

07 July 2026

To: Stephanie McNicholl (she/her)
Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui
Senior Advisor | Kaitohutohu Matua
Ministry for Cities, Environment, Regions & Transport

CC: Simon Zhang
Director,
Cannon Point Development Ltd

From: Charlie Hopkins
Director,
Derive Consulting Group Ltd

Re: FTAA-2605-1243 Cannon Point Development

Kia ora Stephanie,

Thank you for your email of 7 July 2026. We provide this further clarification and supporting information.

1. S13(2)(d) - Approvals sought under the specified Acts

With regard to section 42(4) of the Act, Cannon Point Development will apply for the following approvals as part of substantive application, if Referral is given (the approvals):

- (a) a resource consent that would otherwise be applied for under the RMA 1991.*
- (b) a change or cancellation of a resource consent condition that would otherwise be applied for under the RMA 1991.*
- (e) a concession as defined in clause 1 of Schedule 6:¹*
- (h) a wildlife approval as defined in clause 1 of Schedule 7:*
- (j) an approval, a dispensation, or an authorisation that would otherwise be applied for under any of the following in respect of a complex freshwater fisheries activity:*
 - (i) regulation 42 of the Freshwater Fisheries Regulations 1983 (culvert or ford):*

¹ A 'concession', in the context of Schedule 6 Clause 1, relates to the Reserves Act 1977 (ie limb (b) of the definition, but in this case does not relate to the Conservation Act 1987, the Wildlife Act 1953, or the National Parks Act 1980 (ie limb (a) of the definition is not relevant here).

(ii) regulation 43 of the Freshwater Fisheries Regulations 1983 (dam or diversion structure):

With regard to section 42(4) of the Act, Cannon Point Development will not apply for the following approvals:

(c) a certificate of compliance that would otherwise be applied for under the RMA 1991.

(d) a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the RMA 1991:

(f) a land exchange:

(g) an amendment to or revocation of a conservation covenant as defined in clause 41 of Schedule 6:

(i) an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under that Act:

(k) a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012:

(l) an initial access arrangement or a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991:

(m) an access arrangement that would otherwise be applied for under section 61B of the Crown Minerals Act 1991 or a variation to an access arrangement granted under that section:

(n) a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991.

The only approvals sought outside the FTAA are the two identified at point 4, and neither affects timely delivery or the efficient operation of the process (s 22(1)(b)).

With regard to s 13(4)(y), the following information is provided:

(i) an approval described in section 42(4)(a) or (d) (resource consent or designation), the information specified in clause 2 of Schedule 5 is provided in the planning report at Section 8.

(ii) an approval described in section 42(4)(b) (change or cancellation of resource consent condition), the information specified in clause 3 of Schedule 5 is provided in the planning report at Section 4.1.4.

(iv) an approval described in section 42(4)(e) (concession), the information specified in clause 2 of Schedule 6 is not provided as a lease is not needed. The works on council land will not require a lease because the infrastructure thereby created will be vested back to Council.

These are: wastewater pipe on Lot 1 DP 54694, a stormwater pond on Lot 301 DP 588162, a new road on Lot 6 DP 46315, and a stormwater pipe on Lot 2 DP 52931. These assets will be vested in Council to become public assets owned by Council. As the land is also owned by Council, there is no lease for the purpose of Schedule 6 Clause 2. Clause 2 only applies where the proposed concession includes a lease of the kind described in clause 2(1), and the concession sought here (an easement or licence in respect of the Council reserves, or whichever form it takes) includes no lease, so no information is required under s 13(4)(y)(iv).

(via) an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), the information specified in clause 2 of Schedule 9 is provided in the planning report at Section 4.4.

Nb. No information requirement under s 13(4)(y) attaches to the wildlife approval sought

Summary

The Applicant seeks resource consent, a change of a resource consent condition, a concession as defined in clause 1 of Schedule 6, a wildlife approval as defined in clause 1 of Schedule 7, and an approval, a dispensation, or an authorisation that would otherwise be applied for under any of the following in respect of a complex freshwater fisheries activity.

The mandatory information set out in the Act at s 13(4)(y) is provided in the application, and above.

2. S13(4)(d) - Description or map of the whole project area that identifies its boundaries

Please see appended a plan showing the parcels owned by the Applicant, and by the Council. The project area comprises both the applicant-owned and Council-owned parcels, and the appended plan identifies the boundaries of the whole project area.

