



FTAA-2608-1281: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Costco Christchurch

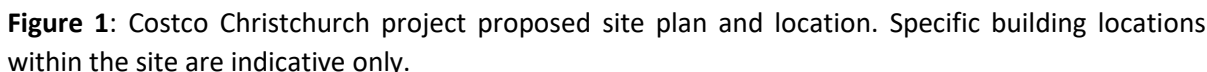
Date submitted	14 October 2026	Tracking	26-BRF-02922
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Tama Potaka Acting Minister for Infrastructure	Decisions on recommendations	21 October 2026

Actions for Minister's Office staff	Return the signed briefing to: FTArefferrals@mcert.govt.nz Approve the attached notice of decisions letter.
Number of appendices: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Costco Christchurch 3. Government Policy Statement on Grocery Competition 4. Stage 1 Briefing Note and decisions 5. Section 18 Report on Treaty settlements and other obligations 6. Comments received from invited parties 7. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Oliver Sangster	Principal Author		
Max Gander-Cooper	Acting Manager	s 9(2)(a)	✓
Stephanie Frame	Acting General Manager	s 9(2)(a)	



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- b. establishment of a members' fuel facility, including an associated data hut¹, signage and vehicle manoeuvring areas to service both cars and trucks
 - c. establishment of approximately 7,900m² of complementary large format retail activities, together with associated signage and parking
 - d. amendments to the approved subdivision boundaries and establishment of new and modified road connections and vehicle access points to support the development, including the removal and replacement of street trees
 - e. enabling works, including site preparation, earthworks and the installation of supporting roading infrastructure and services including required upgrades.
4. The project will require resource consents, and change or cancellation of existing resource consent conditions, under the Resource Management Act 1991 (RMA). The project also seeks approval under the Wildlife Act 1953, which (if referred) would be confirmed ahead of a substantive application being lodged.
5. The site is subject to an existing subdivision consent, which is held by the Miles Premises Limited, that would require modification to accommodate the project's proposed revised layout. The applicant would seek this as part of a substantive application if the project is referred.
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation, on the proposed directions to the applicants and notification of your decisions.

Assessment against statutory framework

8. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the project, you must consider the application (Appendix 2), the Government Policy Statement on Grocery Competition (GPS-GC) as a relevant Government policy statement (Appendix 3), the section 18 Treaty settlements report (Appendix 5), and any comments from invited parties (Appendix 6). Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the application. We provide our advice on these matters below.

GPS-GC (Appendix 3)

10. The project is for a grocery retail operation, therefore the GPS-GC is a relevant Government policy statement that you must consider under section 22(1A) of the Act.
11. The Government's primary objective within the GPS-GC is "to enable enduring competition in the retail grocery sector at a national or regional scale, to help lower grocery prices and increase consumer choice over the long term. This means supporting the entry and expansion of firms that can

¹ The data hut would be a small central control building within the fuel station



challenge the dominance of existing major grocery retailers and offer genuine choice to consumers.” The GPS-GC contains more specific characteristics in support of this objective.

12. The project would result in expansion of Costco into the South Island, establishing it as a direct competitor to existing grocery retailers in a market that is currently highly concentrated. We have considered the project relative the GPS-GC, as set out in Table A, informed by the applicant’s assessment and comments summarised below. Overall, we consider that the project aligns with the GPS-GC.

Section 18 Treaty settlements and other obligations report (Appendix 5)

13. Under section 18(2), the section 18 report identified Te Rūnanga o Ngāi Tahu, Te Ngāi Tūāhuriri Rūnanga, and Whitiora Centre Limited the following as relevant Māori groups.
14. The relevant Treaty settlement is the Ngāi Tahu Claims Settlement Act 1998. In its acknowledgements and apology to Ngāi Tahu, the Crown recognised its failures to fulfil its Treaty obligations and commits to a new age of co-operation with Ngāi Tahu. The Crown also recognised Ngāi Tahu as holding rangatiratanga and mana within the takiwā of Ngāi Tahu Whānui. The report does not identify any other principles and provisions of the Treaty settlement, or other obligations under the Act, as directly relevant to this application.
15. You received comments on the application from Whitiora Centre Limited on behalf of Ngāi Tūāhuriri Rūnanga, which expressed concern about earthworks, management of water and contaminants, cultural discoveries, and indigenous and taonga species. Ngāi Tūāhuriri Rūnanga recommended a range of best practice measures for managing cultural concerns.
16. The report does not identify any matters which would make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Written comments received (Appendix 6)

17. Comments were received from Canterbury Regional Council (CRC), Christchurch City Council (CCC), three Ministers, the Grocery Commissioner, Christchurch International Airport Limited (CIAL), NZ Transport Agency Waka Kotahi (NZTA), Whitiora Centre Limited and Department of Conservation (DOC). The key points of relevance to your decisions are summarised in Table A.
18. The key points from the comments are:
 19. CRC supports referral due to promotion of grocery competition, considers the project is consistent with the GPS-GC, the overarching intentions of the National Policy Statement for Urban Development 2020, and the Canterbury Regional Policy Statement. Further assessment is needed on some regional plan rule matters and water abstraction requirements, but no prohibited activities are currently identified
 20. CCC is neutral on referral but does not identify any major planning, infrastructure, compliance, or legal barriers. More information is needed on transport, water, wastewater, and roading infrastructure, with any required upgrades likely to be funded by the applicant. The site is not within an ‘identified centre’ for commercial activity in the district plan, and the site’s industrial zoning may impact industrial land supply. Existing consent notices for the site may be amended or cancelled, subject to further detail



