



FTAA-2511-1126: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Powerhouse

Date submitted:	10 April 2026	Tracking #: 26-BRF-00894	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	16 April 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz Approve the attached notice of decisions letter.
Number of appendices: 8	Appendices: 1. Statutory framework for making decisions 2. Application documents for Powerhouse project and further information received 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. Comments received from all parties the Minister sought comments from 7. Further information received post-consultation from the applicant 8. Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Max Gander-Cooper		
Acting Manager	Ben Bunting	s 9(2)(a)	✓
Acting General Manager	Stephanie Frame	s 9(2)(a)	

Project location

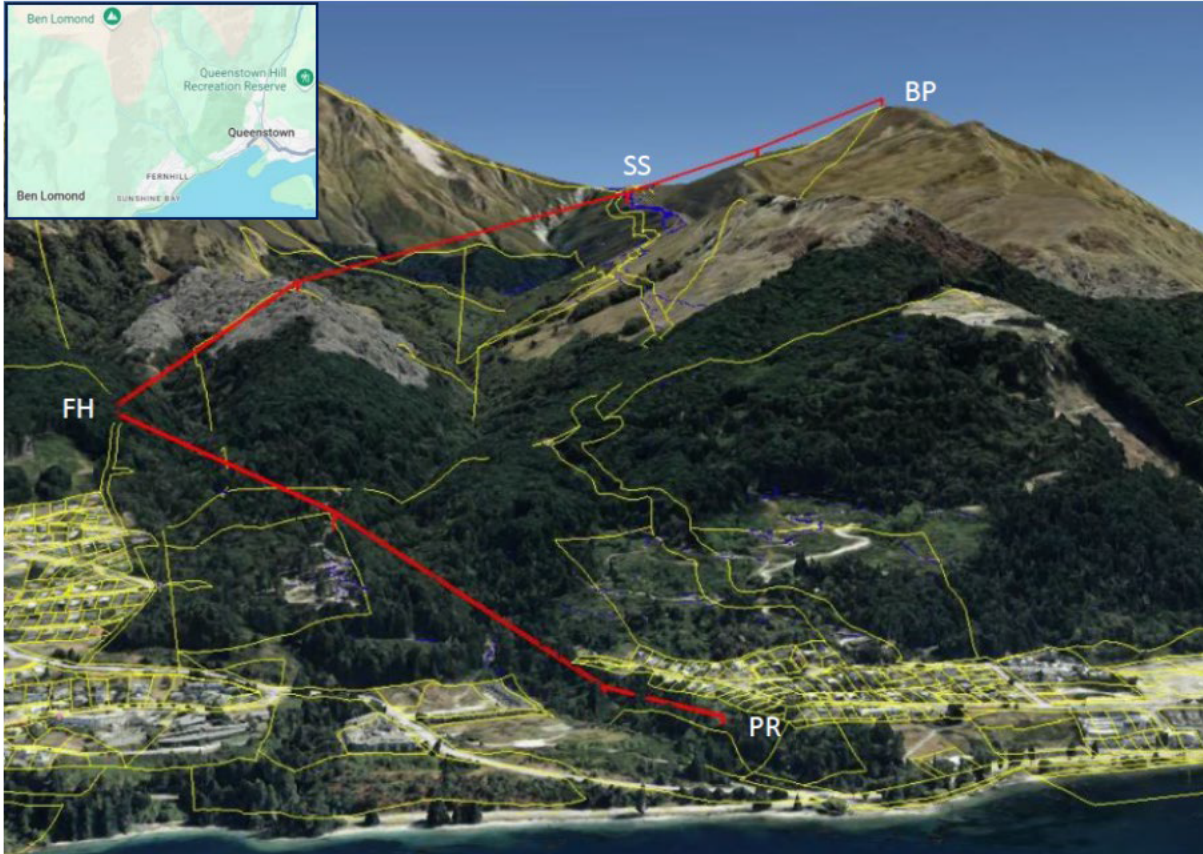


Image 1: 3D view of the proposed aerial ropeway from the Powerhouse Reserve station (PR), to the proposed Fernhill Heights residential development (FH), to the Saddle station (SS) and Bowen Peak (BP)

Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Bowen Peak Limited (the applicant) to refer the Powerhouse (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-00124) with your initial decisions annotated is in Appendix 3.
3. The project is an integrated development to construct and establish a three-stage aerial ropeway network, associated station infrastructure, a residential development, predator free sanctuaries, and tourism activities including a ski field on Bowen Peak, mountain bike park, walking trails, and a retail and hospitality precinct.
4. The project includes:
 - a. three contiguous aerial ropeways, connecting:
 - i. the One Mile Powerhouse Reserve to the Fernhill Heights residential subdivision

- ii. the Fernhill Heights residential subdivision to the Saddle
 - iii. the Saddle to Bowen Peak
 - b. Approximately four station buildings (including retail, hospitality, parking and viewing platforms), aerial ropeway infrastructure, and ancillary development
 - c. a new residential subdivision and development known as Fernhill Heights on a 52-hectare site, including:
 - i. the construction of 175 alpine-style chalets – each chalet will contain a minimum of seven residential apartment units, providing at least 1,333 residential units with a mix of different-sized apartments
 - ii. provision of five per cent of units as affordable housing and fifty per cent for worker accommodation
 - d. new fenced predator-free sanctuaries, including:
 - i. the establishment of the Te Taumata o Hakitekura Predator-free Sanctuary (approximately 290 hectares) located in the upper One Mile and Two Mile Creek catchments
 - ii. the establishment of two sanctuaries within the lower One Mile Reserve (approximately 3 hectares)
 - e. the removal of wilding pines and the planting of native vegetation
 - f. other new tourism activities such as a ski field on Bowen Peak, mountain bike park & walking trails.
5. The applicant is seeking the proposed approvals under specified Acts for the project at the substantive stage:
- a. resource consents under the Resource Management Act 1991 (RMA)
 - b. concessions under the Conservation Act 1987
 - c. approvals/leases under the Reserves Act 1977
 - d. wildlife approvals under the Wildlife Act 1953
 - e. archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014.
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation and on the proposed directions to the applicants, the expert panel and 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 report (in Appendix 5), any comments from invited parties (in Appendix 6), any further information requested from the

applicant, the relevant local authorities, or the relevant administering agencies (in Appendix 7) and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16. 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 meaning you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

10. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. The report identifies Te Rūnanga o Ngāi Tahu, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima, Aukaha, and Te Ao Marama Incorporated as the relevant groups for the project area.
11. The Ngāi Tahu Claims Settlement Act 1998 is the relevant Treaty settlement for the project area. The report does not identify any other obligations such as Mana Whakahono ā Rohe or joint management agreements.
12. The Ngāi Tahu settlement provides for a statutory acknowledgement over Whakatipu-wai-māori/Lake Wakatipu. While the project area is set back a short distance from the lake, the information provided by the applicant suggests that the proposed works may affect the catchments within the project area, which feed into the lake. The report identifies a number of other settlement provisions – including a deed of recognition, taonga species, and a conservation protocol – which do not appear to be directly impacted by the application as it currently stands, but nonetheless underline the traditional connection of Ngāi Tahu with this area and its environment.
13. You received comments on the application from Te Rūnanga o Ngāi Tahu, who do not support the application in its current form. Te Rūnanga o Ngāi Tahu request that you decline it on the basis that it has not met the requirements of the Act, including the consultation undertaken with Te Rūnanga and the relevant Papatipu Rūnanga, and the general information requirements in relation to the potential adverse impacts of the proposal on the Ngāi Tahu settlement (including the statutory acknowledgement over Whakatipu-wai-māori/Lake Wakatipu) and the environment.
14. The Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti support the application for referral, subject to the panel for any substantive application considering whether the proposed activities will have any activities on Lake Wakatipu and Kimiākau/Shotover River, the impact on taonga species, and the wastewater network capacity and any downstream effects on waterways with statutory acknowledgements. The Minister also encourages the applicant to further engage with Te Rūnanga o Ngāi Tahu, to ensure that the application is consistent with the settlement legislation.
15. The report does not identify any matters which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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

16. There are no obligations or other requirements identified in the section 18 report which you or an expert panel must give effect to or comply with.

Section 19 Report in relation to use of public conservation land

17. As the area includes public conservation land (PCL), the Director-General of Conservation has prepared a report (see Appendix 5) which sets out:

- a. The following existing arrangements for the administration, access to, or use of PCL:
 - i. Ben Lomond Reserve – public access is available to and through the reserve, and there are over 70 permits and licence to occupy covering a range of activities. Most apply across multiple locations
 - ii. Queenstown Ben Lomond Commonage Recreation Reserve – includes an informal carpark, public access to and through the reserve, and includes the Wynyard Jump Park which is leased. Administration of the reserve is governed by a Reserve Management Plan, and also includes administration by:
 - (1) Whakatipu Wilding Conifer Group who operate an Adopt-a-Plot to prevent the spread of wilding pines
 - (2) Queenstown Mountain Bike Club who maintain mountain bike trails on the reserve
 - iii. Whakatipu Wildlife Trust who maintain traps and a trapline
 - iv. Ex Sargood Chalet Girl Guide Camp – public access is available to and through the reserve, and it is subject to one concession and one concession application
 - v. Queenstown Water Supply Reserve – administration of the reserve is governed by a Reserve Management Plan, and public access is available to and through the reserve.
- b. The report identifies the following risks and potential liabilities to the Crown:
 - i. potential incompatibilities between extensions to the proposed leases/licences and the obligations of the Ngāi Tahu Claims Settlement Act
 - ii. potential incompatibilities with the Otago Conservation Management Strategy (CMS) which adopts a precautionary approach to new ski field developments, terrain modifications and structures on prominent mountain and ridgeline landscapes
 - iii. the size of any potential bond to mitigate risks to the Crown, and whether this would impact feasibility of the project
 - iv. inherent health and safety liability risk to the Crown for project infrastructure located upon PCL
 - v. the interaction of transmission lines, consented aerial activities such as hang gliding and paragliding and any proposed airspace easements sought by Powerhouse, as well as conflicts with consented activities and easements within QLDC administered PCL
 - vi. the northern portion of the Ben Lomond Scenic Reserve is an Aircraft Access Red Zone in the CMS which prescribes that aircraft landings should not be allowed except for construction, operation and maintenance of equipment.
- c. The report notes that if proposed activities frustrate pre-existing actors operating with lawful authority from carrying out activities on the land, the Crown is exposed to legal, financial and reputational risk. If a legal challenge succeeds against the Crown, the remedies a court may order will vary in accordance with the degree of frustration, the

type of lawful authority the pre-existing actor was operating under and other contextual factors. The report identifies this risk as low.

18. The report did not include any recommendations.

Written comments received

19. Comments were received from Queenstown Lakes District Council (QLDC), Otago Regional Council (ORC), seven Ministers, Heritage New Zealand Pouhere Taonga (HNZPT), Department of Conservation (DOC), and Te Runanga o Ngai Tahu. The key points of relevance to your decisions are summarised in Table A.

