

FTAA-2608-1286

17 September 2026

GD Jones
Te Kowhai East Limited Partnership
By email: [REDACTED]
Copy to: [REDACTED]

Tēnā koe,

Request for further information in relation to your application under the Fast-track Approvals Act 2024

You lodged a substantive application, Te Kowhai East under the Fast-track Approvals Act 2024 (the Act) on 1 September 2026.

Prior to referring a substantive application to an Expert Panel, the EPA must assess the completeness and scope of the application to ensure it complies with section 46(2) of the Act. To assist with making this assessment, under section 46(2A) of the Act the EPA may seek further information from you.

Request for Further Information

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

1. Scope of Referred Project

This request was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation, and the EPA's internal completeness check:

- (a) *"The referral decision does not include any Complex Freshwater Fisheries Activities, which was not identified in the referral application as a proposed approval."*

Please provide any further information you wish to have considered in response to this comment from DOC for the purposes of the EPA's s 46(2)(b) assessment.

- (b) *Item (b) of the Referral Decision Notice describes the project specifies "commercial activities over 2 hectares."* The substantive application introduces a broader non-industrial land use precinct overlay surrounding the central neighbourhood centre.

Please provide any further information you wish to have considered clarifying how the project will ensure that commercial land use remains capped at 2ha and how non-industrial activities outside the neighbourhood centre will remain ancillary and subsidiary to the primary industrial function of the site.

- (c) Item (c) of the Referral Decision Notice describes the project as comprising "subdivision of approximately 174 hectares of land over three construction stages. Volume A of the substantive application proposes a nine-stage subdivision layout.

Please provide any further information you wish to have considered explaining how this updated staging structure is in scope of the referred project.

2. Information required for standard freshwater fisheries provisions

This request was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation:

The proposed works includes the installation of new road culverts in the Mangaheka Stream and Te Otamanui Stream that could impede, but not permanently block, fish passage. Therefore, the application includes works that are a 'standard freshwater fisheries activity' according to the [FTAA] (2024). The FTAA Schedule 5 [clause] 9 requires specific information to be provided for all structures that fall under the standard freshwater fisheries provisions. With regards to fish passage this will need to clearly state whether approval or a dispensation to impede fish passage is sought for each structure.

Under Schedule 5, Clause 9, "an application for a resource consent or a notice of requirement for a project that includes a standard freshwater fisheries activity..." must include the information at (a)-(d) of that same clause. DOC considers that the culvert works could impede but not permanently block fish passage, therefore the application includes a standard freshwater fisheries activity. Please provide the information required in an application that includes a standard freshwater fisheries activity. Alternatively, please advise how the works do not fall within the definition of "standard freshwater fisheries activity" as a "culvert or ford that *could* impede but not permanently block fish passage".

3. Information required for complex freshwater fisheries provisions

For the dispensation sought under section 42(4)(j) for complex freshwater fisheries activities, Table 1.1 of Volume D currently lists dimensions to be confirmed through detailed design.

Under Schedule 9, Clause 3(a) of the Act, an application seeking a dispensation must specify the type, dimensions, design, placement, water flows, and operating regimes of all proposed structures and fish facilities. Please confirm the specific dimensions, design parameters, and placement details for all proposed in-stream structures, dams, and diversions subject to the Complex Freshwater Fisheries Approval, including:

- structure type, proposed dimensions, design, placement, and water flow characteristics; and
- An explicit statement as to whether an approval or a dispensation to impede fish passage is sought for that specific structure

4. Lizard Management

This comment was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation:

Copper skinks are highly fossorial, and Onduline retreats are not effective at detecting populations of copper skinks. The chance of overlooking copper skink subpopulations with the proposed salvage methods is therefore high. Expanding machine assisted salvage over the whole footprint of skink habitat, or at least a representative sample of each area or habitat type across the site, could be a more effective strategy to reduce the probability of key subpopulations of copper skinks being overlooked and hence exterminated.

Please provide any further information you wish to have considered in response to this comment from DOC for the purposes of the EPA's s 46(1) assessment.

