Memorandum on Completeness and Scope

File	FTAA-2609-1295
Application	Mill Road Project – Stage 1
To	Daya Thomson, Team Leader LOA
From	[redacted]
Date	23 October 2026
Subject	Assessment 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 Mill Road Project – Stage 1 application, lodged by New Zealand Transport Agency Waka Kotahi (the Applicant), received by the Fast-track Team on 21 September 2026 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 31 March 2026.

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 Application was referred by the Minister for inclusion in the Fast-track consenting process under section 28 of the Act. The Minister accepted the referral application on 14 November 2025 and notified the EPA of the decision on the referral application on14 November 2025.

6. The Application was lodged on 21 September 2026. 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 by 15 working days of the lodgement of the application (but may be longer where the EPA has requested further information from the applicant under section 46(2B)).
7. This application was subject to a further information request (RFI), therefore the date by which the EPA must make a decision under section 46 is 23 October 2026.
8. As set out in more detail below, the EPA must decide whether the application is complete and either:
    - if complete and within scope: undertake the competing applications and, if applicable, existing resource consents for the same activity check in section 47A and, if passed, notify the panel convener they can set up a panel to make a decision on the application (section 47B(2)(a)) and notify the applicant in writing that the panel convener has been notified (section 47B(2)(b); or
    - return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

9. The referred project is described in the Minister's referral decision as:

    The project is described as being to undertake an infrastructure development upgrade of the transport corridor (approximately 7 kilometres). The project area is Mill Road (linear) corridor – between the Redoubt Road interchange on State Highway 1 (SH1) in Manukau to the Phillip Road intersection with Mill Road in Takanini, Auckland.

    The project includes:

    a. *an upgrade of the existing Mill Road to four lanes and associated local road connections*
    b. *a westbound bus lane on Redoubt Road between Hollyford Drive and SH1*
    c. *a new shared path active mode facility along Mill Road from the SH1/ Mill Road interchange to the intersection of Murphy's Road*

10. The application is described in p.10 of Section 5 of Part B - Project Background and Proposal of the substantive application as:

    The Project involves the realignment, widening, and upgrading of the existing Redoubt Road and Mill Road; along with the construction of a new offline Mill Road corridor where the route deviates from the existing Mill Road. The Project comprises:

    a) *Realignment, widening, and upgrading of Redoubt Road and Mill Road to generally form a four-lane transport corridor, including associated local road connections;*
    b) *Provision of a westbound bus lane on Redoubt Road between Hollyford Drive and SH1;*
    c) *Construction of a new shared use path between SH1 and Murphys Road;*
    d) *Signalisation or upgrades to traffic signals at five existing intersections – Diorella Drive, Hollyford Drive/Everglade Drive, Goodwood Road, Hilltop Road, and Murphys Road;*
    e) *Intersection upgrades at Bartells Drive and Alexia Place; and*

f) *Construction of three new bridges (within the Rural Section) where the road alignment crosses the existing Mill Road, Puhinui Gully, and Cheesman's Bush.*

11. On 5 October 2026, the EPA issued a RFI to the Applicant seeking clarification on whether certain works included in the substantive application, but not expressly identified in the Minister's referral decision, were within the scope of the referred project.
12. Based on the Applicant's response, I am satisfied that the substantive application remains within the scope of the referred project. The signal upgrades, intersection improvements, bridge construction, and works within Tōtara Park are either necessary to deliver the Mill Road corridor upgrade or are supporting works associated with the project. The Applicant has explained that the project description in the referral decision was intended to provide a high-level overview rather than an exhaustive list of all the project elements. Accordingly, the additional works do not alter the nature or extent of the referred project and are considered to form part of, or be subsidiary to, the referred project. On that basis, the application is considered to be within the scope of the Minister's referral decision.

Fast-track consenting application process

Legislative context

13. The EPA must decide, in consultation with relevant administering agencies and consent authorities, 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.
14. The EPA may request further information from the applicant under section 46(2A) for the purposes of determining whether the application is complete and within scope.