20. The key points from the comments are:

- a. the Associate Minister of Transport, Associate Minister of Housing, Minister of Climate Change supported project referral
- b. the Minister for Economic Growth did not specifically support project referral but noted the project would have long-term economic benefits
- c. the Minister for Tourism and Hospitality did not specifically support project referral but noted the project may boost regional tourism activity
- d. the Minister for Regional Development did not specifically support project referral but noted the project would offer significant ongoing regional economic benefit
- e. the Minister for Land information did not comment on suitability for referral but noted the project would require approvals outside the Act for works over lands held under the Crown Pastoral Lease Act 1998 and the Land Act 1948
- f. QLDC did not consider the project would deliver significant regional or national benefits (particularly when delivered over 25 years), and raised concerns about feasibility, infrastructure servicing, natural hazards, adverse environmental effects, and landowner approvals required outside the fast-track process. QLDC identified various reports that should be provided with a substantive application
- g. ORC noted the project area may include natural inland wetlands, which could trigger prohibited activity status under the Regional Plan: Water for Otago, and raised concerns about transport effects (including ability to service the project with public transport), landscape, ecological and hazard effects
- h. HNZPT agreed the project would require an archaeological authority and recommended information that should be provided with a substantive application
- i. DOC did not oppose project referral but noted that the applicant's proposed Licences to Occupy may not be appropriate and if the project is referred the applicant will need to consider a combination of licences, leases and easements. DOC noted the applicant will need to ensure any instruments do not conflict with the Ngai Tahu Claims Settlement Act
- j. the Minister for Arts, Culture and Heritage had no comments on the application
- k. comments were received from Te Runanga o Ngai Tahu and these are set out in paragraph 13.

Further information provided by applicant, relevant local authorities, relevant administering agencies

21. In response to your request for further information under section 20 of the Act the applicant provided further information on whether the stated regional and national housing and economic benefits will be realised at the scale anticipated, given the originally modelled development duration.
22. The applicant confirms that delivering new accommodation for 3000 residents is a regionally significant benefit even over a 20 year delivery period, given Queenstown's permanent population is only 29,000. The applicant also noted the potential that the project could be delivered by approximately 2040 rather than the originally proposed 2053.
23. You must consider all information received within the specified timeframe. We have taken this information into account in our analysis and advice and it is presented in Table A.

Reasons to decline

24. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
25. We do not consider you must decline this application.
26. 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 Appendix 1.
27. Te Runanga o Ngai Tahu, QLDC and ORC all raised concerns about the adverse effects arising from the project, including on cultural values, hazards infrastructure, landscape values, transport. QLDC also raised concerns about project feasibility, and ORC raised concerns about the ability of the project to be serviced by public transport, given the steepness of the residential component.
28. Generally speaking we consider the adverse effects of the project can be considered by an expert panel with the benefit of a full substantive application including an assessment of environmental effects and supporting technical reports.
29. QLDC's concerns regarding the insufficiency of existing infrastructure to service the project, and the project's reliance on infrastructure upgrades which are either unplanned or planned but have no committed funding are significant as they go to the viability of the project.
30. We consider these matters can be addressed by the applicant undertaking meaningful investigation and consultation with the relevant councils, and potentially contributing financially to requisite infrastructure upgrades, in line with the Government's stated position that growth should pay for growth. To enable a panel to consider an application within the short timeframes enabled by the Act, we consider these matter should be resolved as much as possible prior to the applicant lodging a substantive application for the project.
31. We therefore recommend that if you refer the project you direct the applicant to provide:
 - a. a three waters infrastructure assessment, including identification of necessary upgrades to service the project and consideration of how those upgrades will be funded
 - b. an integrated transport assessment, including effects of the project on the local road network, any upgrades to the network required to service the project, and consideration of how those upgrades will be funded.

32. We also note DOC's concerns about the applicant's proposed Licences to Occupy reserve land in the project area. The applicant proposes that the occupation of reserve land would be authorised through a sequence of short-term licences to occupy, totalling 25 years (five years for construction, followed by two 10-year operational licences).
33. This is critical for the project because some of the reserves are subject to a Right of First Refusal (ROFR) in favour of Ngai Tahu, which would be triggered by leases (including renewals) for a total term of more than 50 years. DOC's view is that the applicant's currently drafted licences may be inconsistent with that ROFR.
34. DOC's view is that any lease (or licence that was operating in effect as a lease) would need to accord with the 50 year RFR limits in the Ngai Tahu Claims Settlement Act, and that construction works as well as provisions for the removal of infrastructure and remediation of the land, would need to take place within the 50 year limit.
35. We consider that the applicant can address this through engagement with DOC and Ngai Tahu, and by drafting appropriately worded instruments which do not allow unfettered extensions. We therefore recommend that if you refer the project you require the applicant to provide details of the proposed leases, licences or easements over public conservation land in the project area, and evidence that they are consistent with any ROFRs in the Ngai Tahu Claims Settlement Act.

Reasons to accept

36. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral
37. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
 - a. it is an infrastructure or development project because it includes residential development and the establishment of new rapid transit infrastructure in the form of gondola and funifors
 - b. it would have significant regional or national benefits because it:
 - i. will deliver new regionally significant infrastructure through the construction of a new aerial rapid transit system
 - ii. will increase housing supply through the construction of approximately 1333 new residential units
 - iii. will deliver significant economic benefits by increasing tourism revenue by \$147 million per year and enabling up to 1500 peak season jobs
 - c. 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 enables multiple approvals to be obtained through a single one-stop-shop process, the fast-track process precludes public notification, and appeals are limited to points of law
 - d. it is unlikely to materially affect the efficient operation of the fast-track approvals process because it is an infrastructure and development project which is not beyond the scope of what expert panel members could be expected to assess under the standard process.
38. If you disagree, you must decline the referral application under section 21(3)(a) of the Act.

