

Memorandum on Completeness and Scope

File	FTAA-2607-1271
Application	Parkburn Subdivision
To	Manager LOA/ Team Leader LOA
From	
Date	3 September 2026
Subject	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Parkburn Subdivision application, lodged by Fulton Hogan Land Development Limited (the Applicant), received by the Fast-track Team on 4/08/2026 complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 31 March 2026.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The Application was referred by the Minister for inclusion in the Fast-track consenting process under section 28 of the Act. The Minister accepted the referral application and notified the EPA of the decision on the referral application on 17 February 2026.

6. The Application was lodged on 4/08/2026. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act within 15 working days of the lodgement of the application (but may be longer where the EPA has requested further information from the applicant under section 46(2B)). This application was subject to a further information request therefore the date by which the EPA must make a decision under 46 is 3 September 2026
7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

8. The referred project is

“The project is described as being to subdivide land and develop a mixed-use urban development at 922 Luggate-Cromwell Road (State Highway 6), Cromwell, located approximately 8 kilometres to the north of the Cromwell township and adjacent to Lake Dunstan / Te Wairere. The project will include works to backfill and rehabilitate part of the existing Parkburn quarry site and works within the State Highway 6 (SH6) road reserve.

The project will be applied for as a single substantive application but will be delivered in multiple stages. The project will include:

- a. bulk earthworks to backfill and rehabilitate a quarry*
- b. subdivision to create approximately 1,000 allotments and enable construction of approximately 1,000 residential units across a range of densities (which may be constructed by a person or persons other than the applicant)*
- c. subdivision to create allotments and enable construction of a neighbourhood centre (which may include retail, commercial, medical and early childhood education activities) and a primary school (all of which may be constructed by a person or persons other than the applicant)*
- d. landscaping and development of an open space network including recreation and esplanade reserves, and restoration along the margins of Parkburn Stream and Lake Dunstan / Te Wairere*
- e. formation of two coves extending into Lake Dunstan / Te Wairere*
- f. associated infrastructure, including for three waters services and transport (including external site access works).”*

9. The application is for the following activity, as set out in Section 2 of the Application Planning Report:

“The Project provides for the establishment of a mixed-use urban development, including quarry rehabilitation, residential development, supporting commercial and community activities, open space, and associated infrastructure. The project generally comprises the following components:

- a. *Bulk earthworks to backfill and rehabilitate part of the existing Parkburn Quarry.*
- b. *Subdivision and development to enable approximately 1,000 residential allotments, supporting the construction of approximately 1,000 residential units across a range of housing densities.*
- c. *Subdivision and development to establish a neighbourhood centre, including retail, commercial, medical, and early childhood education activities, together with land for a potential primary school.*
- d. *Landscaping and development of an open space network, including recreation reserves, esplanade reserves, and restoration along the margins of Park Burn Stream and Lake Dunstan / Te Wairere.*
- e. *Formation of two coves extending into Lake Dunstan / Te Wairere.*
- f. *Construction of associated infrastructure, including three waters infrastructure, internal transport networks, and external access works connecting the site to State Highway 6.”*

10. The application does solely relate to the referred project based on the two descriptions set out above, which are consistent.

Fast-track consenting application process

Legislative context

11. The EPA must decide, in consultation with relevant administering agencies and consent authorities, whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
 - complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;
 - the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.
12. The EPA may request further information from the applicant under section 46(2A) for the purposes of determining whether the application is complete and within scope.

Section 42 Requirements

13. Section 42 of the Act states that an authorised person may lodge a substantive application for the project, 1 substantive applications for each stage of a project if the Minister has determined that the project may proceed in stages (either under s 21(1)(a) or s 37A). Section 42(4) lists the approvals that may be sought under the Act.

14. This application has been lodged by Fulton Hogan Land Development Limited. This person is an authorised person under the Act because they are the landowner and also Applicant to whom the referral decision was issued.
15. The approvals being sought are:
 - an approval described in section 42(4)(a), (c) or (d) (resource consent, certificate of compliance or designation);
 - A resource consent, change to or cancellation of a resource consent: **checklist A**;
 - including subdivision or reclamation: **checklist A1**;
 - an approval described in section 42(4)(e) (concession), **checklist D1**;
 - an approval described in section 42(4)(h) (wildlife approval), **checklist E**;
16. All of the above listed approvals are of the type set out in section 42(4) of the Act
17. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

18. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

19. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
20. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
21. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.