Section 42 Requirements

15. Section 42 of the Act states that an authorised person may lodge a substantive application for the project, 1 substantive applications for each stage of a project if the Minister has determined that the project may proceed in stages (either under s 21(1)(a) or s 37A). Section 42(4) lists the approvals that may be sought under the Act.
16. This application has been lodged by New Zealand Transport Agency Waka Kotahi. This person is an authorised person under the Act.
17. The approvals being sought are:

- an approval described in section 42(4)(a), (c) or (d) (resource consent, certificate of compliance or designation);
    - A resource consent, change to or cancellation of a resource consent: **checklist A**;
        - including standard freshwater fisheries activity: **checklist A2**;
    - A designation or an alteration to an existing designation: **checklist C**;
        - including standard freshwater fisheries activity: **checklist A2;**
- an approval described in section 42(4)(h) (wildlife approval), **checklist E**;
- an approval described in section 42(4)(j) (complex freshwater fisheries approval), **checklist G**;

18. All of the above listed approvals are of the type set out in section 42(4) of the Act.
19. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

20. 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. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

21. 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.
22. 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 presented in Appendix 2.
23. As set out in more detail in Appendix 2, the following agencies consulted have advised the following:
    - Auckland Council advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.
    - The Department of Conversation (DOC) advised that the information required by section by section 44 is provided in **insufficient** detail to satisfy the purpose for which it is required.
24. The EPA issued an RFI on the technical comments provided by DOC. This is presented in Appendix 3.
25. In assessing the requirements for completeness, my decision is present in paragraph 36-39.

Ineligibility

26. 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.
27. 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 (or reserves vest in another person) 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).
- That are prohibited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or section 15B or 15C the Resource Management Act 1991.
- That relate to decommissioning under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- That are undertaken for the purposes of an offshore renewable energy project.

28. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Notification by applicant

29. Pre-lodgement requirements for a listed project require the applicant to notify in writing the persons and groups referred to in section 29(1)(aa). The persons and groups notified have 20 working days to respond from the date of the notice. The applicant must not lodge their substantive application until each 20 working day period has elapsed.
30. I have checked and reviewed the dates of notification sent to the persons or groups in section 29(1)(aa) and confirmed that the application has lodged their application only after each 20 working day period has elapsed.

Fees and levies

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

Consultation

32. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
    - Auckland Council for,
        i. an approval described in section 42(4)(a) (resource consent)
        ii. an approval described in section 42(4)(d) (designation)
    - The Department of Conservation for,
        i. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
        ii. an approval described in section 42(4)(j) (complex freshwater fisheries activity approval);
33. A summary of the consultation is included as Appendix 2.

Requests for further information

34. I requested further information from the applicant under section 46(2A) on 5 October 2026. The request related to matters concerning scope, as well as technical comments from DOC through the section 46 consultation process regarding the Complex Freshwater Fisheries Approval and Wildlife Act Approval.
35. The applicant responded with the information on 19 October 2026 within the 20- working timeframe afforded by section 46(2B). A full copy of the request and response can be found in Appendix 3.

Assessment of compliance for each section of each application form

36. I 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.
37. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
38. The EPA must now decide whether the substantive application has a competing application under section 47A(1) (under delegation from the Minister for Infrastructure under section 47C) within 10 working days from the date of the completeness decision.
39. Once the EPA has made the decision under section 47A(1), the EPA must notify the panel convener that an expert consenting panel can be set up to commence consideration and decision of the application.

Appendix 1: Assessment of section 44 sufficiency

My assessment of the application materials is set out in the relevant checklists below:

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	**Section 5 of Part B of the SAR at page 10**	**Yes, addressed.**
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— (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	**Section 1 of Part B of the SAR at page 1. Section 10.5 of Part B of the SAR at page 31. This site is not within or adjacent to a statutory area (as defined in the relevant Treaty settlement Act),**	**Yes, addressed.**

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
		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 a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	

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)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: • section 42; and • 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.	**Appendix A1 of Part A of the SAR (specifically Table A).** **The application relates solely to a referred project.** **The Applicant has paid the necessary fee, charge, or levy in respect of the application.**	**Yes, addressed**.
5(1)(d) and 5(6)	The full name and address of— (i) each owner of the site and of land adjacent to the site; and	**Appendix B1 of Part B of the SAR**	**Yes, addressed** in separate appendices: • Appendix B1 (1 of 3) Schedule of Owners and Occupiers of Directly

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
	(ii) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry; 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)).		Affected Properties and Adjacent Properties • Appendix B1 (2 of 3) Schedule of Owners and Occupiers of Directly Affected Properties and Adjacent Properties • Appendix B1 (3 of 3) Schedule of Owners and Occupiers of Directly Affected Properties and Adjacent Properties
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	**Part E of the SAR** **Part F of the SAR**	**Yes, addressed.** • Part E addresses matters related to the Wildlife Act approval. • Part F addresses matters related to the Complex Freshwater Fisheries Act approval. • The designation sought for this application is addressed throughout the substantive application.

