



FTAA-2605-1243: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Cannon Point Development Project

Date submitted	10 September 2026	Tracking	26-BRF-02679
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	17 September 2026

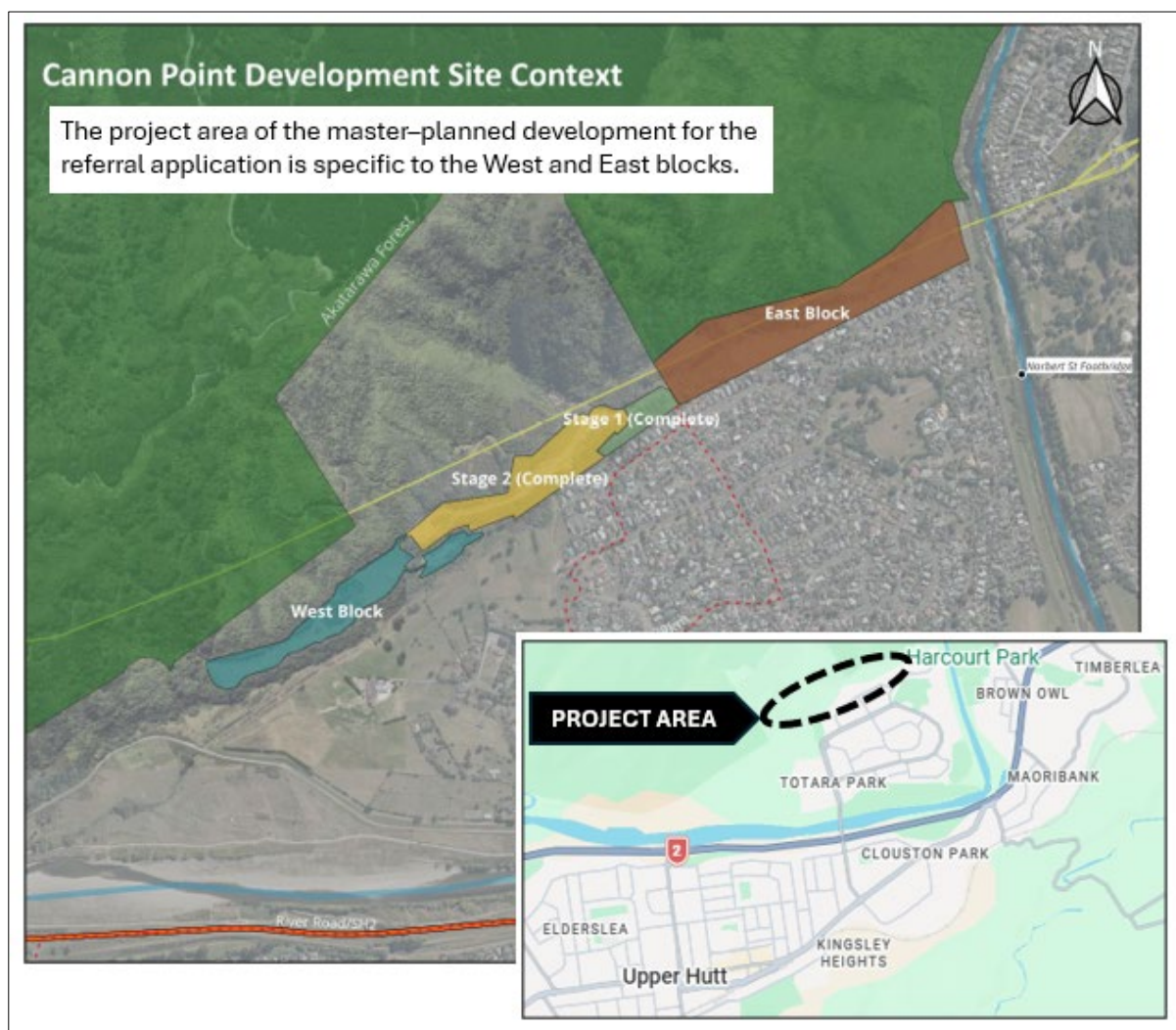
Actions for Minister's Office staff	Return the signed briefing to the Ministry for Cities, Environment, Regions and Transport - email: FTAreferrals@mfe.govt.nz
Number of appendices: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Cannon Point project 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Section 19 Report on public conservation land 6. Written comments received from invited parties 7. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Stephanie McNicholl	Principal Author		
Stephanie Frame	Manager	s 9(2)(a)	✓
Ilana Miller	General Manager	s 9(2)(a)	



Project area



Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on an application from Cannon Point Development Limited (the applicant) to refer the Cannon Point Development project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-01908) with your initial decisions annotated is in Appendix 3.
3. The project is to construct and establish a master-planned residential and commercial development on a greenfield project area of approximately 36.99 hectares, located across 8 land parcels near Tōtara Park, Akatarawa Forest and Haukāretu Stream in Upper Hutt, Wellington Region. The project area comprises two blocks (West Block site and East Block sites), which are separated by Stages 1 and 2 of the Cannon Point development which are already consented and built.