Our reference: For more information, please see Table 1 of the planning report (Derive Consulting, 2026) at Page 12, and records of title are included in Appendix 2 to the Referral application.

3. S13(4)(s) - applicant's legal interest in the land and how that affects the applicant's ability to undertake the work

All relevant land parcels are identified in Table 1 of the planning report (Derive Consulting, 2026) at Page 12. Table 1 identifies parcels by ownership ie the Applicant, and the Council. Parcels identified as Lot 2001 DP 588162, Lot 1000 DP 598401, Lots 3 and 4 DP 306622 are owned by the Applicant. The following parcels are owned by the Council: Lot 6 DP 46315, Lot 301 DP 588162, Lot 2 DP 52931, Lot 1 DP 54694; the Applicant currently holds no legal interest in the Council-owned parcels. Over a period of approximately two years, the Applicant met with Council on 30 April, 29 September, 18 December 2025, and 28 April 2026 to discuss access to these parcels.

The four Council-owned parcels are subject to the Reserves Act 1977. The approval required to undertake works on those parcels is the concession (a Reserves Act approval) identified at point 1, which the Applicant will seek as part of the Substantive Application. The Applicant's ability to undertake the work on the Council parcels is therefore secured through the fast-track process itself rather than through a separate negotiation. Engagement with Council is continuing in parallel to confirm its support as administering body. At the meeting on 28 April 2026 it was agreed that the Applicant would prepare a report for Council, to be supplied to the UHCC Roadway Manager by 1 August 2026, ahead of the anticipated lodgement of the Substantive Application on 1 September 2026. The works on the Council parcels comprise infrastructure that will vest in Council as public assets. On this basis, the matter does not affect the timely delivery of the project (s 22(1)(b)).

4. S13(4)(t) - other types of authorisations needed including by someone other than the application

As set out in section 4.7 of the planning report (Derive Consulting, 2026) there are (only) two forms of approval that sit outside the FT Approvals process. The relevant test here is 'the timely delivery of the project' (s 22(1)(b)). The only two approvals are:

1. Approval from NZTA as the asset owner to make changes to the traffic signals on State Highway 2 at the Totara Park Bridge intersection. The relevant authority is NZTA.
2. 'Road stopping' of an unformed legal road (paper road) that traverses West Block around Lots 24-37. The relevant authority is Council.

Consultation with NZTA commenced in 2025 and is ongoing. Consultation with Council commenced in 2024 and is ongoing.

NZTA

Consultation with NZ Transport Agency has been ongoing since 24 September 2025 when the applicant requested that NZTA provide its written approval per section 95E of the RMA 1991. Consultation specifically around the Fast Track Referral started on 22 April 2026 when the Applicant provided NZTA with notice under s 11. The Applicant provided NZTA with a traffic report on 1 May 2026 to which NZTA provided comment on. The Applicant provided NZTA with a further traffic report on 11 May 2026 to which NZTA responded to on 26 May 2026. There was an informal expert conference at the start of June 2026, resulting in the Applicant providing a further traffic report to NZTA on 10 June 2026. The most recent feedback from NZTA was provided to the Applicant on 26 June 2026.

We anticipate that NZTA will be invited for comment under s 17 and therefore will result in a finalised traffic report being prepared by the Applicant.

Council

The Applicant consulted Council in 2024 about the need to stop the unformed legal road on West Block. Council advised that a report would be required. That report has been in preparation since 10 April 2026 and will be supplied to the UHCC Roading Manager by 1 August 2026. The road stopping will proceed under the LGA 1974 or the PWA 1981, with the pathway to be confirmed in the report currently in preparation.

The road stopping is not a precondition to lodgement of the Substantive Application, anticipated in September 2026. It is required before development of Lots 24 to 37 on West Block commences. The Applicant expects the road stopping process to run in parallel with the processing of the Substantive Application and to conclude before consents are granted.

Summary

No other third-party authorisations are required. No other third-party authorisations are required. Neither approval is a precondition to lodgement of the Referral, and both processes are underway with next steps. On this basis, neither matter affects the timely delivery of the project (s 22(1)(b)).

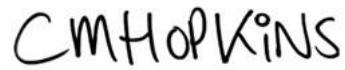
Summary

We are happy to work through this information with you.

