

Before an Expert Consenting Panel

Under

the Fast-track Approvals Act 2024

And

In the Matter of

an application for approvals by Mt Iron Junction Limited to develop 250 medium to high density residential dwellings, a childcare centre, a retail building, a café, reserve areas and recreation amenities

Legal Overview on behalf of Mt Iron Junction Limited

Dated: 18 February 2026

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INTRODUCTION

1. Mount Iron Junction Limited (**Mt Iron Junction**) seeks approvals under the Fast-track Approvals Act 2024 (**FTA**) to develop a medium to high density residential housing scheme that includes 250 dwellings, a childcare centre, café, retail building and parks in Wānaka (**Project**). The Project is listed in Schedule 2 of the FTA and is supported by robust economic evidence on the delivery of significant regional and national benefits.
2. The Project is proposed on 5.98 hectares at 237 Wānaka-Luggate Highway which comprises of three sites owned by Mt Iron Junction as shown in the plan included as **Appendix 1 (Project Site)**. The Project Site is located within three kilometres of the Wānaka Town Centre and approximately one kilometre from the Three Parks mixed use commercial centre which is anticipated to progressively develop as the most significant area of employment in Wānaka. As determined by the Independent Hearing Panel on the Urban Intensification Variation to the Proposed District Plan (**PDP**) in increasing residential intensity in the immediate area, “*significant development*” at Three Parks and its surrounds is underway and in the short to medium term, Three Parks will be a significant centre for Wānaka.¹ The Project Site is already consented for a mixed-use development including residential units, worker accommodation and a service station approved under RM181471 (**2021 Consent**). The wider context and receiving environment of the Project Site is shown in the plan attached as **Appendix 2**.
3. The Project squarely meets the purpose of the FTA by providing significant regional benefits in delivering 250 residential dwellings at a more attainable price point that will contribute to addressing the significant housing shortfall in Wānaka. The Project will deliver 11% of the projected demand for additional residential housing in the Wānaka urban area over the medium term and 8% of the Wānaka-Upper Clutha Ward (**Wānaka Ward**).² The delivery of the Project will represent a significant economic injection for the region. The Project will sustain the construction workforce generating an estimated \$86 million in total value added and will attract up to 125 full time equivalent individuals as residents who will contribute to other areas of employment estimated to generate approximately \$41 million in total household incomes. The Project will also enable the Queenstown Lakes Community Housing Trust (**Housing Trust**) to provide 13 affordable homes for low-income households.³

¹ Recommendation of the Independent Hearing Panel, 23 December 2025 at [1.15(d)]. Queenstown Lakes District Council formally adopted the Independent Hearing Panel's recommendations at the full Council meeting on 5 February 2026.

² The study area for the economic assessment of the Project is the Wānaka-Upper Clutha Ward as defined by StatisticsNZ using 2025 boundaries as the relevant housing market for the application (Savvy Consulting, Wānaka Housing and Economic Assessment, December 2025).

³ Proposed Subdivision Conditions of Consent, Condition 50(cc).

4. Experts for Mt Iron Junction have proposed consent conditions to avoid, remedy or mitigate adverse effects. With these measures in place, the Project meets the relevant FTA criteria as it will result in the delivery of a project with significant national and regional benefits, while appropriately addressing potential impacts in a manner consistent with the FTA legal framework.

THE MT IRON JUNCTION HOUSING SCHEME

Background

5. The Project Site is already consented for development previously approved under the 2021 Consent which was approved by a consent order issued by the Environment Court on 19 April 2021.⁴ The 2021 Consent authorised a mixed-use development consisting of:
 - (a) a service station with associated signage, retail store, car wash and laundromat;
 - (b) nine workers accommodation units with 54 bedrooms;
 - (c) terrace housing residential units comprising of 13 two or three bedroom units;
 - (d) associated earthworks, roading, servicing, infrastructure and landscaping; and
 - (e) a protected landscape area (**PLA**) on the western side of the Project Site.
6. A prerequisite for development on the Project Site was the upgrade of the Stage Highway 6 and 84 intersections to a five-way roundabout to address traffic congestion concerns. This upgrade is now complete.
7. The 2021 Consent enabled development on the north-eastern portion of the Project Site while the south-western area was identified as a PLA until such time as the Project Site was rezoned to enable a higher density of urban development.⁵ Conditions of the 2021 Consent require the PLA to be retained in open space or rural use and this outcome is secured by a covenant in gross prohibiting further development.⁶
8. Following the grant of the 2021 Consent, subdivision consent was obtained in November 2023 to create individual lots for consented development.⁷ Infrastructure

⁴ *Mt Iron Junction Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86.

⁵ RM230506, Condition 60(g).

⁶ RM230506, Condition 60.

⁷ RM230506.

works for this are progressed in advance of the completion of internal roading. The service station located on Lot 1 DP 605028 does not form part of the FTA Project as shown in **Appendix 1** and the two will function together.

The Project Site

9. The Project Site sits within the urban fringe of Wānaka and Albert Town, at a key entrance to Wānaka. Although still having a rural zoning, in approving the 2021 Consent the Environment Court acknowledged evidence highlighting the obvious disconnect between the rural zoning and the actual character of the Project Site:⁸

[7] Despite its zoning, the landscape architects each agreed (more or less) that the zoning of the site did not reflect its current character or amenity, particularly taking into account the nature of the surrounding commercial and residential land use activities. Context was an important consideration for the experts.

10. The Project Site is bounded by State Highway 84 to the south and State Highway 6 to the east. The State Highways currently create access constraints for the Project Site making rural use impractical, economically unfeasible and an inefficient use of land in a prominent and strategic location.
11. To the north of the Project Site is Mt Iron recreational reserve, the most prominent feature of the receiving environment. To the south and west is the Three Parks special zone, a mixed-use area comprising commercial and residential developments, large-format retail and a tourism and recreation precinct. The broader environment reflects a blend of residential, commercial and rural activities with residential activity continuing to expand.
12. The Project Site was previously used as a construction base for the new State Highway 6 and State Highway 84 roundabout and is largely vacant aside from a single dwelling and single storey shed.

The Project

13. The Project seeks FTA approvals to develop a medium to high density residential housing scheme comprising of the following key components:
- (a) 250 medium to high density dwellings across six building typologies that have been designed to meet Wānaka's specific housing needs and bridge the gap between residents' housing needs and the nature of current housing supply in Wānaka and the wider Queenstown Lakes region. Condition 10 requires that 80% of the dwellings be used for residential activities only and

⁸ *Mt Iron Junction Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86 at [7].

not for residential visitor accommodation other than homestays (as defined in the PDP).⁹ This condition will be registered on the titles by way of consent notice.¹⁰

- (b) Childcare centre to support the residential activity on the Project Site and nearby communities. Currently childcare centres in Wānaka are experiencing high demand with limited capacity available in existing centres.
- (c) Retail market building containing a café and small-scale boutique fresh fruit, vegetable and meat market to support the residential activity on the Project Site and nearby communities that currently lack such services such as Albert Town and Hāwea.
- (d) Integrated landscaping that is cohesive with the local Wānaka context and outdoor areas to provide a visually appealing neighbourhood and sufficient green space for onsite amenity.
- (e) Reserve areas and recreation amenities including barbecue areas, a playground and a pickleball court facility. The Proposal also includes additional access tracks and a car parking area to enhance public access to the Mt Iron Reserve.

Subdivision and Staging

- 14. The FTA approval application seeks land use consent for the various activities and housing typologies into individual parcels of land. The proposed lots are shown on the scheme plan attached as **Appendix 3**.
- 15. No building platforms are proposed due to the urban character of the Project. The mechanism of building platforms that is often standard in the rural zone is redundant in this instance as the residential units will occupy the majority of the land within each lot.
- 16. Subdivision will occur in stages, commencing with Stage 1 and concluding with Stage 6. While some stages may be delivered concurrently, sequencing will ultimately be determined by infrastructure dependencies. Conditions of consent will secure the intended staging outcomes for the subdivision.

⁹ Proposed Land Use Conditions of Consent, Condition 10.

¹⁰ Proposed Subdivision Conditions of Consent, Condition 53(c).

Housing Typologies

17. The housing typologies proposed have been carefully selected to address Wānaka's specific housing needs and respond to the current misalignment between available housing stock and the requirements of local residents. The Project will deliver the following mix of housing options:¹¹
- (a) Typology A 101m² – 26 single level (five metres tall), two bedroom, two bathroom, one car garage and one external onsite carpark units.
 - (b) Typology B 137m² – 36 two storey units (7.7 metres tall) comprising of three bedrooms and bathrooms and a single car garage.
 - (c) Typology C 130m² – 34 two storey units (7.6 – 8.1 metres tall) with three bedrooms, two bathrooms and a single car garage.
 - (d) Typology D 83m² – 62 attached two storey units with two bedrooms and bathrooms. Typology D units do not have garages but are proposed to be built around a central parking area with each unit being allocated one carpark.
 - (e) Typology E and E1 – three storey buildings with each unit consisting of two dual keyed units in a single ownership.
 - (f) Apartments – Various types of units. Two apartment buildings will contain a mixture of one and two-bedroom units with ground floor areas between 52m² and 76m².
18. While standard elsewhere in New Zealand, the type of housing typology is new for Wānaka. Currently, housing stock in Wānaka and the wider region is dominated by large family homes with three or more bedrooms, large floor areas and outdoor spaces. The lack of supply of smaller, more affordable options coupled with the high demand for housing has contributed to high purchase and rental costs.
19. Mt Iron Junction is partnering with the Housing Trust to deliver affordable housing as part of the Project. In accordance with Condition 50(cc), Mt Iron Junction will gift land to the Housing Trust equivalent to 5% of the Project's total dwellings, providing 13 home sites. The land will be the most accessible land gifted to the Housing Trust in Wānaka, located close to schools, retail, employment and recreation areas.
20. As summarised above, residential visitor accommodation such as Airbnb will be capped at 20% of the total dwellings delivered by the Project, with the remaining

¹¹ Substantive Application Report, February 2026 at [3.1].