4. The project comprises approximately 162 residential lots and two commercial lots with supporting infrastructure including roading, three waters services, stormwater management, and reserves.
5. The project will require the proposed approvals under the fast-track approvals process:
 - a. resource consents and change or cancellation of a resource consent conditions under the Resource Management Act 1991 (RMA)
 - b. concessions under the Reserves Act 1977
 - c. wildlife approvals under the Wildlife Act 1953
 - d. approvals under the Freshwater Fisheries Regulations 1983.
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 of the Act and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation, any proposed directions to the applicant and expert panel, and the notification of your decisions.

Assessment against statutory framework

8. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the project, you must consider the application in Appendix 2, the section 18 Treaty settlements report in Appendix 4, the section 19 public conservation land report in Appendix 5, the written comments from invited parties in Appendix 6, and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16.
10. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

11. The section 18 report in Appendix 4 identifies six groups as relevant Māori groups under section 18(2) of the Act. One group invited to comment on the application provided a response.
12. The Treaty settlements that are relevant to the project area are the Port Nicholson Block (Taranaki Whānui ki Te Ūpoko o Te Ika) Claims Settlement Act 2009, Ngāti Toa Rangatira Claims Settlement Act 2014, and Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017. We have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements.
13. The Taranaki Whānui ki Te Ūpoko o Te Ika and Ngāti Toa Rangatira settlements each provide for statutory acknowledgements over the Hutt River into which the project area drains. The application includes proposed activities, such as vegetation clearance, land disturbance, earthworks, use of machinery and construction materials, and site runoff, which could potentially affect these statutory areas.
14. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of



notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder.

15. We consider that your invitation (including providing information about the application) to Taranaki Whānui ki Te Ūpoko o Te Ika and Ngati Toa Rangatira to comment on the application under section 17(1)(d) of the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements. Should you accept this referral application, these groups will also be invited for comment by the panel on a substantive application under section 53(2)(c) of the Act.
16. The Rangitāne o Wairarapa and Rangitāne o Tamaki Nui-ā-Rua deed of settlement provides for a conservation relationship between the Department of Conservation (DOC) and Rangitāne Tū Mai Rā Trust which may have procedural obligations in relation to the approvals which may be sought under the Wildlife Act 1953. Should you accept this application for referral, the panel may wish to consider the procedures set out in the conservation relationship agreement above to inform their consideration of the wildlife authority (paragraphs 47 to 51 refer).
17. In response to the invite for Māori groups to comment under section 17(1)(d) of the Act, you received comments from Rangitāne Tū Mai Rā Trust that Cannon Point is outside of their traditional rohe of Rangitāne and they have no comment to make. We note that the Rangitāne area of interest identified in the Rangitāne o Wairarapa and Rangitāne o Tamaki Nui-ā-Rua deed of settlement includes the project area.
18. We consider the section 18 report does not raise any matters that would make it more appropriate to authorise the proposed approvals under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

19. Based on the above section, we consider there are no relevant documents and procedural requirements under section 16 that apply to your consideration of the application.

Section 19 Report in relation to use of public conservation land

20. As the project area includes the use of public conservation land (PCL), the Director-General of Conservation has prepared a report in Appendix 5 which sets out:
 - a. the use of PCL as part of the consideration of the referral application for Cannon Point Development project by Cannon Point Development Limited
 - b. the information that must be contained in a report in relation to PCL as set out in s19(2)(a) and (b) of the Act and outlines any consultation undertaken as required by s19(3), as outlined in the report.
21. The summary of advice provided in the report is that:
 - a. The proposal involves three parcels of land that are vested in UHCC and subject to the Reserves Act 1977. An additional parcel is vested in UHCC, but its reserve status has been revoked. None of the PCL involved is administered by the Department of Conservation (DOC)
 - b. DOC has consulted with UHCC on the ownership, classification and use of the relevant reserves. While Tiaki Wai does not currently manage Lot 301 DP 588162, the management of the reserve will likely be transferred to Tiaki Wai in the future. For this reason, DOC has also consulted with Tiaki Wai.



- c. DOC considers it likely that approvals under the Reserves Act 1977 will be required to advance the project. Any required approvals not obtained through the fast-track process, will need to be obtained through the business-as-usual process from UHCC (as the owner of the reserve) or Tiaki Wai in due course if relevant.
- d. DOC considers there is no risk or liability to the Crown posed by this application that would not otherwise exist for any project either on or off PCL.

