

# Memo



<b>Project Number</b>	p.0474
<b>Project</b>	Mt Welcome
<b>Client</b>	Pukerua Property Group Limited Partnership
<b>Subject</b>	Fast-track Approvals Act changes coming into force on 31 March 2026
<b>Date</b>	31 March 2026
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The purpose of this memo is to set out additional information relevant to the Mount Welcome Substantive Application under the Fast Track Approval Act 2024 (FTAA), as amended by the Fast-track Approvals Amendment Act 2025 which was enacted on 16 December 2025.

The below table sets out provisions relevant to this Substantive Application that come into force on 31 March 2026 pursuant to Section 2(2) of the Fast-track Approvals Amendment Act 2025.

Amendment Act Section	Change to FTAA	Comment
Section 7	<p>Section 13 amended (Referral application)</p> <p><i>In section 13(4)(h), after “environment”, insert “and the significance of those adverse effects”.</i></p> <p><i>Replace section 13(4)(y)(vi) with:</i></p> <p><i>(vi) an approval described in section 42(4)(a) or (d) in relation to a project that includes a standard freshwater fisheries activity, the information specified in clause 4A of Schedule 5:</i></p> <p><i>(via) an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), the information specified in clause 2 of Schedule 9:</i></p>	<p>While this section sets out information requirements for referral applications, it is relevant to substantive applications for listed projects by way of Section 43(2).</p> <p>The significance of the adverse effects of the project is addressed throughout the Substantive Application.</p> <p>The proposal includes both standard and complex freshwater fisheries activities as outlined in Section 17 of the Substantive Application.</p> <p>The information specified in clause 4A of Schedule 5 is the same as in Schedule 9 clause 2:</p> <p><i>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which the</i></p>

		<p><i>proposed structure may impede fish passage; and</i></p> <p><i>(b) whether any fish salvage activities are proposed</i></p> <p>This information is provided in Table 6 of Section 9 of the Substantive Application.</p>
Section 14	<p><b>Section 29 amended (Pre-lodgement requirements for listed project)</b></p> <p><i>(1) Replace section 29(1)(a) with:</i></p> <p><i>(a) consult the groups referred to in section 11(1)(a); and</i></p> <p><i>(aa) notify in writing the persons and groups referred to in section 11(1)(b) and give them 20 working days to respond to the notice; and</i></p> <p><i>(2) After section 29(1), insert:</i></p> <p><i>(1A) The authorised person must not lodge the substantive application until each 20-working-day period given under subsection (1)(aa) has expired.</i></p> <p><i>(3) In section 29(2)(a), after “paragraph (a)”, insert “or (aa)”.</i></p>	<p>As per clause 11 of the Schedule of the Fast-track Approvals Amendment Act 2025, Pukerua Property Group Limited Partnership (<b>‘Applicant’</b>) is not required to notify any person or group referred to in section 29(1)(aa) because the Applicant has already consulted those groups as set out in the Substantive Application. That consultation has been concluded.</p>
Section 21	<p>Section 42 amended (Authorised person may lodge substantive application for approvals)</p> <p><i>(3) Replace section 42(4)(j) with:</i></p> <p><i>(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></p> <p><i>(i) regulation 42 of the Freshwater Fisheries Regulations 1983 (culvert or ford):</i></p>	<p>The proposal involves a complex freshwater fisheries activity as outlined in Section 7.10 of the Application with regard to the placement of dams and the installation of culverts that do not provide fish passage (as above this is only where there are no fish present in these waterways).</p> <p>The Application therefore seeks an approval or a dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity.</p>