Ineligibility

22. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
23. The list of ineligible projects includes activities:
 - on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;

- on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
- in a customary marine or protected customary rights area without written agreement from the rights holder/group;
- within an aquaculture settlement area without the required authorisation;
- activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
- that require permissions on national reserves (or reserves vest in another person) held under the Reserves Act 1977 ; or
- on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
- That are prohibited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or section 15B or 15C the Resource Management Act 1991.
- That relate to decommissioning under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- That are undertaken for the purposes of an offshore renewable energy project.

24. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Fees and levies

25. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:

- Application fee in the sum of \$250,000 plus GST;
- Levy in the sum of \$140,000 plus GST; and

Consultation

26. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

- Otago Regional Council (ORC) and Central Otago District Council (CODC) for an approval described in section 42(4)(a) (resource consent)
- The Department of Conservation (DoC) for:
 - i. an approval described in section 42(4)(e) (concession); and
 - ii. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)

27. A copy of the of the consultation responses is included as Appendix 2.

28. In summary, both ORC and CODC were satisfied that the Application meets the requirements of sections 42 and 43 of the Act, and that information has been provided in the required level of detail as stipulated by Section 44 of the Act, although CODC did provide a table of areas where it considers further discussion is required with the Applicant, as the Application progresses.

29. DOC was satisfied that an adequate amount of information had been provided for the Wildlife approval, however the information provided for the concession was not sufficient in terms of meeting the requirements of sections 42 and 43 of the Act.

Requests for further information

30. I requested further information from the applicant under section 46(2A) on 17 August 2026 in relation to resource consent and concession approvals sought. The applicant responded with the information on 31 August 2026 within the 20- working timeframe afforded by section 46(2B). A full copy of the request (RFI) and response can be found in Appendix 3.

Assessment of compliance for each section of each application form

31. I have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
32. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
33. The EPA must now decide whether the substantive application has a competing application under section 47A(1) (under delegation from the Minister for Infrastructure under section 47C) within 10 working days from the date of the completeness decision.
34. Once the EPA has made the decision under section 47A(1), the EPA must notify the panel convener that an expert consenting panel can be set up to commence consideration and decision of the application.

Appendix 1: Assessment of section 44 sufficiency

My assessment of the application materials is set out in the relevant checklists below:

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

CHECKLIST A1 – Subdivision or reclamation resource consent

CHECKLIST D1 – Concession

CHECKLIST E – Wildlife approval

Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

1. Consultation with **Central Otago District Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:
 - Resource consent (section 42(4)(a) of the Act)

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1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz



FTAA-2607-1271 – CODC COMPLETENESS CHECK
SECTION 46 OF THE FAST TRACK APPROVALS ACT 2025.

Project Name	Parkburn Subdivision
Applicant	Fulton Hogan Land Development Limited
Project Number	FTAA-2607-1271
Consents sought	RMA consents sought under the Central Otago District Plan
Date due to EPA	13 August 2026

On 6 August 2026, Central Otago District Council (CODC) received a request from the EPA seeking its views on whether the application FTAA-2607-1271 meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act.

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application FTAA-2607-1271 complies with the requirements of section 46 of the Act.

The advice covers whether any relevant matters listed in clauses 5 to 9 of Schedule 5 have not been addressed or have not been addressed in sufficient detail in relation to approvals relevant to CODC.

It is emphasised that this check does not confirm the accuracy or robustness of the information submitted with the substantive application. CODC understands and supports that this document will be passed on to the applicant, the Panel Convener and the Panel.

Compliance with information requirements

In summary, CODC advises that, in terms of the relevant CODC matters, the application generally meets all requirements set out in sections 42-44 of the Act and can be deemed complete under section 46 of the Act.

However, CODC considers there are some areas where there are information gaps, or where the application would benefit from further discussion with the applicant, Council and experts to narrow areas of disagreement. A summary of these matters is listed in Table A. Where information is identified in Table A, it is assessed on the basis that the absence of this information at this stage of the process is unlikely to have significant implications and should not impact on the progression of the application to the next stage of the process. As such, CODC suggests that any information gaps identified in Table A could be resolved through engagement with the applicant or further information provided. It also should be noted that the matters raised in Table A do not constitute a full list of information gaps or non-acceptance of the information included in the application but are key matters CODC

considers the applicant should consider at this early stage of the formal process. This information may also be useful for the Panel Convenor when considering timings and steps.

Consultation

The applicant engaged with CODC prior to lodgment of the referral application at a high level on the overall proposal, with specific focus on infrastructure matters. Once the referral was accepted, the applicant continued to engage with CODC in the form of opportunities to visit the site, meetings to understand the proposal, and to provide feedback. The applicant funded peer reviews by CODC commissioned experts of most draft technical reports prior to lodgment.

