

Department of Conservation FTAA section 34 (completeness) check for a land exchange application (listed project)

1. Introduction

Winstone Aggregates lodged an application for a land exchange as a listed project under the Fast-track Approvals Act 2024 (the Act) relating to the Belmont Quarry Development project with the Department of Conservation on 10 December 2025. The Environmental Protection Authority confirmed the relevant payment had been made, in accordance with s 33(3) of the Act on 8 December 2025.

In accordance with s 34, the Director-General of Conservation (D-G) must decide whether the application is complete and within scope. Statutory delegations are in place for the Department of Conservation (DOC) to make this assessment on behalf of the D-G. The determination is due 21 January 2026.

2. Decision on compliance

Having considered all the matters required under section 34(2) of the Act, DOC has determined that the land exchange application in relation to Belmont Quarry Development complies with section 34(2) of the Act. The table below provides an overview of the assessment and where in the report the full details are included.

Requirement	Met?	Report section
Application complies with s 33(1)	Yes	Section 4
Application relates solely to a listed or a referred project	Yes	Section 3
Any fee, charge, or levy payable under regulations is paid	Yes	Section 1

3. Scope

Section 34(2)(a)(ii) requires that a land exchange application must relate solely to a listed project or a referred project.

Schedule 2 of the Act includes the following listed project:

Authorised person	Project name	Project description	Approximate geographical location
Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)	Belmont Quarry Development	Establish a new overburden disposal area adjacent to the existing quarry to enable the extraction of approximately 20 million cubic metres of aggregate, including land exchange with the Department of Conservation, earthworks, and establishing new access roads	541 Hebden Crescent, Belmont, Lower Hutt

The application is for a land exchange at the above approximate location. DOC considers the proposed application relates solely to the listed project as described above.

4. Section 33(1) requirements

Section 33(1) identifies the information that must be included within a land exchange application for a listed project.

Relevant section	Commentary
<i>Before lodging the substantive application, the authorised person for the project must lodge with the Director-General of Conservation a land exchange application that consists of—</i>	
(a) <i>the information set out in clause 24 of Schedule 6</i>	Refer to section 5 of this report
(b) <i>the information relevant to the land exchange that—</i> (i) <i>in the case of a listed project, is required under section 43(2)</i>	Refer to section 6 of this report

5. Clause 24, Schedule 6 requirements

Section 33(1) stipulates that a land exchange application must include the information set out in clause 24 of Schedule 6.

Relevant section	Comments
<i>The information provided for the purposes of section 33 must include—</i>	
(a) <i>an assessment of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate</i>	Land exchange report (LER), pages 52-81. Ecology – Appendix B1, B2, B3. Recreation – Appendix B4. Heritage – Appendix B5, B7.

Freshwater – Appendix B1 (Section 8), Appendix B9.

DOC considers the application sufficiently addresses conservation values in terms of ecology, freshwater, recreation, and heritage.

While DOC considers the application is complete, there are areas where further information will assist with later decisions on the land exchange. These are outlined below:

