



FTAA-2605-1231: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Mangapapa Wind Farm

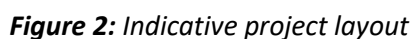
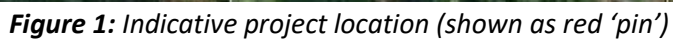
Date submitted	28 September 2026	Tracking	26-BRF-02376
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	5 October 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mcert.govt.nz . Approve the attached notice of decisions letter.
Number of appendices: 8	Appendices: 1. Statutory framework for making decisions 2. Application documents for Mangapapa Wind Farm and further information received 3. Stage 1 Briefing Note and decisions 4. Section 18 report on Treaty settlements and other obligations 5. Section 19 report on the use of public conservation land 6. Comments received from invited parties 7. Further information received from the Department of Conservation in response to the Minister's section 20 request 8. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Antonia Croft & Ben Bunting	Principal Authors		
Max Gander-Cooper	Acting Manager	s 9(2)(a)	✓
Stephanie Frame	Acting General Manager	s 9(2)(a)	





Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Mamaku Renewables Limited (the applicant) to refer the Mangapapa Wind Farm (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (26-BRF-01365) with your initial decisions annotated is in Appendix 3.
3. The project is for the construction, operation, and maintenance of a large-scale wind farm on approximately 3,800 hectares on the Mamaku Plateau, located between State Highway 29, Pyes Pā Road (State Highway 36), and State Highway 5, between Tauranga and Rotorua, in the Bay of Plenty Region.
4. The project includes:
 - a. approximately 70 turbines (maximum tip height of 266 metres)
 - b. collector substations, internal roading, crane pads and turbine foundations, and both overhead and underground cabling, including grid connection infrastructure
 - c. on-site battery energy storage system
 - d. ancillary works include laydown areas, batching plants, vegetation clearance, earthworks, installation of culverts, associated water takes and discharges, operation and maintenance facilities to support the turbines and associated infrastructure
 - e. grid connection by 6km of dedicated transmission corridor to the Tarukenga–Kaitemako 220 kilovolts (kV) transmission line.
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991
 - b. approvals under the Wildlife Act 1953
 - c. an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014
 - d. concessions under the Conservation Act 1987.
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 the recommendations and on the proposed directions to the applicant, expert panel, 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 (in Appendix 2), the section 18 Treaty settlements report (in Appendix 4), the section 19 report on the use of public conservation land (in Appendix 5), any comments from invited parties (in Appendix 6), and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16.



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.

Section 18 Treaty settlements and other obligations report

10. A Treaty settlements and other obligations report (the report) prepared under section 18 of the Act is attached in Appendix 4.
11. The report identifies 13 relevant Māori groups with interests in the project area, comprising relevant iwi authorities, Treaty settlement entities, and other Māori groups with interests in the project area.
12. The report identifies several Treaty settlements that are relevant to the project area, including the Tapuika Claims Settlement Act 2014, Ngāti Rangiwewehi Claims Settlement Act 2014, Raukawa Claims Settlement Act 2014, Ngā Hapū o Ngāti Ranginui Claims Settlement Act 2025, the Ngāi Te Rangi and Ngā Pōtiki deed of settlement, and the Tauranga Moana Iwi Collective redress deed.
13. The report notes that the Tapuika Claims Settlement Act 2014 and Ngāti Rangiwewehi Claims Settlement Act 2014 provide statutory acknowledgements over the Ohaupara Stream, Te Rerenga Stream and Mangorewa River, which are located within or close to the project area. These waterways are tributaries of the Kaituna River and are recognised as areas of cultural, historical and spiritual significance.
14. The report also identifies the Kaituna River redress established under the Tapuika Claims Settlement Act 2014, comprising Te Maru o Kaituna River Authority and the Kaituna River Document - 'Kaituna He Taonga Tuku Iho – A Treasure Handed Down'. The project area includes tributaries that form part of the Kaituna River co-governance framework area established through that settlement.
15. Comments on the referral application were received from Tapuika Iwi Authority, Raukawa Charitable Trust and Te Maru o Kaituna River Authority. These are summarised as follows:
 - a. Tapuika Iwi Authority advised that the project may intersect with statutory acknowledgements, co-governance arrangements, cultural redress areas and sites of cultural significance. It sought further engagement and assessment of potential effects on cultural values, biodiversity, freshwater environments and Treaty settlement interests.
 - b. Raukawa Charitable Trust noted it had not been consulted by the applicant before the referral application was lodged, sought ongoing engagement, and considered any substantive application should include a cultural impact assessment and further assessment of effects on biodiversity and cultural values.
 - c. Te Maru o Kaituna River Authority considered the information currently available was insufficient to determine the project's potential effects on the Kaituna River and its tributaries or its alignment with the Kaituna River Document and recommended further engagement with iwi and hapū and support for cultural impact assessments.
16. We do not consider there are any matters raised in the section 18 report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

17. Section 16(2)(c) of the Act requires you, where relevant, to direct any panel considering a substantive application to comply with applicable procedural requirements in Treaty settlements and to give the



same or equivalent effect to any document that is required to be considered under a Treaty settlement. The section 18 report identifies the Kaituna River Document as a relevant document for the purposes of section 16.