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)(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	**Section 2 of Part C of the SAR at page 1** **Section 3 of Part C of the SAR at page 15**	**Yes, addressed.** The Project seeks alterations to Designation 6786, comprising of the following: • Alterations to the internal boundaries between the three designations (Designations 1, 2, 3) that comprise Designation 6786; • Alterations to the external designation boundaries; • An alteration to the designation purpose; and • Alterations to the designation conditions.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	**Section 6 of Part D of the SAR at page 18**	**Yes, addressed.**

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
			Also addressed throughout the substantive application.
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: • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • 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. This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:	**Section 1.1 of Part D of the SAR at page 1 (specifically Table 1-1) Appendix D1 of Part D of the SAR**	**Yes, addressed.**

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
	• 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.		
5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— (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 project or project area	**Section 10.5 of Part B of the SAR at page 31**	**Yes, addressed.** The applicant has identified Treaty settlement provisions that apply within the Project Area in Table 10-2, p.31-33 of Part B - Project Background and Proposal. Regarding the Te Ākitai Waiohua Deed of Settlement, the applicant indicates the following, "*NZTA does not need to permanently acquire the land subject to the Deed of Settlement in the Tū-ngā-waka / St Johns Redoubt to construct the*

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
			Project. However, temporary occupation will be required of a very small portion of the site in order to regrade the existing vehicle access into the site."
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;	**N/A. There are no relevant customary marine title groups, or protected customary rights groups, and the application is not within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou**	**As referenced, not applicable.**

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)(k)	Any conditions that the applicant proposes for the resource consent.	**Appendix G2 and Appendix G3 of the SAR**	**Yes, addressed**.
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.	**Section 2.5 of Part A of the SAR at page 3** **Appendix A2 of Part A of the SAR**	**Yes, addressed.** The application has been lodged within 3 months of the date of the notice (dated 7 August 2026).
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	**Section 10 of Part B of the SAR at page 26** **Section 11 of Part B of the SAR at page 34** **Section 3.6 of**	**Yes, addressed** throughout substantive application.

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
		Part C of the SAR at page 22 **Section 3.7 of Part C of the SAR at page 23** **Section 5 of Part C of the SAR at page 24** **Appendices of Part C of the SAR** **Section 5 of Part D of the SAR at page 14** **Appendices G1-G3 of the SAR**	
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	**Section 10 of Part B of the SAR at page 26**	**Yes, addressed** throughout substantive application.

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
		Section 11 of Part B of the SAR at page 34 **Section 5 of Part C of the SAR at page 24** **Appendices of Part C of the SAR** **Section 5 of Part D of the SAR at page 14** **Appendices G1-G3 of the SAR**	
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:	**Section 10 of Part B of the SAR at page 26** **Section 11 of Part B of the SAR**	**Yes, addressed** throughout substantive application. To note, p.28 of Appendix C22 Groundwater Effects Assessment states,

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
	(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— (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: (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: (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:	**at page 34 Section 3.6 of Part C of the SAR at page 22 Section 3.7 of Part C of the SAR at page 23 Section 5 of Part C of the SAR at page 24 Appendices of Part C of the SAR Section 5 of Part D of the SAR at page 14 Appendices G1-G3 of the SAR**	"*Should there be any significant changes to the construction methodology such as alterations to road alignment, excavation depth, drainage design, or finished surface levels, this assessment will need to be revisited, as such changes could result in higher drawdown and settlement values than currently predicted.*"

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
	(f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision: (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: (h) an assessment of any effects of the activity on the exercise of a protected customary right.		
7	The assessment of an activity's effects on the environment must cover the following matters: (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:	**Section 10 of Part B of the SAR at page 26** **Section 11 of Part B of the SAR at page 34** **Section 5 of Part C of the SAR at page 24**	**Yes, addressed** throughout substantive application.