80% restricted from visitor accommodation use. This ensures the Project will contribute to long-term rental housing in Wānaka.

Landscaping and On-site Amenity

21. As addressed above, the Environment Court has recognised that there is an obvious disconnect between the rural zoning and the actual urban/peri urban character of the relevant surrounding environment due to the nature of the surrounding commercial and residential land use activities.¹² The Project has been designed to respond to this context in accordance with the masterplan and will integrate into the wider character of the landscape.¹³
22. The landscaping plans for the Project have been prepared by RMM Landscape Architects. The landscaping proposal for the Project is designed to create an attractive and visually cohesive development, incorporating green spaces to enhance onsite amenity.
23. The landscape plans illustrate the proposed landscaping treatment along the Project's roading network which will be implemented progressively and completed at the conclusion of each development stage. Proposed conditions of consent require that all landscaping be delivered prior to the vesting of roads with Queenstown Lakes District Council (**QLDC**).
24. Two reserves are proposed as part of the Project. These public open space areas include open grassed areas, seating zones, barbeque facilities with shelters, a playground, and a pickleball court.
25. A comprehensive planting palette accompanies the landscape plans, featuring native species indigenous to the area alongside select exotic species characteristic of the wider district. This will ensure a visually unified and appealing environment across streetscapes, reserves, internal lots, the State Highway boundary and stormwater management areas within the Project Site.
26. Maintenance of any landscaping within the Project Site not vested in QLDC will be managed by an incorporated society. The incorporated society's primary role will be to ensure successful establishment and long-term upkeep of planting, as secured by the Landscape Management Plan required under Condition 8.

¹² *Mt Iron Junction Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86 at [7].

¹³ Substantive Application Report, February 2026 at [6].

Urban Design

27. The Project will be delivered in accordance with the masterplan which has been designed to respond to the context of the Project Site and broader environment. The masterplan seeks to provide high amenity for users by taking into account the type of housing needs for occupants and the local context of Wānaka.¹⁴
28. The Site is currently vacant and barren with no productive rural use and has lacked any onsite amenity since its use as a construction laydown site. The Proposal will result in a significant improvement to the amenity values of the Site.
29. The Proposal will provide for recreation opportunities through the provision of reserves and amenities such as a pickleball court facility. The Proposal also includes additional access tracks and a car parking area to provide for and enhance public access to the Mt Iron Reserve.

Construction

30. Construction works will be designed, staged and managed to mitigate any potential adverse effects in accordance with an Environmental Management Plan (**EMP**) and an Erosion and Sediment Control Plan (**ESCP**). Construction noise and vibration will be addressed by a Construction Noise and Vibration Management Plan (**CNVMP**).
31. The conditions of consent limit the hours of construction activity,¹⁵ require dust control and/or mitigation measures¹⁶ and require the submission of a monthly environmental report to QLDC including in relation to the EMP and ESCP.¹⁷

Car Parking

32. Public transport options in Wānaka are limited, and private vehicles are primarily relied on for transportation. The Project provides sufficient parking for all residential units, through attached garages or private communal parking areas restricted to residents. Additional guest parking will be available for higher-density units to accommodate visitor needs.
33. A dedicated car parking area will be provided to the north of the service station site providing convenient access for visitors and resident to the Mt Iron walking tracks. This parking area will be screened by landscaping to preserve the Mt Iron's role as a gateway feature into Wānaka. The provision of this facility aligns with the Mt Iron

¹⁴ Substantive Application Report, February 2026 at [6.4].

¹⁵ Proposed Subdivision Conditions of Consent, Condition 28.

¹⁶ Proposed Subdivision Conditions of Consent, Condition 27.

¹⁷ Proposed Subdivision Conditions of Consent, Condition 34.

Reserve Management Plan which seeks to enhance recreational experiences through appropriate parking infrastructure.

BENEFITS OF THE MT IRON JUNCTION HOUSING SCHEME

34. The significant regional benefits of the Project are comprehensively outlined in the substantive application prepared by Mr White and supporting technical assessment prepared by Ms Hampson. The benefits of the Project are:
- (a) The high-density residential use of the Project Site will meet the intent and key objectives of the National Policy Statement on Urban Development 2020 (**NPS-UD**) by:
 - (i) delivering 250 additional residential dwellings and creating a well-functioning urban environment in a high demand location;¹⁸ and
 - (ii) providing a development that offers a variety of housing types to cater for different household needs.¹⁹
 - (b) Contributing to addressing the housing shortfall in the local market by delivering 11% of the projected demand for additional residential housing in the Wānaka urban area over the medium term and 8% of the Wānaka ward.
 - (c) Visitor accommodation use will be restricted to 20% of the dwellings delivered by the Project. This ensures that 80% of the dwellings are available for long-term residents and renters rather than being absorbed into the short-term holiday rental market. This will assist with addressing the shortage of rental properties. Prioritising residential use enables the Project to contribute to a more competitive and affordable rental market which in turn will support local businesses to attract and retain staff.
 - (d) Delivering housing at a scale that responds to the demographic demand and needs of singles and couples by providing a range of housing typologies to cater to this demographic. The resident population of the Wānaka ward is predicted to have the largest growth in single and couple households. This will diversify the current housing stock that is dominated by large standalone dwellings and will materially contribute to easing (in the short term) a shortfall of attached housing in the Wānaka ward.
 - (e) The smaller footprints and medium-high density format of the homes will result in lower purchase and rental price points from the current housing

¹⁸ National Policy Statement for Urban Development 2020, Policy 1 and Policy 2.

¹⁹ National Policy Statement for Urban Development 2020, Objective 1.

market which is heavily dominated by standalone dwellings and high to premium value attached housing.²⁰ Lower purchase and rental prices will directly support attracting and retaining employees in the Queenstown Lakes region. This will result in increases to the customer and labour pool for retail, hospitality and service providers and encourage business growth.²¹

- (f) It is anticipated that more people will be attracted to the area, particularly those working in professional industries. The increase in population and diversity of skills being attracted to the region will result in a net increase in the number of full-time equivalent employees able to work within the Wānaka region due to the Project generating increased demand for local businesses and services.²²
- (g) Enabling the Housing Trust to provide 13 affordable homes in the Wānaka urban area for low income resident households.²³ There are currently 250 qualifying households on the Housing Trust's waiting list for affordable housing in the Wānaka ward. The provision of land for 13 affordable housing options will support these households to stay in the district and will support social cohesion and community wellbeing.
- (h) The development of the Project Site and delivery of the Project will directly contribute to sustaining the construction workforce which is estimated to generate \$86 million in total direct, indirect and induced value added.
- (i) The Project will attract up to 125 full time equivalent individuals to reside in the homes who will contribute to other areas of employment in the Wānaka ward and wider region that are estimated will generate approximately \$41 million in total household incomes.
- (j) Provision of a new childcare centre which is a service that experiences significant demand in Wānaka and the wider region. This will assist in alleviating the pressures existing childcare facilities are experiencing.

²⁰ Savvy Consulting, Wānaka Housing and Economic Assessment, 16 December 2025 at [5.1.].

²¹ At [4.3] and [5.1].

²² At page 3.

²³ Proposed Subdivision Conditions of Consent, Condition 50(cc).

APPROVALS REQUIRED

35. Mt Iron Junction is applying for the following approvals under the FTA that would otherwise be applied for under the Resource Management Act 1991 (**RMA**) (**RMA Approvals**):
- (a) Land use resource consents from Otago Regional Council (**ORC**) and QLDC.
 - (b) Subdivision resource consent from QLDC.
 - (c) Vary the existing 2021 Consent by cancelling specific conditions so that the 2021 Consent applies only to the consented service station. This includes cancelling Condition 60 of the 2021 Consent, which requires the south-western portion of the Project Site to be maintained as open space or for rural use.
 - (d) Cancellation of consent notice regarding engineering matters for the 2021 Consent including boundary fencing and geotechnical requirements.
 - (e) Discharge permits from ORC.
36. The combination of the 2021 Consent and the approvals sought in the FTA application cover all requirements to deliver the Project.