21. the Minister of Commerce and Consumer Affairs considers the proposal appears likely to promote grocery industry competition, and is well aligned with the GPS-GC. The Minister for Economic Growth notes the applicant's economic assessment figures, and makes similar comments regarding impact on competition, on balance considering the project likely to deliver significant economic and grocery competition benefits. The Acting Minister for Crown Māori Relations: Te Arawhiti and Acting Minister for Māori Development support the application progressing
22. the Grocery Commissioner considers the project likely to deliver competition benefits in Canterbury. Expanding Costco into the South Island would increase consumer choice and competitive pressure in a highly concentrated grocery market, where competition remains limited despite recent reforms. Costco's membership and bulk-purchasing model could attract customers from a wide area, provide opportunities for local operators, and help reduce market concentration over time
23. CIAL does not oppose referral but considers early engagement essential due to the site's proximity to Christchurch International Airport. Key issues include aviation safety, airport safeguarding, and transport access, with further assessment needed on height limits, runway protection areas, lighting, bird strike risk, construction activities, and traffic effects. If referred, CIAL seeks pre-lodgement engagement and comprehensive technical assessments, and requests that it be formally invited to comment on any substantive application
24. NZTA does not oppose referral. However, the substantive application should include updated traffic modelling (relative to the previous subdivision consent) to confirm impacts on the road network, particularly the State Highway 1/Memorial Avenue interchange and airport access, can be managed. The opportunity to comment on a substantive application would be appreciated
25. Whitiara Centre Limited identifies technical matters requiring consideration at the substantive stage to address cultural concerns. No opposition to referral was raised
26. DOC considers it likely that, with appropriate design and conditions, effects can be managed to appropriate levels. Management of any threatened / at-risk species onsite needs consideration. Although Wildlife Act approval would generally take approximately 3-4 months, there may be benefits in combining RMA approvals through fast-track process.

Reasons to decline

27. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3). We do not consider you must decline this application.
28. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application. This is discussed in Table A, and we do not consider you should decline the project for any of these reasons.

Reasons to accept

29. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
30. Our assessment of these matters is summarised in Table A, including consideration of the project relative to the GPS-GC. We consider the project meets the requirements of section 22, as:



- a. it is an infrastructure or development project because it involves the development of greenfield area into a new commercial retail complex, including a grocery retail component that aligns with the GPS-GC
- b. it would have significant regional or national benefits because it:
 - i. will deliver significant economic benefits because it is estimated to provide direct and indirect benefits of approximately \$63 million in gross domestic product (GDP) and approximately 350 full time equivalent (FTE)-years spread over the construction period, and ongoing direct and indirect benefits during operation of approximately \$57 million in GDP and approximately 486 FTE annually [s22(2)(a)(iv)]
 - ii. will promote competition in the grocery industry by providing for development of the first Costo Warehouse retail development in the South Island [s22(2)(a)(ixa)]
- c. referring the project to the fast-track approvals process:
 - i. would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, by bringing together multiple approval types into a single substantive application process, and due to the Act's limited notification and appeal provisions relative to the RMA
 - ii. is unlikely to materially affect the efficient operation of the fast-track approvals process on the basis that the applicant is able to lodge an application as a complete, well-scoped application with the necessary technical inputs to support efficient expert panel consideration.

Other matters

31. A number of titles include specific consent notices that may need to be varied or removed as a result of the new subdivision for the Costco project. In its comments, CCC did not raise any significant issues pertaining to existing consent notices. Whether a consent notice can be varied or removed directly by an expert panel, or would have to occur outside the Fast-track process (later, through a normal RMA section 221 process), is a subject of a current appeal on a separate Fast-track substantive application. It is possible that the applicant may need to seek a separate section 221 process to remove or amend consent notices, depending on the outcome of that appeal, and we have advised the applicant accordingly. We do not consider this affects the applicant's ability to deliver the project.

Conclusions

32. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process with the specifications outlined below.
33. We consider that if you decide to refer the project, you should specify under section 27 of the Act that the following information must be submitted with the substantive application for the project:
- a. an Integrated Transport Assessment, including assessment of traffic impacts on Memorial Avenue, Avonhead Road, key intersections (including State Highway 1), and impacts at different times during weekdays and weekends



- b. an assessment of aviation safety, including any engagement with Christchurch International Airport Limited and proposed conditions

34. These are required for the following reasons:

- a. although the site is subject to an existing subdivision consent, that was for an earlier proposal and the traffic and transport demand/impacts of this project may differ. CIAL, NZTA and CCC all raised traffic as an issue, including potential traffic overflow affecting access to Christchurch International Airport, impacts with the State Highway 1 intersection, and impacts may vary at different times of the day depending on consumer patterns, so this matter would likely involve detailed consideration by an expert panel
- b. CIAL raised potential aviation safety issues due to the development's proximity to the airport, which would need to be considered by an expert panel including appropriate conditions. Enabling visibility of any pre-lodgement engagement with CIAL would assist an expert panel with understanding of any issues in contention and managing an efficient process.

35. We consider the Act's default two-year lodgement deadline would provide sufficient time for the applicant to prepare a substantive application, including the information identified above. We have not identified any particular reason to set a bespoke deadline, and therefore recommend the default two-year deadline to lodge a substantive application under section 28(3)(d)(ii) applies.

Next steps

36. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.

37. If you decide to refer the project, the Secretary must also give notice of your decision to:

- a. the panel convener
- b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
- c. the Environmental Protection Authority (EPA)
- d. the relevant administering agencies

38. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:

- a. the referral application
- b. any comments received under section 17
- c. the report obtained under section 18.

39. We will undertake this action on your behalf.

40. We have attached a notice of decisions letter to the applicant(s) based on our recommendations (refer Appendix 7) and we will provide it to all relevant parties. We will provide you with an amended letter if required.

41. Our recommendations for your decisions follow.



Recommendations

42. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Costco Wholesale New Zealand Limited and Miles Premises Limited (the applicants) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Costco Christchurch project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered:

- i. the application in Appendix 2
- ii. the Government Policy Statement on Grocery Competition in Appendix 3
- iii. the report obtained under section 18 in Appendix 5
- iv. any comments sought under sections 17 and provided within the required timeframe (if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion) in Appendix 6

Yes / No

- c. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:

- i. it is a development project that would have significant regional or national benefits because it involves the development of a new commercial retail complex, including a grocery retail operation that aligns with provisions of the Government Policy Statement on Grocery Competition
- ii. it would have significant regional or national benefits because it:
 - (a) will deliver significant economic benefits because it is estimated to provide direct and indirect benefits approximately \$63 million in gross domestic product (GDP) and approximately 350 full time equivalent (FTE)-years spread over the construction period, and ongoing direct and indirect benefits during operation of approximately \$57 million in GDP per year and 486 FTE [s22(2)(a)(iv)]
 - (b) will promote competition in the grocery industry by providing for development of the first Costco Warehouse retail development in the South Island in a market that is currently highly concentrated [s22(2)(a)(ixa)]
- iii. referring the project to the fast-track approvals process:
 - (a) would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, by bringing together multiple approval types into a single application process, and due to the Act's limited notification and appeal provisions relative to the Resource Management Act 1991
 - (b) is unlikely to materially affect the efficient operation of the fast-track approvals process, the applicant is able to lodge a complete, well-scoped application with the necessary technical inputs to support efficient expert panel consideration, and no



particularly novel or complex matters are identified that would affect the efficient operation of the process

Yes / No

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

Yes / No

- e. **Agree** to accept the referral application under section 21(1) and refer the whole project to the fast-track approvals process under section 26(2).

