

Memorandum on Completeness and Scope

File FTAA-2511-1146

Application North West Rapid Transit

To Ben Bond, Team Leader LOA

From [REDACTED]

Date 18 February 2026

Subject Assessment of whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the North West Rapid Transit application, received by the Fast-track Team on 15/12/2025 lodged by New Zealand Transport Agency Waka Kotahi, complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 5 February 2025.

Conflict of interest

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

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The North West Rapid Transit is a listed project.
6. The EPA received the substantive application for North West Rapid Transit by New Zealand Transport Agency Waka Kotahi on 15 December 2025. The EPA must, in consultation with the relevant

administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act.

7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - provide the application to the Panel Convener for consideration and decision by the expert consenting panel (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and not within scope).

Project and Scope

8. The EPA must decide whether the application relates solely to a listed project under s 46(2)(b) of the Act.

Applicable listing description

9. Before assessing scope, there is a preliminary issue as to which listing description applies, because the listing description relating to *North West Rapid Transit* was amended by the Fast Track Approvals Amendment Act 2025. The amendment came into force on 17 December 2025. This issue turns on when the application was received / lodged by the applicant with the EPA.
10. I consider that, for the purposes of s 46(1) of the Act the date the application was received was 15 December 2025, as that is the date by when that the applicant uploaded the substantive application to the Fast-Track portal and the fees required by s 46(2) had been paid. Therefore, the listing description as at 15 December 2025 applies and I have assessed the application against that.
11. However, I note that in the circumstances of this case there is a counter argument that the application was not received or lodged until on or about 28 January 2026, as that is when the EPA discovered the requisite fees had been paid and started processing the application. To outline the key chronology, on 27 January 2026 the applicant wrote to the EPA inquiring as to whether its application was being processed, given it had lodged the application on 15 December the preceding year. The same day, the EPA wrote to the applicant saying that the EPA had not received payment of the invoiced fees for the application. However, on further investigation, it was discovered that the associated fees had been paid, in fact earlier than the date the application was uploaded to the Fast-Track website, being on 3 December 2025. On 29 January the EPA wrote to the applicant to confirm receipt of the application and associated fees. On this argument, the date the application was lodged was on or about 28 January 2026, and the listing description in force at that date also applies. Out of an abundance of caution I have also assessed the application against that later listing description below.

Assessment against listing description in force 15 December 2025.

12. The project described in Schedule 2 of the Act as at the date of receipt (15 December 2025) was:
 - Develop a rapid transit link between Brigham Creek and Auckland City Centre, including connections to local roads and existing transit infrastructure, and a bi directional offline busway.*

13. The approximate geographical location was:
Alongside State Highway 16 Northwest Auckland to Auckland central.
14. The substantive application is for the following activity:
15. The construction, operation and maintenance of new bus rapid transit (BRT) facilities alongside State Highway 16 (SH16) from the Brigham Creek Road/SH16 intersection through to Ian McKinnon Drive in the Auckland City Centre, including seven rapid transit stations and one Park and Ride facility at Brigham Creek, Rarawaru.
16. The application relates solely to the listed project because it explicitly proposes a BRT. I consider that the term ‘*offline busway*’ refers to the proposed alignment being located alongside SH16. In the Act, the ‘project’ definition states ‘*includes any activity that is involved in, or that supports and is subsidiary to, a project referred to in paragraph*’. Therefore, the associated components proposed in the application, being seven rapid transit stations and one Park and Ride facility are considered to be consistent with infrastructure that would typically be required to operate the BRT.

Assessment against listing description in force 28 January 2026

17. In the alternative I now assess the project as described in the Act as at 28 January 2026.
18. The project described in Schedule 2 of the Act as at 28 January 2026 is:
Develop a rapid transit link and associated infrastructure and connections between Brigham Creek and Auckland City centre, which may be progressed in 1 or more sections of new or existing road between those 2 points.
19. The approximate geographical location is the same as identified at [13].
20. The substantive application as described at [15] also relates solely to this listed project because it proposes a rapid transit link, matching this description. This description does not mention the type of rapid transit link, however the application for a rapid busway is consistent with this description saying it is progressed by *road*. The associated components proposed in the application, being seven rapid transit stations and one Park and Ride facility fall within the *associated infrastructure* stated in the listed description.
21. For the reasons given above, I consider that the application is within scope of both listing descriptions.