Cancellation of Consent Notice

37. Mt Iron Junction seeks approval under the FTA for the cancellation of Consent Notice 1305935.9 (**Consent Notice**) on the Project Site that would otherwise be sought under Section 221(3) of the RMA.²⁴ The Consent Notice was imposed as part of the subdivision consent granted in 2023 and relates to standard engineering matters for the 2021 Consent.
38. Mt Iron Junction seeks to cancel the consent notice in full to enable delivery of the Project and its associated benefits. Cancellation of the consent notice is required to deliver the Project as:
- (a) The Consent Notice condition on boundary fencing is inconsistent with the Project landscape and layout. Consistent with the NPS-UD, the Project proposes an open, integrated landscape design to create a cohesive visual connectivity and the boundary fencing requirement undermines this intent of the masterplan.

²⁴ Fast-track Approvals Act 2024, Section 42(4)(a).

- (b) The Consent Notice condition on geotechnical requirements is tailored to the 2021 Consent development configuration and the appropriate geotechnical requirements for the Project will be imposed as new consent notices that are specific to the lots they apply to.²⁵
39. Cancellation of the Consent Notice in full is consistent with the purpose of the FTA as it will facilitate the delivery of the Project and its significant regional benefits. The Consent Notice only gives effect to the 2021 Consent and does not align with the Project, which by virtue of its inclusion in Schedule 2, has been determined to meet the purpose of the FTA by delivering significant regional benefits. Cancelling of the Consent Notice ensures the Project can proceed efficiently in line with the intent of the FTA and in our submission can be granted by the Panel. The Consent Notice is provided in the Substantive Application Report.
40. The Consent Notice is registered on the following titles:
- (a) Lot 1 Deposited Plan 605028;²⁶
 - (b) Lot 2 Deposited Plan 605028;²⁷ and
 - (c) Lot 6 Deposited Plan 605028.²⁸

Cancellation of Existing Consent Conditions

41. Mt Iron Junction is seeking approvals to vary the existing 2021 Consent by cancelling specific conditions so that the 2021 Consent applies only to the consented service station, which is not part of the Project. The cancellation of the conditions will retain the core framework of the 2021 Consent, while aligning the consent with the revised scale.
42. This includes cancellation of Condition 60 of the 2021 Consent, which requires the south-western portion of the Project Site to be maintained as open space or for rural use. Condition 60 of the 2021 Consent requires this area to be retained in open space or rural use, secured by a covenant in gross prohibiting further development until such time that the Project Site is rezoned to enable a higher density a higher density of urban development.

²⁵ Substantive Application Report, February 2026 at [4.2.4].

²⁶ Held in Record of Title 1186395.

²⁷ Held in Record of Title 1186396.

²⁸ Held in Record of Title 1186396.

43. Section 81(3)(c) of the FTA provides an approval pathway for the change or cancellation of existing resource consent conditions. When considering an application for the change or cancellation of a condition, the Panel must:
- (a) Apply Section 127(1) and (3) of the RMA as if:
 - (i) in Section 127(3) of the RMA, the reference to Sections 88-121 of the RMA were to the provisions of Part 6 of the RMA that relation to decision-making on a resource consent; and
 - (ii) the provisions of Part 6 of the RMA were read with all necessary modifications, including that a reference to a consent authority must be read as a reference to a panel.
 - (b) The Panel must consider any Mana Whakahono ā Rohe or joint management agreement that is relevant to the approval.
44. Relevantly when considering a change or cancellation of an existing resource consent condition the FTA:
- (a) does not provide for parties who submitted on the original resource consent application or who may be affected by the change or cancellation to be notified of the FTA application; and
 - (b) requires an application to change or cancel an existing consent condition to be considered in light of the FTA's purpose.
45. We submit that assessing the difference of effects related to the cancellation of the 2021 Consent conditions against the purpose of the FTA, the Panel can be comfortable in approving the cancellation of the existing consent conditions.

FAST-TRACK APPROVALS ACT 2024 PRE AND POST LODGEMENT REQUIREMENTS

46. As a Schedule 2 listed project, Mt Iron Junction is eligible to lodge a substantial application directly to the Environmental Protection Authority (**EPA**) and does not require Ministerial referral.
47. The pre and post lodgement requirements in the FTA are addressed in **Appendix 4**.
48. Mt Iron Junction has complied with all lodgement requirements and the application meets the information requirements for the approvals sought as outlined in **Appendix 5**.

49. ORC has provided written notice confirming that there are no existing resource consents to which Section 124C(1)(c) of the RMA would apply to if the Project were applied for under the RMA.²⁹
50. As a result, we submit that the application can be provided to the Panel Convener by the EPA on the basis it is complete and within scope.

LEGAL FRAMEWORK

Weighting

Approach

51. Section 81 provides the decision-making framework under the FTA for the RMA Approvals sought. The Panel is required to either grant or decline the RMA approvals by following the processes set out in Schedule 5.³⁰
52. The decision-making processes for the RMA Approvals in Schedule 5 of the FTA require the Panel to take into account identified matters, but in all instances, to give the greatest weight to the purpose of the FTA which is “*to facilitate the delivery of infrastructure and development projects with significant regional or national benefits*”.³¹
53. The FTA Panel decisions for the Bledisloe North Wharf and Fergusson North Berth Extension and Maitahi Village which we address in more detail below have both applied a two-step evaluative framework that required:³²
- (a) considering and evaluating each relevant matter on an individual basis;
 - (b) acknowledgement that the legislative primacy of the FTA purpose does not alter the relevance of assessments but instead affects the weighting to be given to these assessments in the final weighting exercise; and
 - (c) after completing individual assessments, undertaking an overall evaluative judgement in which the purpose of the FTA is given the greatest weight.
54. We submit that this is the framework the Panel must apply to decision-making for the Project.

²⁹ Otago Regional Council, Section 30(3)(b) Notice, 27 January 2026.

³⁰ Fast-track Approvals Act 2025, Section 81(3)(a).

³¹ Fast-track Approvals Act 2024, Section 3.

³² Record of Decision of the Expert Consenting Panel, Maitahi Village, 18 September 2025

55. In addition to considering the purpose of the FTA, the Panel is required to apply the decision-making framework set out in Schedule 5 for the approvals sought in Mt Iron Junction's application.

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56. The High Court has held that the phrases “*have regard to*” and “*take into account*” could be regarded as synonymous³³ and that the key point is that the decision maker is free to attribute such weight as it thinks fit to the specified matter but can ultimately choose to reject the matter.³⁴
57. The Supreme Court in *Royal Forest and Bird Protection Society Inc v New Zealand Transport Agency* has held that to “*take into account*” requires a decision maker to directly consider the identified matters and give them genuine consideration, rather than mere lip service, such as by listing them and setting them aside.³⁵
58. Where greater weight is to be given to one listed matter above another matter, the Court of Appeal in *Enterprise Miramar Peninsula Inc v Wellington City Council (Enterprise Miramar)* has found (in the context of the Housing Accords and Special Housing Areas Act 2013 (HASHAA) which provided for a similar weighting mechanism) that an assessment of each of the factors must be taken into account on their own merits prior to applying the weighting required by the HASHAA.³⁶
59. Applying this to the FTA, the Panel in determining the Bledisloe North Wharf and Fergusson North Berth Extension decision applied the *Enterprise Miramar* decision to provide guidance for decision making under the FTA, specifically identifying the following guidance for decision making:³⁷
- (a) While the greatest weight is to be placed on the purpose of the FTA, the Panel must ensure that it does not rely solely on that purpose at the expense of due consideration to the other matters listed in (b) and (c).
 - (b) Clause 17 of Schedule 5 requires consideration of the matters listed in Clause 17(1)(a)-(c) on an individual basis, prior to standing back and conducting an overall weighting in accordance with the legislative direction.³⁸ This equally applies to all decision-making directions under the

³³ *New Zealand Transport agency v Architectural Centre Inc* [2015] NZHC 1991, (2015) 19 ELRNZ 163.

³⁴ *New Zealand Transport Agency v Architectural Centre Inc* [2015] NZHC 1991, (2015) 19 ELRNZ 163 at [63].

³⁵ *Royal Forest and Bird Protection Society Inc v New Zealand Transport Agency* [2024] NZSC 26, (2024) 25 ELRNZ 915.

³⁶ [2018] NZCA 541, (2018) 20 ELRNZ 771.

³⁷ Record of Decision of the Expert Consenting Panel, Bledisloe North Wharf and Fergusson North Berth Extension, 21 August 2025 (amended 8 September 2025) at [120]-[121].

³⁸ *Enterprise Miramar Peninsula Inc v Wellington City Council* [2018] NZCA 541, (2018) 20 ELRNZ 771 at [52]-[53].

FTA for other types of approvals that require the purpose to be given the greatest weight.