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
	(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.	**Appendices of Part C of the SAR Section 5 of Part D of the SAR at page 14 Appendices G1-G3 of the SAR**	
5(5)(a)	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, 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)	**Appendix C2 of Part C of the SAR**	**Yes, addressed.**
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	**N/A - the proposed**	**As referenced, not applicable.**

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
	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	**activities do not occur within these areas**	
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaitai 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 - the proposed activities do not occur withing these areas**	**As referenced, not applicable.**

CHECKLIST A2 – Application including standard freshwater fisheries activity checklist

Clause, Schedule 5	Information required for a consent application that includes a standard freshwater fisheries activity	Application Reference	EPA
9(a)	in relation to the structure and any fish facility: (i) a description of the type of structure or fish facility: (ii) the dimensions of the structure or fish facility: (iii) the design of the structure or fish facility: (iv) the placement of the structure or fish facility: (v) the water flows: (vi) the operating regime	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** See CHECKLIST G – Complex freshwater fisheries approval for comments.
9(b)	the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System)	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** See CHECKLIST G – Complex freshwater fisheries approval for comments.
9(c)	the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream)	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** See CHECKLIST G – Complex freshwater fisheries approval for comments.

Clause, Schedule 5	Information required for a consent application that includes a standard freshwater fisheries activity	Application Reference	EPA
9(d)	how the passage of fish will be provided for or impeded	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** See CHECKLIST G – Complex freshwater fisheries approval for comments.

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 and map 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)	**Section 1 of Part B of the SAR at page 1. Section 10.5 of Part B of the SAR at page 31. Section 2.1**	**Yes, addressed.**

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
		of Part C of the SAR at page 1. The site is not within or adjacent to a statutory area (as defined in a relevant Treaty settlement Act).	
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	**Section 5 of Part C of the SAR at page 24. Appendix G1 of Part G of the SAR.**	**Yes, addressed.**

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
		And the appendices to Part C of the SAR.	
12(1)(c)	confirmation that the notice of requirement complies with section 46(2)(a), (b), and (d), being; • 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.	**Appendix A1 of Part A of the SAR (specifically Table A). The application relates solely to a referred project. The Applicant has paid the necessary fee, charge, or levy in**	**Yes, addressed.**

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
		respect of the application.	
12(1)(d)(i)	an assessment of the project or work against sections 5, 6, and 7 of the Resource Management Act 1991	**Section 6 of Part D of the SAR at page 18**	**Yes, addressed.** Also addressed throughout the substantive application.
12(1)(d)(ii) and 12(2)	an assessment of the project or work against any relevant provisions in any of the documents listed in subclause (2) being: (a) a national policy statement: (b) a New Zealand coastal policy statement: (c) a regional policy statement or proposed regional policy statement: (d) a plan or proposed plan: (e) a planning document recognised by a relevant iwi authority and lodged with a local authority.	**Section 1.1 of Part D of the SAR at page 1 Appendix D1 of Part D of the SAR**	**Yes, addressed** specifically in Appendix D1 of Part D - Statutory Assessment.
12(1)(e)	information about any Treaty settlements that apply in the area to which the substantive application relates, including—	**Section 10.5 of Part B of**	**Yes, addressed.**

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
	(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	**the SAR at page 31**	The applicant has identified Treaty settlement provisions that apply within the Project Area in Table 10-2, p.31-33 of Part B - Project Background and Proposal. Regarding the Te Ākitai Waiohua Deed of Settlement, the applicant indicates the following, "*NZTA does not need to permanently acquire the land subject to the Deed of Settlement in the Tū-ngā-waka / St Johns Redoubt to construct the Project. However, temporary occupation will be required of a very small portion of the site in order to regrade the existing vehicle access into the site.*"
12(1)(f), 12(3) and 12(4)	the full name and address of— (i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land; and	**Appendix B1 of Part B of the SAR**	**Yes, addressed** in separate appendices: • Appendix B1 (1 of 3) Schedule of Owners and Occupiers of Directly

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
	(ii) each occupier of the land to which the notice of requirement relates and of land adjacent to that land whom the requiring authority is able to identify after reasonable inquiry; and 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)).		Affected Properties and Adjacent Properties • Appendix B1 (2 of 3) Schedule of Owners and Occupiers of Directly Affected Properties and Adjacent Properties • Appendix B1 (3 of 3) Schedule of Owners and Occupiers of Directly Affected Properties and Adjacent Properties
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	**Section 2.5 of Part C of the SAR at page 6**	**Yes, addressed.** Also addressed throughout the substantive application.
12(1)(h)	any consideration of alternative sites, routes, or methods of undertaking the project or work	**Section 2.6 of Part C of the SAR at page 7**	**Yes, addressed**.