Written comments received

- 22. Written comments were received from Greater Wellington Regional Council (GWRC), Upper Hutt City Council (UHCC), four Ministers, the Department of Conservation (DOC), one identified Māori group. Transpower New Zealand Limited (Transpower), NZ Transport Agency Waka Kotahi (NZTA) and Tiaki Wai.
- 23. Written comments were received after the specified time frame from the Minister for Economic Growth. You may consider their comments, at your discretion, under section 17(7)(b) of the Act. All other comments for this application were received in time and must be considered.
- 24. The key points of relevance to your decisions are included in Table A, with the full comments attached in Appendix 6. Comments from one identified Māori group are addressed in the section 18 paragraph above; all other comments are summarised below.
- 25. A summary of the key comments received:
 - a. GWRC does not oppose referral but considers the extent to which the project will result in significant regional benefits is uncertain.
 - b. UHCC does not oppose referral and notes relevant council-owned land matters likely to require further information to support a substantive application, if referred.
 - c. the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Māori Development supports the application progressing and encourages the applicant and the panel to have due regard to relevant Treaty settlement legislation and instruments and any feedback received from identified Māori groups.
 - d. the Minister for Economic Growth does not oppose referral and considers the economic benefit is concentrated during the five-year development period. The Minister notes wider regional benefits may include increased housing supply in Upper Hutt and the wider Wellington Region and, on balance, the project may have significant regional economic benefits.
 - e. the Associate Minister of Housing does not oppose referral and considers Upper Hutt continues to experience demand for additional housing supply and housing choice, reflecting that demand for housing has outpaced supply. The Minister notes a range of infrastructure and servicing matters can be considered at detailed assessment stage, if referred.
 - f. DOC does not oppose referral, confirms the parties responsible for administering the reserves, and confirms that no ineligible activities apply to the reserves status at this point in time.
 - g. Transpower does not oppose referral and recommends protections for the National Grid transmission lines situated across the east block of the project area.
 - h. NZTA does not oppose the application being referred but notes potential effects include increased traffic volumes, delays and queues impacting the already constrained network.



- i. Tiaki Wai considers the application does not yet provide sufficient information to demonstrate that the proposed development can be appropriately serviced by public three waters infrastructure.

Reasons to decline

26. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3) of the Act. We do not consider you must decline this application.
27. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Table A.
28. We have considered the matters under section 21(4), and these are discussed in Table A. We do not consider you should decline the application for referral for any of these reasons.

Reasons to accept

29. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
30. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
 - a. it is a development project that would have significant regional benefits because:
 - i. it will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment with the development of residential dwellings by approximately 162 units
 - ii. it will deliver significant economic benefits by generating approximately \$129.6 million in total gross domestic product (GDP) over a 5-year development period into the local economy. The project will support approximately 261 full-time equivalent years (FTE years) of employment during the peak development year and approximately 744 FTE years over the 5-year development period. Over the development period, total direct employment will be approximately 352 FTE years, and total indirect/induced employment will be approximately 392 FTE years.
 - b. 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 more cost-effective way than under normal processes because it precludes public and limited notification in an RMA context and enables multiple approval types under specific Acts to be considered under a singular process, and appeals under the Act are to the High Court and limited to points of law.
 - c. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess where multiple approval types are sought under the fast-track approvals process.

Conclusions

31. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process.

Next steps

32. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant and anyone invited to comment under section 17 of the Act and publish the notice on the Fast-track website.
33. If you decide to accept and refer the project, the Secretary must also give notice of your decisions to:
 - a. the panel convener
 - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17 of the Act
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies.
34. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
 - a. the referral application
 - b. any written comments received under section 17 of the Act
 - c. the Treaty report obtained under section 18 of the Act
 - d. the public conservation land report obtained under section 19 of the Act.
35. We will undertake this action on your behalf.
36. We have attached a draft notice of decisions letter to the applicant based on our recommendations in Appendix 7, that we will provide as required (on behalf of the Secretary for the Environment) to all relevant parties. We will provide you with an amended letter if required.
37. Our recommendations for your decisions follow.



Recommendations

38. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Cannon Point Development Limited (the applicant) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Cannon Point Development Project (the project) meets the referral criteria in section 22 of the Act.

Noted
- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered the:
 - i. application in Appendix 2
 - ii. reports obtained under sections 18 and 19 in Appendices 4 and 5
 - iii. written comments sought under section 17 in Appendix 6 provided within the required time frame (written comments were received after the specified time *frame that you are not required to consider but may do so at your discretion*).

Yes / No
- c. **Agree** to exercise your discretion and consider the written comments, provided after the specified time frame under section 17 from the Minister for Economic Growth.

Yes / No
- d. **Note** that in considering this application, and any directions to a panel, under section 7 of the Act, you have considered the:
 - i. Port Nicholson Block (Taranaki Whānui ki Te Ūpoko o Te Ika) Claims Settlement Act 2009
 - ii. Ngāti Toa Rangatira Claims Settlement Act 2014
 - iii. Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017.