Conclusions

39. We consider the project meets the section 22 criteria and you may accept the application under section 21 of the Act and refer the whole project to the fast-track approvals process with the specifications outlined below.
40. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:
- a. a deadline of five years from your notice of decisions for lodging the substantive application, to ensure the applicant has sufficient time to obtain necessary approvals outside the fast-track process
 - b. the following information that must be submitted with the substantive application:
 - i. a three waters infrastructure servicing and funding assessment
 - ii. an integrated transport assessment, including details of requisite upgrades and how they will be funded
 - iii. details of the proposed leases, licences or easements over public conservation land, and evidence that they are consistent with any Rights of First Refusal in the Ngai Tahu Claims Settlement Act
 - c. Land Information New Zealand as persons or groups from whom a panel must invite comments from in addition to those specified in section 53, since the project will require their approval outside of the fast-track process

Next steps

41. The Ministry for the Environment (the Ministry) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
42. If you decide to refer the project, the Ministry must also give notice of your decision 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
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies
43. 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 comments received under section 17
 - c. the report obtained under section 18
 - d. if a report was obtained under section 19, that report.
44. We will undertake this action on your behalf.
45. We have attached a notice of decisions letter to the applicant(s) based on our recommendations (refer Appendix 8) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
46. Our recommendations for your decisions follow.

Recommendations

47. 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 Bowen Peak 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 Powerhouse 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:
- i. the application in Appendix 2
 - ii. the report obtained under section 18 in Appendix 4
 - iii. the report obtained under section 19 of the Act (if applicable)
 - iv. any comments and further information sought under sections 17 and 20 and provided within the required timeframe (if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion) in Appendices 6 and 7.

Yes / No

- c. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:
- i. it is a development/infrastructure project that would have significant regional or national benefits because:
 - (1) it would have significant regional or national benefits because it:
 - (a) will deliver new regionally significant infrastructure through the construction of a new aerial rapid transit system
 - (b) will increase housing supply through the construction of approximately 1333 new residential units
 - (c) will deliver significant economic benefits by increasing tourism revenue by \$147 million per year and enabling up to 1500 peak season jobs
 - 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 enables multiple approvals to be obtained through a single one-stop-shop process, the fast-track process precludes public notification, and appeals are limited to points of law
 - iii. it is unlikely to materially affect the efficient operation of the fast-track approvals process because it is an infrastructure and development project which is not beyond the scope of what expert panel members could be expected to assess under the standard process.

Yes / No

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

Yes / No

- e. **Agree** to accept the referral application under section 21(1) and refer all of the project to a panel under section 26(2)

Yes / No

- f. **Agree** to specify Bowen Peak Limited as the person who is authorised to lodge a substantive application for the project

Yes / No

- g. **Agree** to specify under section 27(3)(b) of the Act:

- i. The deadline for lodging the application is five years from the date of your notice of decisions

Yes / No

- ii. The following information that the applicant must submit with the substantive application:

- (1) a three waters infrastructure servicing and funding assessment
- (2) an integrated transport assessment, including details of requisite upgrades and how they will be funded
- (3) details of the proposed leases, licences or easements over public conservation land, and evidence that they are consistent with any Rights of First Refusal in the Ngai Tahu Claims Settlement Act

Yes / No

- iii. The following persons or groups from whom a panel must invite comments in addition to those specified in section 53:

- (1) Land Information New Zealand

Yes / No

- h. **Agree** that the Ministry for the Environment will provide your notice of decisions to:
- i. anyone invited to comment on the application including local authorities and relevant Māori groups
 - ii. the panel convener
 - iii. the Environmental Protection Authority (EPA)
 - iv. The following relevant administering agencies:
 - (1) Department of Conservation
 - (2) Heritage New Zealand Pouhere Taonga

Yes / No

Signatures



Ben Bunting
Acting Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	<u>Accept</u> the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Location
	Powerhouse	Bowen Peak Limited	The project area comprises several sites within the Fernhill, Lake Esplanade, and Ben Lomond area of Queenstown within the Otago region. The project involves both private and public land. Refer to Appendix 25 of the application for a summary of the titles and instruments.
Project description	<p>The project is an integrated development to construct and establish a three-stage aerial ropeway network, associated station infrastructure, a residential development, predator free sanctuaries, and tourism activities including a ski field on Bowen Peak, mountain bike park, walking trails, and a retail and hospitality precinct.</p> <p>The project involves:</p> <ul style="list-style-type: none"> a. three contiguous aerial ropeways, including: <ul style="list-style-type: none"> i. the Powerhouse Gondola (a capacity of 10 passengers per cabin) to connect the One Mile Powerhouse Reserve to the Saddle funifor, which provides access to the proposed Fernhill Heights residential development and the proposed predator-free sanctuary ii. the Saddle Funifor (a capacity of 110 passengers per cabin) to connect to the Fernhill Heights residential development and facilitate access to the proposed tourism activities iii. the Bowen Peak Gondola (a capacity of 10 passengers per cabin) to connect Saddle Station to a viewing platform on Bowen Peak and provide access to a new mountain bike park and ski area b. station buildings, aerial ropeway infrastructure, and ancillary development, including: <ul style="list-style-type: none"> i. Powerhouse Station, being a retail, hospitality, and tourism precinct ii. Fernhill Heights Station, being an integrated retail, hospitality and tourism facility with bus turnaround bay and multi-level carpark iii. Saddle Station, being a two-storey facility with bar/restaurant, retail, guest services, outdoor education rooms, public shelter, and public toilets iv. Bowen Peak Station, being a public viewing platform with shelter and toilets, to provide access to the proposed tourism activities c. a new residential development known as Fernhill Heights on a 52-hectare site, including: <ul style="list-style-type: none"> i. the construction of 175 alpine-style chalets – each chalet will contain either seven or nine residential apartment units, providing a total of 1,333 residential units with a mix of two-, three-, or four-bedroom apartments ii. provision of five per cent of units as affordable housing and fifty per cent for worker accommodation iii. fee simple and unit title subdivision across the residential units d. new fenced predator-free sanctuaries, including: <ul style="list-style-type: none"> i. the establishment of the Te Taumata o Hakitekura Predator-free Sanctuary (approximately 290 hectares) located in the upper One Mile and Two Mile Creek catchments ii. the establishment of two sanctuaries within the lower One Mile Reserve (approximately 3 hectares) iii. the removal of wilding pines and the planting of native vegetation e. other new tourism activities, including: <ul style="list-style-type: none"> i. a ski field on Bowen Peak ii. a mountain bike park and trail iii. walking tracks. <p>The applicant is seeking the proposed approvals under specified Acts for the project at the substantive stage:</p> <ul style="list-style-type: none"> a. resource consents under the Resource Management Act 1991 (RMA) described in section 42(4)(a) of the Fast-track Approvals Act 2024 (the Act) b. concessions under the Conservation Act 1987 described in section 42(4)(e) of the Act c. approvals/leases under the Reserves Act 1977 described in section 42(4)(e) of the Act d. wildlife approvals under the Wildlife Act 1953 described in section 42(4)(h) of the Act e. archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014 described in section 42(4)(i) of the Act. 		
Minister invites comments / requests information	Comments from invited parties		
	<p>Local authorities</p> <p><i>Queenstown Lakes District Council (QLDC)</i></p> <p>QLDC noted the positive aspects of the project include increasing housing supply, ecological restoration and integration of housing, visitor and recreation services.</p> <p>However, QLDC were not able to confirm that, in their view, the project would have significant regional or national benefits, particularly because many of the claimed benefits are not to be realised until the end of the multi-decade staged implementation period (approximately 26 years) . QLDC's key concerns relate to:</p>		