The proposal is complex due to the current quarry activity on the site, the underlying zone structure and the future implementation of the consent given the difference in the proposal compared with the structure plan in the district plan. There have been initial discussions between the applicant and Council planners regarding the consent structure and conditions to ensure implementation is workable.

Whilst the applicant has addressed some of the feedback provided by Council, in some instances there appears to be a misalignment between the expert technical report, the AEE and associated conditions. In other cases, the issues raised by the expert peer reviews have not been sufficiently addressed in the application documents. The key matters of concern are set out in Table A.

The Council suggests that continued engagement between staff and Council's experts and the applicant and its experts would be beneficial in narrowing unresolved issues. This would be particularly beneficial to occur prior to the expert Panel being appointed.

Overall, there has been positive interactions between the applicant and CODC, and Council looks forward to ongoing dialogue with the goal of resolving any outstanding issues.

Yours faithfully



Fiona Garrett
Planning Manager

Enclosed

Table A: Summary of Information Gaps

2. Consultation with **Otago Regional Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

12 August 2026

Application Lead, Fast-Track Applications FTAA-2607-1271
Uploaded via Fast Track Portal

Otago Regional Council has received correspondence dated 6 August 2026 from the EPA regarding a completeness assessment under s 46 of the Fast Track Approvals Act 2024 (the Act), for the Parkburn – Residential Development and Subdivision.

Substantive Application Assessment

To inform the EPA's completeness assessment of the application, the EPA asked whether the documentation available in the application portal regarding the RMA, meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act.

The EPA has also asked:

*“whether any relevant matters listed in clauses 5 to 9 of Schedule 5 (information required in **resource consent** application) have not been addressed or have not been provided in sufficient detail.”*

ORC confirms that the application documentation available in the EPA application portal meets the requirements of sections 42 and 43 of the Act. It has been provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act and also the relevant matters listed in clauses 5 to 9 of Schedule 5.

ORC additionally notes that the application may require additional approvals not specifically identified in the applicant's documentation. Those approvals are as follows:

- Land use consent to construct a bore;
- A water permit for the taking and use of groundwater; and
- A discharge permit for the discharge of dewatered water and sediment to land or water

Section 30 Confirmation

The EPA also asked the following specific question in accordance with section 30 of the Act:



- Confirm that the written notice prepared by the Council remains accurate and final at the time of receiving this letter.

I confirm that the letter dated 24 July 2026 regarding Section 30(3)(b) remains accurate and final.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Alexandra King".

Alexandra King
Manager Consents/Manager Environmental Delivery Data and Systems

3. Consultation with the **Department of Conservation** as the administering agency for the following Acts
 - Concession that would otherwise be applied for under the Conservation Act 1987 (section 42(4)(e) of the Act)
 - A wildlife approval as defined in clause 1 of schedule 7 of the Act (section 42(4)(h) of the Act)

Department of Conservation advice for EPA compliance assessment

Overview

Project name	Parkburn Subdivision
Project applicant	Fulton Hogan Land Development Limited
EPA unique ref. no	FTAA-2607-1271
EPA Request Number	REQ004007F4T5
Conservation approvals sought	• Concession (as defined in clause 1 of Schedule 6 of the Act) (section 42(4)(e) of the Act) • Wildlife approval (as defined in clause 1 of Schedule 7 of the Act) (section 42(4)(h) of the Act)
EPA request summary	<i>To inform the EPA's completeness assessment of the application, please provide DOC's views on whether the documentation provided by the EPA regarding the above approval/s, as provided by the applicant, meet the requirements of sections 42 and 43 of the Act and has been provided in sufficient detail to satisfy the purpose for which it is required, in accordance with section 44 of the Act.</i> <i>In your response, please include:</i> • <i>whether any relevant matters listed in clause 3 of Schedule 6 (information required in application for concession) have not been addressed or have not been provided in sufficient detail.</i> • <i>whether any relevant matters listed in clause 2 of Schedule 7 (information required in application for wildlife approval) have not been addressed or have not been provided in sufficient detail.</i>
Date due to EPA	13 August 2026

On 6/08/2026 the Department of Conservation (DOC) received a request from the EPA seeking its views whether the application meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act.



**Te Kāwanatanga
o Aotearoa**
New Zealand Government

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by Fulton Hogan Land Development Limited on 4 August 2026 complies with the requirements of section 46(2) of the Act.

The advice covers compliance with the following:

- Information requirements for relevant approvals

The advice also includes further observations of relevance to further processing of the application, for example where further information could be needed for a decision by the panel.