Yes / No

- f. **Agree** to specify Costco Wholesale New Zealand Limited and Miles Premises Limited as the persons who are authorised to lodge a substantive application for the project

Yes / No

- g. **Agree** to specify under section 27(3)(b)(ii) of the Act the following information that must be submitted with a substantive application for the project:

- i. an Integrated Transport Assessment (including assessment of traffic impacts on Memorial Avenue, Avonhead Road, key intersections (including State Highway 1), and impacts at different times during weekdays and weekends)

Yes / No

- ii. an assessment of aviation safety, including any engagement with Christchurch International Airport Limited and proposed conditions

Yes / No

- h. **Agree** that the default deadline for lodging a substantive application applies under section 28(3)(d)(ii), being 2 years after the notice of decisions is given to the applicant

Yes / No

- i. **Agree** that the Secretary for the Environment will provide your notice of decisions to:

- i. anyone invited to comment on the application including local authorities and relevant Māori groups
ii. the panel convener
iii. the Environmental Protection Authority (EPA)
iv. the following relevant administering agency: Department of Conservation.

Yes / No

Signatures

Max Gander-Cooper

Acting Manager – Fast-track Operations

Hon Tama Potaka

Acting Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	<u>Accept</u> the referral application and refer the project to the fast-track approvals process.		
Project details	Project Name	Applicant	Project Location
	Costco Christchurch	Costco Wholesale New Zealand Limited Miles Premises Limited	Four land parcels in Avonhead, Christchurch, with a combined area of approximately 17.68 ha: - 475 Memorial Avenue Lot 2 DP 553686 - 500 Avonhead Road (Lot 1 DP 553686) - 520 Avonhead Road (Lot 5 DP 28780) - 400 Russley Road (Sec 8 SO 544350) The site is bounded by Memorial Avenue to the north, Avonhead Road to the south, and Russley Road (State Highway 1) to the west.
Project description	The project is to develop Costco's first South Island wholesale warehouse, on a 17.68 hectare site in Avonhead, Christchurch in the Canterbury Region. The project comprises the following: - establishment of a new Costco Wholesale warehouse retail store, with ancillary tyre centre, food court and retail area, with an approximate gross floor area of 16,090m², together with associated signage and parking - establishment of a members' fuel facility, including an associated data hut, signage and vehicle manoeuvring areas to service both cars and trucks - establishment of approximately 7,900m² of complementary large format retail activities, together with associated signage and parking - amendments to the approved subdivision boundaries and establishment of new and modified road connections and vehicle access points to support the development, including the removal and replacement of street trees - enabling works, including site preparation, earthworks and the installation of supporting roading infrastructure and services including required upgrades. The applicant is seeking the following approvals through the fast-track approvals process: - resource consents, and change or cancellation of existing resource consent conditions, under the Resource Management Act 1991 (RMA) - approval under the Wildlife Act 1953.		
Minister invites comments / requests information	Comments from invited parties		
	<i>The following section provides a summary of the comments received from invited parties under section 17 of the Act. Full copies of the comments received from Māori groups are included in Attachment 4 of the section 18 report (Appendix 5). Full copies of all other comments received are attached in Appendix 6. All comments were received within the specified timeframe for this application and must be considered.</i> Local authorities <i>Canterbury Regional Council (CRC)</i> - Supports referral on basis of promoting competition in the grocery market (section 22(2)(ixa)), and no reasons to decline under section 21. - Does not dispute applicant's assessments regarding economic and community benefits, but has not received separate technical advice. - Considers proposal consistent with objectives of Government Policy Statement for Grocery Competition (GPS-GC), likely to give effect to the overarching intentions of the Canterbury Regional Policy Statement, and consistent with Policy 1 (c) of the National Policy Statement for Urban Development 2020 (NPS-UD) (providing grocery and health services to the local community). - Not aware of any ineligible activities, considers sufficient information to inform referral, preliminary view that the project is unlikely to have significant effects on the environment, not aware of any recent significant compliance issues, no competing applications or existing consents (section 30(3)(b)) recorded. - Insufficient information to determine the relevant rule considerations in the Canterbury Land and Water Regional Plan at this stage. CRC consents required appear low complexity and likely be able to be progressed under RMA, but understands other elements not related to CRC are likely the reason to pursue fast-track pathway. Considers amendments to existing consents issued by CRC would likely be out of scope for a section 127 change of conditions, so new resource consents are likely needed. - Notes application is not seeking a prohibited activity, but that may change depending on water abstraction (dust suppression) methodology – in which case applicant should consider how section 30 might apply. - Considers climate change mitigation opportunities do not relate to the primary purpose of the project, so that criterion has limited relevance.		

Christchurch City Council (CCC)

- Neutral on referral.
- No known significant impediments in terms of district plan or council infrastructure at time of writing. No competing applications, ineligible activities, compliance issues, prohibited activities identified.
- Further detail required to ensure proposed roading, water and wastewater infrastructure servicing is adequate to service the development and, where relevant, acceptable to vest in CCC. A detailed Integrated Transport Assessment is requested with any substantive application. Infrastructure upgrades to service development are not identified in CCC’s Long Term Plan – any required upgrades will need to be undertaken at applicant’s cost, or amendment to the development contributions policy to enable council to recover costs.
- Site not within an ‘identified centre’ under district plan, which seeks to direct commercial/retail activity to the city centre and other centres. Acknowledges retail distribution effects must be disregarded (under Planning Act 2026), but considers effect on industrial land supply would need consideration (due to locating commercial project within industrial zoned land).
- Substantive application would need to consider effects, including noise, earthworks, geotechnical, natural hazards natural heritage, indigenous biodiversity and ecosystems, effects on strategic infrastructure. Insufficient detail at this stage to determine whether effects would be significant, but acknowledge that is a relatively high bar. Insufficient information to determine whether notification would be required under normal RMA process, but notification is not precluded by the district plan. No significant urban design concerns.
- Any variations or cancellations of existing consent notices may be supportable subject to provision of sufficient information, appropriate alternative road upgrades where necessary, and relevant design detail (to be confirmed later).