- (c) The purpose of the FTA is not logically relevant to an assessment of environmental effects. Environmental effects do not become less than minor because of the purpose of the FTA. What changes is the weight to be placed on those more than minor effects, they may be outweighed by the purpose of facilitating the delivery of infrastructure and development projects with significant regional or national benefits, or they may not.³⁹

60. The Panel in determining the Maitahi Village decision under the FTA applied a different approach to the decision making and determined the *Enterprise Miramar* decision was of less assistance as the relevant HASHAA provisions were in a different statutory context.⁴⁰ The Maitahi Village decision provides the following guidance on decision making under the FTA:

- (a) The Panel is tasked by the FTA with undertaking a broad evaluative exercise of weighing a range of matters identified in Section 81-85 of the FTA. The starting point is that the Panel must consider the substantive application, any advice, report, comment or other information received under various sections of the FTA.⁴¹
- (b) Under Section 85(3) an approval may be declined if adverse impacts are out of proportion to regional or national benefits. The reference to Section 81(4) is important as it requires the Panel to consider the extent of a project's regional or national benefits. This evaluative exercise is essential as where the FTA refers to the project's regional or national benefits in the context of a weighing process against any adverse impacts, it is the extent of such regional or national benefits that must be assessed.⁴²
- (c) Under the FTA, decision making on a resource consent must prioritise the purpose in Section 3 of facilitating significant regional or national benefits over other considerations.⁴³ This results in a legislative regime that may support the grant of a resource consent, even where the traditional RMA process would not.
- (d) A statutory requirement to give the greatest weight to the purpose of an Act does not mean it will always outweigh other considerations.⁴⁴ A broad

³⁹ At [55].

⁴⁰ Record of Decision of the Expert Consenting Panel, Maitahi Village, 18 September 2025 at [49]-[79].

⁴¹ At [57].

⁴² At [62].

⁴³ At [66].

⁴⁴ At [70].

evaluative exercise is required, weighing a range of matters within the FTA benefit-led framework and the purpose of the FTA guides interpretation and takes primacy in decision-making.

61. In granting approvals for the Waihi North fast-track project the Panel held that “*regional*” benefits does not refer to regional council areas under the Local Government Act 2002 but should be construed in a more general sense. For the Waihi North project, the Panel found that this encompassed the area around Waihi town.⁴⁵ The regional benefits of the Project should therefore be considered in relation to the Wānaka area.
62. We submit that when applying the relevant statutory tests under the FTA, the Panel is required undertake an “*overall balancing*” or “*overall judgment*” approach of incommensurables.⁴⁶ This requires considering all components of the Project, potential impacts and the relevant policy framework against the broader purpose of the FTA being the delivery of projects with significant regional or national benefits which must be given the most weight decision making.
63. The overall balancing approach required by the FTA provides for applications to be granted where in an RMA decision making context, they may not achieve strict adherence with the required policy framework.
64. Of relevance to the Project, Objective 4.2.1 of the PDP directs that Urban Growth Boundaries (**UGB**) be used as a tool to manage the growth of urban areas within distinct and defensible urban edges and Objectives 4.2.2A and 4.2.2B which address urban development and form within UGBs. Supporting Policy 4.2.2.23 states that rural land outside of UGBs is not used for urban development until a change to the PDP amends the UGB and zones additional land for urban development purposes.
65. In the RMA context the directive nature of the wording of these PDP provisions may be determinative for a resource consent application. However, in accordance with Section 85(4) and Clause 17 of Schedule 5 of the FTA which should be read together, inconsistency with a provision of a planning document is not fatal to an FTA application. While provisions of planning documents are a relevant consideration, as addressed above, the Panel must not treat the provisions as requiring the decline of an FTA application.⁴⁷

⁴⁵ Record of Decisions of the Expert Panel, Waihi North Project, 18 December 2025, Part F: Regional and National Benefits at [845].

⁴⁶ Record of the Decision of the Expert Consenting Panel, Tekapo Power Scheme, 3 November 2025 at [436] and Record of the Decision of the Expert Consenting Panel, Waihi North, 18 December 2025, Part M: Overall approach at [12].

⁴⁷ Fast-track Approvals Act 2024, Section 85(4) and Schedule 5, Clause 17(4).

66. This was emphasised by the Panel in the Waihi North decision which held that directive policies that would typically require an application to be declined under the RMA consenting process do not require the Panel to decline an application.⁴⁸
67. We submit that, when the required overall balancing approach is applied, the Project's inconsistency with the directive PDP provisions, when weighed against its significant regional benefits, does not preclude approval of the application.

When Panel may Decline Applications for Approvals

68. The instances in which a Panel must or may decline approvals are limited and are set out in Section 85 of the FTA.
69. In applying Section 85(1) to the Project, none of the approvals sought are for ineligible activities and granting the approvals would not breach Treaty settlements or recognised customary rights.⁴⁹

Sufficiently Significant Adverse Impacts

70. Under Section 85(3), a Panel may decline an approval if the adverse impacts of the Project are sufficiently significant to be out of proportion to the Project's regional and national benefits.⁵⁰
71. As outlined in paragraph 65 above, Section 85(4) directs that the Panel may not form the view that an adverse impact meets the sufficiently significant threshold solely on the basis that the adverse impact is inconsistent with or contrary to a provision of an Act or any other document requiring consideration. This means that, unlike traditional RMA processes, an inability to meet directive objectives or policies, while a matter to be taken into account, must not be determined to be fatal to an application.⁵¹ Rather, in that scenario in our submission the Panel is required to conclude that the purpose of facilitating the delivery of the Project outweighs any non-compliance with the planning instruments.
72. The suite of technical assessments demonstrates that the adverse impacts of the Project can be appropriately managed and that the economic benefits of the Project outweigh any potential adverse impacts.

⁴⁸ Fast-track Approvals Act 2024, Section 85(4) and Record of the Decision of the Expert Consenting Panel, Waihi North, 18 December 2025, Part G: Approvals relating to the Resource Management Act 1991.

⁴⁹ Fast Track Approvals Act 2024, Section 85(1)(a)-(b).

⁵⁰ Fast Track Approvals Act 2024, Section 85(3).

⁵¹ Fast Track Approvals Act 2024, Section 85(4).

73. Use of the term “*out of proportion*” requires an evidential finding that adverse impacts must substantially outweigh and exceed the national and regional benefits unlocked by a project before decline is warranted under Section 85.
74. This threshold is not met in the case of the Project.

Conditions

75. A Panel’s discretion to set conditions⁵² under the FTA is limited by the directive in Section 83 that conditions must not be more onerous than necessary.⁵³ We consider that, in imposing conditions, a Panel therefore must ensure that:
- (a) the condition is required to manage adverse impacts of the Project and does not go beyond what is necessary to manage that particular adverse effect;
 - (b) the condition relates to a matter which is within the range of impacts which are relevant under the FTA;
 - (c) the condition meets the requirements for validity relevant to the decision-making provisions relating to that approval,⁵⁴ for example the Newbury requirements established under the RMA should be applied to RMA conditions;
 - (d) the obligations imposed by the condition would be consistent with the purpose of the FTA by facilitating the delivery of the Project; and
 - (e) if considering decline of an approval, it has considered whether any further conditions could be utilised to prevent the decline in accordance Section 85(3).
76. The Panel Convener has signalled that applications with conditions reliant on management plans should provide draft management plans with their application.⁵⁵ The application for the Project includes a draft EMP which includes an ESCP in accordance with Condition 3 (proposed land use conditions) and Conditions 3 and 11-14 (proposed subdivision conditions). In accordance with the Panel’s decision granting approvals for the Waihi North fast-track project, Mt Iron Junction does not seek that the Panel approve these management plans.⁵⁶ Rather the conditions of

⁵² Fast Track Approvals Act 2024, Schedule 5 Clause 17, Schedule 7 Clause 5, Schedule 6 Clause 7, Schedule 8 Clause 4 and Schedule 11 Clause 7.

⁵³ Fast Track Approvals Act 2024, Section 83.

⁵⁴ Clause 17 of Schedule 5 expressly incorporates the Resource Management Act 1991 decision making provisions on conditions.

⁵⁵ Panel Convener Practice and Procedure Guidance at [21.1].

⁵⁶ Record of Decisions of the Expert Panel, Waihi North Project, 18 December 2025, Part E: Effects at [7].

consent provide for the management plans to be submitted to QLDC for certification.⁵⁷

KEY MATTERS FOR DETERMINATION

77. To assist the EPA and the Panel, the key impacts which require consideration and determination by the Panel and the framework for the relevant decision maker are outlined below.
78. The key effects and the effects management proposed in relation to those effects are also summarised in a table form in **Appendix 6**.

Landscape and Visual Amenity

79. Despite the rural zoning of the Project Site, the existing environment demonstrates that the Project Site and surrounding environment no longer retain a rural character. The Consent Order for the 2021 Consent notes that the zoning of the Project Site does not reflect the current character or amenity, particularly taking into account the nature of the surrounding commercial and residential land use activities.⁵⁸
80. The Project will introduce development to the Project Site and remove the covenant on the south-western portion which requires this area to be retained in open space or rural use. The Project will therefore result in a change to the current landscape and visual amenity attributes of the Project Site.
81. The starting point for considering landscape and visual amenity effects is against the existing environment. This includes lawfully established activities and the environment as it may be modified by granted resource consents where it is likely that those resource consents will be implemented.⁵⁹
82. As outlined above, the 2021 Consent authorises a mixed use development on the Project Site and has been partially implemented through the construction of roading. Accordingly, the 2021 Consent forms part of the existing environment for the purpose of assessing effects.
83. The Project Site has also undergone exotic tree clearance associated with the installation of QLDC water and wastewater trunk mains. In the wider receiving

⁵⁷ Proposed Land Use Conditions of Consent, Conditions 6 and 8, Proposed Subdivision Conditions of Consent, Conditions 7, 9, 10, 12 and 15 and Amended Conditions of RM181471, Conditions 10, 46 and 67.

