

Fast-track Approvals Act 2024

MINUTE 6 OF THE EXPERT PANEL

Request for Further Information
Maitahi Village [FTAA-2502-1009]

(6 June 2025)

Introduction

[1] This Minute deals with the following topics:

- i. A request for information (RFI) made to both the applicant and Nelson City Council (NCC);
- ii. A request for directions from Save the Maitai Inc (STM);
- iii. Process for dealing with any documents provided to the Panel;

RFI to applicant and NCC

[2] The Panel is aware that the Nelson City Council (NCC) is currently considering a proposed Plan Change to the Nelson Resource Management Plan (NRMP). This is Plan Change 29 - Housing and Hazards (PC29), an NCC-led Plan Change to the NRMP intended to give effect to the National Policy Statement on Urban Development, and to address the heritage and hazard overlays in the NRMP. The Panel understands that some aspects of the PC29 process have overlapped with parts of the Private Plan Change 28 – Maitahi Bayview (PC28) process.

[3] The Panel also understands that NCC has received a recommendation from

the Hearing Panel for PC29 that will confirm that PC28 and its provisions should be “ringfenced.” If this recommendation is accepted by NCC it would mean that PC29 should not alter anything relating to the framework established in PC28.

[4] As at the date of issue of this Minute, NCC is unlikely to have formalised its final decision regarding the recommendations made to it in respect of PC29.

[5] In order to ensure that the Panel’s understanding recorded in paragraphs 1 and 2 above is correct, the Panel is directing the EPA to request further information from both the applicant and NCC regarding the current status of the PC29 process and the relationship between any overlapping aspects of PC29 and PC28. In other words, to the extent that there are parts of the two processes which do overlap, is it the position that PC28 and its provisions will be ringfenced?

[6] The Panel requests that the RFI be made without delay but in any case no later than 5 working days of date upon which the direction is given. On this basis the requested information must be provided to the EPA by **16 June 2025**.

Request for Directions

[7] STM is a party invited to comment on the application and its comments are due on 25 June 2025.

[8] STM’s counsel filed a memorandum dated 5 June 2025 explaining that STM had engaged an independent expert in contaminated land issues (Mr Simon Hunt of EHS Support) to provide a report.

[9] Mr Hunt has requested that access be granted by the applicant to certain documents referred to in the application and/or supporting reports. To date the request has not been met.

[10] The STM memorandum identifies the documents sought as comprising

contaminated land investigation data and assessments referred to in a report by Envirolink, specifically:

- (a) Detailed Site Investigation: December 2021;
- (b) Addendum Contamination Assessment: 23 June 2023;
- (c) Excel spreadsheet groundwater sampling results: 11 August 2023 (or a PDF thereof);
- (d) SPLP results for soil samples: 19 September 2023; and
- (e) Contaminated land volume estimate: June 2023.

[11] Without knowing the contents of these materials, the Panel accepts that they may potentially be relevant to the report Mr Hunt has been requested to provide for STM. The Panel notes that the timeframe by which STM must provide its comments to the Panel (25 June) is short and release of the requested materials is likely to facilitate the efficient consideration of the substantive application in a just and timely manner.

[12] Accordingly there will be a direction that the applicant provide the documents referred to in [10](a) to (e) of this Minute to the EPA by no later than **4pm on Monday 9 June 2025**. Such documents will then be provided to the Panel for review as to relevance and materiality.

Process for Dealing with the Documents

[13] Once the Panel has considered the documents provided, it will determine which person(s), if any, are to receive copies of the documents.

[14] Directions on this issue may include protection of intellectual property, confidentiality and the like. The applicant's counsel is to advise the Panel if any such directions are sought.



Hon Lyn Stevens CNZM KC
Maitahi Village Expert Panel Chair