18. Consistent with the section 18 report, we recommend that if you decide to refer the project, you must direct any panel considering a substantive application for the project to:
 - a. confirm with Bay of Plenty Regional Council (BOPRC) and Western Bay of Plenty District Council (WBOPDC) that the operative regional policy statement, regional plan and district plan have recognised and provided for the Kaituna River Document under section 123 of the Tapuika Claims Settlement Act 2014, or if that obligation has not been complied with in relation to any of those planning documents, have regard to the Kaituna River Document when considering any relevant resource consent applications; and
 - b. to direct any panel considering a substantive application to determine if it needs to consider the consultation requirements in the Te Kaitaka a Whakatauterangi Conservation Relationship Agreement in the Tapuika deed of settlement regarding the Wildlife Act 1953 authority.
19. If you agree to accept the referral application, we will include this direction in the Notice of Decisions letter for the project.

Section 19 report on the use of public conservation land

20. As the project area includes the use of public conservation land (PCL), the Director-General of Conservation has prepared a report in Appendix 5 which sets out:
 - a. the use of PCL as part of the consideration of the referral application for Mangapapa Wind Farm by Mamaku Renewables Limited
 - b. the information that must be contained in a report in relation to PCL as set out in s19(2)(a) and (b) of the Act and outlines any consultation undertaken as required by s19(3), as outlined in the report.
21. The summary of advice provided in the report is that:
 - a. the Department of Conservation (DOC) is the sole administrator of Gammons Block Conservation Area
 - b. the risks and potential liabilities to the Crown include those normally associated with the development of infrastructure of this nature. These include risk of non-completion, failure and inability to remediate land
 - c. the proposed use of the existing easements for activities which DOC considers were not anticipated by the easements invites new risks and potential liabilities for the Crown in relation to this project
 - d. it is recommended that the scope of any referral notice enables a concession to be sought as part of a substantive application.
22. DOC advises that the risks could be managed and mitigated through an appropriate concession under the Conservation Act 1987. We discuss this matter further at paragraphs 27 - 31 and in Table A.

Written comments received

23. Comments were received from BOPRC, WBOPDC, six Ministers, DOC, Heritage New Zealand Pouhere Taonga (HNZPT), Transpower New Zealand Limited (Transpower), NZ Transport Agency Waka Kotahi



(NZTA), and relevant Māori groups. Comments from relevant Māori groups are discussed in paragraph 15.

24. Written comments were received after the specified timeframe from Te Maru o Kaituna River Authority and the Minister for Regional Development. Under section 17(7)(b) of the Act, you may consider those comments at your discretion.
25. The key matters relevant to your referral decision are summarised below and discussed further in Table A and provided in full at Appendix 6.
26. A summary of the key points is below:
 - a. BOPRC supports referral in principle, noting the is likely to provide significant regional or national benefits
 - b. WBOPDC supports, in principle, referral of the project and confirmed it was not aware of any competing applications
 - c. the Minister of Climate Change supports the project progressing to the substantive application stage noting the project's contribution to renewable electricity generation
 - d. the Minister for Regional Development noted the project's anticipated regional employment and economic benefits
 - e. the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti support the application progressing
 - f. the Minister for Economic Growth considered the project is likely to deliver material regional and national economic benefits through significant investment, employment generation and increased renewable electricity generation
 - g. the Minister for Arts, Culture and Heritage advised that they had no comment on the referral application.
 - h. DOC commented that is not confident that the purposes of the existing easements can extend to the activities proposed by the project and therefore recommends that consideration be given to including concessions under the Conservation Act 1987 in the scope of the referral application
 - i. HNZPT did not oppose referral but noted that no archaeological assessment had been provided and was therefore unable to assess potential archaeological effects
 - j. NZTA commented that, at this stage, there is not adequate information to meaningfully assess the traffic effects. It requested, if referred, that NZTA be invited to comment on the substantive application and that a substantive application include details on the location, duration and staging of construction, along with a transport assessment to better understand the effects on the state highway network and NZTA assets
 - k. Transpower supported referral of the project, noting it meets section 22 criteria relevant to regionally or nationally significant infrastructure and climate change mitigation.

Further information requested and additional proposed approval

27. You requested further information under section 20 of the Act from DOC as the relevant administering agency. That request sought clarification on matters raised by DOC in its comments provided under section 17 relating to the proposed use of the existing easements for activities which DOC considers



were not anticipated by the easements. DOC views this as a risk to the project proceeding because if the applicant does not hold the appropriate easements, the applicant has no legal access through the Gammons Block Conservation Area.