Ministers

Minister of Commerce and Consumer Affairs

- Proposal appears likely to promote competition in the grocery industry under section 22(2)(a)(ixa), aligns well with the GPS-GC.
- Should challenge the status quo by reducing the market concentration of incumbent retailers, and by introducing a membership-based club format which is currently underrepresented in the South Island market. While the proposed development is a single, one-off warehouse, it is of sufficient scale to promote competition in the relevant markets, benefiting consumers in the long term.

Minister for Economic Growth

- Noted applicant’s economic assessment, including approximately \$89.6 million in development expenditure. Construction is estimated to directly contribute \$21 million to Canterbury GDP and support 110 FTEs over the construction period. Once operational, the project is estimated to directly support 400 FTEs and contribute \$37.8 million to GDP annually.
- Expected to promote grocery competition across Canterbury and the South Island. Costco’s entry aligns well with the GPS-GC. Will likely challenge the status quo by reducing market concentration of incumbent retailers, and introducing a membership-based club format currently underrepresented in the South Island. Although a single one-off warehouse, project is of sufficient scale to promote competition in the relevant markets, benefiting consumers in the long term.
- On balance, appears likely to deliver significant economic and grocery competition benefits under sections 22(2)(a)(iv) and 22(2)(ixa) of the Act through construction investment, ongoing employment and economic activity, and increased grocery competition.

Acting Minister for Crown Māori Relations: Te Arawhiti and Acting Minister for Māori Development

- Supported application progressing. Encouraged applicant and panel to have due regard to relevant Treaty settlement legislation and instruments, and feedback from relevant Māori groups, as set out in the Treaty settlements and other obligations (section 18) report.

Māori Groups

Whitiora Centre Limited

- Identifies matters requiring fuller assessment at the substantive stage: management of bird strike risk which also contributes to protection of taonga bird species, confirmation that the project will not directly affect any surface water bodies and effects on groundwater. Matters of cultural concern should be addressed through best practice and robust conditions: erosion and sediment control, dust management, management and disposal of contaminated material, accidental discovery protocol, stormwater management connection to reticulated water/wastewater, efficient use of water, taonga species protection, indigenous vegetation in landscaping.

Administering agencies

Department of Conservation (DOC)

- Insufficient information to determine the level of any actual and potential environmental effects, but considers it likely that with the appropriate design and conditions, effects can be managed to appropriate levels. Management of any threatened / at-risk species that may be found onsite needs consideration.
- Not aware of any reason the project should not be referred. No ineligible activities, compliance issues, competing applications. Consider information adequate to inform referral decision.
- Wildlife Act approval would generally take approximately 3-4 months, but notes there may be benefits for application in terms of consideration being combined with RMA approvals via fast-track process, and given the different decision-making framework under the Act. Considers it would be highly beneficial for the applicant to engage further with DOC prior to making any substantive application.

	Any other persons or groups <i>Grocery Commissioner</i> - Commerce Commission’s 2022 market study found competition in New Zealand’s grocery sector was weak due to market concentration, barriers to entry/expansion, and limited competitive pressure. Reforms since then have led to some improvements, but competition remains limited. New or stronger competitors provide consumers with greater choice while increasing competitive pressure on existing major retailers. - This project would expand Costco’s presence in New Zealand, and introduce it to the South Island where the market remains highly concentrated (compared to Auckland), increasing consumer choice and strengthening competitive pressure on existing retailers. - Costco’s membership-based, bulk-purchasing model differs from others in the region, and may attract consumers from a wide catchment. To the extent consumers view Costco as a substitute (or a partial substitute) for their grocery shop, its entry could increase competition and contribute to a less concentrated market in Canterbury, over time. - In Auckland, the year following the opening of Costco, major grocery retailers’ market share fell by four percentage points. This suggests a Christchurch store could also have a positive effect in Canterbury, where major retailers currently hold 85% of the market. - Project could provide opportunities for local operators, including potential access to Costco’s international network. <i>Christchurch International Airport Limited (CIAL)</i> - Overall, does not oppose referral. Acknowledges potential positive flow-on effects of commercial projects, and that non-sensitive commercial use is generally well suited to this location. - Airport is approximately 250 metres west of site – CIAL therefore has significant interest, in relation to aviation safety/airport safeguarding, and access/transportation. - Applicant has not engaged with CIAL to date. CIAL considers early engagement before any substantive application is lodged to be critical, to identify any fundamental aviation safeguarding or operational constraints, that would inform whether and in what form the proposal should proceed, as well as its design, assessment and mitigation. - Notes compliance with district plan standards, designation requirements or title restrictions, do not ensure aviation safety – holistic assessment of the potential effects of the particular development is also needed considering location, scale, design, operation and construction. Particular consideration needed in relation to height restrictions, potential activity within the Runway End Protection Area (REPA), lighting/reflective materials, bird strike risk, and construction activities (e.g. potential use of cranes). - CIAL’s written consent is required under RMA section 176(1)(b) for activities on the designated land that would prevent or hinder the purpose of the designation (outside of Fast-track process). - Access and transportation: airport is a lifeline utility, so project should not compromise access or result in unreasonable delays for passengers, staff or other airport users. Traffic generation (particularly during PM peak), weekend traffic, and potential overflow onto Memorial Avenue due to siting of the proposed fuel station, need consideration before a substantive application is lodged. - If referred, requests: - o requiring application to include all information and technical assessment to fully assess and address aviation safety and airport safeguarding, informed by pre-lodgement engagement with CIAL - o specifying CIAL as a person from whom the expert panel must invite comments. <i>NZ Transport Agency Waka Kotahi (NZTA)</i> - Notes proposal would retain and develop transport framework previously assessed for subdivision at this site, including access to Memorial Avenue and Avonhead Road. No direct access to State Highway 1 proposed. No matters identified that would preclude referral. - The previously considered subdivision was capable of appropriately managing effects on the state highway signals - this needs demonstration again based on detailed modelling of the State Highway 1 / Memorial Ave interchange. - Requests the following in a substantive application/detailed transport assessment: - o updated traffic generation, traffic assignment and network modelling, including weekday and weekend retail demand - o assessment of traffic distribution between Memorial Avenue and Avonhead Road, and the performance of key intersections, including the State Highway 1 / Memorial Avenue interchange - o identification of any mitigation required to maintain appropriate network performance and manage delays, including effects on access to Christchurch International Airport - o assessment of site access, parking, internal circulation, servicing, loading, walking, cycling, public transport, road safety and construction traffic effects. - Would appreciate opportunity to comment on substantive application (if referred).
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: – would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title – would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area

