

File ref: **FTAA-2505-1065**

11 June 2025

Nick Roberts / Olivia Stirling
Barker & Associates

s 9(2)(a)

Dear Nick / Olivia

Decision on compliance of application for Ridgeburn project under section 14(2) of the Fast-track Approvals Act 2024

On 23 May 2025, you lodged an application for fast-track referral for the Ridgeburn 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 as it fails to meet the requirements in section 14(2) of the Act for the following reasons:

1. Section 13(4)(b) – does not comply. The requirement is to provide an explanation of how the project meets the criteria in section 22. This includes demonstrating how referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes. It is noted that the consent notices cannot be cancelled, and easements cannot be varied under the Act, which the application states as being material to the delivery of the project.
2. Section 13(4)(k) – does not comply. The requirement to consult on the project, including providing a summary of the consultation undertaken and how the consultation has informed the project, with relevant iwi authorities. This includes consulting with Te Rūnanga o Ngai Tahu, Aukaha, Te Ao Mārama, Te Rūnanga o Moeraki Incorporated, Kāti Huirapa ki Puketeraki Incorporated, Te Rūnanga o Ōtākou Incorporated, Hokonui Rūnanga Incorporated, Waihōpai

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

Rūnaka Incorporated, Te Rūnaka o Awarua Charitable Trust; and Ōraka Aparima Rūnaka Incorporated

3. Section 13(4)(l) – does not comply. The requirement is to list any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements.
4. Section 13(4)(t) – does not comply. The requirement is to provide an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant. This includes the proposed cancellation of consent notices and potential variation of easements that cannot be decided under the Act.
5. Section 14(2)(b)(i) – is not satisfied. The requirement is whether the project is capable of satisfying the criteria in section 22. This includes demonstrating how referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes. The application identifies the cancellation of consent notices as being material to the delivery of the project.

Therefore, in accordance with section 14(5) of the Act, the referral application is deemed non-compliant, and the Act requires that the application must be returned to the applicant.

We are happy to meet with you if you would like to discuss any aspect of the matters above. If you would like to do so, please contact the fast-track referrals team at the following email address:

FTAreferrals@mfe.govt.nz.

Should you intend to prepare and lodge a new referral application for this project we also recommend you contact us at the above email address to discuss your application prior to lodging. If you choose to lodge a further application for this project, it will be treated as a new application in accordance with section 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 processing 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 and can be contacted through the email address or phone number below. Further guidance is provided on the Fast-track website under '[Fees, charges and cost recovery](#)'. I recommend you contact the EPA to discuss any potential waiver prior to you submitting a new application.

Proactive release of application documents

As you're aware, we intend to publicly release application information on the Fast-track website, as part of our commitment to an open and transparent government. We have attached our Proactive Release Guidance document which outlines clauses and reasons for withholding information, and some tips to assist in your marking up of documents.

If you would like us to redact any information from your documents before we publish them, please provide your proposed redactions to referral@fasttrack.govt.nz no later than close of business 5 working days from the date of this letter. If we do not receive a response in this timeframe, we will treat this as approval to publish your application documents as received. **Please Note:** approval or rejection of your proposed redactions is at our discretion.

As indicated in the attached Guidance, we are taking the same approach to the proactive release of application documents as we would for a request under the Official Information Act 1982 (OIA). Further advice on the OIA and the reasons for withholding information can be found here¹: [The OIA for agencies.pdf](#).

Timeframe and disclosure requirements

We intend to publish returned application documents in 10 working days. **Remember:** if you are a **NZX or ASX listed company**, you will need to meet your disclosure requirements in this timeframe.

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

Yours sincerely

A handwritten signature in dark ink, featuring a large, stylized loop at the beginning and a long, horizontal stroke extending to the right.

Ilana Miller
General Manager, Delivery and Operations

¹ We note that this information is intended as guidance information only and nothing in this information constitutes or substitutes legal or other professional advice. We recommend that you seek independent legal advice if you have any queries about the requirements of the Act.