- Bird bioacoustic recorders not analysed for AR4 (OBDA site). (Appendix B1, page 66)
 - Table 10 – no data in AR4 column; when visiting a site and detecting birds, it doesn't say which block the birds were in. (Appendix B1)
 - There is no habitat quality assessment for Lizards in the Southern Gully block (Appendix B1, Figure 46)
 - It is difficult to discern colour within the 'star' symbol to know which species it refers to (Appendix B1 - Appendix 6, Map 4)
 - Dabchick and fernbird have the same symbol in map legend and unable to discern what the white cross symbol on the map is. (Appendix B1 – Appendix 6, Map 3)
 - Only lists biodiversity components of DOC value analysis, not the full process. (Appendix B1 – Appendix 7)
 - Appears to be a line missing at end of overall reduction list (Appendix B1 – page 27)
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<p>(b) <i>details of any improvement work to be done to provide a net conservation benefit, including how any money to be provided for improvements to the land could be spent</i></p>	<p>LER, Section 10, page 77-81.</p> <p>DOC considers the application sufficiently details improvement works to provide a net conservation benefit.</p> <p>However, the information included is lacking detail when it comes to planting. For example, pages 77-81 of the LER mentions planting without mentioning the source of the plants. It also mentions the transfer of seedlings without clear methods for a successful transfer.</p> <p>There are no enhancements/improvement works proposed for the waterways. The proposed improvements are limited to terrestrial values i.e. vegetation, birds, predatory control (Appendix B1, Section 10).</p>
<p>(c) <i>any proposals to address impacts on existing users of the land to be disposed of by the Crown, such as proposed easements where access to private land or a culturally significant site is via the Crown land that will become private land:</i></p>	<p>LER sections 7.32-7.41, Appendix B4, Appendix B10.</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(d) <i>information about financial and legal liabilities and obligations associated with the land to be acquired by the Crown:</i></p>	<p>LER section 12</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(e) <i>if the land exchange would trigger a right of first refusal or a right of offer or return, a copy of the written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purpose of the land exchange:</i></p>	<p>The Applicant states this is not applicable to the proposed exchange land (LER section 14.16 – page 98).</p> <p>DOC agrees with this position.</p>
<p>(f) <i>full details of any consultation undertaken by the applicant with relevant iwi, and any others with rights or interests in the land to be exchanged by the Crown.</i></p>	<p>Appendix C1 Consultation Report</p> <p>Applicant has provided evidence of consultation with the following:</p> <p>Relevant local authorities:</p> <ul style="list-style-type: none"> • Greater Wellington Regional Council (section 2.7-2.12, Appendix D1) • Hutt City Council (section 2.15-2.18, Appendix D2) <p>The iwi authorities and Treaty settlements entities relevant to the application include:</p>



- The Port Nicholson block (Taranaki Whānui ki te Upoko o Te Ika) (section 3.3- 3.7, Appendix B7)
- Ngāti Toa Rangatira (3.9-3.11, letter at Appendix D4)
- Te Āti Awa (section 3.3- 3.7, Appendix B7)
- Muaūpoko (3.15-3.17, Appendix D6)
- Rangitāne o Wairarapa and Rangitāne o Tāmaki nui-ā-Rua (3.12-3.14, Appendix D5).

DOC: 4.1-4.4

Heritage NZ Pouhere Taonga: 4.5-4.7, Appendix D23

Queen Elizabeth The Second National Trust: 5.6-5.13, Appendix D9

Transpower: 5.15-5.18, Appendix D10

Kainga Ora: 6.2-6.3, Appendix D14

Friends of Belmont Regional Park: 6.5-6.7, Appendix D15

Pareraho Forest Trust: 6.9, Appendix D17, will be represented by Friends of Belmont Regional Park

Kelson Community Centre: 6.8, Appendix D16

Adjacent landowners at 87B Kaitangata, 89 Kaitangata, 104 Kaitangata, 180 Kaitangata, 184 Liverton Road, 198 Liverton Road, 200 Liverton Road and 174 Liverton Road: 6.11-6.14

NZ Transport Agency: 6.17-6.19, Appendix D18

New Zealand Conservation Authority: 6.20-6.22

Wellington Conservation Board: 6.23-6.24, Appendix D20



	<p>New Zealand Fish and Game Council: 6.25-6.27, Appendix D21</p> <p>The Game Animal Council: 6.28-6.30, Appendix D22</p> <p>Appendix C.02 Consultation summary</p> <p>Appendix C.03 Consultation – issues and responses</p> <p>DOC considers the application information is present in sufficient detail.</p>
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6. Section 43(2) requirements

Section 33(1) sets out that a land exchange application for a listed project must include information relevant to the land exchange that is required under section 43(2). The information required by section 43(2) is that required by section 13(4) (other than section 13(4)(b), (f)(ii) and (iii), and (g)), which applies—

- (a) as if the reference in section 13(4)(k) to section 11 were a reference to section 29; and
- (b) as if the reference in clause 2 of Schedule 11 to section 12(2) were a reference to section 29; and
- (c) with any other necessary modifications.