Noted
- e. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:
 - i. it is a development project that would have significant regional benefits and because:
 - 1. it will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment with the development of residential dwellings by approximately 162 units
 - 2. it will deliver significant economic benefits by generating approximately \$129.6 million in total gross domestic product (GDP)



over a 5-year development period into the local economy. The project will support approximately 261 full-time equivalent years (FTE years) of employment during the peak development year and approximately 744 FTE years over the 5-year development period. Over the development period, total direct employment will be approximately 352 FTE years, and total indirect/induced employment will be approximately 392 FTE years

- ii. 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 because it precludes public and limited notification in an RMA context and enables multiple approval types under specific Acts to be considered under a singular process, and appeals under the Act are to the High Court and limited to points of law
- iii. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess.

Yes / No

- f. **Agree** there is no reason the project must be declined under section 21(3) of the Act.

Yes / No

- g. **Agree** to accept the referral application under section 21(1)(c) and refer the whole project to the fast-track approvals process under section 26(2)(a) of the Act.

Yes / No

- h. **Agree** to specify Cannon Point Development Limited as the person who is authorised to lodge a substantive application for the project.

Yes / No

- i. **Agree** to specify under section 27(3)(b) of the Act the deadline for lodging the substantive application is two years from the date of the referral notice of decisions letter to the applicant.

Yes / No



- j. **Note** that the Secretary for the Environment must provide your notice of decisions to:
- i. the applicant and anyone invited to comment on the application including relevant local authorities, relevant portfolio Ministers, relevant Māori groups and any additional parties
 - ii. the panel convener
 - iii. the Environmental Protection Authority (EPA)
 - iv. the Department of Conservation as the relevant administering agency
 - v. publish the notice to the Fast-track website.

Noted

- k. **Note** that under section 21 you **must** decline a referral application if:
- i. the application **may not** be accepted under section 21(1) (which relates to the criteria for assessing a referral application in section 22); or
 - ii. you are **satisfied** that the project involves an ineligible activity; or
 - iii. you are **satisfied** that you do not have adequate information to inform your referral decisions.

Noted

- l. **Note** that you **may** decline a referral application for any other reason, whether or not the project meets the criteria in section 22, including (but not limited to) the reasons for decline set out at section 21(5) of the Act.

Noted



m. **Approve** the draft notice of decisions letter to the applicant in Appendix 7.

Yes / No

Signatures

Stephanie Frame
Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis – FTAA–2605–1243

Recommendation	Accept the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Area
	Cannon Point Development (the project)	Cannon Point Development Limited (the applicant)	The project area is approximately 36.99 hectares, located across eight parcels of land, near Tōtara Park, Akatarawa Forest and Haukāretu Stream, in Upper Hutt District, Wellington Region.
Project description	The project is to construct and establish a master-planned residential and commercial development on a project area of approximately 36.99 hectares, located across 8 land parcels near Tōtara Park, Akatarawa Forest and Haukāretu Stream in Upper Hutt, Wellington Region. The project comprises approximately 162 residential lots and two commercial lots with supporting infrastructure including roading, three waters services, stormwater management, and reserves. The applicant seeks the proposed approvals under the fast-track approvals process: a. resource consents (including change or cancellation of a resource consent conditions) under the Resource Management Act 1991 (RMA) b. concessions under the Reserves Act 1977 c. wildlife approvals under the Wildlife Act 1953 d. approvals under the Freshwater Fisheries Regulations 1983.		
Minister invites comments [section 17] and requests information [section 20]	Written comments from invited parties		
	Written comments from the Minister for Economic Growth were received after the specified time frame. You may consider these comments, at your discretion, under section 17(7)(b). All other comments were received within the specified time frame for this application and must be considered. Local authorities <i>Greater Wellington Regional Council (GWRC)</i> – did not oppose referral and commented that: a. the extent to which the project will result in significant regional benefits is uncertain, while the application indicates that there may be economic and housing supply benefits, it is uncertain whether the benefits will be regionally or nationally significant and the project does not appear to deliver any other regionally or nationally significant benefits b. if referred, any future substantive application must demonstrate that the construction and operation of the project will appropriately manage any adverse effects on the environment, including through adherence to the effects management hierarchy c. the project aims to deliver 162 dwellings in a low-density development, however, the project area location has limited existing accessibility to amenities and services, by public and active transport. It is therefore unlikely that the development will contribute to a well-functioning urban environment, as defined under the Act. d. although an independent expert assessment has not been undertaken, the applicant’s economic impact assessment does not account for the wider costs that may arise from the project (for example, costs associated with potential impacts of the project on existing and future public infrastructure and services) and therefore is uncertain whether the overall economic benefits of the project will be regionally or nationally significant e. the project is not identified as a prioritised development in Te Rautaki Whanaketanga ki tua a Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 for the region and is located on the edge of the Upper Hutt urban area and is not identified as a planned greenfield site. f. any substantive application must include a full assessment against the Regional Policy Statement for the Wellington Region (Proposed Change 1 and Variation 1 Appeals Version, September 2025), Natural Resources Plan for the Wellington 2023 (including Plan Change 1 and Variation 1) g. the project does not currently align with the Wellington Regional Land Transport Plan 2021 and it is unclear whether the project is within a walkable catchment under the Wellington Regional Public Transport Plan 2025-2035. h. under section 22(2)(b) – Other Matters: i. the application includes a range of activities within or adjacent to natural inland wetlands. Under Regulation 45C(7) of the National Environmental Standards for Freshwater 2020 (NES-F) resource consent for these activities must not be granted, because the land is located in the General Rural and Rural Lifestyle zones in the operative Upper Hutt City Council District Plan 2004. ii. high-level comments provided by Metlink include that there is a bus route that connects the Tōtara Park area to central Upper Hutt. However, if the closest bus stop to the East Block is not within walking distance, it is likely that residents will use their private vehicles to drive to work or to other activities which will potentially have an impact on congestion on State Highway 2 and the surrounding arterial roads. The development is served by a single-entry point via the existing bridge on State Highway 2. Any substantial increase in vehicle traffic will put additional stress on this infrastructure. We note the Upper Hutt’s park and ride facility is 85% full between 6am to 7am most weekdays, however if this facility required expansion, it is not budgeted for in Metlink’s current Long-Term Plan. i. no existing resource consent applications lodged with GWRC have been identified that would be a competing application if a substantive application were lodged and no existing resource consents on or adjacent to the site of the kind referred to in section 30(3)(a) have been identified where sections 124(1) (c) or 165ZI of the RMA could apply, if the project were to be applied for as a resource consent. We note that GWRC consider there are activities the applicant requires under the NES-F, but also note the applicant is seeking a change or cancel condition of their regional resource consent as part of this project stating it does not cover all requisite consents under the NES-F. We consider this is a matter that a panel is able to request further information on when presented with a comprehensive substantive application, if referred to the fast-track approvals process.		