28. DOC's response (at Appendix 7) advised that the risks could be managed and mitigated through an appropriate concession under the Conservation Act 1987 to enable the appropriate easements. Seeking a concession outside of the fast-track process would likely take seven months to process.
29. We note that the applicant previously engaged with DOC ahead of lodging the referral application and elected to not seek a concession within this referral application as it viewed the current easements as allowing the proposed activities. Based on the information in the section 19 report and DOC's response to the further information request, the applicant has subsequently decided to include the concession within this referral application as a precautionary measure.
30. While the inclusion of a potential concession under the Conservation Act 1987 technically represents a minor change to the scope of approvals sought, it does not alter the nature, scale, or location of the project itself. The proposed works remain unchanged. The addition simply provides a mechanism for addressing any potential concession activities through the fast-track approvals process, should they later be confirmed as necessary.
31. This approach is consistent with the intent of the Act to enable efficient and coordinated consideration of all relevant approvals. DOC, as the administering agency for the Conservation Act 1987, is the only party affected by this change and has indicated this approach is suitable in their comments under section 17 and in the section 19 report, subject to further consultation prior to lodgement of the substantive application.
32. Should a concession under the Conservation Act not be sought under this fast-track application, it could take seven or more months for such an approval to be sought outside of the fast-track approvals process. This would lead to inefficiencies, delay project commencement and undermine the intended benefits of the Act's 'one stop shop' approach.
33. Given the above, we are recommending that, under section 27(3)(b)(ii) of the Act the applicant be directed to provide evidence of additional consultation with DOC to confirm the appropriate easement requirements for the concessions to be sought at the substantive stage.
34. We have also updated the project description to include this additional proposed approval.

Reasons to decline

35. 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.
36. 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 and these are set out in Appendix 1.
37. Invited parties identified a range of planning, environmental, infrastructure and cultural matters that would require further consideration through any substantive application. These include matters relating to wetlands, Significant Natural Areas, the Kaituna River catchment, cultural values, heritage, the transport network, and engagement with mana whenua.



38. However, no invited party has recommended that the referral application be declined. Comments received were primarily directed towards matters that should be assessed through the substantive application process.
39. We consider an expert panel is best placed to assess the significance of any adverse effects with the benefit of a substantive application, detailed technical assessments, additional comments from relevant parties, and the ability to impose conditions or decline the substantive application if appropriate.
40. We have considered the matters above and these are discussed in Table A. We do not consider these matters warrant declining the application at the referral stage and instead consider they are more appropriately assessed through the substantive application process.
41. Ultimately, we recommend you do not decline the referral application for these reasons, or any other grounds under section 21(4) or (5) of the Act.

Reasons to accept

42. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
43. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
 - a. it is an infrastructure or development project that would have significant regional and national benefits because it:
 - i. will deliver new regionally or nationally significant infrastructure by providing approximately 453.6 megawatts (MW) of new renewable electricity generation capacity and generating approximately 1.39 terawatt-hours (TWh) of electricity annually, enough to power around 196,000 households
 - ii. will deliver significant economic benefits by contributing approximately \$231.6 million to gross domestic product (GDP) and supporting an estimated 1,278 full-time equivalent (FTE) jobs during construction, with direct and indirect ongoing operational benefits of approximately \$81.2 million in GDP per annum and approximately 250 FTE jobs
 - iii. will support climate change mitigation, including the reduction or removal of greenhouse gas emissions by increasing renewable electricity generation, reducing reliance on fossil fuel-based energy sources, and avoiding approximately 0.72 mega tonnes (Mt) CO₂ equivalent emissions per annum through the displacement of fossil fuel generation.
 - b. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because the scale and complexity of the project, and the potential for notification, hearings, and appeals under standard approval processes, could result in increased costs and longer approval timeframes, public and limited notification is precluded and appeal rights are limited
 - c. it is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not overly complex and is neither novel in the New Zealand context nor



beyond the scope of what a panel would typically assess where multiple approvals are sought under the fast-track process.

Conclusions

44. 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.
45. Notwithstanding our recommendations, you retain discretion to determine the outcome of the referral application, including whether the project meets the section 22 criteria.
46. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:
 - a. that Transpower and NZTA are identified as persons from whom a panel must invite comments in addition to those specified in section 53
 - b. that the substantive application includes:
 - i. a Transport Assessment on effects of construction on the State Highway network and NZTA assets, including mitigation measures
 - ii. evidence of additional consultation with DOC to confirm the appropriate easement requirements for the concessions to be sought at the substantive stage.
47. We consider that if you decide to refer the project, under section 16 you should direct the panel to:
 - a. confirm whether the Kaituna River Document has been recognised and provided for in the relevant planning documents, or if it has not, have regard to the document when considering any relevant resource consents.
 - a. consider whether the consultation requirements in Te Kaitaka a Whakatauterangi Conservation Relationship Agreement should inform its consultation with Tapuika Iwi Authority Trust on any Wildlife Act 1953 authority required for the project.
48. The above specifications and directions are required because:
 - b. the applicant must hold the appropriate easements to ensure legal access through the Gammons Block Conservation Area
 - c. Transpower and NZTA have identified matters relevant to the project's electricity transmission and transport effects that may assist a panel considering a substantive application
 - d. the section 18 report identifies the Kaituna River Document and Te Kaitaka a Whakatauterangi Conservation Relationship Agreement as relevant section 16 matters and recommends directions relating to their consideration.

Next steps

49. 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.
50. 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.
51. 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
 - d. the report obtained under section 19.
52. We will undertake this action on your behalf.
53. We have attached a notice of decisions letter to the applicant 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.
54. Our recommendations for your decisions follow.



Recommendations

50. 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 Mamaku Renewables Limited (the applicant) 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 Mangapapa Wind Farm 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 report obtained under section 18 in Appendix 4
- iii. the report obtained under section 19 in Appendix 5
- iv. any comments and further information sought under sections 17 and 20 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** to exercise your discretion under section 17(7)(b) to consider the late comments from Te Maru o Kaituna River Authority and the Minister for Regional Development received after the time frame specified under Section 17(6) of the Act in Appendix 6.