⁵⁸ *Mt Iron Junction Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86 at [7].

⁵⁹ *Queenstown Lakes District Council v Hawthorn Estate Ltd* CA45/05, 12 June 2006, (2006) 12 ELRNZ 299

environment, significant development has progressed and is anticipated on adjacent sites, including the Three Parks.

84. Expert landscape architect for Mt Iron Junction, Mr Smith, concludes that the visual amenity effects of the Project range from very low to moderate, with the most noticeable effects occurring from:
- (a) State Highway 6 when entering Wānaka;
 - (b) State Highway 6 immediately east of the Project Site;
 - (c) State Highway 84 Balneaves Road; and
 - (d) nearby residential properties.⁶⁰
85. However, the proposed landscaping, when mature will adequately mitigate most of these adverse effects in the long-term.⁶¹ It is anticipated that the planting across the Project Site should be fully established after approximately 5 – 7 years. We submit that any residual adverse effects experienced until such point as the mitigation planting is fully established are a temporary effect. Views to Mt Iron will be retained and Mt Iron will continue to be a prominent feature at the entrance to Wānaka and continue to have a very strong influence on this area as the dominant backdrop to west facing views.⁶²
86. In terms of landscape character effects, the Project will not adversely affect the physical or associative values of the Mt Iron Outstanding Natural Feature or the Ōrau/Cardrona River.⁶³ The adverse effects on Mt Iron's perceptual values such as prominence and memorability will be low and mitigated over time through comprehensive landscape mitigation.⁶⁴ The Project will appear as infill development, consistent with the existing pattern of urban growth in Wānaka.⁶⁵
87. Overall, the Project will have a low degree of adverse effects on the landscape values of the receiving environment and will be visually and contextually integrated into the surrounding area.

⁶⁰ Rough Milne Mitchell Landscape Architects Limited, *Landscape Assessment Report*, 17 December 2025, at [7].

⁶¹ At [7].

⁶² At [7].

⁶³ At [7].

⁶⁴ At [7].

⁶⁵ At [7].

Transport

88. Proposed residential activity will generate the following traffic movements:⁶⁶
- (a) morning peak hour: 45 vehicles will enter and 180 vehicles will exit; and
 - (b) evening peak hour: 146 vehicles will enter and 79 vehicles will exit.
89. The proposed childcare facility and retail offering are not expected to generate significant numbers of vehicle movements as they will predominantly meet the needs of residents.⁶⁷ However, if any external traffic is generated, the volumes would be small.⁶⁸
90. Current traffic volumes at the 5-way roundabout are higher than was expected when it was designed in 2018 and are not reflected in the latest QLDC transportation model.⁶⁹ In the morning peak hour, the roundabout will have sufficient capacity to accommodate ambient traffic growth in addition to traffic generation from the Project.⁷⁰ In the evening peak hour there is expected to be an increase in queues and delays.⁷¹ However, this outcome does not arise as a result of the Project. Due to the increase in traffic flows on State Highway 84 this outcome would consequently also occur from different types of development and/or in different locations.⁷² Mt Iron Junction has been in ongoing dialogue with NZTA on this matter.
91. The roads proposed across the Project Site to provide linkage and circulation across the Project Site will function as local roads and will operate with a high level of efficiency and safety.⁷³
92. There is no public transport available in Wānaka so movement from the Project Site is assumed to be primarily from private vehicle usage. A substantial amount of car parking has been provided onsite to avoid any adverse effects associated with on-street car parking.⁷⁴ Provision has also been made for guests and the likelihood of occupants using their garage spacing for storage rather than car parking.⁷⁵

⁶⁶ Carriageway Consulting, *Transportation Assessment*, February 2026 at [7.1.4].

⁶⁷ At [7.1.11].

⁶⁸ At [7.1.11].

⁶⁹ At [9.4].

⁷⁰ At [2.3].

⁷¹ At [2.2].

⁷² At [2.8].

⁷³ Carriageway Consulting, *Internal Layout Report*, February 2026 at [8].

⁷⁴ At [8].

⁷⁵ At [6.4].

93. The Project also provides for opportunities to travel by non-car modes.⁷⁶ The Project Site is well-connected to Three Parks with a well-formed off-road walking and cycling track.⁷⁷

Servicing

94. The Project Site contains existing provision for electricity, telecommunications, reticulated water supply and wastewater management. However, Mt Iron Junction proposes the following to ensure adequate servicing:⁷⁸
- (a) to ensure that the Project does not have adverse effects on existing wastewater infrastructure capacity, a gravity wastewater main along the boundary of Albert Town-Hāwea Road will be constructed; and
 - (b) to accommodate an efficient layout and access to the water supply network, Mt Iron Junction is consulting with QLDC to relocate the water supply main line within the new roads proposed for the Project.
95. Access to the Project Site is already provided for through the newly built 5-way roundabout into the Project Site.
96. There is no reticulated stormwater network available to the Project Site. Stormwater is proposed to be discharged to ground through the construction and placement of a series of soakage pits situated across the Project Site.⁷⁹ Soakage pits will be designed by a suitably qualified engineer to ensure they will have sufficient capacity to accommodate stormwater in the event of a 1% Annual Exceedance Probability storm before it is discharged to ground.⁸⁰ This approach has been determined appropriate as there is high soakage rates present in the outwash gravels that underlie the Project Site.⁸¹

Cultural Effects

97. The Project Site is not identified as having any specific cultural values that will be affected as a result of the Project.⁸² However, accidental discovery procedures are provided for in the proposed conditions.⁸³

⁷⁶ Carriageway Consulting, *Transportation Assessment*, February 2026 at [2.8.5].

⁷⁷ At [9.9]

⁷⁸ Substantive Application Report, February 2026 at [6.9].

⁷⁹ At [6.9.1].

⁸⁰ At [6.9.1].

⁸¹ At [6.9.5].

⁸² At [6.10].

⁸³ Proposed Subdivision Conditions of Consent, Condition 44.

98. Mt Iron Junction and Ka Rūnaka have entered into a heads of agreement recording agreed tikanga for engagement between the parties and providing for cost recovery for Ka Rūnaka.⁸⁴

Other Effects

99. Mt Iron Junction's experts have also assessed other effects of the Proposal as follows:
- (a) Acoustic effects during construction will be within the relevant noise standards and operational noise effects will be minimal.⁸⁵ To ensure that the best practicable option to mitigate noise is adopted during construction, a CNVMP will be implemented.
 - (b) Construction activities for the Project will be managed to ensure that there will be no adverse effects through an EMP and ESCP.
 - (c) Natural hazards effects including slope stability, rockfall risk, flooding risk, wildfire risk and climate change have been assessed as appropriate.⁸⁶ Risk of seismic activity will be managed by ensuring appropriate allowance is made for seismic loading during detailed design of proposed buildings, foundations and retaining walls. This is a standard development matter that can be addressed in conditions.

Variation of Consent

100. As outlined in paragraphs 41 – 45 above Mt Iron Junction is seeking approvals to vary the existing 2021 Consent by cancelling specific conditions so that the 2021 Consent applies only to the consented service station, which is not a component of the Project.
101. The requirement in Section 127(4) of the RMA, which requires the decision-maker to consider every person who made a submission on the original application and every person who may be affected by the change or cancellation, does not apply under the FTA.

⁸⁴ Te Rūnanga o Moeraki Incorporated, Kati Huirapa ki Puketeraki Incorporated, Te Rūnanga o Ōtākou Incorporated, Hokonui Rūnanga Incorporated, Waihōpai Rūnanga Incorporated, Te Rūnanga o Awarua Incorporated and Oraka Aparima Rūnanga Incorporated.

⁸⁵ Acoustic Engineering Services, *Assessment of Environmental Noise Effects*, 19 December 2025, at [5] and [6].

⁸⁶ Substantive Application Report, February 2026 at [6.7].