Upper Hutt City Council (UHCC) – did not oppose referral and commented that:

- a. UHCC does not consider there are any reasons under section 21(5) to decline the application for referral
- b. the applicant has two resource consent applications lodged with UHCC for this proposal. Both applications relate to the east block; one is land use for earthworks and the other is subdivision for residential lots. Both applications are ‘on hold’ for further information requests, and pending the outcome of this process.
- c. there are parcels owned by the council that form part of the project area:
 - i. Lot 301 DP 588162 is a drainage reserve vested to council as part of an earlier stage of the development. Ownership is in the process of being transferred to Tiaki Wai. The intention is for the land to be used for drainage infrastructure, and the council raises no issues in regard to this parcel of land and the project
 - ii. Lot 2 DP 52931 is reserve land for esplanade and river protection. Initial feedback is that a stormwater connection through this land is acceptable. Whether any approvals are required under the Reserves Act will need to be investigated.
 - iii. Lot 6 DP 46315 is a free-hold parcel of land currently owned by UHCC. Council has not decided whether this parcel is to be disposed of, which would be subject to council committee approval and anticipated listing on the general market for sale. The applicant may elect to purchase this land should this occur, but in any case delivery of the project is not contingent on this.
 - iv. Paper road (west block) would need to be closed to facilitate the development in this area and would be subject to a road closure application under the Local Government Act 1974 of the Public Works Act 1981.

We note the applicant is seeking approvals under the Reserves Act 1977 for this project to address item ii. above, that the applicant has provided updated information that the Council has voted to dispose of the freehold parcel at iii. above, and has agreed to a road stopping application for the paper road at iv. above. Also, the applicant retains the ability to provide further analysis on this with a substantive application to assist a panel in understanding any impediments to delivery of the project. In addition, a panel is able to seek further information on this matter when presented with a comprehensive substantive application, if referred to the fast-track process.

Ministers

Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development – commented with support for the application progressing subject to the applicant and the panel having regard to relevant Treaty settlement legislation and instruments; and any feedback received from relevant Māori groups, as set out in the Treaty settlements and other obligations (Section 18) report.

Associate Minister of Housing – did not oppose referral and commented that:

- a. Upper Hutt continues to experience demand for additional housing supply and housing choice. While rental affordability in the city has increased in recent years, it has declined over the medium and long term – reflecting that demand for housing has outpaced supply
- b. the proposal, comprising approximately 162 residential lots and two commercial lots across greenfield blocks, would contribute to housing supply and support local commercial activity in the district
- c. a range of matters may be raised by local authorities and infrastructure providers. These can be considered if the project proceeds to the detailed assessment stage. They may include infrastructure and servicing requirements, transport and accessibility matters, stormwater management, environmental effects, reserve provision, and other site-specific considerations.