DOC understands that this document will be passed on to the applicant, the Panel Convener and the Panel, and may be published on the Fast-track website.

Compliance with information requirements

Our detailed assessment of the information requirements for the relevant approvals is provided in the attached tables.

Wildlife Approval – Lizards

In summary, DOC's advice is that the application for a Wildlife Approval for lizards meets the requirements of sections 42, 43, and 44 of the Act.

Concession

In summary, DOC's advice is that the application does NOT meet the requirements of sections 42, 43, and 44 of the Act.

The following information is not present:

- i. Actions the application proposes to take to avoid, remedy, mitigate, offset or compensate for any adverse effects of the proposed activity (cl 3(1)(g)(ii) of Schedule 6).
- ii. Information about financial and legal liabilities and obligations associated with the land (cl 3(1)(l))

The following information is not in sufficient detail:

- i. The description of the proposed activity (cl 3(1)(a) of Schedule 6);
- ii. A description, maps and GPS coordinates identifying where the proposed activity will be carried out (cl 3(1)(b) of Schedule 6);
- iii. Information about whether the project could reasonably be undertaken in another location (cl 3(1)(c) of Schedule 6);
- iv. Information about whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court (cl 3(1)(i)).

Further observations

In addition to the compliance requirements, DOC makes the following observations:

- DOC notes the statement in Section 6.3.5 of the Substantive Application Planning Report that *"an easement has been proposed to facilitate this and agreed with DOC prior to lodgement of this substantive application and contained in the proposed draft conditions enclosed."* DOC is not aware of any such agreement. In advice provided to the applicant on 25 September 2025 DOC advised the infrastructure sought could be authorised under an easement concession based on the information available. Except for the condition discussed below, DOC has not reviewed any substantive details of the proposed concession prior to the lodgement of this substantive application. Further to this, any prior agreement between the applicant and DOC would be inconsistent with the Fast-track approval process.

- DOC considers that the proposed condition (condition 12 of the draft subdivision consent conditions) intended to address the concession does not reflect the form or content that would typically be expected for this type of approval. In particular, it is unclear how the proposed condition would operate or whether it is intended to establish the easement rights sought. Prior to lodgement, DOC reviewed the proposed condition and provided the applicant with a copy of DOC's standard easement concession contract to inform the development of an appropriate approval framework and draft conditions. However, neither the standard easement concession contract nor any equivalent easement provisions appear to have been incorporated into the application material.
- The application repeatedly describes the easement as being for a bridge over the airspace of Park Burn Marginal Strip. However, the supporting maps show that the bridge itself will not cross the marginal strip. Instead, a section of road is proposed to cross the surface of the marginal strip at ground level. No details are provided about the road. DOC therefore considers that the application does not clearly or accurately describe the nature and extent of the proposed easement, and clarification is required as to the activities and structures proposed within the marginal strip.
- The applicant is proposing to build stormwater infrastructure over the marginal strip (see Attachment LL Part 15, Figure 8) but does not appear to be seeking a concession (easement) for the right to convey stormwater that will be required to

facilitate this. In addition, it is unclear whether any other services are proposed to be located within or across the marginal strip. The application should clarify whether rights are required for the conveyance of electricity, water, telecommunications, or any other utilities, and ensure that the easement application appropriately reflects all infrastructure and activities proposed within the marginal strip.

Applications for concessions

Clause 3 of Schedule 6 outlines the information required in an application for a concession.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
Clause 3(1) Schedule 6 - For the purposes of section 43(3)(e), an application for a concession must include the following information:				
(a) a description of the proposed activity:	Yes	<i>Substantive Application Planning Report – Section 2.3 (p.17)</i>	No	The description of the activity does not align with maps provided in the application. The activity is described as a bridge over the airspace of the Park Burn Marginal Strip. However, the maps provided in the application indicate that the proposed bridge does not cross the marginal strip directly, as the marginal strip is no longer aligned with the waterway. Information is not provided about the services that are expected to interact with the marginal strip.
(b) a description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership	Yes	<i>Substantive Application Planning Report –</i>	No	Details have not been provided about the extent to which the road and any services will cross the marginal strip. Specific details about the width of the road, the construction methods