	– is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the CMA – would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement, would not occur on Schedule 4 land – would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA – would not occur on Schedule 4 land as confirmed by the records of title – would not occur on a national reserve as confirmed by the records of title – would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority as confirmed by the record of title – is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA as it does not involve any activity in the EEZ or CMA – is not for the purpose of an offshore renewable energy project because it will not occur offshore. No comments raised by parties invited to comment have indicated that the project would be ineligible for referral				
The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider you have adequate information to inform the referral decision.				
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	N/A				
Section 22 assessment criteria					
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> - As this project relates to New Zealand's retail grocery sector, you must consider the GPS-GC as relevant to this application in determining whether the project would meet the section 22(1)(a) criteria. The GPS-GC is attached in full (Appendix 2). - Our consideration of the proposal against the GPS-GC is set out below, based on the applicant's information and comments received including from the Grocery Commissioner, the Minister for Commerce and Consumer Affairs, the Minister for Economic Growth and CRC. <table border="1"> <thead> <tr> <th colspan="2">Assessment of referral application against Government Policy Statement on Grocery Competition</th></tr> </thead> <tbody> <tr> <td><i>The Government's primary objective is to enable enduring competition in the retail grocery sector at a national or regional scale, to help lower grocery prices and increase consumer choice over the long term. This means supporting the entry and expansion of firms that can challenge the dominance of existing major grocery retailers and offer genuine choice to consumers</i></td><td> - Costco is a major player in the global grocery retail market, but a recent entrant into New Zealand. Costco has one store operating in the North Island (Auckland), with a second consented in Drury. This would be the first Costco in the South Island, expanding the firm's operation into a new region. - Costco has a different business model to other supermarkets (membership based), but its establishment in an existing urban centre (Christchurch) provides opportunity for Costco to challenge existing players in Christchurch and more broadly across Canterbury. - Given Costco's global scale, we consider it has capability to challenge the dominance of existing major grocery retailers and offer genuine choice to consumers, including based on the applicant's information, feedback from the Grocery Commissioner and Ministers. </td></tr> </tbody> </table> <i>The Government is interested in fast-tracking projects that:</i>	Assessment of referral application against Government Policy Statement on Grocery Competition		<i>The Government's primary objective is to enable enduring competition in the retail grocery sector at a national or regional scale, to help lower grocery prices and increase consumer choice over the long term. This means supporting the entry and expansion of firms that can challenge the dominance of existing major grocery retailers and offer genuine choice to consumers</i>	- Costco is a major player in the global grocery retail market, but a recent entrant into New Zealand. Costco has one store operating in the North Island (Auckland), with a second consented in Drury. This would be the first Costco in the South Island, expanding the firm's operation into a new region. - Costco has a different business model to other supermarkets (membership based), but its establishment in an existing urban centre (Christchurch) provides opportunity for Costco to challenge existing players in Christchurch and more broadly across Canterbury. - Given Costco's global scale, we consider it has capability to challenge the dominance of existing major grocery retailers and offer genuine choice to consumers, including based on the applicant's information, feedback from the Grocery Commissioner and Ministers.
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1. <i>Reduce market concentration. Proposals from new entrants or existing players not materially connected to dominant grocery chains.</i>	- Costco is not materially connected with New Zealand's major supermarket groups. Costco's expansion would introduce an additional large scale independent competitor and increase competitive pressure. - The proposed Christchurch warehouse would be Costco's first location in the South Island. Christchurch is currently served predominantly by the established supermarket groups, together with a smaller number of independent, specialist, and alternative-format retailers. The Grocery Commissioner noted that the South Island market remains highly concentrated where major retailers currently hold 85% of the market. In Auckland, the year following the opening of Costco, major grocery retailers' market share fell by four percentage points. This suggests a Christchurch store could also have a positive effect in Canterbury. - The applicant states the site's connection to State Highway 1 is well-suited Costco's business model, enabling it to "serve a large regional catchment and accommodate the destination-based nature of Costco shopping trips". This means the project's competitive effects could be felt across a wide range of retailers and locations rather than concentrated on a single centre or store.
2. <i>Enable scalable competition. Projects that support businesses capable of competing at a regional or national level, including: Limited assortment stores, supercentres, wholesale clubs, or other formats currently underrepresented in New Zealand. Infrastructure such as warehousing, logistics, and online retail support</i>	- Costco operates a membership-based "wholesale club" format that is underrepresented in New Zealand compared with conventional supermarkets. Its membership revenue supplements merchandise margins, allowing Costco to sustain comparatively low margins and a structurally low-price offer. - The application also identifies Costco's pattern as different from conventional supermarkets, operating as an additional, occasional destination-style shopping trip rather than a complete substitute for the weekly supermarket shop. - The applicant also states the project would provide commercial customers with an additional wholesale purchasing option, noting approximately 30% of Costco sales are to business members (such as independent restaurants, small supermarkets/convenience stores, childcare, accommodation, caterers). Costco warehouses increasingly operate as fulfilment points for online sales and perform a quasi wholesale and distribution role in addition to in-store retail. The Grocery Commissioner noted the project could provide opportunities for local operators, including potential access to Costco's international network.
3. <i>Support multi-site or regional expansion. Proposals involving multiple builds across regions or within a single region that contribute to broader competitive effects</i>	- The applicant's report from Insight Economics states "the Christchurch warehouse would form part of a multi-region national expansion (Westgate operating, Drury planned, Christchurch proposed), exactly the pattern of scalable competition the GPS seeks". - We note the project is for a single one-off warehouse, and no information is presented regarding whether or not this specific build may lead to further expansion elsewhere in the South Island. However, the application states the site's "strategic transport accessibility would allow it to serve customers across Christchurch and Canterbury, as well as customers travelling from elsewhere in the South Island".
4. <i>Provide footholds for new competitors. One-off developments that help smaller or newer businesses grow and compete more effectively</i>	- The applicant stated the project is a one-off development, but its establishment would help Costco grow and compete more effectively in the New Zealand market. The applicant stated Costco has not yet achieved the geographic coverage or store network of the dominant grocery retailers. A Christchurch warehouse would establish Costco's first physical foothold in the South Island and provide a platform from which to develop its South Island membership, supplier relationships, distribution capability and customer base. - The Minister of Commerce and Consumer Affairs and the Minister for Economic Growth both commented that, although the project is for a single one-off warehouse, it is of sufficient scale to promote competition in the relevant markets, benefiting consumers in the long term. The Grocery Commissioner stated Costco's membership-based, bulk-purchasing model differs from others in the region, and may attract consumers from a wide catchment. - The application describes the 'balance retail component' of the project (i.e. the remainder of the development, excluding Costco) as supporting an integrated destination around the principal Costco grocery operation, supporting its establishment and enduring competitiveness, and reinforcing (rather than displacing) the project's principal grocery-competition rationale.
<i>Proposals from Regulated Grocery Retailers (RGRs) will only meet the Government's aims in limited circumstances where they demonstrably do not reinforce existing market dominance</i>	- Neither of the applicants is an RGR, as defined in the Grocery Industry Competition Act 2023. The application states "Costco is an independent grocery and general merchandise retailer and is not materially connected with New Zealand's major supermarket groups".
<i>The Minister must consider the Government's objectives and characteristics listed above when determining whether a grocery project meets the threshold for regional or national significance. Decision makers should assess whether a proposal is likely to result in competition that challenges the status quo and benefits consumers over the long term. The emphasis is on broader cumulative and enduring impacts on competition, not just short-term or localised benefits.</i>	- We consider the project aligns with the objectives and characterises listed in the GPS-GC. The project would result in expansion of Costco into the South Island, establishing it as a direct competitor to existing grocery retailers in a market that is currently highly concentrated.