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)(i)	a list of the resource consents needed for the project or work and whether they have been applied for	**Section 3 of Part C of the Sar at page 15**	**Yes, addressed.**
12(1)(j)	a description of any consultation undertaken with parties likely to be affected by the project or work and the designation	**Section 11 of Part B of the SAR at page 34** **Section 10.2 of Part B of the SAR at page 27** **Section 10.4 of Part B of the SAR at page 28**	**Yes, addressed.** See also Appendix B3 Iwi Engagement Summary which details all engagement with iwi on the Project to date.
12(1)(k)	any conditions that the requiring authority proposes for the designation.	**Appendix G1 of Part G of the SAR**	**Yes, addressed.**

CHECKLIST E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(a)	Specify the purpose of the proposed activity	**Section 3 of Part E of the SAR at page 1 (specifically Table 1-1)**	**Yes, addressed.**
2(1)(b)	Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land)	**Section 3 of Part E of the SAR at page 1 (specifically Table 1-1)**	**Yes, addressed.** The activity does not involve any actions on public conservation land.
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	**Section 3 of Part E of the SAR at page 2 (specifically Table 1-1)**	**Yes, addressed.**
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted	**Section 3 of Part E of the SAR at page 2 (specifically Table 1-1)**	**Yes, addressed.** See also Appendix C4 Assessment of Terrestrial Ecology Effects and

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
			Appendix E1 Lizard Management Plan.
2(1)(e)	An outline of impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System)	**Section 3 of Part E of the SAR at page 2 (specifically Table 1-1)**	**Yes, addressed.** p.8 of Appendix E1 Lizard Management Plan details the impacts on lizards. Table 2-1 indicates the threat status. To note, the Applicant indicates that there are no threatened or data-deficient species identified within the Project area. However, at risk-declining species are present. The impacts on these species are briefly outlined in the application.
2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met	**Section 3 of Part E of the SAR at page 2 (specifically Table 1-1)**	**Yes, addressed.**

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	**Section 3 of Part E of the SAR at page 3 (specifically Table 1-1)**	**Yes, addressed.**
2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available)	**Section 3 of Part E of the SAR at page 3 (specifically Table 1-1)**	**Yes, addressed.** Maps are given in Appendix A of the Lizard Management Plan (Appendix E1).
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	**Section 3 of Part E of the SAR at page 3 (specifically Table 1-1)**	**Yes, addressed.** In their consultation feedback, DOC made observations on the holding period for lizards (4 hours captive holding each day). A RFI was issued and the Applicant responded (see Appendix 3 of this document). As this matter is not relevant to the completeness assessment, I consider it has been sufficiently

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
			addressed for completeness purposes.
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site	**Section 3 of Part E of the SAR at page 3 (specifically Table 1-1)**	**Yes, addressed.** See also Table 5-8 and 5-9 in Appendix C4 Assessment of Terrestrial Ecology Effects.
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	**Section 3 of Part E of the SAR at page 4 (specifically Table 1-1)**	**Yes, addressed.** See also Sections 5-12 of Appendix E1 Lizard Management Plan, which detail the measures to ensure mortality and injury to native lizards during construction will be avoided and minimised. In their consultation feedback, DOC indicated that the Panel may wish to request further information in relation to residual effects on lizards. A RFI was issued and the Applicant responded (see Appendix

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
			3). As this matter is not relevant to the completeness assessment, I consider it has been sufficiently addressed for completeness purposes.
2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act	**Section 3 of Part E of the SAR at page 4 (specifically Table 1-1)**	**Yes, addressed.** The Applicant has not been convicted of any offence under the Wildlife Act.
2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court	**Section 3 of Part E of the SAR at page 4 (specifically Table 1-1)**	**Yes, addressed.** The Applicant does not have any currently pending criminal charges under the Wildlife Act.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	**Section 3 of Part E of the SAR at page 5 (specifically Table 1-1)**	**Yes, addressed.** See also Appendix B3 Iwi Engagement Summary which details all engagement with iwi on the Project to date.