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
and management arrangements, and, if applicable, the name, of the places):		Section 6.3.5 (p.39) <i>Attachment O Parkburn Bridge Concept Design Plans</i>		and any services are required in order to understand the extent of the proposed activity. GPS coordinates have not been provided.
(c) information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less:	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.48)</i>	No	The information provided in Section 7.2.3 of the Planning Report addresses the proposal for a bridge over the marginal strip. As described above, this does not appear to align with the maps and construction drawings.
(d) in the case of an application for an approval within paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, information about the extent to which the project is consistent with—				
(i) the relevant conservation management strategy and conservation management plan:	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.49)</i>	Yes	
(ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity:	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.49)</i>	Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(e) in the case of an application for an approval within paragraph (b) of the definition of Reserves Act approval, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977:	N/A	N/A	N/A	
(f) information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.49)</i>	Yes	
(g) a description of—				
(i) the potential effects (positive and negative) of the proposed activity:	Yes	<i>Substantive Application Planning Report – Section 9</i>	Yes	Note the effects described in Section 9 of the <i>Substantive Application Planning Report</i> address the potential effects of the project generally, not the potential effects of the proposed activity (easement). As discussed above, the easement area and works have not been described so it is not possible to understand the potential effects of this activity.
(ii) any actions that the applicant proposes to take to avoid, remedy, mitigate, offset,	No	<i>Substantive Application</i>	No	DOC has not identified any specific methods to avoid, remedy, mitigate,

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
or compensate for any adverse effects of the proposed activity:		<i>Planning Report – Section 9.17 (p.75)</i> <i>Attachment C Proposed Subdivision Conditions – Condition 12</i>		offset, or compensate for any adverse effects of the proposed activity. Section 9.17 of the Planning Report notes that a description of proposed mitigation measures is provided in the technical reports appended to the AEE. It is unclear which specific technical reports this refers to. The condition proposed in the CODC Subdivision Conditions does not directly address any adverse effects.
(iii) details of the type of concession for which the applicant is applying:	Yes	<i>Substantive Application Planning Report – Section 2.3 (p.13)</i> <i>Substantive Application Planning Report – Section 7.2.3 (p.50)</i>	Yes	
(h) a statement of—				

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(i) the proposed duration of the concession; and	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.50)</i>	Yes	
(ii) the reasons for the proposed duration:	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.50)</i> <i>Substantive Application Planning Report – Section 6.3.5 (p.40)</i>	Yes	
(i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court):	Yes	<i>Attachment MM</i>	No	The information in Attachment MM only addresses compliance history under the Wildlife Act, not offences or criminal charges generally.
(j) If the applicant applies for a lease, a licence granting an interest in land, or an easement,—				

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(i) reasons for the request; and	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.48)</i>	Yes	
(ii) sufficient information to satisfy the panel that, in terms of clause 7, it is appropriate under section 81 to grant the lease, licence, or easement (as the case may be):	Yes	<i>Substantive Application Planning Report – Section 7.2.3 (p.50)</i>	Yes	
(k) full details of any consultation undertaken with relevant iwi and with reserve owners and managers:	Yes	<i>Attachment J Consultation Summary</i>	Yes	
(l) information about financial and legal liabilities and obligations associated with the land:	No	Substantive Application form records this as N/A	No	N/A infers there are no liabilities or obligations, but this isn't clear.
(m) in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve:	N/A	N/A	N/A	
(n) confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that	N/A	N/A	N/A	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
right for the purposes of any lease proposed in the application if— (i) the proposed lease would be for a term (including any renewals) that will, or is likely to, be more than 50 years; and (ii) the granting of the lease would trigger the right of first refusal or right of offer or return.				

Applications for wildlife approvals

Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Yes	<i>Attachment H Ecological Assessment – Appendix B Table B2</i>	Yes	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Yes	<i>Attachment H Ecological Assessment – Appendix B Table B2</i>	Yes	
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Yes	<i>Attachment H Ecological Assessment – Appendix B Table B2;</i> <i>Attachment H Ecological Assessment – Appendix C Section 1.1</i>	Yes	
(d) list protected wildlife species known or predicted to be in the area and, where	Yes	<i>Attachment H Ecological Assessment –</i>	Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
possible, the numbers of wildlife present and numbers likely to be impacted:		Appendix B Table B2; <i>Attachment H Ecological Assessment – Section 3.2.2</i> <i>Attachment H Ecological Assessment – Appendix C Section 2.2</i>		
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Yes	<i>Attachment H Ecological Assessment – Appendix B Table B2;</i> <i>Attachment H Ecological Assessment – Section 4.2</i> <i>Attachment H Ecological Assessment – Appendix C</i>	Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
		Sections 2.6 and 2.7		
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	Yes	<i>Attachment H Ecological Assessment – Appendix C Section 3.4</i>	Yes	
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Yes	<i>Attachment H Ecological Assessment – Section 3.4</i>	Yes	
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	Yes	<i>Attachment H Ecological Assessment - Appendix C Section 3.5.2; Figure 4; Figure 6</i>	Yes	The application identifies both the lizard salvage locations and the relocation site and provides maps showing these areas (LMP Figures 4 and 6). No GPS coordinates are provided, but mapped location information for both the activity area and relocation site appears sufficient for understanding where the wildlife activities will occur.
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Yes	<i>Attachment H Ecological Assessment –</i>	Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
		Appendix B Table B2;		
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Yes	<i>Attachment H Ecological Assessment – Section 4.2.2</i> <i>Attachment H Ecological Assessment – Appendix C Section</i>	Yes	
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Yes	<i>Attachment H Ecological Assessment – Appendix B Table 2</i> <i>Attachment H Ecological Assessment – Appendix C Section 3</i>	Yes	
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been	Yes	<i>Attachment MM</i>	Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
convicted of any offence under the Wildlife Act 1953:				
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court:	Yes	<i>Attachment MM</i>	Yes	
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Yes	<i>Attachments J, J(A) – J(B)</i>	Yes	
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Yes		Yes	