Yes / No

- d. **Note** that under section 16(2)(c) of the Act you must direct any panel considering a substantive application for the project to:

- i. confirm whether the Kaituna River Document (Kaituna He Taonga Tuku Iho – A Treasure Handed Down) has been recognised and provided for in the relevant planning documents under section 123 of the Tapuika Claims Settlement Act 2014, or if it has not, to have regard to the Kaituna River Document when considering any relevant resource consents sought by the applicant; and
- ii. consider the consultation requirements set out in Te Kaitaka a Whakatauterangi Conservation Relationship Agreement when consulting with Tapuika Iwi Authority Trust in relation to any Wildlife Act 1953 authority required for the project.

Noted

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



- i. the project involves the construction, operation and maintenance of a large-scale wind farm and associated electricity infrastructure that would have significant regional and regional benefits [section 22(1)(a)] because it:
 - A. will deliver new regionally or nationally significant infrastructure [section 22(1)(a)(ii)] by providing approximately 453.6 MW of renewable electricity generation capacity and generating approximately 1.39 TWh of electricity annually, enough to power around 196,000 households
 - B. it will deliver significant economic benefits [section 22(2)(a)(iv)] by contributing approximately \$231.6 million to gross domestic product (GDP) and supporting an estimated 1,278 full-time equivalent (FTE) jobs during construction, with direct and indirect ongoing operational benefits of approximately \$81.2 million in GDP per annum and approximately 250 FTE jobs
 - C. it will support climate change mitigation [section 22(2)(a)(vii)] by increasing renewable electricity generation, reducing reliance on fossil fuel-based energy sources annually and avoiding approximately 0.72 Mt CO₂ equivalent emissions per annum through the displacement of fossil fuel generation
- ii. referring the project to the fast-track approvals process would facilitate the project [section 22(1)(b)(i)], including by enabling it to be processed in a more timely and cost-effective way than under normal processes because:
 - A. the scale and complexity of the project, and the potential for notification, hearings, and appeals under standard approval processes, could result in increased costs and longer approval timeframes
 - B. appeals under the Act are only to the High Court rather than the Environment Court and are limited to points of law
 - C. the Act precludes public and limited notification
- iii. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process [section 22(1)(b)(ii)] because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess where multiple approvals are sought under the fast-track process.

Yes / No

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

Yes / No

- g. **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

- h. **Agree** to specify Mamaku Renewables Limited as the person who is authorised to lodge a substantive application for the project.

Yes / No



- i. **Agree**, under section 27(3)(b)(i) of the Act to specify a deadline of two years from the date of the notice of decisions letter for the applicant to lodge the substantive application.

Yes / No

- j. **Agree**, under section 27(3)(b)(ii) of the Act to specify the following information to be submitted with the substantive application:

- i. evidence of additional consultation with the Department of Conservation to confirm the appropriate easement requirements for the concessions to be sought at the substantive stage
- ii. a Transport Assessment on effects on the State Highway network and NZ Transport Agency Waka Kotahi (NZTA) assets, including mitigation measures

Yes / No

- k. **Agree**, under section 27(3)(b)(iii) of the Act, to specify Transpower New Zealand Limited and NZTA as groups the panel must invite comments from in addition to those specified in section 53.

Yes / No

- l. **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 agencies:
 - A. Department of Conservation
 - B. Heritage New Zealand Pouhere Taonga

