Advice on seeking comments from additional parties under section 17 of the Fast-track Approvals Act 2024

Date:	24/09/2026	Priority:	Urgent	Tracking number:	26-BRF-02833

To	Action sought	Response by
Hon Chris BISHOP **Minister for Infrastructure**	**Agree** to the recommendations in this briefing	28 September 2026

Contacts for discussion [if required]

Name	Position	Telephone	1st contact
Max Gander-Cooper	Author	s 9(2)(a)	☐
Stephanie Frame	Acting General Manager	s 9(2)(a)	✓

Action for Minister's Office staff
Return the signed briefing to ftareferrals@mcert.govt.nz

Annexes and attachments
1. s 9(2)(h)
2. List of projects identifying NZTA feedback

Purpose

1. Provide you with advice on whether comments can be sought under section 17 after the provision of the section 18 report, or whether further comments can be sought from parties under section 17 more than once, and to provide you with advice on seeking further comments on certain referral applications.

Background

1. s 9(2)(h)

Advice on live applications

4. You have been provided with the section 18 report and the Ministry's stage 2 advice on 15 applications for which you have not yet made a decision. These applications relate in large part to out-of-sequence greenfield growth projects, which have the potential to have impacts on infrastructure and which may expose infrastructure providers to costs to upgrade infrastructure to service those projects.

5. On 18 September the Local Government (System Improvements) Act 2026 received Royal Assent. That Act amended the Local Government Act 2002 (LGA) to enable councils to set bespoke development contributions policies to offset capital expenditure.

6. This change does not alter the underlying settings of the LGA development contributions regime, whereby development contributions can only be charged by local authorities. The change therefore does not create an avenue for NZ Transport Agency Waka Kotahi (NZTA) to recover the costs of upgrading the State Highway network in response to fast-track applications.

7. Of the 15 applications before you, comments were not sought from NZTA on 7 of them. In light of CLO's advice on section 17 and our emerging awareness of the potentially significant adverse impacts of fast-track developments on infrastructure, we consider you could seek comments from NZTA under section 17(5) on the following projects:

    a. Out of Scope

    b. Horseshoe Bush Road, Dairy Flat – Residential Development Project

    c. Out of Scope

    d. Out of Scope

e. The Rest Project

f. Out of Scope

g. Out of Scope

8. We have provided a table at Annex 2 demonstrating which projects NZTA have provided comments on and the nature of their concerns, for your context.

9. While the amendments to the LGA also did not include water services entities under the Water Services Entities Act 2022, we note that the relevant entities have either been invited to comment or have provided feedback via the relevant local authority for all of the projects currently before you. We therefore do not consider additional requests for comment from these entities are required.

Next steps

10. If you agree to seek comments from NZTA under section 17(5) of the Act we will seek comments from those parties identified in paragraph 7 and provide you with the comments received, along with any subsequent advice and amended section 18 reports where appropriate.

Recommendations

1. We recommend you:

   a. s 9(2)(h)

   Noted

   b. **agree** to seek comments from NZ Transport Agency Waka Kotahi under section 17(5) of the Fast-track Approvals Act 2024 on the following projects:

      i. Out of Scope
      ii. Horseshoe Bush Road, Dairy Flat – Residential Development Project
      iii. Out of Scope
      iv. Out of Scope
      v. The Rest Project
      vi. Out of Scope
      vii. Out of Scope

   Yes / No



Stephanie Frame
Acting General Manager, Investment Strategy and Operations
24/09/2026

Hon Chris BISHOP
Minister for Infrastructure
[Date]

Comments

Ensure you leave enough space in this section free for the Minister to provide comments.

s 9(2)(h)

Annex 2

Projects with NZTA feedback