Minister for Economic Growth – did not oppose referral and commented that:

- a. this proposal is for a residential and commercial land development on the northern edge of Tōtara Park urban area in Upper Hutt. It would provide 162 dwellings, two commercial areas, open space and reserves, walking and biking paths, ecological restoration, earthworks, and supporting infrastructure including roads, three waters, telecommunications, and electricity
- b. according to the economic assessment prepared for the applicant, the project is estimated to generate \$129.1 million in direct expenditure, excluding land, and contribute approximately \$129.6 million in value-added GDP to the Wellington regional economy over the five-year development period. The assessment also estimates 744 FTE-years of employment over the development period, comprising 352 direct FTE-years and 392 indirect and induced FTE-years. During the peak year of construction total employment will reach 261 FTE that year. The total regional GDP net present value is estimated at \$149.6 million
- c. wider regional benefits may include increased housing supply in upper Hutt and the wider Wellington Region
- d. on balance, the project may have significant regional economic benefits under section 22(2)(a)(iv) of the Act, particularly through the estimated construction and development expenditure regional GDP contribution, and employment supported during the development period
- e. the project may also be considered relevant to section 22(2)(a)(iii), as it would increase housing supply and may contribute to a well-functioning urban environment.

Māori Groups

Rangitāne Tū Mai Rā – commented that:

- a. Cannon Point is outside of the traditional rohe (customary area of interest) of Rangitāne Tū Mai Rā and as such, have no comment to make on the project
- b. engagement anticipated with neighbouring iwi of Taranaki Whānui and Ngāti Toa.

Administering agency

Department of Conservation (DOC) – did not oppose referral and commented that:

- a. no reasons have been identified why the proposal should not be referred
- b. there is no risk or liability to the Crown posed by this application that would not otherwise exist for any project either on or off PCL.
- c. the section 19 report in relation to use of PCL identified are reserves administered by Upper Hutt City Council. The report notes that DOC consulted with UHCC and Tiaki Wai with respect to Lot 301 DP 588162 which is a local purpose (drainage) reserve and states:
 - i. there is no infrastructure on the lot and formal management transfer is yet to occur. Both parties confirmed that management of the reserve currently sits with UHCC. Tiaki Wai considers that UHCC should consult with them regarding any activities or decisions affecting the reserve

- ii. for the purpose of the section 19 report, as UHCC still manages Lot 301 DP 588162, it is determined s5(1)(k) is **not applicable** to the referral application. To this end, no aspect of the project has been identified by DOC as being ineligible
- iii. notwithstanding, the ownership and management status of the reserve is set to change once the transfer process is complete. The Minister may choose to request further information from the applicant with regards to consultation with Tiaki Wai for the works proposed on Lot 301 DP 588162.
- d. the application states approvals are required under the Wildlife Act 1953 for lizards and bats and under the Freshwater Fisheries Regulations 1983 to replace existing culverts and enhance fish passage.
- e. the information is adequate and that no reasons have been identified why the project should be declined.

We do not consider that you require additional information from the applicant regarding consultation with Tiaki Wai. UHCC confirmed the reserve is to be transferred to Tiaki Wai; that there is an existing bond between the Council and developer for the works; and that UHCC has no issues with the parcel of land and the project. We consider a panel can request further information and consider parties to invite to comment when presented with a comprehensive substantive application, if referred to the fast-track approvals process.

Any other persons or groups

Transpower – did not oppose referral and commented that:

- a. the project is in the vicinity of Transpower’s 110kV transmission line (HAY-UHT-A) which is an important link in the National Grid electricity transmission system that traverses through the entire east block, of the project area. The protection of the line will need to be considered in the context of:
- b. proposed buildings, roading, alterations to ground level and construction activity must comply with the mandatory separation distances specified in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34). The heights of some buildings and structures may require restriction.
- c. maintaining suitable access for Transpower to the National Grid line support structures to enable large mobile plant (such as a crane) to operate at the structure for maintenance activities
- d. enabling appropriate landscape and amenity planting controls to avoid negative impacts on the operation of the National Grid, such as controls within the Electricity (Hazards from Trees) Regulations 2003 enables height management of amenity trees through topping or removal of trees. However, a more bespoke approach that limits height by species type and location will maximise amenity outcomes and avoid hazardous and costly maintenance of vegetation height.
- e. the current design reflects the applicant’s engagement and design changes made to respond to Transpower’s interests in protecting the National Grid. We would expect these matters would be addressed as part of the substantive application. Transpower would appreciate the opportunity to comment on any substantive application.

We do not recommend specifying any requirements in your decisions, because a panel can request further information and consider parties to invite to comment when presented with a comprehensive substantive application, if referred to the fast-track approvals process.

NZTA – does not oppose the project being referred and commented that:

- a. the project is expected to increase traffic volumes on the local road network and at the State Highway 2 and Tōtara Park Road intersection, with potential effects extending to the Tōtara Park bridge, California Drive roundabout, and the wider state highway network. The intersection is the only access available to Tōtara Park and is constrained by the width of the bridge with limited space for queuing vehicles at the intersection along the SH2 approaches, meaning waiting vehicles get delayed. Any further development at Tōtara Park will exacerbate existing delays and has the potential to exceed the queue capacity of the lanes. Delays lead to driver frustration and may lead to drivers running amber and red signals and can increase rear end collisions.
- b. engagement with the applicant and its transport consultants has been ongoing throughout the development of their Fast-track application and feedback has been provided on the modelling and associated transport assessments.