Appendix 3: Further information requests and responses

I sent one further information requests to the applicant during under section 46(2B) of the Act. The request and response are set out below.

Request for Further Information 1:

- Date sent: 19 August 2026
- Topic: Information requirements pursuant to Schedules 5 and 6 of the Act
- Date of response: 31 August 2026

Request:

Request for Further Information

To inform the EPA's assessment of the application for completeness, please provide a response to the following matters:

Resource Consent

To assist us in assessing if the application complies with s 46(2) of the Act, please provide the following information:

- In respect of Clause 5(1)(d) of Schedule 5, please provide the name and address of each owner and occupier of land adjacent to the project site.
- In respect of Clause 5(1)(i) of Schedule 5, provide a summary of any redress provided by the relevant Treaty settlements that affects the natural and physical resources relevant to the project or project area.
- In respect of Clause 6(1)(b) of Schedule 5, please confirm whether any hazardous installations are proposed as part of this application. If so, please provide details.

- In respect of Clause 6(1)(g) of Schedule 5, provide a detailed description of the effects that are of a scale that monitoring is required, including details of the monitoring proposed and who will be responsible for carrying it out.

Concession

The following was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation (DOC). This consultation record is provided in full as Appendix A of this letter.

DOC's consultation record notes that information is missing from the substantive application documents, or has not been provided in sufficient detail. This includes, but is not limited to, the following:

- In respect of Clause 3(1)(b) of Schedule 6, GPS coordinates identifying where the proposed activity will be carried out. DOC also noted the following: *The activity is described as a bridge over the airspace of the Park Burn Marginal Strip. However, the maps provided in the application indicate that the proposed bridge does not cross the marginal strip directly, as the marginal strip is no longer aligned with the waterway.*
- Information about whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court (cl 3(1)(i)).
- Information about financial and legal liabilities and obligations associated with the land (Clause 3(1)(l)) of Schedule 6.

To assist us in assessing if the application complies with s 46(2) of the Act, please provide the following information:

- In respect of Clause 3(1)(b) of Schedule 6, please provide a detailed map showing the location of the proposed bridge and all associated structures in relation to the marginal strip. Please also provide GPS coordinates for all proposed structures, together with a written explanation addressing DOC's statement outlined above.
- Attachment MM only provides a statement regarding convictions under the Wildlife act. Clause 3(1)(i) of Schedule 6 requires a record of convictions generally. Please confirm and provide a record of if the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court.
- In respect of Clause 3(1)(l) of Schedule 6, please confirm whether there are any financial and legal liabilities and obligations associated with the land.

Response:

FTAA-2607-1271, PARKBURN SUBDIVISION: RESPONSE TO RFI

Town Planning Group has been engaged as the authorised agent by Fulton Hogan Land Development (**the Applicant**) in the matter of the Parkburn Subdivision Fast Track Application lodged with the EPA on 31st July 2026.

This letter is in response to your letter dated 19 August 2026 in which further information was requested (**RFI**) in relation to the completeness check under section 46(2A) of the Fast Track Approvals Act (**FTAA**).

This letter provides a summary of the response the listed RFI matters and where noted additional application documents have been provided or updated. We have provided two copies of the updated Substantive Application Planning Report to ensure amendments are clear; one copy is a clean copy, and one copy is a track changes copy.

Resource Consent RFI Matter 1:

In respect of Clause 5(1)(d) of Schedule 5, please provide the name and address of each owner and occupier of land adjacent to the project site.