Yes / No

Signatures

Max Gander-Cooper
Acting Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	Accept the referral application and refer the project to the fast-track approvals process.		
Project details	Project Name	Applicant	Project Location
	Mangapapa Wind Farm	Mamaku Renewables Limited	Multiple land parcels covering an estimated minimum of approximately 3,800 hectares on the Mamaku Plateau, located between State Highway 29, Pyes Pā Road (SH36), and State Highway 5 in the Bay of Plenty Region.
Project description	The project is for the construction, operation, and maintenance of a large-scale wind farm within land parcels of approximately 3,800 hectares on the Mamaku Plateau. The project includes: • approximately 70 turbines (maximum tip height of 266 metres) • collector substations, internal roading, crane pads and turbine foundations, and both overhead and underground cabling, including grid connection infrastructure, • on-site battery energy storage system • ancillary works include laydown areas, batching plants, vegetation clearance, earthworks, installation of culverts, associated water takes and discharges, operation and maintenance facilities to support the turbines and associated infrastructure • grid connection by 6km of dedicated transmission corridor to the Tarukenga–Kaitemako 220 kilovolts (kV) transmission line. The project will require the proposed approvals: • resource consents under the Resource Management Act 1991 • approvals under the Wildlife Act 1953 • an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 • a concession under the Conservation Act 1987.		
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 Fast-track Approvals Act 2024 (the Act). Full copies of all comments received are attached in Appendix 6. Under section 17(7)(a) of the Act, you must consider any comments received within the timeframe under section 17(6). The comments from Te Maru o Kaituna River Authority and the Minister for Regional Development were received after the specified timeframe. You may consider these comments, at your discretion, under section 17(7)(b). All other comments were received within the specified timeframe for this application and must be considered.</i> Local authorities Bay of Plenty Regional Council (BOPRC) considered the project meets the Act’s threshold of significant regional or national benefits and noted its alignment with regional policy settings supporting renewable electricity generation and regionally significant infrastructure. BOPRC also identified potential environmental constraints, including wetlands and Significant Natural Areas (SNAs). BOPRC confirmed it was not aware of any competing applications or existing resource consents of the kind referred to in section 30(3)(a) of the Act. Western Bay of Plenty District Council (WBOPDC) confirmed its in-principal support for referral of the project and advises no competing applications. Ministers The Minister of Climate Change supports the project progressing to substantive stage, noting its contribution to renewable electricity generation, electrification, electricity security, and New Zealand’s transition to a low-emissions economy and contribution to the Government’s broader climate mitigation objectives. The Minister for Economic Growth considers the proposal appears likely to deliver material regional and national economic benefits under section 22(2)(a)(iv) of the Act, noting that the Act does not prescribe a specific quantitative threshold for significance. The Minister considers the project is likely to deliver material regional and national economic benefits through significant investment, employment, increased renewable electricity generation, and improved energy security. The Minister for Regional Development considers that the project is expected to offer significant employment opportunities (both direct and indirect jobs) for the region. The regional gross domestic product (GDP) impact may be considered modest – Bay of Plenty’s total GDP for year ending March 2025 was around \$24 billion (data from Infometrics), meaning the project’s average annual contribution is expected to reach the equivalent of around 0.003 per cent of the region’s GDP. The Minister also considers that an increase in electricity generation is generally beneficial to regional New Zealand, providing increased certainty to businesses of supply which may encourage investment and economic activity. Where increased generation helps reduce electricity prices, this would reduce the cost burden on regional communities. The Minister for Arts, Culture and Heritage advised that they had no comment on the referral application		

The Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti support the application progressing and encourage appropriate consideration of Treaty settlement legislation and feedback from relevant Māori groups.

Relevant Māori Groups

Overall, Tapuika does not oppose the project at the referral stage but identifies the need for further engagement, cultural assessment, and consideration of Tapuika values, cultural interests, and Treaty settlement arrangements if the project progresses to a substantive application. It sought further engagement and assessment of potential effects on cultural values, biodiversity, freshwater environments and Treaty settlement interests at the substantive application stage should the project progress.

Raukawa Charitable Trust noted it had not been consulted by the applicant before the referral application was lodged, sought ongoing engagement, and considered any substantive application should include a cultural impact assessment and further assessment of effects on biodiversity and cultural values.

Te Maru o Kaituna River Authority (TMoK) advises that, based on the information currently available, the potential effects of the Mangapapa Wind Farm proposal cannot be adequately assessed. In particular, TMoK considers there is insufficient information to determine the project's potential effects on the health and wellbeing of the Kaituna River and its tributaries, including the Ohaupara Stream, or its alignment with the vision, objectives and desired outcomes of the Kaituna River Document.

Administering agencies

The Department of Conservation (DOC) commented that further engagement between the applicant and DOC would be beneficial and identified uncertainty regarding whether existing easements across the Gammons Block Conservation Area provide sufficient access for the project, or whether additional concession approvals may be required and therefore recommends that consideration be given to including concessions under the Conservation Act 1987 in the scope of the referral application. DOC did not consider these matters prevented consideration of the project at the referral stage.

NOTE: in response to DOC's comments, we requested further information under section 20 of Act to better understand the details of the risks raised. In response (at Appendix 7), DOC advised that the risks could be managed and mitigated through an appropriate concession under the Conservation Act 1987 to enable the appropriate easements. Seeking a concession outside of the fast-track process would likely take seven months to process. While the applicant previously engaged with DOC ahead of lodging the referral application, the applicant elected to not seek a concession within this referral application as it viewed the current easements as sufficient to allow the proposed activities. Based on DOCs invited comments, the information in the PCL report and DOC's response to the further information request, the applicant has subsequently decided to include the concession within this referral application as a precautionary measure.

Given the above, we are recommending that, under section 27(3)(b)(ii) of the Act the applicant be directed to provide evidence of additional consultation with DOC to confirm the appropriate easement requirements for the concessions to be sought at the substantive stage.

Heritage New Zealand Pouhere Taonga (HNZPT) – did not oppose referral but advised that no archaeological assessment had been provided and, as a result, it was unable to assess potential archaeological effects. HNZPT considered that an archaeological authority would likely be required and supported further archaeological assessment, tangata whenua engagement, and preparation of a Cultural Impact Assessment to accompany any substantive application.

Any other persons or groups

Transpower New Zealand Limited (Transpower) - supported referral, noting the project would contribute to renewable electricity generation, climate change mitigation, and the delivery of regionally or nationally significant infrastructure. Transpower advised that the Hairini–Tarukenga 220 kV transmission line has available capacity to accommodate a connection from the project, although connection approval has not yet been granted. It also referred to its Security of Supply Assessment, which identifies the need to accelerate new renewable electricity generation projects to support future electricity supply and electricity security

NZ Transport Agency Waka Kotahi (NZTA) - advised that the information currently available was insufficient to enable a meaningful assessment of the project's potential effects on the state highway network. NZTA considered that further assessment of transport effects, including construction traffic, access arrangements, and impacts on the state highway network and NZTA assets, should be required as part of any substantive application and sought ongoing involvement in the assessment of those matters.