Fast-track consenting application process

Legislative context

22. The EPA must decide whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:

- complies with sections 42, 43 and 44;
- relates solely to a listed project or a referred project;
- the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
- any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

Section 42 Requirements

23. Section 42 of the Act states that an authorised person may lodge a substantive application for one project or substantive applications for each stage of a project. Section 42(4) lists the approvals that may be sought under the Act.

24. This application has been lodged by New Zealand Transport Agency Waka Kotahi.

25. The approvals being sought.

- resource consent that would otherwise be applied for under the Resource Management Act 1991 (section 42(4)(a) of the Act)
- notice of requirement that would otherwise be applied for under the Resource Management Act 1991 (section 42(4)(d))
- archaeological authority that would otherwise be applied for under the Heritage New Zealand Pouhere Taonga Act 2014 (section 42(4)(i) of the Act)

26. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

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

Section 44 Requirements

28. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.

29. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.

30. Auckland Council noted in its feedback that the application was initially insufficient in terms of section 43 of the Act because it did not include an assessment against the relevant rules of the Auckland Unitary Plan, as required by clause 5(1)(h) of Schedule 5 of the Act. The applicant subsequently provided this information. The Council also advised that the site description did not meet the requirements of clause 5(1)(b) of Schedule 5 of the Act. However, we determined that the site description included in the application was adequate for the purposes of the Act.
31. In its feedback, Heritage New Zealand Pouhere Taonga stated that the information required under section 44 had been provided in sufficient detail.

Ineligibility

32. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
33. The list of ineligible projects includes activities:
 - on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
 - on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
 - in a customary marine or protected customary rights area without written agreement from the rights holder/group;
 - within an aquaculture settlement area without the required authorisation;
 - activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
 - that require permissions on national reserves held under the Reserves Act 1977 ; or
 - on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
34. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Fees and levies

35. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:
36. Application fee in the sum of \$250,000 plus GST;
 - Levy in the sum of \$140,000 plus GST.

Consultation

37. We have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
- with Auckland Council and the Ministry for the Environment for an approval described in [section 42(4)(a) (resource consent) and section 42(4)(d) (designation)]; and
 - with Heritage New Zealand Pouhere Taonga for an approval described in section 42(4)(i) (archaeological authority);
38. A summary of the consultation is included at Appendix 2.

Assessment of compliance for each section of each application form

39. We have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
40. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
41. The EPA must now decide whether the substantive application has a competing application under section 47(3) (under delegation from the Minister for Infrastructure under section 47(10)) within 10 working days from the date of the completeness decision.
42. Once the EPA has made the decision under section 47(3), the EPA can provide the application to the Panel Convener to commence consideration and decision of the application by the panel.

Appendix 1: Assessment of section 44 sufficiency

This application seeks the following approval(s) under the Act:

- A resource consent, change to or cancellation of a resource consent: **checklist A**
- A resource consent, change to or cancellation of a resource consent: **checklist A1 – subdivision or reclamation**
- A resource consent, change to or cancellation of a resource consent: **checklist A2 – freshwater fisheries activity.**
- A certificate of compliance: **checklist B.**
- A designation or an alteration to an existing designation: **checklist C.**
- A concession that would otherwise be applied for under the Conservation Act 1987: **checklist D1**
- Amendment or revocation of conservation covenant: **checklist D2**
- Land exchange: **checklist D3**
- A wildlife approval: **checklist E.**
- An archaeological approval: **checklist F.**
- Approval of person to carry out an activity under an Archaeological Authority: **checklist F1.**
- Complex freshwater fisheries approval: **checklist G**
- A marine consent: **checklist H.**
- An access arrangement or variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991: **checklist I.**
- An approval for a mineral mining permit: **checklist I1.**
- An approval for a petroleum mining permit: **checklist I2.**
- Information requirements for all applications **checklist J.**

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

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity.	NWRT_Part 2_The Project - section 1.5, page 3	Addressed , within section 1.5 of Part 2: The Project document.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— <ul style="list-style-type: none"> (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011 	NWRT_Part 2_The Project - section 1.1, page 1 and section 7, page 33 - 36. NWRT_Part 6_1_Indicative Design_West. NWRT and NWRT_Part 6_2_Indicative Design_East.	Addressed , description and map of application site provided within section 1.1 of Part 2: The Project document. (i), (ii), and (iii) addressed within section 6.2 and 7.1.
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: <ul style="list-style-type: none"> • section 42; and 	Section 42 matters are addressed primarily in Part	Addressed , the application complies with 46(2)(a), (b), and (d).