Relevant section	Comments
<i>The information required by section 13(4) provided for the purposes of section 33 must include—</i>	
<i>(a) a description of the project and the activities it involves</i>	LER, page 4, 6, Section 6.0 (pages 30-32). DOC considers the application information is present in sufficient detail.
<i>(c) information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)</i>	LER, page 98, 100, 110. DOC considers the application information is present in sufficient detail.
<i>(d) a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application</i>	LER, page 31 Appendix B10a Survey plan Appendix B8a Landscape Assessment appendix

Relevant section	Comments
	DOC considers the application information is present in sufficient detail.
(e) <i>the anticipated commencement and completion dates for construction activities (where relevant)</i>	LER, pages 31-32 DOC considers the application could include more detail of the timeframes of potential construction activities planned for the project. However, the construction is more applicable to the substantive application and therefore DOC believes the application information is sufficient at this stage.
(f) <i>a statement of whether the project is planned to proceed in stages and, if so, an outline of the nature and timing of the stages</i>	LER, page 31-32 DOC considers the application information is present in sufficient detail.
(h) <i>a description of the anticipated and known adverse effects of the project on the environment</i>	LER, summary at pages 82-83 Appendix B4 Recreation assessment, page 13 DOC considers the assessments in the appendices below of the values and effects are assessed in sufficient detail. <ul style="list-style-type: none"> • Appendix B1 Ecological assessment, page 91 • Appendix B6a Landscape Assessment, pages 12-25 • Appendix B7 Cultural Values Assessment, pages 10-16 • Appendix B8 Economic Assessment, pages 20-26 • Appendix B9 Hydrology Assessment, pages 24-26
(i) <i>a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991</i>	LER, summary at pages 98-99. DOC considers the application information is present in sufficient detail.
(j) <i>a list of the persons and groups the applicant considers are likely to be affected by the project, including—</i> (i) <i>relevant local authorities</i> (ii) <i>iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements</i>	LER, summary at pages 37-46. DOC considers the application information is present in sufficient detail.



Relevant section	Comments
<p>(iii) other relevant iwi authorities</p> <p>(iv) relevant Treaty settlement entities</p> <p>(v) relevant protected customary rights groups and customary marine title groups</p> <p>(vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou</p> <p>(vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011</p> <p>(viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981</p>	
<p>(k) a summary of—</p> <p>(i) the consultation undertaken for the purposes of [section 29] and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and</p> <p>(ii) how the consultation has informed the project</p>	<p>LER, summary at pages 47-51</p> <p>Appendix C1 Consultation Report</p> <p>Appendix C3 Issues and Responses</p> <p>Appendix C4 Design responses in response to feedback</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(l) a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements</p>	<p>Appendix B7 Cultural Values Assessment, page 9</p> <p>Land exchange report, Wikaira Consulting, 7 December 2025, pages 40-41</p> <p>DOC considers the application sufficiently addresses the provisions of applicable Treaty settlements. The application appears to not include a summary of relevant principles which would assist later decisions on the land exchange.</p>
<p>(m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project</p>	<p>N/A – PWA not relevant to this application (LER, page 100).</p>
<p>(n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019</p>	<p>N/A</p>



Relevant section	Comments
<p>(o) <i>information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area</i></p>	<p>LER, page 100 states “The proposal does not relate to linear infrastructure nor involve Māori land.”</p> <p>Appendix B7 Cultural Values Assessment – pages 9-14</p> <p>DOC considers the application contains sufficient detail on this section to comply with completeness.</p> <p>DOC requests that further information is provided to allow further analysis of the application at the report stage. For example:</p> <ul style="list-style-type: none"> • clear information on the different land parcels; • A statement on if any wāhi tapu are within the project area; • which land is held by Māori and in what capacity. This information should be included for the project area and the adjacent land.
<p>(p) <i>a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land</i></p>	<p>LER, page 100 DOC considers the application information is present in sufficient detail.</p>
<p>(q) <i>a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—</i></p> <p>(i) <i>the scale and adverse effects of the existing electricity infrastructure; and</i></p> <p>(ii) <i>how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure</i></p>	<p>LER, page 100 DOC considers the application information is present in sufficient detail.</p>
<p>(r) <i>a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—</i></p> <p>(i) <i>a description of every alternative site considered by the applicant (or, if the [land exchange] application is lodged by more than 1 person, any of those persons) for the construction and</i></p>	<p>LER, page 100 DOC considers the application information is present in sufficient detail.</p>