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 and consultation with iwi authorities
- would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area (CMA)
- 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 and the section 19 report
- would not occur on a national reserve as confirmed by the records of title and the section 19 report
- 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 and that person has not consented in writing as confirmed by the record of title and the section 19 report
- is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA

	is not for the purpose of an offshore renewable energy project. because it will not occur offshore or involve renewable energy production. 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)]	DOC noted a risk to the project regarding whether existing easements across the Gammons Block Conservation Area are appropriate to enable the project activities and therefore recommends that consideration be given to including concessions under the Conservation Act 1987 in the scope of the referral application. In response to DOC's comments, we requested further information under section 20 of Act to better understand the details of the risks raised. In response, DOC advised that the risks could be managed and mitigated through an appropriate concession under the Conservation Act 1987 to enable the appropriate easements. Seeking a concession outside of the fast-track process would likely take seven months to process. While the applicant previously engaged with DOC ahead of lodging the referral application, the applicant elected to not seek a concession within this referral application as it viewed the current easements as sufficient to allow the proposed activities. Based on the information in the PCL report and DOC's response to the further information request, the applicant has subsequently decided to include the concession within this referral application as a precautionary measure. Given the above, we are recommending that, under section 27(3)(b)(ii) of the Act the applicant be directed to provide evidence of additional consultation with DOC to confirm the appropriate easement requirements for the concessions to be sought at the substantive stage. NZTA identified information gaps relating to transport effects, including construction traffic, vehicle access arrangements and impacts on the state highway network and NZTA assets, and sought further assessment at the substantive application stage. We are therefore recommending that, under section 27(3)(b)(ii) of the Act the applicant be directed to provide as part of a substantive application a Transport Assessment of effects on the State Highway network and NZTA assets, including mitigation measures. Tapuika Iwi Authority, Raukawa Charitable Trust and Te Maru o Kaituna River Authority also raised concerns regarding engagement to date and sought further assessment of cultural values and effects. We consider these matters can be addressed through continued engagement and the technical, cultural and environmental assessments required for any substantive application and are not reasons to decline. Our recommendations include a directive to the panel to have regard to the requirements of the Kaituna River Document and the Te Kaitaka a Whakatauterangi Conservation Relationship Agreement in considering the substantive application. We consider the applicant has provided sufficient information to enable a decision on the referral application. The matters raised by invited parties relate primarily to the scope of assessment required at the substantive application stage, rather than matters that prevent a decision being made on the referral application. We consider an expert panel is best placed to assess the significance of any adverse effects with the benefit of a substantive application, detailed technical assessments, further comments from relevant parties, and the ability to impose conditions or decline the application if appropriate. Accordingly, we do not consider you should decline the project on this basis. We consider these matters can be more appropriately assessed through a substantive application, when detailed design and supporting technical assessments are available. Overall, we consider you have sufficient information to inform your 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]	The section 18 report identifies relevant Treaty settlement arrangements for the project area. While these matters do not preclude referral of the project, section 16(2)(c) of the Act requires you, where relevant, to direct any panel considering a substantive application to comply with applicable procedural requirements in Treaty settlements and to give the same or equivalent effect to any document that is required to be considered under a Treaty settlement. The section 18 report identifies the Kaituna River Document (Kaituna He Taonga Tuku Iho – A Treasure Handed Down) as a relevant document for the purposes of section 16. Consistent with the section 18 report, we recommend directing any panel considering a substantive application to: - confirm with BOPRC and WBOPDC that the operative regional policy statement, regional plan and district plan have recognised and provided for the Kaituna River Document under section 123 of the Tapuika Claims Settlement Act 2014, or if that obligation has not been complied with in relation to any of those planning documents, have regard to the Kaituna River Document when considering relevant resource consent applications - determine whether the panel should consider the consultation requirements set out in Te Kaitaka a Whakatauterangi Conservation Relationship Agreement in the Tapuika deed of settlement when consulting with Tapuika Iwi Authority Trust in relation to any Wildlife Act 1953 authority required for the project.
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> The only current GPS is the Government Policy Statement on Grocery Competition. As this project does not involve a supermarket development or grocery-related activities, there is no GPS relevant to your decision. The Minister <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant: <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant states that the project will deliver new regionally/nationally significant infrastructure. The project will enable generation of approximately 1.39 Terawatt Hours (TWh) of electricity annually, with an installed capacity of around 453.6 Megawatts (MW), equivalent to power around 196,000 households. The BOPRC considers the project constitutes regionally significant infrastructure and supports referral in principle, noting its alignment with regional policy settings for renewable energy generation and infrastructure. The Minister of Climate Change supports the project progressing, noting it will contribute to renewable electricity generation, electricity security and New Zealand's transition to a low-emissions economy.

The Minister for Economic Growth considers the project is likely to deliver material regional and national benefits through increased renewable electricity generation, improved energy security and significant investment.

Transpower supports the project as renewable electricity generation that will contribute to climate change mitigation and deliver regionally or nationally significant infrastructure. Transpower also notes the need to accelerate new generation projects to support New Zealand's future electricity supply.

