

Before the Panel Convener

FTAA-2505-1057

Under	Fast-track Approvals Act 2024
In the matter of	Pound Road Industrial Development
Between	NTP DEVELOPMENT HOLDINGS LIMITED
	Applicant

Memorandum of Counsel regarding Minute 1 of the Panel Convener

Date: 05/09/2025

Applicant's solicitors:

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May it please the Panel Convener

- 1 This memorandum is provided on behalf of NTP Development Holdings Limited (*Applicant*) in response to the Minute 1 of the Panel Convener regarding the Convener's conference for the Pound Road Industrial Development (*Application*) under the Fast-track Approvals Act 2024 (*FTAA* or *Act*).
- 2 This memorandum addresses the issues listed in Schedules 1 and 2 of the Minute.

Approvals

- 3 The Application seeks approvals to develop a 60.4-hectare industrial subdivision at 173 and 111 Pound Road, 570 and 578 Waterloo Road, 2, 38, 64, 86 and 94 Barbers Road and 4, 22, 30, 40 and 48 Hasketts Road.
- 4 The proposed development will deliver 74 freehold industrial lots, with infrastructure such as roads, three-waters utilities, and landscaping. This will provide for its subsequent development for industrial businesses that would be permitted in the Christchurch District Plan's Industrial General zones.
- 5 The application seeks the following approvals under s 42(4)(a) (resource consents that would have otherwise been applied for under the Resource Management Act 1991 (RMA)) and s 42(4)(h) (wildlife approvals as defined in clause 1 of Schedule 7) of the Act.
 - (a) **Subdivision consent:** For 74 industrial lots and infrastructures / service lots (a noncomplying activity).
 - (b) **Land use consent:** For future industrial activities, buildings and site improvements (a noncomplying activity).
 - (c) **Section 15 Discharge permit:** For the discharge of construction and operational phase stormwater (construction phase will discharge to ground, operational phase from discharge of roof for the 74 lots) (a non-complying activity).
 - (d) **Section 14 Water permit:** For the non-consumptive take of water from an artificial watercourse and discharge of that water back into the same watercourse (as part of the damming to install a culvert) (a restricted discretionary activity).

- (e) **Section 9 Land-use consent:** To undertake earthworks over an aquifer and within riparian margins (including vegetation clearance) (a restricted discretionary activity).
- (f) **Wildlife Permit:** To authorise the trapping, salvage and relocation of native lizards

Complexity

- 6 While the reports supporting the Application are extensive and includes material which is technical in nature, we understand that the Application does not present any evidential, or factual issues that are particularly complex or novel, which would significantly extend the decision-making timeframe.
- 7 It is expected that the Applicant and the local and administering agencies will be largely in agreement on evidentiary and factual matters. However, there may be some differences of opinion relating to the issues identified below.

Legal/Planning

- 8 The Applicant has identified the following planning/legal issue that may arise relating to the interpretation of the:
 - (a) National Policy Statement on Highly Productive Land 2022 (*NPS-HPL*); and
 - (b) 'urban environment' for the purpose of the National Policy Statement on Urban Development 2022
- 9 We understand that this issue is also being determined in the context of other Fast-track applications. If required, the Applicant considers that this issue can be appropriately addressed through expert planning conferencing or written submissions. We note that neither CCC nor ECan have indicated that these matters would have a significant impact on the proposal.

Issues

- 10 Since lodging the Application, the Applicant has engaged in constructive and ongoing discussions with representatives from Environment Canterbury (*ECan*) and Christchurch City Council (*CCC*).
- 11 A summary of the key issues identified through this consultation is provided below. It is our understanding that there is general alignment on the potential issues that may arise through the fast-track process.

CCC

- 12 The key issues raised by CCC relate to:
- (a) Urban design and landscaping;
 - (b) Infrastructure (Wastewater and water supply); and
 - (c) Suitability of lizard relocation sites.
- 13 CCC have also asked the Applicant to provide more information on:
- (a) Boundary interfaces with adjoining landowners;
 - (b) Potential impacts on invertebrates;
 - (c) The acceptability of updated conditions relating to Bird management and bird strike;
 - (d) Minor details relating to works within the waterway; and
 - (e) The acceptability of minor updates to conditions relating to the management of contamination.
- 14 The Applicant is currently working to compile and provide the requested information. These matters are not considered to be significant or complex and are not expected to delay the fast-track process. It is expected that most of these matters will be able to be resolved through refinements to the consent conditions.
- 15 The Applicant remains committed to ongoing engagement with CCC to ensure that all concerns are appropriately addressed in a timely and collaborative manner.

Urban Design and Landscaping

- 16 With regards to urban design and landscaping, the Applicant has received comments from CCC regarding the Urban Design and Visual Assessment submitted with the Application. While some differences in opinion have been identified, the Applicant is actively working through these matters.

Infrastructure

- 17 On 22 August 2025, the Applicant met with CCC to discuss concerns relating to wastewater and water supply infrastructure. CCC's concerns primarily relate to the servicing of out-of-sequence infrastructure that is not currently planned or budgeted for in the Long-Term Plan. The Applicant is

assessing the feasibility of various options in consultation with its engineering team and anticipates that these matters can be resolved through continued engagement with CCC.

Lizard Relocation sites

- 18 CCC has advised the Applicant to reconsider alternative lizard relocation sites, noting that the Templeton Golf Course (which was identified as a potential relocation site in the Application) is identified as a lizard relocation site for Council's Capital Works programme. The Council (as landowner) is not willing to give the Applicant approval to use it as part of this project.
- 19 Although final arrangements have not yet been confirmed, the Applicant is actively exploring several viable options and remains committed to securing a suitable and ecologically appropriate relocation site. The Applicant is confident that this matter can be readily resolved in a timely manner.
- 20 It is noted that the Applicant's lizard specialist, Wildlands, also holds existing approval from Environment Canterbury (ECan) to use two other nearby sites for lizard relocation.

ECan

- 21 The Applicant met with ECan on 21 August 2025. At that meeting, both parties agreed that most issues appear manageable through continued collaboration and refinement of consent conditions.
- 22 ECan and the Applicant discussed concerns relating to groundwater and contaminated land. However, it was agreed that these issues could likely be resolved through updates to the consent conditions.
- 23 We understand that the only outstanding issues raised by ECan relate to:
 - (a) Cut/fill volumes – ECan noted that the Application currently provides cut/fill volumes for the overall development only, without stage-specific detail. The Applicant has since provided indicative cut/fill estimates for each stage to ECan.
 - (b) Wetland assessment – Access to a part of the site where a potential wetland may be located has not yet been possible due to ownership and farming operations. The Applicant intends to access the site to confirm if there is a wetland present as soon as physically possible. This issue can otherwise be managed through conditions volunteered by the Applicant.

Panel Membership

- 24 The Applicant is not aware of any particular knowledge, skills or expertise required to decide the application under clause 7(1) of Schedule 3 of the Act.

Tikanga

- 25 This is an issue which the Iwi Authorities and Treaty Settlement Entities will address.

Procedural requirements

- 26 The Applicant is willing to participate and engage with the Panel to advance the progress of the Application efficiently (i.e. briefings meetings, conferencing). At this stage, the Applicant considers that most of the issues identified can likely be resolved through expert conferencing on selected issues or topics.

Participants estimated timeframes

- 27 Schedule 2 of the Minute invites parties to set out estimated timeframes.
- 28 The Applicant generally finds the statutory timeframes set out in the Act to be appropriate in the context of this Application.
- 29 The Applicant does not have any additional issues to raise at this time.

Dated this 5 day of September 2025



Jo Appleyard
Counsel for the Applicant