Tiaki Wai (TW) – commented that:

- a. its capacity is as the regional water services provider for water, wastewater and stormwater services, as the potential future owner and operator of vested three waters infrastructure, and as the potential future holder of any operational stormwater discharge consent
- b. overall, the application does not yet provide sufficient information to demonstrate that the proposed development can be appropriately serviced by public three waters infrastructure, or that the proposed stormwater management approach will achieve the required long-term environmental, operational and asset-management outcomes. Several matters are considered fundamental consent-level issues because they may affect the subdivision layout, earthworks, the number of lots able to be delivered, infrastructure ownership, and whether TW can support connection to or vesting of public networks.
- c. for water supply, there are unresolved matters relating to water conservation, updated network modelling, firefighting flows and pressures, and network resilience.
- d. for wastewater, the peak-flow assessment is accepted but the application does not adequately assess the impacts of the increased wastewater volume on the emergency storage requirements at the Tōtara Park wastewater pump station, or potential downstream overflow effects. The proposed Stage 3 wastewater connection through Tulsa Park requires confirmation that the route can be secured and has been accepted by the relevant landowner or reserve authority.
- e. for stormwater, the application does not demonstrate a robust Water Sensitive Design process, accepted Schedule 29 Stormwater Impact Assessment, compliant hydrological control approach, verified rain garden sizing and access, clear ownership and maintenance arrangements, and adequate flood modelling. The application needs to address source-control measures, consent notice requirements, clearwater flow management, Transpower constraints, and compliant stormwater easements with the Regional Standard for Water Services.
- f. these issues need to be resolved before any substantive application proceeds or before consent is granted, otherwise Tiaki Wai may not support connection to the public water or wastewater networks, vesting of relevant public three waters assets, or transfer of any associated operational stormwater discharge consent. Any consent should include conditions and consent notices securing water conservation, on-lot mitigation where required, impervious-area assumptions, non-potable reuse, source-control restrictions, infrastructure design and testing requirements, and long-term operation and maintenance arrangements.

The applicant advises that they are in continuing conversations with the Council and Tiaki Wai about provision of three water infrastructure, and they intend for these matters to be largely resolved before a substantive application is made. Also noting that two stages of this development have already been delivered with mutually acceptable solutions. We do not recommend specifying any requirements in your decisions, because a panel can request further information when presented with a comprehensive substantive application, if referred to the fast-track approvals process.

Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: a. <i>would not occur on identified Māori land, Māori customary land or a Māori reservation</i> – as confirmed by the relevant records of title and consultation with iwi authorities b. <i>would not occur in a customary marine title area or protected customary rights area</i> – and is land-based c. <i>is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit</i> – because it will not occur in the CMA and will not occur in an aquaculture settlement area d. <i>would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A))</i> – because it does not include an access arrangement and would not occur on Schedule 4 land e. <i>would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA</i> – because it will not occur in the CMA f. <i>would not occur on Schedule 4 land</i> – as confirmed by the records of title referred to in the application g. <i>would not occur on a national reserve</i> – as confirmed by the records of title referred to in the application h. <i>would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing</i> – as confirmed by the records of title, applicant’s evidence of consultation and the DOC section 19 report on PCL. i. <i>is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA</i> – and as no such activities are proposed j. <i>is not for the purpose of an offshore renewable energy project</i> – and as no such activities are proposed. No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.
Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider you have adequate information to inform your decisions on the referral application.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	We have not identified any matters under section 16 of the Act that apply to your consideration of the referral application.
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	You <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)] No GPS has been identified by the applicant as being relevant to the application. You <u>may</u> consider any of the following matters, or any other matters you consider relevant: <i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020) [s22(2)(a)(iii)]</i> The applicant considers the project will achieve this by delivering 162 dwelling units and 2 commercial lots of the master-planned development (the applicant has completed stages 1 and 2) and by being adjacent to an established urban environment (Totara Park). In addition, the project will be serviced by multiple transport modes, incorporate walking and cycling infrastructure, include a small commercial precinct, and provide a diverse mix of dwelling typologies to serve a wider demographic and range of housing needs. The applicant states this project “would rank among the most significant residential developments in Wellington Region” and contribute a portion of the identified realisable housing capacity identified in the Wairarapa-Wellington Horowhenua Region - Housing and Business Development Capacity Assessment (2023). We consider the project will increase the supply of housing which <u>satisfies the criterion</u> and recommend that you can refer the project on this basis. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant states the project will achieve this by supporting regional employment and improving labour utilisation across the construction sector and supporting industries. In addition, the project will generate approximately 261 full-time equivalent years (FTE years) of employment during the peak development year and approximately 744 FTE years over the 5-year development period. Over the development period, total direct employment will be approximately 352 FTE years, and total indirect/induced employment will be approximately 392 FTE years. The applicant expects the project will deliver approximately \$129.6 million in total GDP over a 5-year development period into the local economy. GWRC consider the extent to which the project will deliver significant regional benefits is uncertain. The Minister for Economic Growth considers wider regional benefits may include increased housing supply in Upper Hutt and the wider Wellington Region, and that on balance, the project may have significant regional economic benefits under section 22(2)(a)(iv) of the Act, particularly through the estimated construction and development expenditure regional GDP contribution, and employment supported during the development period. We consider the project will deliver significant economic benefits to the region particularly in the construction phase and <u>satisfies the criterion</u>. We consider you can refer the project on this basis. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The application recognises the site is zoned rural lifestyle, open space, and general rural, and that the density of the Project is not anticipated by those zones, and to that extent it is not consistent with the operative District Plan. The application notes this is not a barrier to referral.