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	**Section 3 of Part E of the SAR at page 5 (specifically Table 1-1)**	**Yes, addressed.** In Table 1-1 of Part E - Wildlife Act Approval the Applicant indicates that this clause is not applicable.

CHECKLIST G – Complex freshwater fisheries approval

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
3(a)	in relation to the structure and any fish facility: (i) a description of the type of structure or fish facility: (ii) the dimensions of the structure or fish facility: (iii) the design of the structure or fish facility: (iv) the placement of the structure or fish facility: (v) the water flows:	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** Table 5-1, 5-2 and 5-3 of Part F - Freshwater Fisheries Act Approval of the SA addresses the matters in Clause 3(a) of Schedule 9.

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
	(vi) the operating regime		DOC commented on the application indicating that the following information was **not present**: • 3(a)(v) the water flows – no flow rates/hydrological data is provided • 3(a)(vi) the operating regime - Information on the current operating regimes at the sites is not present in the application documents. The Applicant's response to the technical comments above is present in Appendix 3. For the purposes of completeness, I consider that the additional information provided in the response to the RFI addresses the matters in Clause 3(a)(v) and 3(a)(vi) of Schedule 9.

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
			DOC commented on the application indicating that the following information **could be provided** as part of the application: • further detail around the stream dimensions • placement within the proposed work zone is not provided in detail The Applicant's response to the technical comments above is present in Appendix 3. As this is not a matter relevant for completeness, I consider the information provided is sufficient to address the matters in Clauses 3(a)(ii) and 3(a)(iv) of Schedule 9.

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
3(b)	the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System)	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed**. See also Table 3-2 on p.21 of Appendix C7 Assessment of Freshwater Ecology Effects and section 2.1 Freshwater Fauna Communities on p.10 of Appendix C9 Native Fish Capture and Relocation. In addition, section 3.3 Freshwater Ecology of Appendix C7 further details the description of freshwater features. DOC commented on the application indicating that the following information was **not sufficient in detail**: • the freshwater species and values present

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
			• eDNA replicates and where samples were obtained The Applicant's response to the technical comments above is present in Appendix 3. For the purposes of completeness, I consider that the additional information provided in the response to the RFI addresses the matters in Clause 3(b) of Schedule 9.
3(c)	the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream)	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed**. See also Sections 3.3.2 and 3.3.3 of Appendix C7 Assessment of Freshwater Ecology Effects. DOC commented on the application indicating that the following information was **not present**:

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
			• Information presented in Tables 5-1, 5-2 and 5-3 of the Part F - Freshwater Fisheries Act Approval appendix does not contain water quality or quantity data (e.g., nutrients, sediment, E. coli, or flow rates). The Applicant's response to the technical comments above is present in Appendix 3. For the purposes of completeness, I consider that the additional information provided in the response to the RFI addresses the matters in Clause 3(c) of Schedule 9.
3(d)	how the passage of fish will be provided for or impeded	**Section 5 of Part F of the SAR at page 4 (specifically Table 5-1)**	**Yes, addressed.** See also Appendix C9 Native Fish Capture and Relocation.

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** as the relevant consent authority 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)

Thank you for your letter dated 23 September 2026 seeking Auckland Council's views in relation to the completeness assessment for the Mill Road Stage 1 substantive application (FTAA-2609-1295).

Council has undertaken an initial planning review of the application material against sections 42, 43 and 44 of the Fast-track Approvals Act 2024 and the relevant information requirements in clauses 5–9 and 12 of Schedule 5. Based on that review, Council has not identified any matters that it considers would prevent the application from being determined complete under section 46. The application appears to address the relevant statutory information requirements and to provide information at a level sufficient for the approvals sought.

Council's initial review has identified some matters that may warrant further clarification as the application progresses, including in relation to the application of natural hazard provisions and Proposed Plan Change 120. These matters do not alter Council's overall view on completeness and can be addressed as part of the subsequent assessment of the application, if required.

Given the substantial volume of application material and the timeframe available for responding to the EPA's consultation, Council's review at this stage has focused on the statutory planning requirements relevant to completeness. Council has not yet undertaken a detailed technical review of all application material or sought feedback from its technical specialists. Accordingly, Council's response should not be taken as expressing a view on the substantive merits or technical adequacy of the application for the purposes of its subsequent consideration.