	<ul style="list-style-type: none"> • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid. 	<p>1 and Part 2 of the Application. Section 43 matters are addressed primarily in Part 2 of the Application.</p>	
5(1)(d) and 5(6)	<p>The full name and address of—</p> <ul style="list-style-type: none"> (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry; <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).</p>	<p>NWRT_Part 6_5_Property Schedule_Land within designation boundary and NWRT_Part 6_6_Property Schedule_Land adjacent to the designation boundary</p>	<p>Addressed, provided within Part 6-5: Property Schedule Land within designation boundary and Part 6-6: Property Schedule Land adjacent to the designation boundary documents.</p>

5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	N/A	N/A
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	NWRT_Part 2_The Project Section 9, page 47	s176 RMA approvals, outline plan of works, wildlife permits and Complex Freshwater Fisheries Regulations approvals will be sought prior to construction if required.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	NWRT_Part 4_Resource Management Act 1991 Approvals - section 22.4.1, section 22.4.2, section 22.4.3 (page 112-114)	Addressed , within Part 4: Resource Management Act 1991 Approvals document. Section 5 assessed within section 22.4.1. Section 6 assessed within section 22.4.2. Section 7 assessed within section 22.4.3
5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: <ul style="list-style-type: none"> • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: 	NWRT_Part 4_Resource Management Act 1991 Approvals - section 22, page 102-111	Addressed , NES, NPS, NCSPS, RPS, AUP objectives and policies all assessed within section 22 of Part 4: Resource Management Act 1991 Approvals document, however no assessment of relevant rules was initially provided. Iwi/hapu planning documents listed and

	<ul style="list-style-type: none"> • a regional policy statement or proposed regional policy statement; • a plan or proposed plan; • a planning document recognised by a relevant iwi authority and lodged with a local authority. <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> • any relevant objectives, policies or rules in the documents listed; and • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents. 		<p>described within section 7.2 of Part 2: The project document but not assessed.</p> <p>As a result of further correspondence with the applicant, I was provided with provisions assessments of the following documents:</p> <ul style="list-style-type: none"> • Auckland Unitary Plan; • NES for Freshwater Management; • NES for Assessing and Managing Contaminants in Soil to Protect Human Health; • Te Kawerau ā Maki Resource Management Statement; and • Te Pou Kāhu Pōkere <p>I consider this information was sufficient for the purpose of this clause.</p>
5(1)(i)	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <p>(i) identification of the relevant provisions in those Treaty settlements; and</p>	<p>NWRT_Part 2_The Project - section 7, page 33-36</p>	<p>Addressed, within section 7.1 of Part 2: The project document.</p>

	(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area		
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	NWRT_Part 2_The Project - section 6.2, page 24-25	Addressed , within section 6.2 of Part 2: The project document.
5(1)(k)	The conditions that the applicant proposes for the resource consent.	NWRT_Part 4_Resource Management Act 1991 Approvals - Appendix A	Addressed , provided within Appendix A of Part 4: Resource Management Act 1991 Approvals document.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.	NWRT_Part 6_9_Section 30 letter from Auckland Council	Addressed , letter dated 8 December 2025 provided as Part 6.9 document.

5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	NWRT_Part 4_Resource Management Act 1991 Approvals - section 4 - 21, pages 19 - 101	Addressed, Assessment of effects on the environment including clause 6 matters provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	NWRT_Part 4_Resource Management Act 1991 Approvals - section 4 - 21, pages 19 - 101	Addressed, Assessment of effects on the environment including clause 7 matters provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document
6	(1) The assessment of an activity's effects on the environment must include the following information: (a) an assessment of the actual or potential effects on the environment: (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use: (c) if the activity includes the discharge of any contaminant, a description of—	NWRT_Part 4_Resource Management Act 1991 Approvals - section 3 - 23	Addressed, generally provided within Assessment of effects provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document.