102. The requirements of Section 81(3)(c) are met and the 2021 Consent conditions can be cancelled as:
- (a) under Section 42(6)(a) the substantive application also seeks approvals for resource consent; and
 - (b) under Section 42(6)(b), the change is material to the delivery of the Project as the masterplan seeks to develop the entirety of the Site including the PLA.
103. An application for cancellation of an existing consent condition is to be determined as a discretionary activity in accordance with Section 127 of the RMA. The FTA imports the provisions of the RMA that require an application to cancel a resource consent condition to only assess the extent of effects which are different to those already granted.⁸⁷ Effects that go beyond what is sought by the cancellation of the condition cannot be considered or controlled through the FTA variation process. As such the focus is on assessing the difference in effects between the current Condition 60 and what is being proposed as part of the Project.
104. The effects to be considered are therefore limited to the difference in effects between the 2021 Consent proposal and the Project. For the reasons outlined in this document which are briefly summarised below we submit that the Project is a more efficient use of the Project Site which directly achieves the purpose of the FTA:
- (a) Cancellation of identified conditions of the 2021 Consent is necessary to deliver the Project and meet the purpose of the FTA. In particular the requirement imposed by Condition 60 to retain open space to maintain a balance of rural character does not align with the Project's objectives and will not enable the Project to deliver significantly regional benefits. Condition 60 was a product of its time and reflects the context and environment of the development proposal in 2021. Circumstances have since changed with the:
 - (i) Continued development of the receiving environment. In particular the development of the Three Parks special zone, a mixed-use area comprising commercial and residential developments, large-format retail and a tourism and recreation precinct. The broader environment now reflects a blend of residential, commercial and rural activities with residential activity continuing to expand.

⁸⁷ Fast-track Approvals Act 2024, Schedule 5, Clause 23.

- (ii) Listing of the Project in Schedule 2 of the FTA which confirms its ability to meet the purpose of the FTA by delivering significant regional benefits.
 - (b) Variation of the 2021 Consent will ensure that the Project can proceed efficiently in accordance with the intent of the FTA.
105. We submit that all conditions of the 2021 Consent would:
- (a) prevent the efficient use of the Project Site and restrict the ability to achieve the regionally significant density of housing; and
 - (b) compromise the well-functioning urban environment proposed by the masterplan.

CONCLUSION

106. The Project Site, located within three kilometres of the Wānaka Town Centre and approximately one kilometre from the Three Parks mixed use commercial centre is already consented for a mixed-use development under the 2021 Consent. The Project represents an appropriate use of the Project Site and will align with the nature of the receiving environment.
107. The Project will contribute to addressing the significant housing shortfall in the Queenstown Lakes District. The Project will deliver 11% of the projected demand for additional residential housing in the Wānaka urban area over the medium term and 8% of the Wānaka ward. The delivery of the Project will represent a significant economic injection for the region through sustaining the construction workforce generating \$86 million in total direct, indirect and induced value and will result in the generation approximately of \$41 million in total household incomes. The Project will also enable the Housing Trust to provide affordable homes for low income households.
108. Mt Iron Junction has accepted recommendations from leading experts on landscape, urban design, transport, acoustic and servicing matters to ensure the Project is well designed and effects will be appropriate. Mt Iron Junction has proposed consent conditions to avoid, remedy or mitigate any adverse effects.
109. The Project meets the FTA criteria as it will result in the delivery of a project with significant national and regional benefits, while appropriately addressing potential impacts in a manner consistent with the FTA legal framework.

110. The Project meets the purpose of the FTA and the legal tests for acceptance and approval. Accordingly, we respectfully request that the Panel grants the approvals sought, subject to the conditions proposed by the technical experts.
111. A statement from all technical experts who have authored reports of the Project is provided in **Appendix 7** confirming compliance with the Environment Court Practice Note 2023 (Code of Conduct for Expert Witnesses).

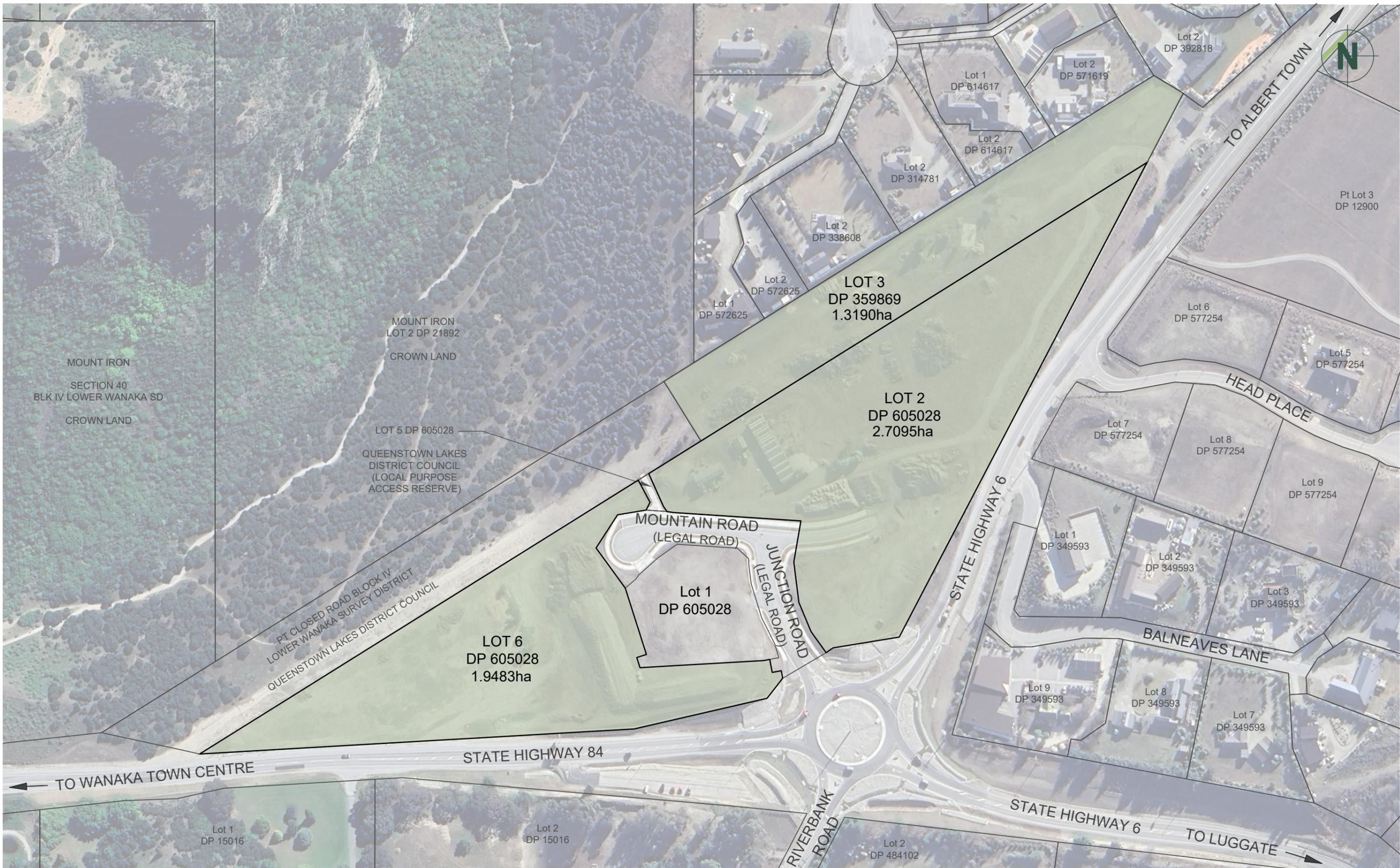
Dated 18 February 2026

A handwritten signature in blue ink, appearing to read 'Joshua Leckie'.

Joshua Leckie / Mia Turner / Laura Brown
Counsel for the Applicant

Appendix 1

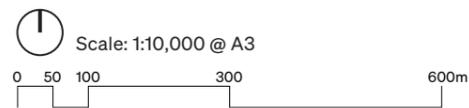
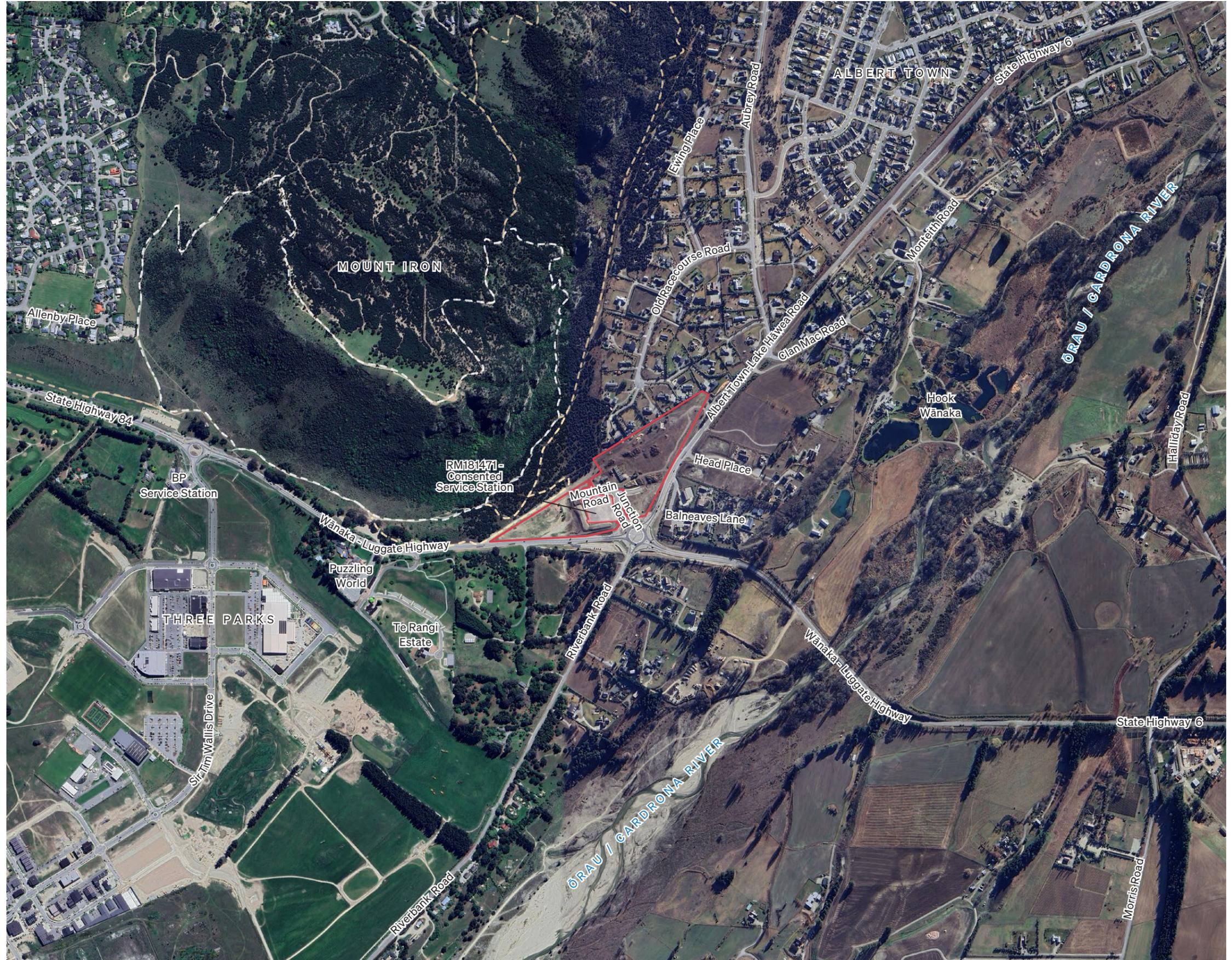
Project Site



