix 2C**), which was the subject of Minute 8 dated 29 January 2026 and is referred to in the Applicant's Closing Submissions and in our draft decision.

Panel's comments on conditions

- [11] To assist the parties in providing comments, we have briefly summarised below the key amendments we have made to the conditions. We recommend referring to the draft decision and conditions for a complete understanding of the changes made, and the reasons for the changes, which form the basis of the Panel's draft determination of the Application:
- a) Inclusion of a General Works "Condition 1" in regional consents, NES for Contaminants in Soil consent, and designation conditions;
 - b) Inclusion of an Outline Plan Approval condition;
 - c) Inclusion of an operational safety condition in the designation conditions to provide for a safe transition between the Project and the existing State Highway network south of the Waipapa Stream Bridge;

- d) Removal of reference to Deemed Certification from all relevant approvals;
- e) Changes to ecological conditions, including to specify the total length of watercourse to be impacted and reference to the SEV methodology to quantify and assess values of a watercourse;
- f) Reference to offsetting/compensating indigenous biodiversity values rather than restoring;
- g) Ensuring all planting required under the EMP is maintained for at least 10 years.

Points of clarification sought from Applicant or relevant administering agency

Reasons for consent

[12] The Panel seeks confirmation from the Applicant and relevant administering agency in relation to the reasons (i.e. relevant RMA provision and or plan rule) and activity status for each resource consent and any relevant comment in relation to the activity's compliance with the rule or other provision to enable us to clearly reference these in the "reasons for consent" table (**Appendix B** to the Panel's decision). For example:

| Activity | Rule | Status | Comment |
|-----------------|-------------|---------------|----------------|
| s9 and s13 RMA | | | |

| | | | |
|---|-----------------|---------------|---|
| Wetland Modification and/or Destruction | WL R9 – Rule 85 | Discretionary | The proposal involves the reclamation of 62,000m ² of wetland habitat. |
|---|-----------------|---------------|---|

The Panel requests that the table in Appendix B be reviewed and completed in full. Ideally a joint position would be reached between the Applicant and the relevant administering agency.

[13] The Panel seeks confirmation from the Applicant of:

[a] the total area of earthworks; and

[b] the total volume of excess cut to waste. The ITA refers to 1.1 million m³ whereas the Substantive Application for Approvals refers to 2 million m³.

Comments received from Hapū

[14] The EPA has advised the Panel that it received comments on the Applicant's Closing Submissions from Ngāti Taka and Pirirākau on 23 February 2026. The Panel has not reviewed those comments.

[15] The FTAA process provides an opportunity for parties who were invited to comment on the Application pursuant to section 53 of the FTAA, and who made comments, to provide further comments on the Panel's draft conditions, which are circulated together with our draft decision and attached to this Minute. Our draft decision sets out our preliminary position on the matters raised in the Applicant's Closing Submissions including the

conditions proposed by the Applicant which were provided with the Closing Submissions. Ngāti Taka and Pirirākau will have an opportunity to provide comments on our proposed conditions in accordance with section 70 of the FTAA. Ngāti Taka and Pirirākau may wish to formally re-submit their correspondence dated 23 February 2026 to the Panel for consideration as part of that process and / or to submit additional comments on the Panel's draft conditions.

A handwritten signature in blue ink, appearing to read 'M Hill', is written on a white rectangular background.

Mary Hill
Takitimu North Link – Stage 2 Expert Panel Chair