	<ul style="list-style-type: none"> (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment: <p>(d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity:</p> <p>(e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal:</p> <p>(f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:</p> <p>(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:</p> <p>(h) an assessment of any effects of the activity on the exercise of a protected customary right.</p>		
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7	<p>The assessment of an activity's effects on the environment must cover the following matters:</p> <ul style="list-style-type: none"> (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations: (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants: (f) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations. 	<p>NWRT_Part 4_Resource Management Act 1991 Approvals - section 4 - 21, pages 19 - 101</p>	<p>Addressed, generally provided within Assessment of effects provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document.</p> <p>Matters relating to clauses (a) further provided within Part 6.10 - Cultural Values Assessment by Te Ākitai Waiohū.</p>
5(5)(a)	<p>If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions,</p>	<p>N/A</p>	<p>N/A</p>

	and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)		
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	N/A	N/A
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	N/A	N/A

CHECKLIST C – Designation or alteration of existing designation

Clause, Schedule 5	Information required for an approval described in section 42(4)(d) of the Act, Clause 12 of Schedule 5	Application Reference	EPA
12(1)(a)	a description of the site to which the notice of requirement applies, including whether the site is within or adjacent to a statutory area (as defined in a relevant Treaty settlement Act)	NWRT_Part 2_The Project - section 1.5, page 3 and NWRT_Part 2_The Project - section 7, page 33 - 36	Addressed , NoR sites provided within section 1.1 of Part 4: Resource Management Act 1991 Approvals document. Treaty settlements in relation to project area provided within section 7 of part 2: The project document.
12(1)(b)	information on the effects of the proposed project or work on the environment, together with a description of how any adverse effects will be mitigated	NWRT_Part 4_Resource Management Act 1991 Approvals - section 3 - 23	Addressed , generally provided within Assessment of effects provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document.
12(1)(c)	confirmation that the notice of requirement complies with section 46(2)(a), (b), and (d), being;	Section 42 matters are addressed	Addressed , the application complies with 46(2)(a), (b), and (d).

	<ul style="list-style-type: none"> • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; • any fee, charge, or levy payable under regulations in respect of the application is paid. 	<p>primarily in Part 1 and Part 2 of the Application. Section 43 matters are addressed primarily in Part 2 of the Application.</p>	
12(1)(d)(i)	an assessment of the project or work against sections 5, 6, and 7 of the Resource Management Act 1991	<p>NWRT_Part 4_Resource Management Act 1991 Approvals - section 22.4.1, section 22.4.2, section 22.4.3 (page 112-114)</p>	<p>Addressed, within Part 4: Resource Management Act 1991 Approvals document.</p> <p>Section 5 assessed within section 22.4.1.</p> <p>Section 6 assessed within section 22.4.2.</p> <p>Section 7 assessed within section 22.4.3</p>
12(1)(d)(ii) and 12(2)	<p>an assessment of the project or work against any relevant provisions in any of the documents listed in subclause (2) being:</p> <p>(a) a national policy statement:</p>	<p>NWRT_Part 4_Resource Management Act 1991</p>	<p>Addressed, NES, NPS, NCSPS, RPS, AUP objectives and policies all assessed within section 22 of Part 4: Resource Management Act 1991</p>