Appendix 2

Wider Context and Receiving Environment

Local Context Plan



Appendix 3

Scheme Plan

Appendix 4

Pre and Post Lodgement Requirements

FAST-TRACK APPROVALS ACT 2024 PRE-LODGEMENT REQUIREMENTS

1. As a Schedule 2 listed project, Mt Iron Junction Limited (**Mt Iron Junction**) is eligible to lodge a substantive application directly to the Environmental Protection Authority (**EPA**) and does not require Ministerial referral.
2. The Panel Conveners' Practice and Procedure Guidance (**Guidance**) includes recommendations that are intended to guide applicants when preparing substantive applications.¹ Mt Iron Junction has generally sought to follow those recommendations as closely as possible in preparing the application.
3. One of the recommendations in the Guidance is lodging separate technical assessments and reports for each approval and a separate condition set for each administering agency.
4. Mt Iron Junction has chosen not to divide the technical assessments into separate reports for each approval sought as:
 - (a) all approvals sought are governed by the Resource Management Act 1991 (**RMA**);
 - (b) this approach avoids unnecessary repetition and duplication of assessments that would occur due to the overlapping nature of the approvals sought; and
 - (c) this approach ensures the substantive application provides a comprehensive and integrated assessment of all effects and measures to appropriately manage these effects.

Consultation Undertaken

5. Section 29 of the Fast-track Approvals Act 2024 (**FTA**) requires Mt Iron Junction to consult with:
 - (a) the relevant local authorities;
 - (b) any relevant iwi authorities, hapū and Treaty settlement entities; and
 - (c) the relevant administering agencies.

¹ Panel Conveners' Practice and Procedure Guidance 22 July 2025 at [4.1].

6. Mt Iron Junction has complied with this requirement and details of the consultation undertaken with each party and the key concerns raised are set out in Section 2.6 of the Substantive Application Report.
7. The statutory requirements relating to consultation under Section 29 of the FTA are different to what is often experienced under the RMA, and it is important not to conflate the two processes. This section has largely been included due to the purpose of the FTA and altered role of the relevant regulators in decision making under the FTA.

Consultation undertaken with Ka Rūnaka

8. Mt Iron Junction and Ka Rūnaka have entered into a Heads of Agreement recording agreed tikanga for engagement between the parties and providing for cost recovery for Ka Rūnaka.² As outlined in more detail in Section 2.6.4 of the Substantive Application Report, Mt Iron Junction has been in active consultation with Ka Rūnaka including information sharing.
9. We submit that Mt Iron Junction has fulfilled the pre lodgement consultation requirements in Section 11 of the FTA and that the substantive application can be accepted as complete and provided to the Panel Convener while discussions with Kā Rūnaka are progressed.

Consultation undertaken with Queenstown Lakes Charitable Housing Trust

10. As part of the Project, Mt Iron Junction has entered into a Heads of Agreement with the Queenstown Lakes Charitable Housing Trust, committing it to gift land to the Housing Trust equivalent to 5% of the total number of dwellings created by the Project. This equates to 13 dwellings on the Project Site that will assist with providing affordable housing for the Wānaka area.

Adjacent Landowner Approvals

11. The owners of the service station property at 7 Junction Road, Wānaka have confirmed in their affected party approval (**APA**) their support of the Project in its entirety and have confirmed that the decision of the Panel should be made without consideration of effects on the service station property. A copy of this approval is provided in the Substantive Application Report.
12. We submit that the APA should be afforded significant weight by the Panel in its decision making.

² Te Rūnanga o Moeraki Incorporated, Kati Huirapa ki Puketeraki Incorporated, Te Rūnanga o Ōtākou Incorporated, Hokonui Rūnanga Incorporated, Waihōpai Rūnanga Incorporated, Te Rūnanga o Awarua Incorporated and Oraka Aparima Rūnanga Incorporated.

SECTION 30 – IDENTIFICATION OF EXISTING RESOURCE CONSENTS FOR THE SAME ACTIVITY

13. Section 30 of the FTA requires an applicant to make enquiries as to whether there are existing consents to which Sections 124C(1)(c) or 165ZI of the RMA would apply if the Project were to be applied for as a resource consent under the RMA.
14. Mt Iron Junction holds RM181471 (**2021 Consent**) and subdivision consent RM230506 that apply to the Project Site. As these existing resource consents are held by the authorised person for the Project under the FTA Section 30 does not apply.
15. Otago Regional Council has provided written notice confirming that there are no existing resource consents to which Section 124C(1)(c) of the RMA would apply to if the Project were applied for under the RMA.³

FAST-TRACK APPROVALS ACT 2024 POST-LOGGEMENT REQUIREMENTS

Completeness and Scope

16. The completeness and scope assessment of an application undertaken by the EPA is undertaken in consultation with the relevant administering agencies and consent authorities.⁴ Consultation at this stage of the process invites those agencies and authorities to comment on whether the application is complete and within scope. These comments must not include any assessment of the merits of the application.⁵
17. The substantive application for the Project complies with the requirements in Section 46(2) as the application:⁶
 - (a) complies with the scope of approvals provided for in Section 42;⁷
 - (b) meets the information requirements in Section 43 for the approvals sought as set out in Section 4 of the Substantive Application Report;
 - (c) relates solely to the Project as listed in Schedule 2 to “*[d]evelop approximately 263 high-density residential dwellings, a childcare centre, a retail building, a restaurant, a service station, and parks*”;⁸

³ Otago Regional Council, Section 30(3)(b) Notice, 27 January 2026.

⁴ Fast Track Approvals Act 2024, Section 46(1).

⁵ Fast Track Approvals Act 2024: Panel Conveners’ Practice and Procedure Guidance at [5.1(a)].

⁶ Fast Track Approvals Act 2024, Section 46(3).

⁷ Fast Track Approvals Act 2024, Section 46(2)(a)(i).

⁸ Fast Track Approvals Act 2024, Section 46(2)(b) and Schedule 2. The definition of *Project* in Section 4 includes any activity that is involved in, or that supports and is subsidiary to, a listed project, a referred project or unlisted project.

- (d) does not involve any ineligible activity;⁹ and
- (e) all fees, charges and levies associated with the application have been paid.¹⁰

18. As a result, we submit that the substantive application can be provided to the Panel Convener by the EPA on the basis that it is complete and within scope.

⁹ Fast Track Approvals Act 2024, Section 5 and Section 46(2)(c).

¹⁰ Fast Track Approvals Act 2024, Section 46(2)(d).