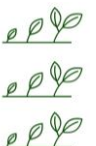
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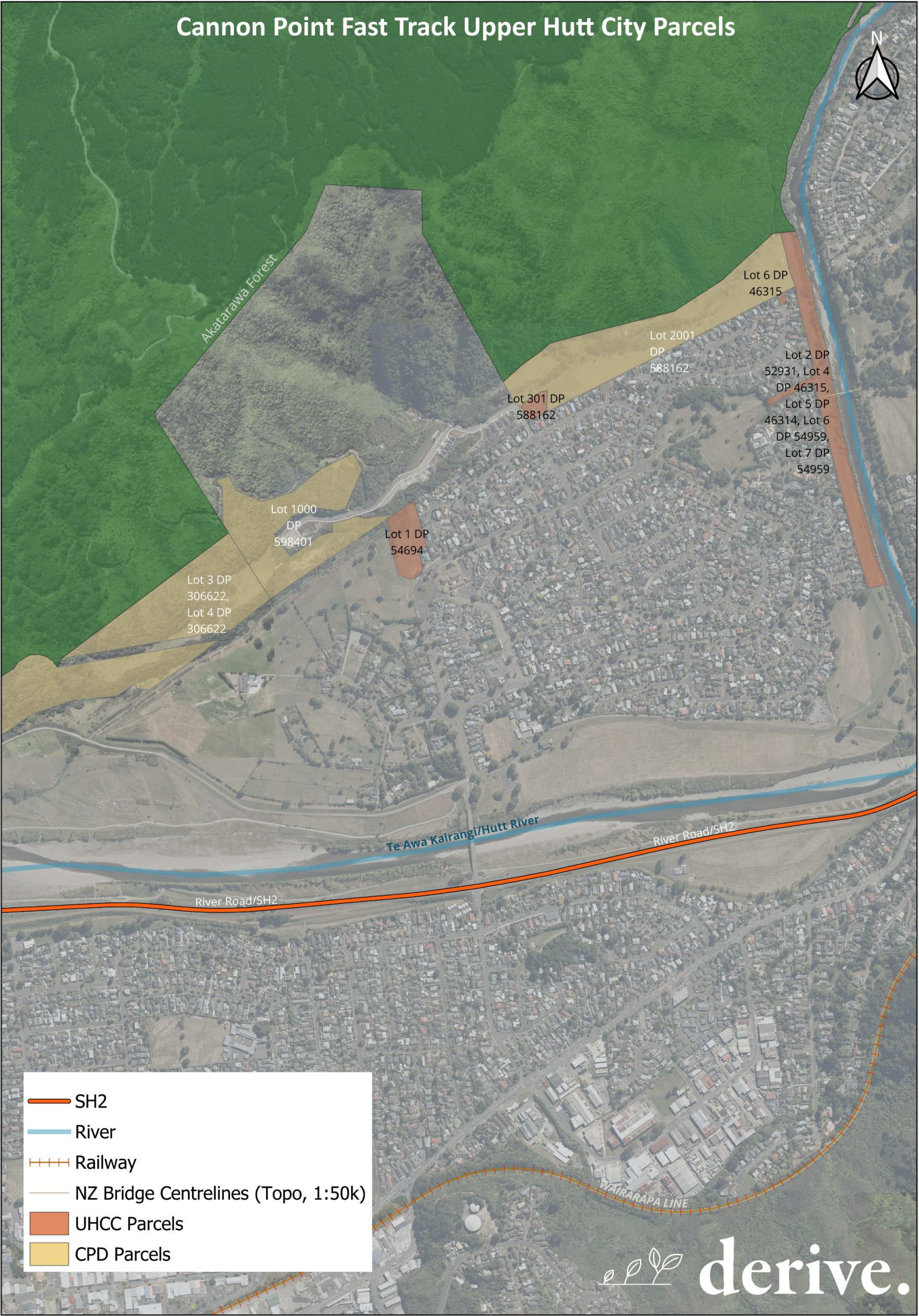
Shaun Burton
RM Consultant



Charlie Hopkins
Director



Cannon Point Fast Track Upper Hutt City Parcels



- SH2
- River
- Railway
- NZ Bridge Centrelines (Topo, 1:50k)
- UHCC Parcels
- CPD Parcels