<p>(b) a New Zealand coastal policy statement:</p> <p>(c) a regional policy statement or proposed regional policy statement:</p> <p>(d) a plan or proposed plan:</p> <p>(e) a planning document recognised by a relevant iwi authority and lodged with a local authority.</p>	<p>Approvals - section 22, page 102-111</p>	<p>Approvals document, however no assessment of relevant rules was provided.</p> <p>Iwi/hapu planning documents listed and described within Section 7.2 of Part 2: The project document but initially not assessed.</p> <p>As a result of further correspondence with the applicant, I was provided with provisions assessments of the following documents:</p> <ul style="list-style-type: none"> • Auckland Unitary Plan; • NES for Freshwater Management; • NES for Assessing and Managing Contaminants in Soil to Protect Human Health; • Te Kawerau ā Maki Resource Management Statement; and • Te Pou Kāhu Pōkere <p>I consider this information was sufficient for the purpose of this clause.</p>
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12(1)(e)	<p>information about any Treaty settlements that apply in the area to which the substantive application relates, including—</p> <ul style="list-style-type: none"> (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the area to which the substantive application relates 	NWRT_Part 2_The Project - section 7, page 33 - 36.	Addressed , within section 7.1 of Part 2: The project document
12(1)(f), 12(3) and 12(4)	<p>the full name and address of—</p> <ul style="list-style-type: none"> (i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land; and (ii) each person who, after reasonable inquiry, is known by the requiring authority to be an occupier of the land to which the notice relates and of the land adjacent to that land; <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 12(3)).</p>	NWRT_Part 6_5_Property Schedule_Land within designation boundary and NWRT_Part 6_6_Property Schedule_Land adjacent to the designation boundary	Addressed , provided within Part 6-5: Property Schedule Land within designation boundary and Part 6-6: Property Schedule Land adjacent to the designation boundary documents.
12(1)(g)	an assessment of whether the project or work and the designation sought are reasonably necessary for achieving the objectives of the requiring authority	NWRT_Part 4_Resource Management Act 1991	Addressed , within 3.3.2 of within Part 4: Resource Management Act 1991 Approvals document.

		Approvals section 3.3.2, page 17	
12(1)(h)	any consideration of alternative sites, routes, or methods of undertaking the project or work	NWRT_Part 4_Resource Management Act 1991 Approvals section 3.3.1 - page 9 - 16	Addressed , within 3.3.1 of within Part 4: Resource Management Act 1991 Approvals document.
12(1)(i)	a list of the resource consents needed for the project or work and whether they have been applied for	NWRT_Part 4_Resource Management Act 1991 Approvals section 1.2, page 5	Addressed , within section 1.2 of within Part 4: Resource Management Act 1991 Approvals document.
12(1)(j)	a description of any consultation undertaken with parties likely to be affected by the project or work and the designation	NWRT_Part 2_The Project - section 6, page 23 - 32	Addressed , consultation summary provided in section 6 of Part 2: The project document.

12(1)(k)	any conditions that the requiring authority proposes for the designation.	NWRT_Part 4_Resource Management Act 1991 Approvals Appendix B	Addressed , resource consent conditions proposed, however there are no designation conditions proposed.
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CHECKLIST F – Archaeological authority

Clause, Schedule 8	Information required for an approval described in section 43(3)(i) Archaeological Authority	Application Reference	EPA
2(1)(a)	a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates	NWRT_Part 5_Archaeological Authorities - section 1 and Appendix B1 and C1.	Addressed , provided with appendices B1 and C1 of Part 5: Archaeological Authorities document.
2(1)(b)	the name of the owner of the relevant land, if the applicant is not the owner of the land	NWRT_Part 5_Archaeological Authorities Appendix B1 and C1.	Addressed , provided with appendices B1 and C1 of Part 5: Archaeological Authorities document.

2(1)(c)	proof of consent, if the owner of the relevant land has consented to the proposed activity	N/A	N/A
2(1)(d)	confirmation that the application complies with section 42 , 43, and 44 of the Act	NWRT_Part 5_Archaeological Authorities - section 3	Confirmed.
	confirmation that the application relates solely to a listed project or a referred project	NWRT Part 1, NWRT_Part 2 - The Project	Confirmed.
	any fee, charge, or levy payable under regulations in respect of the application is paid.	Application form	Confirmed.
2(1)(e)	a description of each archaeological site to which the application relates and the location of each site	NWRT_Part 5_Archaeological Authorities - Section 1 and Appendix A, section 4	Addressed , within section 4 of Part 5: Archaeological Authorities document.
2(1)(f)	a description of the activity for which the authority is sought	NWRT_Part 2_ The Project section 1 and section 4. NWRT_Part 5_Archaeological	Addressed , within section 1 and section 4 of Part 2: The Project Document.

		Authorities Appendix A section 6	
2(1)(g)	a description of how the proposed activity will modify or destroy each archaeological site	NWRT_Part 5_Archaeological Authorities Appendix A, section 4.	Addressed , within Part 5: Archaeological Authorities document, appendix A section 4.
2(1)(h)	except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of— <ul style="list-style-type: none"> (i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and (ii) the effect of the proposed activity on those values 	NWRT_Part 5_Archaeological Authorities section 3	Addressed , within section 3 of Part 5: Archaeological Authorities document.
2(1)(i)	a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected— <ul style="list-style-type: none"> (i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or 	NWRT_Part 2_The Project - section 6, NWRT Part 5_Archaeological Authorities section 1.1	Addressed , within section 2 of Part 2: The project Document, and section 1.1 of Part 5: Archaeological Authorities section.