- Overall, we consider the project aligns with the GPS-GC.

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

The project has been identified as a priority project in a central or local government, or sector plan or strategy or a central government infrastructure priority list [s22(2)(a)(i)]

- The application acknowledged the project is not explicitly listed as a priority in any of these types of documents, but considered it fits well with the strategic intent to attract business and investment to Christchurch. We do not recommend you refer the project on the basis of this criterion. The project is assessed separately against the GPS-GC above.

Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020) [s22(2)(a)(iii)]

- We do not consider the project will increase the supply of housing or address housing needs, as it is not a residential development nor does it have any direct connection to the residential sector.
- The applicant considers the project is consistent with the NPS-UD, on the basis of its provision of a significant commercial/employment activity within the existing Christchurch urban area, efficient use of urban land and existing/planned infrastructure. Policy 1(c) of the NPS-UD states: “Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum ... (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport ...”
- The project’s location along an existing arterial road and proximity to State Highway 1 provides for accessibility between housing, jobs, and business (including by way of public or active transport). CRC considers the proposal will achieve the purpose of the NPS-UD through provision of a business activity in an area that is well connected to surrounding residential and commercial sites and a range of transport options. CRC considers the development provides for an in-sequence development opportunity by having available infrastructure ready for connection to the site, alongside transport options. The applicant acknowledged that, customers are unlikely to use active or public transport to access the Costco warehouse, due to the operation’s business model, however this may be a more feasible option for staff.
- CCC considered more detail is needed to ensure proposed roading, water and wastewater infrastructure servicing is adequate to service the development, including funding. We consider these issues can be resolved through a substantive application process and/or other infrastructure funding mechanisms. CCC also noted that the project is a commercial activity within an industrial zone, outside of an ‘identified centre’ within the district plan. Both of these zoning types fall within the definition of ‘business land’ under the NPS-UD, though this may have some implications for industrial land supply.
- CIAL raised concerns regarding potential aviation safety and airport operations (including potential impacts on traffic to access the airport), and which could weigh against the project contributing to a well-functioning urban environment in this specific location, unless those matters are worked through a detailed substantive application process.
- On balance we do not recommend you refer the project based on this criterion.

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

- The applicant attached an economic report by Insight Economics Limited. That report concluded the project would significant regional and national economic benefits, assessing that the project would:
 - o generate one-time economic benefits across the construction timeframe, including total investment of approximately \$89.6 million, and supporting around 350 FTE-years spread over the construction period, \$31 million in wages and salaries, and \$63 million in GDP across the Canterbury region (both direct and indirect), and
 - o sustain ongoing economic activity, estimated as approximately:

Annual impacts	Direct	Indirect	Total
Employment (FTEs)	400 (approx. 250 at the Costco warehouse and 150 across the balance retail)	86	486
Wages & Salaries (\$m p.a.)	\$23.9	\$8.1	\$32.0
GDP (\$m p.a.)	\$37.8	\$18.9	\$56.6

- The report also considers the project will improve grocery competition (addressed above), avoid significant retail distribution effects.² (considering the warehouse format complements rather than substitutes for existing centres and disperses its competitive effects widely and thinly), and has “negligible” opportunity cost given the site’s current vacancy, constraints, history of failed development feasibilities (with forgone rural production amounts to less than 0.1 FTE and around \$16,000 of GDP per annum).
- The Minister for Economic Growth noted the applicant’s economic assessment, including both construction and operational figures. The Minister commented that, on balance, the project likely to deliver significant economic benefits section 22(2)(a)(iv) referring to construction investment, and direct ongoing employment and economic activity.
- For comparison, these economic figures are less than other Listed projects in this part of Christchurch that have proceeded through expert panel processes (the Pound Road Industrial Development and Ryans Road Industrial Development projects). However, the Costco project’s construction figures are at a similar level to the Franco Farms residential project (FTAA-2604-1219) recently referred in Christchurch (including based on its significant economic benefits), and the Costco project’s assessment includes higher ongoing economic benefits through sustained employment.
- We consider that the project will deliver significant economic benefits (considering both direct and employment and GDP figures through the construction phase and ongoing), and recommend you refer the project on those grounds.