Alignment

There is complete misalignment with QLDC's adopted spatial growth framework. The site is not within an urban area, is not identified as a Priority Development Area, and the proposal represents a departure from consolidated growth principles underpinning the Council Spatial Plan, Infrastructure Strategy and District Plan.

Housing need

The QLDC Housing and Business Development Capacity Assessment 2025 (HBA) notes:

- there is a shortage up to 2026 of 1000 dwellings in the district, constrained by infrastructure not zoning
- in the medium (up to 2033) and long term (up to 2053) the district moves into and maintains a surplus of dwellings.

The implementation programme provided for this development shows housing in the medium term (2030-2053) when the district will be moving into and maintaining a surplus of housing. Any benefit is considered to be moderate rather than transformational. Further a modest 5% of the housing is allocated to the Queenstown Housing Trust, and as worker accommodation is no different to residential use under the District Plan it is complex to enforce and monitor, and therefore not considered to be a benefit in terms of affordable housing options for workers in the district.

Infrastructure

Long-term infrastructure servicing (transport and three waters), maintenance responsibilities and funding pathways remain uncertain:

- the project is reliant on the completion of the remaining stages of the Queenstown Arterial Route to alleviate effects of additional traffic generation. Funding for these remaining stages is not certain, and the applicant is not proposing to fund them for Council
- the site is outside of QLDC's current three waters servicing scheme boundaries and therefore required upgrades within the existing network to accommodate this development are not funded in the Long-Term Plan.

Hazards

The current natural hazard assessment is still preliminary in nature and does not meet the minimum level of investigation expected for a development of this scale and duration. A quantified risk assessment has not been provided, and uncertainty remains regarding landslide, rockfall, debris flow and slope instability exposure, particularly for the Fernhill Heights residential component, calling into question the feasibility of this development. An assessment against the National Policy Statement for Natural Hazards 2025 (NPS-NH) is not included in the application, which is mandatory for a referral application. [**Note:** The application was lodged before the NPS-NH took effect].

Economics

The economic evidence base has not been comprehensively recalibrated to reflect the revised proposal. While regional benefits may be capable of being generated, the magnitude, timing and net contribution of those benefits cannot be robustly determined on the currently available information.

Other approvals

The development relies substantially on reserve land which require landowner approvals outside the jurisdiction of the Act. These landowner approvals for use of public land may require approval by QLDC Full Council (elected members) and public notification processes outside the control of the Act. QLDC will need to comply with its statutory obligations under the Local Government Act.

Adverse effects

The proposal is located almost entirely within an Outstanding Natural Landscape identified through a public RMA process as having extremely limited capacity for urban expansion. The scale of development, extent of earthworks and multi-decade implementation programme introduce potential for significant landscape effects, with serious doubt regarding mitigation outcomes.

The proposal seeks to drastically alter the unique and valued wilderness-like character and recreational experience of One Mile Reserve to establish a more formalised and commercial form of recreation currently only available within the Bob's Peak recreation reserve and Skyline Gondola. Thereby reducing the diversity of the District's valued reserve areas.

QLDC has not identified any competing applications or consents to which sections 124C(1)(c) or 165ZI of the RMA would apply.

QLDC considers the consultation undertaken with them was not satisfactory for the purposes of section 11 of the Act. [**Note:** Officials consider the consultation undertaken was sufficient to meet section 11 of the Act, and made that determination during the completeness check under section 14.]

Officials consider that QLDC's concerns can largely be addressed by a substantive application, but consider you could direct the applicant to provide an integrated transport assessment and a three waters infrastructure and servicing assessment to assist a panel in resolving QLDC's concerns.

Otago Regional Council (ORC)

ORC has not identified any competing applications or consents to which sections 124C(1)(c) or 165ZI of the RMA would apply.

ORC noted various consent requirements for the project. Of particular note is their statement that there are potential consent requirements under the Regional Plan: Water (ORPW) for activities in or near a Regionally Significant Wetland some of which are Non-Complying or Prohibited in the ORPW. ORC have not been able to establish if there are any Natural Inland Wetlands within/near the project envelope, but note that the rules of the NES-Freshwater would also need to be considered if those are present.