	(ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).		
	Additional information applicants may include in their application for an approval described in section 43(3)(i) Archaeological Authority	Application Reference	
	Have any archaeological authorities been granted for this location in the past?	No.	Addressed.
	Identification of the relevant planning overlays, i.e. are there any relevant Heritage or QEII covenants or Heritage Orders, District Plan schedules, New Zealand Heritage list/Rārangi Kōrero entries?	NWRT_Part 2_The Project section 8, NWRT Part 5_Archaeological Authorities - Appendix A, section 4.	Addressed , within section 8 of Part 2: The Project document.

CHECKLIST F1 – Archaeological authority: Approval for person to carry out activity

Clause 7(5),	Information required for an approval described in clauses 7(1) and (2)(b) (approval of person to carry out activity)	Application Reference	EPA
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Schedule 8			
(a)	Evidence that the person carrying out the activity under an authority has sufficient skill and competency, is fully capable of ensuring that the proposed activity is carried out to the satisfaction of Heritage New Zealand Pouhere Taonga, and has access to appropriate institutional and professional support and resources	NWRT Part 5_Archaeological Authorities - Appendix F	Addressed for the purpose of the act, however no evidence provided.
(b)(i)	In the case of a site of interest to Māori, evidence that the person carrying out the activity under an authority has the requisite competencies for recognising and respecting Māori values	NWRT Part 5_Archaeological Authorities - Appendix F	Addressed for the purpose of the act, however no evidence provided.
(b)(ii)	In the case of a site of interest to Māori, evidence that the person carrying out the activity under an authority has access to appropriate cultural support	NWRT Part 5_Archaeological Authorities - Appendix F	Addressed for the purpose of the act, however no evidence provided.

CHECKLIST J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference	EPA (office use only)
13(4)(a)	a description of the project and the activities it involves	NWRT_Part 2_The Project - section 1.5, page 3	Addressed , within section 1.5 of Part 2: The Project document.
13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	NWRT_Part 2_The Project - section 9.1, page 47	Addressed , within section 9.1 of the act.
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	NWRT_Part 2_The Project - section 1.5. NWRT_Part 6_1_Indicative Design_West. NWRT and NWRT_Part 6_2_Indicative Design_East.	Addressed , description and map of application site provided within section 1.1 of Part 2: The Project document.

13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	NWRT_Part 2_The Project - section 4.2 page 13 - 16	Addressed , indicative staging and construction timelines provided within sections 4.2.1 & 4.2.2 of Part 2: The Project document.
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	NWRT_Part 2_The Project - section 4.2 page 13 - 16	Addressed , indicative staging timelines provided within section 4.2.1 of Part 2: The Project document.
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment	NWRT_Part 4_Resource Management Act 1991 Approvals - section 4 - 21, pages 19 - 101	Addressed , Assessment of effects on the environment including clause 7 matters provided within section 4-21 of Part 4: Resource Management Act 1991 Approvals document
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	N/A	N/A

13(4)(j)	<p>a list of the persons and groups the applicant considers are likely to be affected by the project, including—</p> <ul style="list-style-type: none"> (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups: (vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981: 	NWRT_Part 2_The Project - section 6	Addressed , within section 6 of Part 2: The Project Document.
13(4)(k)	<p>a summary of—</p> <ul style="list-style-type: none"> (i) the consultation undertaken for the purposes of section 29 and any other consultation undertaken on 	NWRT_Part 2_The Project - section 6	Addressed within section 6 of Part 2: The Project document.