Response:

The FTAA Schedule 5, Clause 5(1)(d) requires provision of:

(d) the full name and address of—

(i) each owner of the site and of land adjacent to the site; and

- (ii) *each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry:*

Refer to updated **Attachment [J]** (E) which now shows both adjoining occupiers and known occupiers on a map. Refer to new **Attachment [J]** (F) which contains a table showing the addresses of all adjoining owners and occupiers.

In terms of our 'reasonable enquiry' actions to identify occupiers we have undertaken the following:

1. We sent a letter via post (**Attachment [J]** (D) to the Substantive Application), addressed to both the owner and occupier.
2. We have undertaken a Google search via Google Streetview to try and identify occupiers then cross checked this with owners' details.
3. We have enquired with CODC via email as to whether they hold any occupier details, to which they responded that they do not.

The details of occupiers are not available in any other public database. We understand the above actions meet the 'reasonable enquiry' requirement under the FTAA.

Resource Consent RFI Matter 2:

In respect of Clause 5(1)(i) of Schedule 5, provide a summary of any redress provided by the relevant Treaty settlements that affects the natural and physical resources relevant to the project or project area.

Response:

We have consulted with Kā Rūnaka as part of addressing this RFI matter. Kā Rūnaka have requested that the summary of cultural redress is deferred to the final Cultural Impact Assessment, as opposed to offering an opinion on the Ngāi Tahu Claims Settlement Act. We note that final Cultural Impact Assessment, which forms new **Attachment [NN]** to the Substantive Application, provides a discussion of the legal and treaty context, including matters of cultural redress, in Chapter 3.

NOTE: The Final CIA was received on the 27 August 2026. Prior to receiving the final CIA we were provided with a Working Draft CIA and this document has informed this substantive application. The Final CIA contains 13 Consolidated Recommendations which the applicant intends to engage with Ka Rūnaka on and work towards resolving as much as possible prior to the application progressing to the Panel. A response to these matters will form part of the response to be provided to the Consent Authorities list of outstanding issues provided to us post lodgement.

Resource Consent RFI Matter 3:

In respect of Clause 6(1)(b) of Schedule 5, please confirm whether any hazardous installations are proposed as part of this application. If so, please provide details.

Response:

No hazardous installation are proposed as part of the application.

Resource Consent RFI Matter 4:

In respect of Clause 6(1)(g) of Schedule 5, provide a detailed description of the effects that are of a scale that monitoring is required, including details of the monitoring proposed and who will be responsible for carrying it out.

Response

Section 9.17 'Mitigation and Monitoring' of the Substantive Application addressed monitoring proposed. This section has been amended to describe in further detail the monitoring proposed and who is responsible for carrying it out. Refer to the track changed version of the Substantive Application.

Concession RFI Matter 1:

In respect of Clause 3(1)(b) of Schedule 6, please provide a detailed map showing the location of the proposed bridge and all associated structures in relation to the marginal strip. Please also provide GPS coordinates for all proposed structures, together with a written explanation addressing DOC's statement outlined above.

Response:

Two activities are proposed within the marginal strip as follows:

1. Stormwater pipe and associated corridor. Refer to new **Attachment [OO]** which illustrates the GPS coordinates.
2. Bridge approach: Refer to new **Attachment [PP]** which illustrated the GPS coordinates on page 2 of the attachment.

An updated description of the activity is provided in the following sections of the Substantive Application Planning Report as track changes:

- 2.3 Approvals Relating to the Conservation Act 1987
- 2.5 Other Approvals Required
- 6.3.5 Park Burn Bridge
- 7.2.3 Conservation Act 1987

Concession RFI Matter 2:

Attachment MM only provides a statement regarding convictions under the Wildlife Act. Clause 3(1)(i) of Schedule 6 requires a record of convictions generally. Please confirm and provide a record of if the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court.

Response:

Refer to letter enclosed as a new **Attachement [SS]** to the Substantive Application which provides a statement regarding convictions generally in accordance with Schedule 6. Whilst

this has been provided we note that Clause 3(1)(i) of Schedule 6 is qualified as being limited to 'relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity,...'. The applicant has completed numerous civil engineering and large scale land development projects throughout NZ and is capable of being able to complete the activities proposed by the current application.

Concession RFI Matter 3:

Information about financial and legal liabilities and obligations associated with the land (Clause 3(1)(l)) of Schedule 6.

Response:

The subject site is owned freehold by the Applicant's parent company as per the records of title contained in **Attachment [I]** of the Substantive Application and will be transferred to the Applicant at the appropriate time.