ORC identified the following key matters which should be addressed in a substantive application:

- natural hazards
- wetland identification
- transport demand and integration, including public transport servicing
- landscape effects, particularly on an identified Outstanding Natural Landscape

Ministers

Associate Minister of Transport

The Associate Minister supported project referral, and considered the project will provide significant regional benefits, including by supplying needed housing stock in one of the fastest growing regions of New Zealand. This project will provide over 1,300 residential dwellings with half of the units being dedicated for key worker accommodation. It will also provide greater access to world-class tourism offerings which aligns with the government's tourism roadmap. The project will also see the establishment of multiple predator-free sanctuaries for native bird breeding habitats supporting species such as kiwi, takahē and kākāpō.

Minister for Economic Growth

The Minister did not comment on whether the project should be referred but noted a project of this scale will have a substantial input into the regional economy in the short-term. And if successful, the project could have significant ongoing contributions to the tourism industry and to visitor spend in the local economy.

Minister for Tourism and Hospitality

The Minister did not comment on whether the project should be referred but noted the project, if fully realised, may boost regional tourism activity, such as access to viewing platforms and predator free sanctuaries. The development of the Fernhill Heights subdivision would increase the supply of accommodation in Queenstown, which could benefit visitors and the local tourism and hospitality workforce.

Minister of Climate Change

The Minister supported project referral and noted the alignment with the Government's Climate Strategy mitigation and adaptation objectives, particularly through electric transport infrastructure and ecological mitigation.

Minister of Regional Development

The Minister did not comment on whether the project should be referred but noted the project would offer significant ongoing regional economic benefit (noting the assessment is high-level and potentially does not fully capture total regional benefit).

Minister for Land Information

The Minister did not comment on whether the project should be referred, and noted project site will be partially on or adjacent to areas of land administered by the Department of Conservation (DOC). There is also Crown pastoral leasehold land and Crown land either on or near part of the proposed project site. The Crown Pastoral Land Act 1998 and the Land Act 1948 govern applications for works on Crown pastoral leasehold land and Crown land, respectively. The approvals under these Acts sit outside of the fast-track process, and so any works or installation of assets on Crown pastoral leasehold land or Crown land will require a separate application to the Commissioner of Crown Lands in Land Information New Zealand.

Associate Minister of Housing

The Associate Minister did not object to the project being referred and noted:

- Queenstown Lakes is one of the most expensive places in New Zealand to buy or rent a home and this project would support increased supply of market housing, helping to address these pressures
- 5% of the housing would be reserved for affordable housing, and 50% for worker accommodation
- there is very little greenfield capacity in central Queenstown and the project would contribute a significant number of homes in a high-amenity location.

The Associate Minister considered the project would increase the supply of homes, including affordable and worker accommodation, in an area facing significant housing pressure. Any relevant planning, infrastructure and other considerations can be addressed at the next stage should the project be referred.

Minister for Arts, Culture and Heritage

The Minister responded with no comments on the application.

Māori Groups

Te Rūnanga o Ngāi Tahu (TroNT)

TRoNT do not support the application in its current form. TRoNT request that you decline it on the basis that it has not met the requirements of the Act, including the consultation undertaken with Te Rūnanga and the relevant Papatipu Rūnanga, and the general information requirements in relation to the potential adverse impacts of the proposal on the Ngāi Tahu settlement (including the statutory acknowledgement over Whakatipu-wai-māori/Lake Wakatipu) and the environment. **[Note:** The applicant has provided a copy of the application to TroNT and provided them time to comment].

Administering agencies

DOC

DOC did not oppose project referral, and had the following general feedback:

- no ineligible activities have been identified
- there is adequate information available to support your decision
- the proposed Licences to Occupy are not suitable mechanisms to manage ownership of all public conservation land (PCL) in the project area, and the applicant will need to consider licences, leases and easements, and whether these are consistent with the Ngāi Tahu Claims Settlement Act
- there is no reason why the project should be dealt with under another Act or Acts
- effects relating to conservation approvals can be managed by conditions
- the applicant does not have a poor compliance history
- no competing applications have been identified
- referring the project would be more efficient than using standard processes
- the project may require freshwater fisheries approvals but these would be able to be obtained outside the fast-track process.

Heritage New Zealand Pouhere Taonga (HNZPT)

HNZPT stated that it has not been consulted about the project. **[Note:** the application details meetings between the applicant and HNZPT officials, it may be that different individuals were consulted and responded to this request for comment.]

	<p>HNZPT noted the project would likely affect identified archaeological sites and Wāhi Tūpuna, and that an archaeological authority would be required. HNZPT considered effects could be dealt with by way of conditions.</p> <p>Further information from applicant</p> <p>The applicant</p> <p>The applicant has provided further information on whether the regional or national housing and economic benefits of the project will be realised at the scale anticipated, given the proposed 26-year delivery period.</p> <p>The applicant has provided further economic modelling to confirm that, given the permanent population of Queenstown being approximately 29000, the provision of housing for approximately 3000 people is significant even if delivered over a long timeframe. The applicant also updated their construction estimates, stating the project could be completed by 2040 rather than 2053.</p>
<p>The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]</p>	<p>We consider you can be satisfied that the project does not involve an ineligible activity because it:</p> <ul style="list-style-type: none"> • would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title and consultation with iwi authorities. • would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area (CMA) • 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 because it will not occur in the CMA • would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement • would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA • would not occur on Schedule 4 land as confirmed by the records of title • would not occur on a national reserve as confirmed by the records of title • 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 <<as confirmed by the record of title • is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA as it does not involve decommissioning or relevant activities under sections 15B or 15C of the RMA • is not for the purpose of an offshore renewable energy project because it will not occur offshore. <p>No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.</p>
<p>The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]</p>	<p>We consider you have sufficient information to inform your decision.</p>
<p>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]</p>	<p>N/A</p>
<p>Report in relation to the use of public conservation land [section 19]</p>	<p>The section 19 report prepared for this application identifies four parcels of PCL:</p> <ul style="list-style-type: none"> • Ben Lomond Scenic Reserve – managed by DOC • Sargood Chalet Girl Guide Camp – managed by DOC • Ben Lomond Commonage (Recreation) Reserve – managed by QLDC • Queenstown Water Supply (Local Purpose) Reserve – managed by QLDC <p>The section 19 report identifies that the Ben Lomond Scenic Reserve is subject to over 70 permits and a licence to occupy. The Girl Guide Camp is subject to one current concession and one application in progress. The Commonage Reserve includes an informal carpark created by the Wynyard Jump Park who also lease part of the Reserve.</p> <p>The report identifies the following risks and potential liabilities to the Crown:</p> <ul style="list-style-type: none"> • Potential incompatibilities between extensions to the proposed leases/licences and the obligations of the Ngāi Tahu Claims Settlement Act • Potential incompatibilities with the Otago Conservation Management Strategy (CMS) which adopts a precautionary approach to new ski field developments, terrain modifications and structures on prominent mountain and ridgeline landscapes