	<p>the project with the persons and groups referred to in paragraph (j); and</p> <p>(ii) how the consultation has informed the project:</p>		
13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	NWRT_Part 2_The Project - section 7, page 33 - 36	Addressed , within section 7.1 of Part 2: The project document.
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	NWRT_Part 2_The Project - section 9.4, page 47	Addressed , within section 9.4 of Part 2: The project document.
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	N/A	N/A
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	N/A	N/A
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land	N/A	N/A
13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—	N/A	N/A

	<ul style="list-style-type: none"> (i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure 		
13(4)(r)	<p>a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—</p> <ul style="list-style-type: none"> (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— <ul style="list-style-type: none"> (A) a statement of the anticipated and known financial cost of undertaking the activity; and (B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or 	N/A	N/A

	<p>compensate for the anticipated and known adverse effects of the activity; and</p> <p>(D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and</p> <p>(E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters</p>		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	NWRT_Part 2_The Project - section 9.4, page 47	Addressed , within section 9.4 of Part 2: The project document.
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	NWRT_Part 2_The Project - section 9.5, 9.6 and 9.7, page 47-48	Addressed , within sections 9.5, 9.6, and 9.7 of Part 2: The project document.
13(4)(u)	whether any activities that are involved in the project, or are substantially the same as those involved in the project, have	N/A	N/A

	<p>been the subject of an application or a decision under a specified Act and,—</p> <p>(i) if an application has been made, details of the application:</p> <p>(ii) if a decision has been made, the outcome of the decision and the reasons for it:</p>		
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	NWRT_Part 6_19_Assessment of Stormwater and Flooding Effects	Addressed , within Part 6.19: Assessment of Stormwater and Flooding Effects assessment.
13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	N/A	N/A
13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	N/A - compliance information is provided in NWRT_Part 2_The Project - section 2.1, page 10	Addressed , within section 2.1 of Part 2: The Project document.
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule.		

13(4)(y)(i), clause 2 of Schedule 5	<p>Resource consent or designation</p> <p>(a) an assessment of the project against—</p> <ul style="list-style-type: none"> (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and 	<p>NWRT_Part 4_Resource Management Act 1991 Approvals, section 22, page 102-114.</p>	<p>Addressed, NES, NPS, and NZCSPS, all assessed within section 22 of Part 4: Resource Management Act 1991 Approvals document.</p>
	<p>(b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant’s knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).</p>	<p>NWRT_Part 4_Resource Management Act 1991 Approvals, section 1.2.1, page 5.</p>	<p>Addressed, within section 1.2.1 of Part 4: Resource Management Act 1991 Approvals document.</p>
13(4)(y)(ii), clause 3 of Schedule 5	<p>Change or cancellation of resource consent condition</p> <p>The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.</p>	N/A	N/A
13(4)(y)(iii), clause 4 of Schedule 5	<p>Certificate of compliance</p> <p>The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the</p>	N/A	N/A

	<p>certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.</p>		
<p>13(4)(y)(iv), clause 2 of Schedule 6</p>	<p>Concession</p> <p>(1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and—</p> <p>(a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and</p> <p>(b) the granting of the lease would trigger a right of first refusal or a right of offer or return.</p> <p>(2) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.</p>	N/A	N/A
<p>13(4)(y)(v), clause 23 of Schedule 6</p>	<p>Land exchange</p> <p>(1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below:</p>	N/A	N/A

	(a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:		
	(b) the financial value of the land proposed to be acquired by the Crown:	N/A	N/A
	(c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:	N/A	N/A
	(d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:	N/A	N/A
	(e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – (i) land listed in Schedule 4; or (ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	N/A	N/A

13(4)(y)(vi), clause 2 of Schedule 9	<p>Standard or complex freshwater fisheries activity approval</p> <p>(2) The information required to be provided under section 13(4)(y)(vi) is the following:</p> <p>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and</p> <p>(b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.</p>	N/A	N/A
13(4)(y)(vii), clause 2 of Schedule 10	<p>Marine consent</p> <p>(1) The information required to be provided under section 13(4)(y)(vii) is–</p> <p>(a) information about whether the Minister of Conservation is an affected person:</p>	N/A	N/A
	<p>(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,—</p> <p>(i) details of any application made; and</p> <p>(ii) the decisions made on that application; and</p>	N/A	N/A

	(iii) information about the matters that the Minister may consider under section 22(6):		
	(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.	N/A	N/A
13(4)(y)(viii), clause 2 of Schedule 11	Access arrangement (1) Confirmation that the applicant has complied with section 12(2) (for the purposes of section 13(4)(y)(viii)).	N/A	N/A