	<p><i>(ii) regulation 43 of the Freshwater Fisheries Regulations 1983 (dam or diversion structure):</i></p> <p><i>(iii) regulation 65(2) of the Freshwater Fisheries Regulations 1983 (noxious fish):</i></p> <p><i>(iv) section 26ZM(2)(a) or (3)(b) of the Conservation Act 1987 (fish salvage activities):</i></p>	<p>With regard to (iv), the proposal involves fish salvage activities. As outlined in Section 15.11.5 of the application and in the Ecological Assessment in <b>Appendix 15</b>, the proposed works will involve fish salvage/rescue.</p> <p>The Application therefore seeks an approval that would otherwise be applied for under section 26ZM(2)(a) of the Conservation Act 1987.</p>
Section 22	<p>Section 43 amended (Requirements for substantive application)</p> <p><i>(1) Replace section 43(2) with:</i></p> <p><i>(2) If a substantive application is for a listed project, it must also contain the following:</i></p> <p><i>(a) the information required by section 13(4) (other than section 13(4)(b), (f)(ii) and (iii), and (g)), which applies—</i></p> <p><i>(i) as if the reference in section 13(4)(k) to section 11(1)(a) were a reference to section 29; and</i></p> <p><i>(ii) as if the reference in section 13(4)(ka) to section 11(1)(b) were a reference to section 29; and</i></p> <p><i>(iii) as if the reference in clause 2 of Schedule 11 to section 12(2) were a reference to section 29; and</i></p> <p><i>(iv) with any other necessary modifications:</i></p> <p><i>(b) if the project is planned to proceed in stages,—</i></p> <p><i>(i) an outline of the nature and timing of the stages; and</i></p> <p><i>(ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and</i></p>	<p>As set out above, with regard to (2)(a), the new section 11(1)(b) and section 29(1)(aa) notice requirements do not apply to the application by way of the New Part 2 inserted into Schedule 1 under the Amendment Act (refer clause 11 of New Part 2).</p> <p>With regard to (2)(b), anticipated staging is outlined in the Civil Infrastructure Report in <b>Appendix 9</b>, there are 19 civil stages to be undertaken over a period of approximately 15 years. Note that (b)(ii) and (b)(iii) are not relevant to the application because separate applications are not being lodged for each stage.</p> <p>With regard to (2)(c), Section 3.1.1 of the Substantive Application outlines how the proposal is consistent with the listing, and provides a link to the listing application documents on the Ministry for the Environment’s website (footnote on page 12).</p>

	<p><i>(iii) an explanation of how each stage meets the criteria in section 22:</i></p> <p><i>(c) the information that the applicant provided to the Minister when applying to have the project listed as a listed project and an explanation of how the substantive application is within the scope of the listed project.</i></p>	
Section 54	<p>Schedule 5 amended (Approvals relating to Resource Management Act 1991)</p> <p><i>4A Information about standard freshwater fisheries activity</i></p> <p><i>The information required to be provided under section 13(4)(y)(vi) is the following:</i></p> <p><i>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which the proposed structure may impede fish passage; and</i></p> <p><i>(b) whether any fish salvage activities are proposed.</i></p> <p>...</p> <p><i>9 Information required in application including standard freshwater fisheries activity</i></p> <p><i>For the purposes of section 43(3)(a) and (d), an application for a resource consent or a notice of requirement for a project that includes a standard freshwater fisheries activity must include the following information:</i></p> <p><i>(a) in relation to the structure and any fish facility, —</i></p> <p><i>(i) a description of the type of structure or fish facility:</i></p>	<p>The information required in Schedule 5 clause 4A is provided in Table 6 of Section 9 of the Substantive Application.</p> <p>The information required in Schedule 5 clause 9 is provided in Table 16 of Section 17 of the Substantive Application.</p>

	<p><i>(ii) the dimensions of the structure or fish facility:</i></p> <p><i>(iii) the design of the structure or fish facility:</i></p> <p><i>(iv) the placement of the structure or fish facility:</i></p> <p><i>(v) the water flows:</i></p> <p><i>(vi) the operating regime:</i></p> <p><i>(b) the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System):</i></p> <p><i>(c) the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream):</i></p> <p><i>(d) how the passage of fish will be provided for or impeded</i></p>	
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