Relevant section	Comments
<p><i>operation of the new electricity lines (the activity); and</i></p> <p>(ii) <i>for each alternative site considered,—</i></p> <p>(A) <i>a statement of the anticipated and known financial cost of undertaking the activity; and</i></p> <p>(B) <i>a description of the anticipated and known adverse effects of undertaking the activity; and</i></p> <p>(C) <i>a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and</i></p> <p>(D) <i>a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and</i></p> <p>(E) <i>an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in sub subparagraphs (A) to (D) and any other relevant matters</i></p>	
<p>(s) <i>a description of the applicant’s legal interest (if any), or if the [land exchange] application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant’s ability to undertake the work</i></p>	<p>LER, pages 37-39</p> <p>Appendix B10b Survey Memo DOC considers the application information is present in sufficient detail.</p>
<p>(t) <i>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</i></p>	<p>LER, pages 32-36</p> <p>Page 47 also states GWRC has also agreed to amend the extent of its designation over the regional park to remove the DOC-Give land, in the event the land exchange is approved.</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(u) <i>whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,—</i></p>	<p>LER, pages 95-97</p> <p>DOC considers the application information is present in sufficient detail.</p>



Relevant section	Comments
<p>(i) <i>if an application has been made, details of the application</i></p> <p>(ii) <i>if a decision has been made, the outcome of the decision and the reasons for it</i></p>	
<p>(v) <i>a description of whether and how the project would be affected by climate change and natural hazards</i></p>	<p>Appendix B14 Flood and Climate Change Risk Assessment</p> <p>LER, pages 87-88</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(w) <i>if the [land exchange] application is lodged by more than 1 person, a statement of each proposed approval to be held by each of those persons</i></p>	N/A
<p>(x) <i>a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act</i></p>	<p>LER, page 97</p> <p>DOC considers the application information is present in sufficient detail.</p>
<p>(y) <i>if the proposed approvals include an approval described in section 42(4)(f) (land exchange), the information specified in clause 23 of Schedule 6</i></p>	Refer to section 7 of this report

7. Clause 23, Schedule 6 requirements

Section 13(4)(y)(v) sets out that an application for an approval described in section 42(4)(f) (land exchange) must include the information specified in clause 23 of Schedule 6.

Relevant section	Comments
<i>The information required to be provided under section 13(4)(y)(v) is-</i>	
<p>(a) <i>a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible)</i></p>	<p>LER, page 31</p> <p>Appendix B10a Survey plan</p> <p>Appendix B8a Landscape Assessment</p>
<p>(b) <i>the financial value of the land proposed to be acquired by the Crown</i></p>	Appendix B11 Valuation Report
<p>(c) <i>a brief description of the conservation values of both pieces of land, including an</i></p>	Appendix B1 Ecological assessment

<i>explanation of why the exchange would benefit the conservation estate</i>	
(d) <i>if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant¹ has written agreement from the holder of the right of first refusal or right of offer to return to waive that right for the purpose of the land exchange</i>	LER, pages 98, 100, 106, 108, 109 “The proposed exchange would not trigger a right of first refusal or a right of offer or return under applicable Treaty Settlement legislation.” (page 98)
(e) <i>confirmation by the applicant that no part of any land to be exchange by the Crown is-</i> (i) <i>land listed in schedule 4; or</i> (ii) <i>a reserve declared to be a national reserve under section 13 of the Reserves Act 1977</i>	LER, pages 100 and 109

¹ Clause 23(2) requires that if the substantive application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(d) must be read as a reference to the person who is to be identified in the application as the person proposed to exchange land.