- The size of any potential bond to mitigate risks to the Crown, and whether this would impact feasibility of the project
- Inherent health and safety liability risk to the Crown for project infrastructure located upon PCL
- The interaction of transmission lines, consented aerial activities such as hang gliding and paragliding and any proposed airspace easements sought by Powerhouse, as well as conflicts with consented activities and easements within QLDC administered PCL
- The northern portion of the Ben Lomond Scenic Reserve is an Aircraft Access Red Zone in the CMS which prescribes that aircraft landings should not be allowed except for construction, operation and maintenance of equipment.

The report notes that if proposed activities frustrate pre-existing actors operating with lawful authority from carrying out activities on the land, the Crown is exposed to legal, financial and reputational risk. If a legal challenge succeeds against the Crown, the remedies a court may order will vary in accordance with the degree of frustration, the type of lawful authority the pre-existing actor was operating under and other contextual factors. The report identifies this risk as low.

Section 22 assessment criteria

The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]

*The Minister **must** consider a relevant Government policy statement (GPS) [s22(1A)]*

The only current GPS is the Government Policy Statement on Grocery Competition. As this project does not involve a supermarket development or grocery-related activities, there is no GPS relevant to your decision.

The Minister **may** consider any of the following matters, or any other matters the Minister considers relevant:

Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(iii)]

The applicant states that the project involves developing a multistage aerial ropeway system, which they consider to be new transport and tourism infrastructure that is both nationally and regionally significant. The applicant considers the aerial ropeway network meets the definition of nationally significant infrastructure under the National Policy Statement on Urban Development (NPS-UD), specifically under the description of a rapid transit service. The applicant also considers that, under the Partially Operative Otago Regional Policy Statement, both ski area infrastructure and nationally significant infrastructure are identified as regionally significant, and therefore they regard the ropeway system and the associated ski area as regionally significant infrastructure.

The applicant further considers that the project has the potential to integrate with a wider ropeway network across the Wakatipu Basin, improving access to Frankton, the airport, and surrounding residential areas. They state that such a network could help reduce congestion on the regionally and nationally significant highway network.

We note the definition of infrastructure in the RMA includes "structures for transport on land by cycleways, rail, roads, walkways, or any other means". The project therefore meets the definition of infrastructure. We consider the project **meets** this criterion and this is relevant to your determination of whether it has significant regional or national benefits.

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)]

The project includes a residential development known as Fernhill Heights, comprising 175 chalets that collectively provide 1,333 residential units. The applicant states that the project would make a meaningful contribution to housing supply in the Otago region by providing a large number of units relative to the local market, including key worker and community housing components. They consider that the medium density housing typology, multiple unit configurations within each chalet, and opportunities for additional multiunit options would help meet the needs of first home buyers and essential workers. They also note the potential for Papakāinga housing to be developed with iwi.

The applicant considers that the residential development can connect to existing network infrastructure more readily than other urban growth areas, and that its proximity to the Queenstown CBD supports access to employment, services, and recreational opportunities. They state that the project would contribute to a well-functioning urban environment by providing a residential neighbourhood close to established centres, supporting work from home activity, and avoiding the need for new commercial areas. Overall, the applicant considers that the project would positively contribute to Queenstown's housing availability and a well-functioning urban environment.

We note the concerns from QLDC that the project does not meet this criteria as there is a projected housing surplus for the district in the medium term, but we consider that Queenstown Lakes district is currently one of the most expensive places to own or rent a home in the country (as noted by the Associate Minister of Housing) and consider that the project can contribute to alleviating the strain on the housing market in the district.

We consider the project **meets** this criterion and this is relevant to your determination of whether it has significant regional or national benefits.

Will deliver significant economic benefits [s22(2)(a)(iv)]

The applicant considers that the project is expected to generate significant economic benefits, with an estimated 1.1 million passengers per year using the Saddle Funifor. They consider that associated sightseeing, biking, and visits to the Te Taumata o Hakitekura Predator Free Sanctuary would contribute to annual revenue of approximately \$147 million. The applicant also identifies employment benefits, including 75 new jobs within the Powerhouse Precinct and around 1,250 jobs linked to activities accessed via the Saddle Funifor, increasing to 1,250–1,500 jobs during winter peaks.

The applicant further notes that construction of station buildings, aerial ropeways, and the Fernhill Heights residential development – including 175 chalets over 28 years – would provide ongoing economic activity at the regional level. They acknowledge that although local GDP, employment, and visitor spend effects are sizeable, the extent of nationally significant benefits is sensitive to assumptions such as visitor numbers, staging, and displacement.

