

# Fast-Track Approvals Act 2024

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## **Joint Memorandum (Planning) from Nelson City Council and the Applicant**

Maitahi Village [FTAA-2502-1009]

20 May 2025

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1. This Joint Memorandum has been prepared by the planners acting for Nelson City Council (NCC) and the Applicant (CCKV) for the purpose of assisting the Panel in advance of the scheduled Panel Overview Conference (Thursday 22<sup>nd</sup> of May 2025). This Joint Memorandum has also been prepared to provide the information and assurance sought in Minute 1<sup>1</sup> and Minute 2<sup>2</sup> from the Panel.

### **Collaboration Steps and Update**

2. The application was lodged with the EPA on the 19<sup>th</sup> of February 2025.
3. On the 20<sup>th</sup> of February 2025 the applicant held a project briefing for NCC staff in each department (with approximately 20 staff in attendance). This included an invitation to Council to return (at any time) to Mark Lile's office to again review of the full set of printed plans and documentation. The relevant plan sets (A3) were joined up and displayed on the walls of the office, thereby assisting staff in their assessment of this large site and project that is difficult to absorb in electronic form spanning multiple pages. It was made clear to Council staff at this time that the formal feedback process under the Fast Track Approvals Act 2024 had not yet commenced and the information was to be treated as privileged.
4. Council was welcomed by the applicant to review the application documents and to prepare draft preliminary feedback on the proposal in preparation for the formal feedback process being requested of Council in the future as a part of the Fast Track Approvals process.

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<sup>1</sup> Paragraphs 10 and 11 (dated 12 May 2025)

<sup>2</sup> Paragraphs 2-7 (dated 13 May 2025)

5. This process was treated by Council as akin to a “pre-application” process where all feedback comments would be in draft format and used for the basis of future discussion.
6. On the 21<sup>st</sup> of March the NCC and CCKV met in person to run through the volunteered conditions (Attachment #25 of the document set as formally submitted with the FT application). This included some *very* preliminary feedback and suggestions about the conditions, which were captured (tracked changes and with comments) in an electronic copy (v2) of the full conditions set. As noted below, this initial scan through the conditions was in advance of the assessment of the full application and so did not capture the draft feedback explained below.
7. On the 3<sup>rd</sup> of April 2025 the NCC provided the applicant with its “draft feedback”. This was provided informally because the FT Approvals Act includes the opportunity for the Council to provide formal feedback through comments on the application.
8. The first section of the draft feedback included matters that generally are more “further information” requests, while the second section relates to “detailed design” matters that need to be addressed by consent conditions. The focus of the collaboration up until 19 May 2025 has been on the first section. In doing so, however, this has naturally led to consideration of whether the issue can be resolved through a revision to the application (e.g. plans) and/or through new or amended consent conditions.
9. The purpose of obtaining “draft feedback” in advance of the formal FT Approvals process was an attempt to make the formal process more efficient, including because it:
  - a. Assists the parties and the Panel to be informed about what issues are truly in dispute;
  - b. Assist the parties and Panel to identify which issues need to be resolved in order for the Panel to make a decision; and
  - c. Provides the applicant and NCC with as much time as possible to resolve any issues of contention between them - if an issue is amenable to being resolved.
10. Both NCC and the applicant agreed that the collaboration over the draft feedback would run concurrently with the commencement of the Panel and formal timeframes.

11. On 7 May 2025 the NCC and Applicant met to work through the *draft feedback*. This was in the form of a workshop whereby the various NCC experts could meet face to face with the applicant's experts to openly discuss the issues raised. Collaboration before and after that workshop also occurred (i.e. with the transport engineers meeting in advance). All experts have been encouraged to continue engaging with each other as much as necessary.
12. Responses to the *draft feedback* were provided to NCC on the topics of ecology, reserves, geotech, stormwater/flooding, civil design, and transport by 13 May 2025.
13. On 19 May 2025 the NCC and the Applicant met again to work through the responses and to identify the matters that are currently categorized as either Agreed, Work in progress, or Not Agreed. This categorization has been recorded using a traffic light system (green, orange, red), and where relevant.

#### **Summary of Informal Position and Impact on the Substantive Application**

- a. To assist the Panel, discussions to date have established that there is no material contention or unresolvable issues relating to:
  - i. Earthworks and Erosion and Sediment Control Plan (ESCP);
  - ii. Land Contamination and the Remedial Action Plan (RAP);
  - iii. Landscape Effects;
  - iv. Natural hazards (geotechnical stability, liquefaction, flooding, fire risk);
  - v. Transport (except as noted in paragraph 15(b) below);
  - vi. Cultural Values;
  - vii. Ecological Effects;
  - viii. Water and wastewater servicing;
  - ix. Stormwater management (except as noted in paragraph 15(a) below);
  - x. Heritage or Archaeological Effects;
  - xi. Urban Design matters;
  - xii. Legal issues

14. As noted above, some amendments to the application will be required in response to the *draft feedback* from the Council to date. Those changes are consequential and not material to the proposal, with those involving:
  - a. Some minor corrections and changes to the Subdivision Plans, including to the boundaries and types of vested reserves;
  - b. Moving the shared pathway to the western side of Road 1;
  - c. Amending some of the conceptual landscape design information on the landscape drawing sets;
  - d. Increasing the scale of Lot 300 (for the wastewater pump station) to cater for future upgrades.
15. The specific matters yet to be resolved relate to:
  - a. Consideration of debris flows and potential sediment loading in the conceptual stormwater design;
  - b. The upgrade to the intersection of Nile Street East, Maitai Road, and Clouston Terrace.
16. The parties will continue to collaborate on these matters, with the Panel updated either as soon as that process has been concluded, or as a part of the Council providing it's formal comment on the application.
17. Along with the continued collaboration on the matters outstanding, the planners will now proceed to prepare an agreed set of consent conditions (redated and identified as Version 2) as directed in Panel Minutes 1 and 2. That agreed set of conditions will also identify any matters of substance, points of detail, and will also address the formatting as sought in Panel Minute 2. This reformatting will allow the referenced attachment, plan, figure or document are appended. We propose to provide this agreed and reformatted set of conditions with the 20wd period for NCC comments.
18. We will both be available at the Overview Conference to answer any questions arising from the above.



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