

File ref: **FTAA-2502-1004**

24 February 2025

Guy Hingston
Bowen Peak Limited

s 9(2)(a)

Dear Guy Hingston

Decision on compliance of application for Powerhouse Funicular Railways Queenstown Regional Development project with section 14(2) of the Fast-track Approvals Act 2024

On 10 February 2025, you lodged an application for fast-track referral for **Powerhouse Funicular Railways Queenstown Regional Development** project with the Ministry for the Environment (MfE) under the Fast-track Approvals Act 2024 (the Act).

MfE is responsible for determining whether referral applications are compliant with section 14(2) of the Act. For an application to be compliant with section 14(2), the following criteria must be met:

- The application must comply with the requirements for referral applications in section 13 of the Act;
- MfE must consider that the project may be capable of satisfying the criteria in section 22 of the Act, and does not appear to involve an ineligible activity; and
- all fees and charges payable under regulations in respect of the application must have been paid.

MfE has determined that your application does not comply with the requirements in section 14 (2) of the Act for the following reasons:

1. Section 13(4)(d) – requirement to provide a description or map of the project area that identifies its boundaries in sufficient detail to enable consideration of the application. This includes providing sufficient detail to inform the exact boundaries of the proposal and to clearly identify the relevant lots.
2. Section 13(4)(k) - requirements to consult on the project with administering agencies. This includes consulting the Ministry for the Environment.
3. Section 13(4)(k) - requirement to consult on the project with relevant iwi authorities on the project. This includes consulting Te Rūnanga o Ngāi Tahu.
4. Section 13(4)(k) - requirement to consult on the project with relevant local authorities. This includes consulting the Otago Regional Council.
5. Section 13(4)(s) - requirement for a description of the applicant's legal interest in the land and how that affects the applicant's ability to undertake the work. This includes describing the applicant's legal interests and ability to undertake work for all parcels of land relevant to the project including consideration of any encumbrances described on the records of title for those pieces of land.

fasttrack.govt.nz | contact@fasttrack.govt.nz | 0800 FASTRK

Fast-track referrals are administered on behalf of the Minister for Infrastructure by

The Ministry for the Environment | PO Box 10362 | Wellington 6143, New Zealand | NZBN: 9429041908853

In accordance with section 14(5) of the Act, the referral application is deemed noncompliant, and the application must be returned to the applicant.

Should you intend to prepare and lodge a new referral application for this project, please make sure you:

1. Undertake all pre-lodgement consultation requirements, including consulting on the project with Heritage New Zealand Pouhere Taonga in relation to any archaeological authority requirements relevant to the project, Otago Regional Council and Te Rūnanga o Ngāi Tahu.
2. Ensure that a new application for the project include a description of the applicant's legal interest in the land (all parcels and relevant to the project area), and how that affects the applicant's ability to undertake the work for all parcels of land relevant to the project including consideration of any encumbrances described on the records of title.
3. Ensure that a new application clearly shows the extent of the project, the location of the relevant titles and the extent of the project within the relevant land parcels.

If you choose to lodge a new application for this project, it will be treated as a new application in accordance with section s 14(6)(a) of the Act.

Cost recovery

Under Regulation 5 of the Fast-track Approvals (Cost Recovery) Regulations 2025 you are liable for actual and reasonable costs incurred in progressing your application. If the actual and reasonable costs are less than the application fee paid, then the Environmental Protection Authority (EPA) may issue you with a refund. Alternatively, if the actual and reasonable costs exceed the application fee, then the EPA may seek further fees from you. The EPA will provide you with information to advise you on this.

Under Regulation 7, the EPA has discretion in whole or in part, for waiver or a refund of the levy. Further guidance is provided on the Fast-track website under '[Fees, charges and cost recovery](#)'. This discretion includes, amongst other things, if you intend to submit a new application for substantially the same project as a previous application. I recommend you contact the EPA to discuss any potential waiver at the point you submit a new application.

If you have any queries about this letter or need assistance, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

Yours sincerely



Ilana Miller
General Manager, Delivery and Operations