We consider the project would deliver new nationally significant infrastructure through the provision of approximately 453.6 MW of new renewable electricity generation capacity, equivalent to approximately 3.5% of New Zealand's annual electricity demand and enough to power around 196,000 households. Accordingly, **we consider the project meets this criterion.**

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

The applicant has outlined the following economic benefits of the project:

- a contribution to gross domestic product (GDP) of approximately \$231.6 million during construction period and, once operational, an annual contribution of approximately \$81.2 million
- supporting approximately 1,278 FTE jobs (direct and indirect) during construction, and 250 FTE jobs on an ongoing basis.

The Minister for Economic Growth considered the project likely to deliver material regional and national economic benefits and the Minister for Regional Development supported the project based on its anticipated regional employment and economic benefits.

We consider the project would deliver significant economic benefits through substantial contributions to GDP and employment generation. Accordingly, **we consider the project meets this criterion.**

Will support primary industries, including aquaculture [s22(2)(a)(v)]

The applicant states that project will support the existing primary uses of the land which are forestry/carbon farming/dry stock which can continue, and construction will source sand/gravel/cement locally, supporting local quarrying.

No parties commented on this matter. While the project may provide some support to existing primary industries and associated supply chains, we consider there is not sufficient information to determine if the benefits are regionally or nationally significant. Accordingly, **we consider this criterion is not met.** We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in assessing the extent of the project's benefits regarding supporting primary industries.

Will support development of natural resources, including minerals and petroleum [s22(2)(a)(vi)]

The applicant states the project will utilise the natural wind resource on the Mamaku Plateau to generate electricity. The site is a "Class 1" wind resource area with high average wind speeds meaning it is highly suitable for efficient and reliable electricity generation.

While the project would utilise a naturally occurring resource to generate renewable electricity, we do not consider this amounts to the development of natural resources in the manner contemplated by this criterion. Rather, we consider the project's benefits are more appropriately recognised under other criterion relating to regionally or nationally significant infrastructure, renewable electricity generation, economic benefits, and climate change. Accordingly, **we consider this criterion is not met.** We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in assessing the extent of the project's benefits regarding supporting the development of natural resources.

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

The applicant's economic assessment notes that the project is estimated to avoid approximately 0.72 Mt CO₂ equivalent emissions per annum through the displacement of fossil fuel generation. The applicant asserts this represents a significant contribution to greenhouse gas emissions reduction.

The applicant further states the project will:

- enable the further electrification of sectors and activities that are currently dependant on fossil fuel combustion
- prove significant value for New Zealand to meet its broader decarbonisation and emissions reductions commitments
- contribute to the mitigation and/or offset of greenhouse gas emissions that contribute to the acceleration, frequency and severity of natural hazards caused by climate change.

Comments from the Minister of Climate Change, BOPRC, and Transpower also supported the project's contribution to renewable electricity generation, emissions reduction and New Zealand's transition to a low-emissions economy. We consider the project would support climate change mitigation through the generation of renewable electricity, enabling further electrification and reducing reliance on fossil fuel-based energy sources. Accordingly, **we consider the project meets this criterion.**

Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]

The applicant states that the project would improve the resilience of the electricity system by increasing generation capacity and reducing reliance on gas -fired generation and will contribute to the overall diversification and resilience of New Zealand's infrastructure system, thus supporting climate change adaptation.

While the Minister of Climate Change, BOPRC, and Transpower similarly identified benefits relating to electricity security, reliability and future energy supply, we note that the information provided by the applicant and the comments received are more focused on climate change mitigation and less specific to climate change adaptation. We consider the information provided at the referral stage does not provide a sufficient basis to conclude that the project will support climate change adaptation, reduce natural hazard risks, or support recovery from natural hazard events to a degree that would result in significant regional or national benefits.