5. Pest Fish Disposal Protocol (Freshwater Fisheries Regulations 1983)

This comment was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation:

Freshwater Fisheries Regulations (1983) Regulation 66 prohibits leaving unburied fish on the banks or margin of any waters. This is noted because there is potential for large numbers of pest fish (e.g. koi carp, Gambusia, and brown bullhead catfish) to be euthanised during the project. The Applicant should have a clear protocol in place for the disposal of euthanised fish.

Please provide any further information you wish to have considered in response to this comment from DOC for the purposes of the EPA's s 46(1) assessment.

6. Conditions and Management Plans

The following comments were raised as part of the mandatory consultation the EPA undertook with the Department of Conservation:

- *Proposed Land Use Conditions should include effects management measures, including any proposed offsetting or compensation proposed for the project.*
- *All management plans in the consent conditions should have a clear objective on how the effects are going to be managed, with clear performance standards/targets. Monitoring and reporting should be included to ensure the objective of the management plan is achieved.*

- *DOC recommends a dual certification process for DOC approvals (LMP) and Council resource consent conditions. Noting that each approval has distinct requirements under separate legislation, certification should be undertaken by the respective administering authority.*
 - *Prior to certification of any ecological management plan relating to the RMA, DOC should be provided the opportunity to review and comment on the plan.*
 - *DOC certifies any ecological management plan relating to the WA.*
- *DOC should be provided the opportunity to review and comment on the results of fish relocations.*

Please provide any further information you wish to have considered in response to these comments from DOC for the purposes of the EPA's s 46(1) assessment.

7. Operative District Plan (Waikato Section)

This request was raised as part of the mandatory consultation the EPA undertook with the Waikato District Council.

In terms of the approvals sought it is noted however that the application has been assessed solely under the Waikato District Plan – Operative in Part (OIP). The subdivision provisions for the General Rural Zone in the OIP are still subject to appeal, and therefore, the subdivision provisions for the 'Rural' zone in the Operative District Plan (Waikato Section) are still relevant and consent is also required under this planning document. An assessment of the subdivision rules for the Rural zone in the Operative District Plan (ODP) - (Waikato Section) is required, along with an assessment of the objectives and policies.

Clause 5(1)(h) of Schedule 5 requires the provision of “an assessment of the activity against any relevant provisions in any of the documents listed in [Clause 5(2) of Schedule 5]”. Please supply a planning assessment of the proposed subdivision against the relevant rules, objectives, and policies of the Rural Zone under the Operative District Plan (Waikato Section).

8. Factual Clarification on the Wastewater Agreement

The following comments were raised as part of the mandatory consultation the EPA undertook with the Waikato District Council:

IAWAI also notes that section 6.1.2 of the Civil Infrastructure Report refers to an agreement regarding the ultimate Northern Interceptor connection. IAWAI's understanding is that no binding development agreement has been entered into and that the ultimate interceptor alignment and connection arrangements remain subject to separate planning and design processes. Clarification of this statement should therefore be sought during subsequent stages of the assessment process.

Please provide any further information you wish to have considered in response to these comments from IAWAI via WDC.

9. Consultation Proof

This request was raised as part of the EPA's internal completeness check:

Clause 2(1)(n) of Schedule 7 requires the provision of *"proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts"*.

While Volume A, Appendix F provides a general summary of engagement, please provide the specific written proof and details of consultation undertaken with iwi and hapū specific to wildlife impacts (such as written correspondence, meeting minutes, or CIA signoffs).

Responding to the Request for Further Information

Under the Act, you have until the end of the 20th working day from the date of this letter to provide a response to the EPA, which is 15 October 2026.

From the date of this letter, the 15 working day timeframe for the EPA to decide on completeness and scope of the substantive application ceases to run. The 15 working day timeframe will recommence once your response is received or after 15 October 2026 whichever is sooner.

If you wish to clarify any matter relating to the request, and the request was generated from the EPA's consultation with an administering agency or local authority, we suggest that you contact that administering agency or local authority directly before providing your response to the EPA.

If you require information from the EPA in relation to the request for further information, you may request that information from the EPA under section 46(2C) of the Act. Please send your request to projects@fasttrack.govt.nz.

The EPA intends to publish the information received from you in full, including your responses in our completeness memorandum, on the Fast-track website.

If you have any questions, please contact Maggie Burns, Application Lead by email at info@fasttrack.govt.nz.

Nāku noa, nā



Ben Bond

Team Leader, Fast-track Applications