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

- The applicant considers the project will support climate change mitigation because of:

² We note that, under section 17(c) of the Planning Act 2026, decision makers (including under the FTAA) are explicitly required to disregard retail distribution effects.

	○ the site location (adjacent to the State Highway network, accessible by different transport modes). Memorial Drive has existing bus services, and provides options for pedestrian and cycle access (including bike parking), electric vehicle charging. The applicant acknowledges private vehicle use is important to Costco's bulk buy model, but considers alternative transport modes would be suitable for staff access and customers to the complementary retail. ○ the applicant suggests there will be opportunities through the project's design to incorporate energy efficient design, renewable energy solutions (potential future installation of rooftop solar, target capacity of 1 megawatt), water efficiency and other lower emissions technologies as the design is developed, as well as efficient servicing and stormwater solutions, reducing embodied carbon and construction emissions/waste. - No quantification is given regarding the extent to which the project would support greenhouse gas emissions reduction or removal, or climate change mitigation (i.e. actual or net reduction in emissions), including in respect of any particular baseline comparator. The application describes potential initiatives to promote energy and waste efficient designs into the various aspects of the construction and operation, however we do not consider that warrants referral to the fast-track process on the basis of supporting climate change mitigation. - CRC consider this criterion to be of limited relevance, given it is not the primary purpose of this project. - We <u>do not</u> recommend you refer the project on this basis. <i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(vii)]</i> - The application notes the site is subject to natural hazards typical of the wider Christchurch area, with no unusual characteristics, and considers site suitable for development. Natural hazard risks can be addressed through subdivision and engineering design, consenting and construction. - The application has provided no quantification of risk reduction, or suggestion of how the project would support wider community adaptation, resilience, recovery from events (beyond a description of the risks affecting the site/project itself). - In light of this, we <u>do not</u> recommend you refer the project on this basis. <i>Will promote competition in the grocery industry [s22(2)(a)(ixa)]</i> - We consider the project will promote competition in the grocery industry, through enabling the expansion of a recent entrant in New Zealand's grocery industry market (Costco) in an area that is currently dominated by other players. More detail informing our assessment on this matter is provided above, in relation to the GPS-GC. - We recommend you <u>refer</u> the project on this basis. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> - Canterbury Regional Policy Statement (CRPS) ○ The applicant considers the proposal aligns with the high level strategic direction by being within an existing urban area, develops land already identified for urban business purposes, makes use of existing and planned infrastructure and is located immediately adjacent to Christchurch's strategic transport network identified as a Greenfield Priority Area – Business; builds on an established transport framework and can integrate with existing/planned infrastructure; provides for landscaping, setbacks, screening, and management of stormwater, earthworks and other environmental effects; unlikely to generate significant retail distribution effects or undermine the role and function of established urban centres. ○ CRC considered the project is likely to give effect to the overarching intentions of the CRPS, being within a "Greenfield Priority Area for Business", and is anticipated likely to be generally consistent with the CRPS, though a full assessment against the CRPS should still be provided. The project is not classified as a noise-sensitive activity, so provisions relating to airport noise contours are not applicable. The proposal will provide for efficient use of exiting transport infrastructure, due to its location near Memorial Avenue, State Highway 1 and public transport stops. - Canterbury Land and Water Regional Plan (CLWRP) ○ CRC stated there is insufficient detail to determine what rules may be triggered under the CLWRP at this stage. It noted that it is possible it could trigger prohibited activity status in relation to water, though there is no evidence that it would at this stage. - Christchurch District Plan (CDP) ○ The applicant considers the proposal is consistent with CDP, considering its strategic direction for urban growth, runway end protection area designation (and risk of bird strike), lack of noise sensitive activities (in relation to the airport noise designation), signage and transport provisions Industrial Park Zone (Memorial Ave) Outline Development Plan. The applicant considers the proposal to be well suited to the industrial park zone. ○ CCC noted the site is a commercial activity within an industrial zone, and not within an 'identified centre' under the CDP, and that the project's impact on industrial land supply would need to be assessed. - While the project is likely to be generally consistent with the CRPS (as noted by CRC), we do not have sufficient information to conclude that it would be consistent with the CLWRP or CDP. On balance, we do not recommend you refer the project on this basis.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> - The application states the following:

	○ The ability to apply for a comprehensive range of consenting requirements within one application (including resource consents from both CCC and CRC, and potential Wildlife Act approvals), to be considered by one panel, offers significant efficiencies in planning and specialist inputs. ○ Given the scale of this development, it is possible that a resource consent application under the RMA could be a notified application, which would significantly slow down the consenting process and add to cost, taking into account the appeal rights enabled under the standard RMA process. - CCC noted there is not sufficient information to determine that the project would be notified under normal RMA processes, that is not precluded under the district plan. CRC noted the CRC consents did not appear to be complex and could be processed under the RMA, and DOC anticipated Wildlife Act approvals could be processed within 3-4 months. - Overall, we consider you <u>can</u> be satisfied that referral to Fast-track process would enable the project to be processed in a more timely and cost-effective way than under normal processes, on the basis of the Act bringing together multiple approval types into a single substantive application process, and the Act's limited notification and appeal provisions relative to the RMA. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> - The application states 'referral of the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the FTAA process. The Costco Christchurch project can be lodged as a complete, well-scoped application with the necessary technical inputs to support efficient expert panel consideration. Its scale and benefits are commensurate with the intended use of the FTAA pathway.' - Although the site is subject to an existing subdivision consent, seeking further change through additional resource consent processes is not a novel concept and well-established in the planning system. We have not identified any particularly unusual or complex aspects to this project that would materially affect the efficient operation of the FTAA process. - We consider the referral <u>is unlikely to materially affect the efficient operation of the fast-track process</u>. As noted above, we consider an expert panel should be able to take account for any emerging case law on the matter of varying conditions on consent notices, that is currently the subject of separate appeal to the High Court, and that the details of this application can reflect emerging case law on this matter.
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<i>The Minister <u>must</u> decline a referral application if:</i> <i>The application may not be accepted under subsection 1 (meets referral criteria)</i> - We consider the application meets the referral criteria. <i>The Minister is satisfied the project involves an ineligible activity</i> - We are satisfied the project does not involve an ineligible activity <i>The Minister considers that they do not have adequate information to inform the decision under this section</i> - We consider you have adequate information to inform a referral decision. We do not consider that you must decline the application under this section.
Minister may decline [section 21(4) and 21(5)(a-h)]	<i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i> <i>Reasons to decline a referral application under subsection 4 include, without limitation:</i> <i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i> - Nothing in the application identifies the project as being inconsistent with any Treaty settlement. There are no Mana Whakahono ā Rohe, or a joint management agreement relevant to the application, and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011 are not relevant due to its location. <i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> - We have not identified any reason that it would be more appropriate to deal with the matters under another Act or Acts. <i>The project may have significant adverse effects on the environment</i> - Due to the site's location in proximity to Christchurch International Airport, the project has potential to affect airport operations (for example, bird strike or glare risk) and traffic impacts on existing roads which are used to access the airport. These matters are addressed to some extent in the referral application, and information has been presented that would suggest these will meet a 'significant' threshold. We consider these matters can be addressed in detail by an expert panel through a substantive application process, informed by comments from CIAL and traffic/transport assessment, with the ability to set conditions to manage these potential effects appropriately. We do not recommend you decline referral on this basis. <i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> - The applicant did not identify any compliance history, and no compliance issues have been identified through comments.

	<i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> - This does not include this type of land. <i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> - The applicant stated there are no prohibited activities proposed. No prohibited activities are identified. <i>A substantive application for the project would have one or more competing applications.</i> - No competing applications are identified. <i>In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i> - None identified <i>Any other matter</i> - The application identifies it may require changes or variation of existing consent notices affecting titles on the site. Whether or not expert panels have jurisdiction to amend or cancel existing consent notices under the FTAA is now the subject of separate appeal proceedings in relation to a different project (Auckland Council's appeal to the High Court on the Delmore project expert panel decision). That appeal is yet to be heard or decided. Depending on the outcome of that appeal, the applicant may need to apply to under section 221(3) of the RMA to vary or cancel consent notice outside of the fast-track process, following an expert panel decision on other approval types. - We do not consider this, in itself, is reason to decline the referral application for this project. We consider the test under section 22(2)(b) as discussed above is met, even if the applicant must seek to vary or cancel existing consent notices after (and in light of) an expert panel's decision on application to vary or cancel resource consent conditions. - We have not identified any other reasons that you may decline the application. - We do not recommend you decline the application.
Specified matters for an accepted referral application	
The Minister may specify any of the matters under section 27(3)	<i>The Minister <u>may</u> specify any or all of the following under section 27(3) in the notice of decisions letter for an accepted referral application.</i> <i>Restrictions that apply to the project (for example, on its geographical location, its duration, or the aspects of the project that may be carried out)</i> - We have not identified any restrictions that we consider should apply to the project. <i>In relation to a substantive application for the project:</i> <i>A deadline for lodging the application, unless section 27(3)(c) applies</i> - We recommend the default two-year deadline, under section 27(3)(c), apply. We consider this will provide the applicant for this project sufficient time to prepare a substantive application for lodgement, including the additional information we recommend be required below. <i>Information that must be submitted with the application</i> - We recommend you require <u>an Integrated Transport Assessment</u> be submitted: Although the site has been subject to a previous subdivision consent, the previous traffic assessments completed for that earlier may no longer be accurate or relevant to this particular project. For example, CIAL in particular raised concerns about potential queuing overflow onto Memorial Drive from the proposed siting of the petrol station, noting Memorial Drive is a key access route to Christchurch Airport which is a lifeline utility operation. CCC specifically requested an Integrated Transport Assessment be provided. Traffic and transport are therefore likely to be key factors in any expert panel consideration of a substantive application for this project. - We recommend you require <u>an assessment of aviation safety, including any engagement with CIAL and proposed conditions</u>: CIAL also raised a particular concern about the project's potential impacts on aviation safety, including construction, glare, airstrike and other potential hazards, given its position in relation to Christchurch Airport. Based on feedback from CIAL, we note the applicant is yet to engage with CIAL and aviation safety is likely to be a consideration in any expert panel's consideration of a substantive application for this site. For example, this was a significant factor in the expert panel's decision on the larger Ryans Road Industrial Development Listed project.³ located adjacent to the south end of the Christchurch airport (which is currently under appeal). Given CIAL must be invited to comment, requiring an upfront assessment of aviation safety, including any engagement with CIAL, will support an efficient expert panel process. <i>The persons or groups from whom a panel must invite comments in addition to those specified in section 53</i>

³ <https://www.fasttrack.govt.nz/projects/ryans-road-industrial-development/the-decision>

- CIAL and NZTA interest in being invited to comment on any substantive application, should you refer this application. We consider an expert panel already has mandate to invite comments from both parties under section 53, as CIAL is a requiring authority for the Runway End Protection Area designation that extends on the site, and due to State Highway 1 being adjacent to the site. Accordingly, we consider the requirements of section 53 are sufficient and do not recommend specifying these parties as additional persons or groups that must be invited to comment on a substantive application.
- We have not identified any other parties to specify, noting an expert panel has discretion to invite comment from others under section 53(3).

Whether the substantive application would have any competing applications

- Not applicable – none identified

Whether, in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are any existing resource consents of the kind referred to in section 30(3)(a)

- Not applicable – none identified

Conclusion

- We recommend specifying an Integrated Transport Assessment, and an assessment of aviation safety (including proposed conditions and any engagement with CIAL in its preparation), as information requirements when lodging a substantive application. Other than this, we do not recommend specifying any additional matters under section 27(3) of the Act.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.