	Accordingly, <u>we consider this criterion is not met</u>. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in understanding the extent of the project's climate adaptation and natural hazard resilience benefits. <i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant states the project will materially contribute to the supply of renewable energy in New Zealand, rather than utilising additional fossil fuel generation. The increase in renewable energy generation in New Zealand is required to meet the growing demand for electricity across the country, but particularly in the Bay of Plenty Region where housing development is rapidly increasing. While the project may contribute to addressing broader environmental challenges associated with greenhouse gas emissions and the transition to renewable energy, we consider these benefits are more appropriately considered under the criteria relating to renewable electricity generation and climate change mitigation. We do not consider the information provided at the referral stage demonstrates that the project will directly address a significant environmental issue to a degree that would result in significant regional or national benefits. Accordingly, <u>we consider this criterion is not met</u>. We note the applicant retains the ability to provide further analysis on this matter with a substantive application should they wish to further demonstrate how the project addresses significant environmental issues. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant states that the project is consistent with the following: • the Bay of Plenty Regional Policy Statement which identifies renewable electricity generation as regionally significant infrastructure. • the Western Bay of Plenty District Plan which provides for renewable electricity generation in the rural zone, where the Project is located, and where there is a legitimate functional and operational need. • the SmartGrowth Strategy 2023–2073 – a spatial plan which identifies electricity infrastructure as a key enabler of urban and business growth. Comments from BOPRC noted the project aligns with the Bay of Plenty Regional Policy Statement. WBOPDC did not comment on consistency with planning documents. We consider that the extent of the project's consistency with local and regional planning documents is not certain beyond the regional policy statement and is more appropriately assessed by an expert panel following detailed consideration of the proposal and its effects. Accordingly, we do not consider there is a sufficient basis at the referral stage to conclude that this criterion is met, and <u>therefore consider this criterion is not met</u>. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in assessing the extent of the project's benefits and consistency with the relevant planning framework. <u>Conclusion</u> Based on the assessment above, we consider the project is an <u>infrastructure project</u> that would have <u>significant regional and national benefits</u> in line with the criteria for accepting a referral application under section 22(1)(a) of the Act. Specifically, we consider the project meets the criteria in sections 22(2)(a)(ii), 22(2)(a)(iv), and 22(2)(a)(vii) relating to the delivery of new regionally or nationally significant infrastructure, significant economic benefits, and climate change mitigation. If you agree with this recommendation and are satisfied that the whole project meets the criteria in section 22, you may accept the referral application and refer the whole project to the fast-track approvals process in accordance with section 26 of the Act.
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 applicant considers that the fast-track approvals process will enable the project to be approved and construction-ready in a materially more timely and efficient manner than would occur under standard approval pathways because: • the fast-track process enables the range of approvals to be considered through a consolidated process and decision-making framework, rather than through multiple separate statutory processes. • a fast-track process for a project of this nature may reasonably be completed within approximately 6 months from substantive lodgement. This is expected to result in at least a 12–18-month reduction in approval timeframes for the RMA processes alone. We agree that referral would facilitate the project by enabling the required approvals to be considered through a single process and decision-making framework, and by reducing procedural requirements, including notification and appeal processes that would otherwise apply. Accordingly, <u>we consider the project meets this criterion</u>. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states that the project will not materially affect the efficient operation of the fast-track approvals process because: • the project is supported by an established and coordinated consultant team and is being informed by ongoing technical, environmental, and engineering assessments intended to support an efficient and integrated substantive application process • utility-scale wind farm developments are not novel within the New Zealand consenting context, including within previous Fast-track processes. The nature of the project's potential effects, and the types of mitigation and consent conditions typically applied to such projects, are generally well understood and capable of being appropriately managed through project design, technical assessment, and consent conditions. We generally agree that referral of this project is unlikely to materially affect the efficient operation of the fast-track approvals process. While the project is large in scale, wind farm developments are a familiar consenting activity and the types of environmental, technical and operational issues they raise are commonly addressed through established assessment methodologies and consent conditions. We therefore consider the project is not overly complex and is similar to projects that panel members are experienced in assessing. Accordingly, <u>we consider the project meets this criterion</u>.

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 project meets the referral criteria. <i>The Minister is satisfied the project involves an ineligible activity</i> We have not identified any ineligible activities included in the project. <i>The Minister considers that they do not have adequate information to inform the decision under this section</i> We consider you have sufficient information to inform your referral decision. We do not consider that you must decline the application under this section.
	<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> We do not consider the project would be inconsistent with 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. <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 do not consider it would be more appropriate to deal with the matters authorised by the proposed approvals under another Act or Acts. The section 18 report identifies relevant Treaty settlement arrangements and comments from Māori groups that may require consideration in any substantive application but does not identify any matter that would make consideration of the project under the fast-track approvals process inappropriate. No other parties invited to comment considered it more appropriate to be authorised under any other Act or Acts. <i>The project may have significant adverse effects on the environment</i> The project may have significant adverse effects on the environment as some commenters identified potential effects on wetlands, Significant Natural Areas, biodiversity, freshwater environments, the Kaituna River catchment, cultural values, heritage, and the transport network. However, those parties, including Tapuika Iwi Authority, Te Maru o Kaituna River Authority, HNZPT, and NZTA, also noted that insufficient information is currently available to fully assess these effects at referral stage. We consider the applicant has provided sufficient information to enable a decision on the referral application. The matters raised by invited parties relate primarily to the scope of assessment required at the substantive application stage, rather than matters that prevent a decision being made on the referral application. We consider an expert panel is best placed to assess the significance of any adverse effects with the benefit of a substantive application, detailed technical assessments, further comments from relevant parties, and the ability to impose conditions or decline the application if appropriate. Accordingly, we do not consider you should decline the project on this basis. We consider these matters can be more appropriately assessed through a substantive application, when detailed design and supporting technical assessments are available. <i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> We have not identified any information indicating the applicant has a poor compliance history under a specified Act from their application or commenters. <i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> We do not consider the project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes. The section 18 report identifies relevant Treaty settlement arrangements and entities associated with the project area but does not identify any current Treaty settlement negotiations, proposed redress, or land requirements that would be affected by the project. <i>The project includes an activity that is a prohibited activity under the RMA</i> We have not identified any information indicating the project includes a prohibited activity under the RMA. <i>A substantive application for the project would have one or more competing applications.</i> Neither the applicant, local authorities or DOC identified any competing applications, and we have not identified any information indicating a substantive application would have one or more competing applications. <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>

Neither the applicant or local authorities identified any existing resource consents of the kind referred to in section 30(3)(a), and we have not identified any information indicating that such consents exist.

We do not recommend you decline the application.

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.