Appendix 5

Information Requirements for Approvals Sought

INFORMATION REQUIREMENTS FOR APPROVALS SOUGHT

Resource Management Act 1991 Approvals

1. Clause 17 of Schedule 5 of the Fast-track Approvals Act 2024 (**FTA**) requires that the provisions of Parts 2, 3, 6 and 8 of the Resource Management Act 1991 (**RMA**) directing decision making on a resource consent application must be taken into account in relation to the RMA approvals.
2. The key sections within those relevant Parts of the RMA are:
 - (a) Section 104 which sets out the decision-making framework. It requires that a Panel must have regard to:
 - (i) the actual and potential effects on the environment of allowing the activity;
 - (ii) any measure proposed or agreed by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the allowing the activity;
 - (iii) relevant provisions of planning documents; and
 - (iv) any other matters relevant and reasonably necessary to determine the application.
 - (b) Section 104B which provides that after considering an application for a discretionary activity a Panel may grant or refuse the application. If the application is granted, conditions may be imposed under Section 108.
 - (c) Section 127 which provides for the cancellation or variation of an existing condition of consent.
3. While these are relevant to the Panel's RMA decision making, a FTA project's inability to meet these provisions does not preclude approval under the FTA.¹ Instead, the FTA provides the Panel with discretion to weigh the broader purpose of the FTA, prioritising significant regional or national benefits over an inability to meet other RMA requirements.
4. The RMA approvals for the Project meet the legal requirements for approval as:
 - (a) In accordance with Section 5 of the RMA, the Project will enable the social and economic wellbeing of the Central Otago District and Wider Otago Region through employment and

¹ Fast Track Approvals Act 2024, Schedule 5 Clause 17(4).

the generation of significant benefits for the local, regional and national economy. Effects will be avoided, remedied or mitigated to ensure the safeguarding of the life-supporting capacity of air, water, soil and ecosystems.

- (b) The actual and potential effects on the environment will be appropriately managed in accordance with Section 104 and subject to conditions under Section 108 of the RMA.
5. Overall, taking into account the various mitigation measures that are proposed, the Project is generally consistent with the relevant RMA policy and planning documents.

Appendix 6

Key Effects and Effects Management

Impact	Avoid, Remedy, Mitigate	Conditions	Technical Assessment Reference
Landscape and Visual Amenity	<ul style="list-style-type: none"> • Height of proposed buildings will be limited to 10m. • Built form will be undertaken in accordance with the masterplan resulting in a diverse range of modulation and typology constructed using a local palette of materials. • Mitigation planting. • Existing vegetation and trees onsite will mitigate effects. • Site layout will maintain a viewshaft to Mount Iron. • Denser residential buildings will be located within the northern-eastern corner of the Site, integrating with the adjacent large lot residential zoning and development. • Reserve areas are proposed around the Site. 	<p>Land Use Conditions of Consent, Conditions 3, 6, 7, 8, 13 and 21.</p> <p>Subdivision Conditions of Consent, Conditions 3, 10, 50 and 53.</p>	RMM Landscape Architects, <i>Landscape Assessment Report</i> , 17 December 2025
Transport	<ul style="list-style-type: none"> • 5 way roundabout has been constructed. • 2.9 car parking spaces per unit will be provided onsite. On street parking will also be provided. • Non-residential development will allow residents to access services without leaving the Site. • Non-car linkages will be provided between the Site and the surrounding walking and cycling networks. • Internal roading will provide linkage and circulation across the Site. • All vehicle access, manoeuvring and parking areas will be audited by an independent traffic engineer. 	<p>Land Use Conditions of Consent, Conditions 16 and 23.</p> <p>Subdivision Conditions of Consent, Conditions 7, 9 and 50.</p>	<p>Carriageway Consulting, <i>Transport Assessment</i>, February 2026</p> <p>Carriageway Consulting, <i>Internal Layout Report</i>, February 2026</p>

Impact	Avoid, Remedy, Mitigate	Conditions	Technical Assessment Reference
	<ul style="list-style-type: none"> • All signage and road marking will be in accordance with the Manual of Traffic Signs and Markings requirements. • A traffic management plan will be implemented for works within or adjacent to Council roads. • Appropriate signage will be installed within the entrance and carpark areas to alert drivers to beware of children. • Vehicle crossings shall be constructed in accordance with Council's standards. • Cycling facilities will be provided at the childcare centre and café. • Traffic calming measures will be implemented to ensure an appropriate operating speed for the Mountain Road East/Road 3 intersection. • Measures to ensure suitable sight distances will be implemented. 		
Servicing	<ul style="list-style-type: none"> • Gravity wastewater main along the boundary of Albert Town-Hāwea Road will be constructed. • Stormwater will be discharged to ground through the construction and placement of a series of soakage pits situated across the Site. The soakage pits are designed to accommodate up to a 1% Annual Exceedance Probability storm event. • To accommodate an efficient layout and access to the water supply network, Mt Iron Junction is consulting with Queenstown Lakes District Council to relocate the water supply main line within the new roads proposed for the Project. 	Subdivision Conditions of Consent, Conditions 8, 9 and 50.	Substantive Application Report Engineering Plans

Impact	Avoid, Remedy, Mitigate	Conditions	Technical Assessment Reference
	<ul style="list-style-type: none"> • Fire hydrants will be located within the road reserves and spaced out across the Site to comply with the requirements for firefighting under the Subdivision Code of Practice. • Aurora has confirmed that electricity supply and telecommunications can be provided for the Proposal. 		
Cultural	<ul style="list-style-type: none"> • The Project Site is not identified as having any specific cultural values that will be affected as a result of the Project. However, accidental discovery procedures proposed. • Earthworks will be undertaken in accordance with appropriate environmental management procedures to mitigate any potential effects on downstream waterways. • Consultation is ongoing between Mt Iron Junction and Ka Rūnaka. 	<p>Land Use Conditions of Consent, Condition 3.</p> <p>Subdivision Conditions of Consent, Conditions 3, 11, 12, 23, 25-27 and 29-47.</p>	Substantive Application Report
Acoustic	<ul style="list-style-type: none"> • 1.8m high acoustic fence proposed around childcare facility. • 2m high acoustic fence proposed between the southern loading bay of the market and the boundary of Lot 102. • Design and acoustic insulation requirements for the development of the residential units within close proximity to the state highway corridor, early childhood education centre and service station will be included in conditions. • The childcare facility, café and market will only operate and allow deliveries between 07:30am - 8:00pm. 	<p>Land Use Conditions of Consent, Conditions 9 and 15.</p> <p>Subdivision Conditions of Consent, Conditions 15-19.</p>	Acoustic Engineering Services, <i>Assessment of Acoustic Effects</i> , 19 December 2025

Impact	Avoid, Remedy, Mitigate	Conditions	Technical Assessment Reference
Construction	<ul style="list-style-type: none"> • Environmental Management Plan and Erosion and Sediment Control Plan will be implemented. • To ensure the best practicable option to mitigate noise is adopted during construction, a Construction Noise and Vibration Management Plan will be implemented. 	<p>Land Use Conditions of Consent, Condition 3.</p> <p>Subdivision Conditions of Consent, Condition 3, 11-19, 22, 23 and 31.</p>	<p>Environmental Management Plan</p> <p>Erosion and Sediment Control Plan</p> <p>Acoustic Engineering Services, <i>Assessment of Acoustic Effects</i>, 19 December 2025</p>
Natural hazards	<ul style="list-style-type: none"> • Risk of seismic activity will be managed by ensuring appropriate allowance is made for seismic loading during detailed design of proposed buildings, foundations and retaining walls. • Soakage pits are proposed to manage stormwater. The stormwater system and soakage pits have been designed to accommodate up to a 1% Annual Exceedance Probability storm event. • The Site will be graded to ensure water flows away from the development onsite to the proposed soakage pits. • Tertiary flow paths across the Site are proposed in the event that the soakage pits become blocked with debris or capacity of these soakage pits is exceeded. • Fire hydrants will be installed throughout the Site. • Fire resistant building materials will be used. 	<p>Subdivision Conditions of Consent, Condition 9 and 50.</p>	<p>Substantive Application Report</p>

Appendix 7

Expert Confirmation of Compliance with Code of Conduct

Name	Discipline	Reports Prepared	Confirmation of Compliance with the Code of Conduct for Expert Witnesses	Signature
<p>Josh Binnie</p> <p>Sam Connell</p>	<p>Architecture</p>	<p>Architectural Renders</p>	<p>I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.</p>	
<p>Natalie Hampson</p>	<p>Economics</p>	<p>Wānaka Ward Housing and Economic Assessment</p>	<p>I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.</p>	

Name	Discipline	Reports Prepared	Confirmation of Compliance with the Code of Conduct for Expert Witnesses	Signature
Nikki Smetham Paul Smith	Landscape	Landscape Assessment	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	 
Andy Carr	Transport	Traffic Assessment	This report has been prepared by Mr Andy Carr, in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. His qualifications and experience are summarised in Appendix A.	
David Compton-Moen	Urban Design	Urban Design Assessment	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my	

Name	Discipline	Reports Prepared	Confirmation of Compliance with the Code of Conduct for Expert Witnesses	Signature
			area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Martin Johnson	Acoustic Engineering	Assessment of Environmental Noise Effects	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

Name	Discipline	Reports Prepared	Confirmation of Compliance with the Code of Conduct for Expert Witnesses	Signature
Duncan White	Planning	Assessment of Environmental Effects	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Kim Botting	Surveying	Subdivision Scheme Plans	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

Name	Discipline	Reports Prepared	Confirmation of Compliance with the Code of Conduct for Expert Witnesses	Signature
Peter Joyce	Engineering	<p>Engineering Drawings – Earthworks</p> <p>Engineering Drawings – Roading and Infrastructure</p>	<p>I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.</p>	