<p>13(4)(y)(ix), clause 15 of Schedule 11</p>	<p>Mining permit</p> <p>(1) For the purposes of section 13(4)(y)(ix), the information is—</p> <ul style="list-style-type: none"> (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: (b) the name and contact details of the proposed permit participants and the proposed permit operator: (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: (e) information about the proposed permit holder’s history of compliance with mining or similar permits and their conditions: (f) the proposed date on which the substantive application is intended to be lodged: (g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: 	<p>N/A</p>	<p>N/A</p>
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	<p>(h) the proposed duration of the permit:</p> <p>(i) if the proposed approvals include a mining permit for petroleum,—</p> <p>(i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:</p> <p>(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:</p> <p>(iii) a high-level overview of the following:</p> <p>(A) the proposed field development plan:</p> <p>(B) the proposed date for the commencement of petroleum production:</p> <p>(C) the economic model for the project:</p> <p>(D) the proposed duration of the proposed mining permit:</p> <p>(E) decommissioning plans:</p>		
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	<p>(j) if the proposed approvals include a mining permit for minerals other than petroleum,—</p> <ul style="list-style-type: none"> (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates: (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted: (iii) whether the application will be for a Tier 1 or Tier 2 permit: (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology): (v) an indicative mine plan: (vi) a high-level overview of the following: <ul style="list-style-type: none"> (A) the proposed mining method: 		
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	<p>(B) the proposed date for the commencement of mining and estimated annual production:</p> <p>(C) the economic model for the project:</p> <p>(D) the status of or anticipated timing for completing any prefeasibility or feasibility studies:</p> <p>(E) the proposed methods for processing mined material and handling and treating waste:</p> <p>(F) anticipated plans for mine closure and rehabilitation.</p> <p>(2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.</p>		
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Appendix 2: Consultation Summary

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

1. Consultation with Auckland Council and the Ministry for the Environment as the relevant consent authorities for the following approvals under the Resource Management Act 1991:

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

Response from Auckland Council:

Resource Consents:

Council has undertaken a review of the requirements of S43 and S44 of the Act when assessed against clauses 5 to 7 of Schedule 5 (referred to within S43). This review (appended as Attachment One) summarises the following logistical issues associated with clauses 5(1)(a)(b)(g)(h), 5(4) and 5(5)(a), together with the response provided from the applicant.

In summary, the attached review has raised logistical processing issues primarily associated with:

- *The absence of an assessment of the Project in the context of the Unitary Plan rules (where a thematic assessment of the objectives and policies is currently provided);*
- *The ability to identify/broadly quantify (spatially and/or in writing) the works for which regional consents are required; together with; and*
- *An absence of Plans beyond General Arrangement Plans, which are limited to the Project upon completion and do not identify: of the extent of works associated with construction, or o the structures for which consent is sought.*

Notice(s) of Requirement:

We generally agree clause 12 of Schedule 5 (pertaining to information required in a notice of requirement), as referred to by s43(3)(d) has been met. However, there are some outstanding matters related to the assessments provided, which we reserve the right to comment on when invited. Additional comments provided below under Section 4 of this letter.

As part of this preliminary review, we have noted the following matters which do not appear to have been discussed in the substantive application. Whilst not suggesting the application should be found to be incomplete on this basis, we do highlight the following as points the Council will likely review further and raise in any invitation to comment.

Response from Ministry for the Environment:

Kia ora koutou,

Thank you for your inquiry. Following the Fast-track Approvals Amendment Act 2025, the Ministry for the Environment (MfE) is no longer included in the definition in section 4 of "administering agency" for the Resource Management Act 1991 or the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

On that basis, we do not consider that MfE is one of the parties that the Environmental Protection Authority (EPA) must consult under section 46. MfE does not generally hold information that would assist with determining if the substantive application is complete or if there are competing applications. The Amendment Act also removed the requirement for applicants to engage in pre-lodgement consultation with MfE from 17 December 2025.

2. Consultation with Heritage New Zealand Pouhere Taonga as the administering agency for the following Acts:

- application for an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014.

Response from Heritage New Zealand Pouhere Taonga:

HNZPT confirms that all documentation has been provided that is required for an archaeological authority application.

HNZPT confirms that there are no current competing archaeological authority applications under the Heritage New Zealand Pouhere Taonga 2014 Act that relate to the same activity and site.