	GWRC consider the project to be inconsistent with several planning documents, commenting that the project is not identified as a prioritised development in Te Rautaki Whanaketanga ki tua a Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 for the region, and is not identified as a planned greenfield site. Also that, the project does not currently align with the Wellington Regional Land Transport Plan 2021 and it is unclear whether the project is within a walkable catchment under the Wellington Regional Public Transport Plan 2025-2035. We consider that at this high-level stage of consideration it is not sufficiently clear if the project is consistent with the full range of planning documents and as such does not satisfy the criterion. We do not recommend that you refer the project on this basis. We note the applicant retains the ability to provide further analysis on this, that a panel is able to consider when presented with a substantive application, if referred to the fast-track process. Conclusion Overall, we consider the project is a development project that would have significant regional benefits aligned with the criteria for accepting a referral application under section 22(1)(a) of the Act. If you agree with this recommendation and are satisfied the project satisfies the criteria in section 22, you may accept the referral application and refer the project to the fast-track approvals process in accordance with section 26 of the Act.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers referral of the project will facilitate an efficient and timely consenting pathway, while reducing unnecessary process duplication and associated costs. The applicant states has been actively seeking to develop the project area since early 2020 and has attempted to progress it through a range of RMA planning pathways with the regional and city councils (including in anticipation of Upper Hutt City Council's previous Plan Change 50 which was withdrawn in December 2025 due to the 'Plan Stop' RMA changes). The applicant considers that continuing to pursue consents under the RMA 1991 would take a further two years or more to obtain a final decision accounting for public notification, hearings, and likely Environment Court appeal processes. The applicant states the fast-track pathway is materially more cost-effective than pursuing separate RMA consents and a private plan change. We agree with the applicant's assessment that the fast-track approvals process would facilitate the project and provide a timely consenting pathway because notification is precluded and appeal rights are limited. We recommend the project satisfies the criterion and that you can refer the project on this basis. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states the project is a discrete, well-defined residential and infrastructure development of moderate scale relative to other projects already referred under the Act or listed in Schedule 2 of the Act. In addition, the technical assessments are at an advanced stage, the project team is experienced with fast-track consenting, the consenting issues have been clearly identified through the prior RMA work, and the effects associated with the project are typical for a proposal of this scale. The applicant states the referral is unlikely to place a disproportionate demand on the EPA or an appointed panel, or to materially affect the efficient operation of the fast-track approvals process. We consider the project is consistent with regionally significant developments the fast-track approvals process was established for, noting the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess. We recommend the project satisfies the criterion and that you can refer the project on this basis.
Reasons to decline	
Minister must decline [section 21(3)]	You must decline a referral application if: <i>the application may not be accepted under subsection 1 (meets referral criteria)</i> – We consider the project meets the referral criteria. <i>the Minister is satisfied the project involves an ineligible activity</i> – We have not identified any ineligible activities included in the project scope. <i>the Minister considers that they do not have adequate information to inform the decision under this section</i> – We consider you have adequate information to inform your referral decisions. Overall, we do not consider that you must decline the application under this section.
Minister may decline [section 21(4) and 21(5)(a-h)]	You may decline a referral application for any other reason, whether or not it meets the criteria in section 22. Reasons to decline a referral application under section 21 subsection 4 include, without limitation: <i>the project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i> – No inconsistencies have been identified, including within the section 18 Treaty report or from Māori groups invited to comment. <i>it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> – No reports or comments received have indicated this is the case. <i>the project may have significant adverse effects on the environment</i> – No comments indicated that the project would have adverse effects significant enough to decline to refer the project. We note these are matters that a panel is able to consider when presented with a comprehensive substantive application, if referred to the fast-track process. <i>the applicant has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> – No such history has been noted. <i>the project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> – No such land has been identified. <i>the project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> – No reports or comments received have indicated any such activity. <i>a substantive application for the project would have one or more competing applications</i> – No competing applications have been identified at this stage. We note the EPA is required to check prior to providing a substantive application to the panel convener. <i>in relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i> – No such resource consents have been identified, including by the applicant and relevant local authorities.

Overall, we do not recommend that you decline the application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.