We note the Ministers for Regional Development, Economic Growth and Tourism and Hospitality considered the project would have significant regional benefits.

We consider the project **meets** this criterion and this is relevant to your determination of whether it has significant regional or national benefits.

Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]

The applicant considers the project may deliver some indirect climate change mitigation benefits through mode-shift potential (being ropeway as a transport option) and restoration/revegetation outcomes. However, they note these benefits are not the primary project drivers.

We note the Minister of Climate Change's support for the project, but we are not confident the climate change mitigation benefits of the project would be regionally significant.

	<p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i> The applicant considers the project may deliver indirect climate benefits through public transport alternatives and native revegetation. They note these benefits are secondary to the project's primary objectives.</p> <p>We note the Minister of Climate Change's support for the project, but we are not confident the climate change adaptation benefits of the project would be regionally significant.</p> <p><i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant states that largescale wilding pine removal, predator control, and the establishment of several related sanctuaries will address recognised regional ecological issues. The applicant considers that, if these measures are delivered and maintained as intended, they will provide long-term environmental benefits. The applicant views this matter as limited or secondary.</p> <p>We note general support for the applicant's proposed measures, however we also note concerns about other potential ecological and environmental effects of the project, so are not confident the project would address significant environmental issues.</p> <p><i>Any other matters that may be relevant [s22(b)]</i> The applicant has provided assessment of additional matters that they consider may be relevant to the Minister's consideration. The applicant states that the project is strongly aligned with the NPS-UD, highlighting integrated transport, housing, and environmental components that they consider an appropriate response to Queenstown's growth needs. Although the project is located outside the current urban growth boundary, the applicant considers its urban integration, sustainability features, and public benefits to be consistent with the NPS-UD's intent to support a compact, resilient, and well-functioning urban environment. The applicant also considers the project to be consistent with the intent of the National Policy Statement for Indigenous Biodiversity, noting that it intends to restore the natural environment and enhance ecological values while enabling carefully managed development within the Te Taumata o Hakitekura landscape.</p> <p>We are not confident that this consistency with national direction is a significant regional or national benefit.</p>
<p>Referring the project to the fast-track approvals process [section 22(1)(b)]</p>	<p><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 that referring the project to the fast-track approvals process would streamline delivery by providing a coordinated, timely, and integrated pathway for assessing a complex, multi-component development that might otherwise face a fragmented and prolonged consenting process.</p> <p>We note DOC's comments that the project would be processed more quickly and efficiently under the Act than standard processes.</p> <p>We consider the project meets this criterion.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant considers that referring the project is unlikely to have a material impact on the efficient operation of the fast-track approvals process. The applicant notes that, although the project involves complex matters, these are clearly identified, supported by an initial technical evidence base, and able to be addressed within the fast-track framework without creating undue procedural burden.</p> <p>We note the geographical spread of the project and the multiple components included in the scope. However, we do not consider the project is more complex for an expert panel to consider than the Queenstown Cable Car project, which has already been referred. We consider the project meets this criterion.</p>
<p>Reasons to decline</p>	
<p>Minister <u>must</u> decline [section 21(3)]</p>	<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i> We consider the project meets section 22 of the Act.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i> We do not consider the project includes an ineligible activity.</p> <p><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 decision.</p> <p>We do not consider that you must decline the application under this section.</p>
<p>Minister may decline [section 21(4) and 21(5)(a-h)]</p>	<p><i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i></p> <p><i>Reasons to decline a referral application under subsection 4 include, without limitation:</i></p> <p><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> While DOC has noted that the applicant will need to consider the lease/licence/easement options for the project to ensure they do not conflict with the Ngaī Tahu Claims Settlement Act, this is a matter we consider the applicant can address through consultation with Ngaī Tahu and detailed planning of the land tenure mechanisms.</p> <p><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 comments indicated the project should be considered under another Act or Acts.</p>

The project may have significant adverse effects on the environment

QLDC and ORC both raised concerns that the project may have significant adverse effects on an Outstanding Natural Landscape. We consider this is a matter an expert panel can consider with the benefit of a full application, including assessment of environmental effects.

QLDC raised significant concerns about the ability of the project to be serviced by existing infrastructure, and the potential reliance of the project on infrastructure upgrades (water, three waters and transport) which are either unplanned or do not have any funding committed to deliver them. We consider this is a critical matter for certainty of project delivery, and recommend that you enable a panel to address this matter you direct the applicant to provide an integrated transport assessment and a three waters servicing and funding assessment with a substantive application for the project.

The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals

We are not aware of the applicant having a poor compliance history under the specified Acts.

The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

While the project area includes reserve land subject to a Right of First Refusal in favour of Ngai Tahu, this project as currently designed would not conflict with that right.

The project includes an activity that is a prohibited activity under the Resource Management Act 1991

The applicant has not identified any activities that are prohibited under the RMA. ORC noted that if there are natural inland wetlands on the project site then the project may trigger a prohibited activity status. We consider that since you have no evidence that the project includes a prohibited activity, and a panel could still assess an application which included a prohibited activity if a natural inland wetland were located, you should not decline the project on this basis.

A substantive application for the project would have one or more competing applications.

No parties who have commented on the application have identified any competing applications.

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)

No relevant consents have been identified.

Any other matter

We note QLDC's concerns about the feasibility of this project in terms of the high level nature of the information provided so far. We also note the comments from QLDC that landowner approvals may be required for the project, and the comments from the Minister for Land Information that approvals may be required under the Crown Pastoral Lease Act and Land Act.

We do not consider you should decline the application on these bases, but recommend you set a deadline of five years from your notice of decision for the applicant to lodge their substantive application (rather than the default two years) to enable the applicant obtain the necessary non-fast track approvals if required.

We **do not** recommend 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 s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - 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 s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s17(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 and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area (if applicable)
 - f. 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.