In terms of legal liabilities the records of titles list the following:

- Section 64-65 Block IV Wakefield Survey:
 - Subject to Section 8 Mining Act 1971
 - Subject to Section 5 Coal Mines Act 1979
 - 5041663.1 Gazette Notice (2001/1004) declaring adjoining road (SH6) to be a limited access road.
- Part Section 62-63 Block IV Wakefield Survey District and Part Section 63 Block IV Wakefield Survey District and Section 1 Survey Office Plan 365897 and Section 4 Survey Office Plan 557380:
 - Subject to Section 8 Mining Act 1971 (affects part formerly Part Section 62-63 Block IV and Part Section 63 Block IV Wakefield Survey District contained in RT OT10B/738)
 - Subject to Section 5 Coal Mines Act 1979 (affects part formerly Part Section 62-63 Block IV and Part Section 63 Block IV Wakefield Survey District contained in RT OT10B/738)
 - 5041663.1 Gazette Notice (2001/1044) declaring adjoining road (S.H.No. 6) to be limited access road (affects Part Sections 62 and 63 Block IV Wakefield SD)
 - 5057376.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 10.7.2001 at 2:30 pm (affects Part Section 62 Block IV Wakefield SD).
 - Subject to Part IVA Conservation Act 1987 (affects Section 4 SO 557380)
 - Subject to Section 11 Crown Minerals Act 1991 (affects Section 4 SO 557380)
 - Subject to a right (in gross) to convey electricity over part Section 63 Block IV Wakefield Survey District marked A, B and C on DP 565798 and a right (in gross) to transform electricity over part Section 63 Block IV Wakefield Survey District marked A and C on DP 565798 in favour of Aurora Energy Limited created by Easement Instrument 12279403.1

Other Information Provided

The required DOC easement template forms have been completed for each of the proposed easements and are enclosed as a new **Attachment [QQ]** for the stormwater pipe and associated corridor and **Attachment [RR]** for the bridge abutment/approach to the Substantive Application.

It is noted that the Standard Terms and Conditions that form Schedule 2 of the easement template form have been reviewed and the Applicant accepts any relevant conditions and terms as required. It is anticipated that these will be discussed and confirmed as the easement concession progresses through the FTAA process.

It is noted we have also been provided with a copy of the 'DOC FTAA Section 78 Conditions Concession Sept 2025' pdf document. We have also reviewed these and the Applicant accepts any relevant conditions and terms as required. It is assumed that these will be discussed confirmed as the concession progresses through the FTAA process.

We trust this satisfies the request for further information.

Attachments:

Attachment **[J] (E)** Adjacent Landowners and Occupier Plan

Attachment **[J] (F)** Adjacent Landowners and Occupier Details Table

Attachment **[J] (F)** Adjacent Landowners and Occupier Details Table REDACTED

Attachment **[NN]** Final CIA and Appendix 2

Attachment **[OO]** Indicative SW Pipe Corridor and GPS Coordinates

Attachment **[PP]** Indicative Cross Section Parkburn Bridge Abutments and GPS Map
Coordinates

Attachment **[QQ]** DOC Concession Easement Form – Stormwater Pipe and Corridor

Attachment **[QQ]** DOC Concession Easement Form – Stormwater Pipe and Corridor
REDACTED

Attachment **[RR]** DOC Concession Easement Form – Bridge Approach

Attachment **[RR]** DOC Concession Easement Form – Bridge Approach REDACTED

Attachment **[SS]** Declaration of Criminal Convictions

Appendix 4: Correspondence from the Applicant in relation to Clause 3(1)(i) of Schedule 6 of the Act

Letter from the Applicant:

3 September 2026

www.fultonhogan.com

Environmental Protection Agency
Fast Track Approvals Act

Via email: info@fasttrack.govt.nz

To whom it may concern,

Re: FTAA Schedule 6 Clause 3(1)(i) Information required in application for concession

I can advise that as the applicant's representative for the Parkburn FTAA application that I have consulted with the Fulton Hogan Company Secretary (Graeme Tapp) and he has confirmed that no company director, trustee, partner, or anyone else involved with the application for Fulton Hogan Ltd or Fulton Hogan Land Development Ltd, has any criminal convictions and there are no proceedings pending.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'GD', with a long horizontal flourish extending to the right.

GREG DEWE
General Manager
Fulton Hogan Land Development

Email from the applicant on 3 September 2026:

I can confirm that Fulton Hogan Land Development Limited as a separate entity does not have any convictions against it (or any pending charges) that would affect its ability to carry out the proposed activity.

Regards