Council acknowledges that the determination of whether the application is complete under section 46 is ultimately a matter for the EPA. Council is happy to respond to any further queries or requests for clarification arising from the EPA's review.

Council also confirms that its written notice under sections 30(3)(b) and 30(5), dated 20 August 2026, remains accurate and final.

2. **Consultation with the Department of Conservation** as the administering agency for the following Acts:

   - An approval, a dispensation, or an authorisation under the Freshwater Fisheries Regulations 1983 or the Conservation Act 1987 in respect of a complex freshwater fisheries activity (section 42(4)(j) of the Act)
   - A wildlife approval as defined in clause 1 of schedule 7 of the Act (section 42(4)(h) of the Act)

   Response received 30 September 2026, below:

Department of Conservation advice for EPA compliance assessment

Overview

Project name	Mill Road Project – Stage 1
Project applicant	New Zealand Transport Agency (NZTA)
EPA unique ref. no	FTAA-2609-1295
EPA Request Number	CRM: 0139021771
Conservation approvals sought	Wildlife Approval Complex Freshwater Fisheries approval
EPA request summary	To inform the Environmental Protection Authority's (EPA) completeness assessment of the application, please provide DOC's view on whether the documentation provided by the EPA regarding the above approvals, as provided by the applicant, meet the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and is provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act.
Date due to EPA	30 September 2026

On 23/09/2026 the Department of Conservation (DOC) received a request from the EPA seeking its views whether the application meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act.

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by New Zealand Transport Agency on Thursday 17 September 2026 complies with the requirements of section 46(2) of the Act.

The advice covers compliance with the following:

- Information requirements for relevant approvals

The advice also includes further observations of relevance to further processing of the application, for example where further information could be needed for a decision by the panel.

DOC understands that this document will be passed on to the Applicant, the Panel Convener and the Panel.

Compliance with information requirements

Our detailed assessment of the information requirements for the relevant approvals is provided in the attached tables. In summary, DOC's advice is that the application **does not** meet the requirements of sections 42, 43, and 44 of the Act.

a. The following information is **not present**:

In relation to the complex freshwater fisheries approval:

i. Water flows are required under Clause 3 of Schedule 9(a)(v). No flow rates/hydrological data is provided in either the Substantive Application Part F Freshwater Fisheries Act Approval or in the Assessment of Freshwater and Wetland Ecology application documents.

ii. The operating regime is required under Clause 3 of Schedule 9(a)(vi). A comparison of the current to natural flow regime is presented in the SEV data in Table 7.6 within the Assessment of Freshwater and Wetland Ecology. Information on the current operating regimes at the sites is not present in the application documents.

iii. The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream is required under Clause 3 of Schedule 9(c). Tables 5-1, 5-2, and 5-3 in the Substantive Application Part F Freshwater Fisheries Act Approval has a column titled "*Clause 3(c): The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream, and downstream)*" that is populated with SEV data, habitat, and stream and catchment values but does not contain water quality or quantity data (e.g., nutrients, sediment, E. coli, or flow rates).

b. The following information is **not in sufficient detail**:

In relation to the complex freshwater fisheries approval:

i. The application does not provide sufficient detail of the freshwater species and values present as required by Clause 3 of Schedule 9(b).

Table 5-1 in Part F Freshwater Fisheries Act approval lists species that are present or assumed to be present. Other application documents state that Fish populations were inferred from eDNA surveys, the NZFFD and historical electrofishing survey data.

It is unclear if the freshwater species and values present are adequately described for each river reach affected by the proposed structures. The application includes eDNA and New Zealand Freshwater Fisheries Database (NZFFD) results but does not expand on the methodology or detail the sites sampled. Clarification is required on the number of replicates of eDNA and where samples were obtained from in relation to the affected reaches. The number of eDNA replicates and the locations they were collected from are necessary to accurately determine the species and values present.

Further information

DOC considers that the following further information could be provided as part of the application:

- In relation to the complex freshwater fisheries approval, the dimensions of the structures are provided but further detail around the stream dimensions (primarily width) are needed to ensure the dimensions are appropriate under the National Environmental Standard – Freshwater 2020 (NES-F) clause 70
- In relation to the complex freshwater fisheries approval, the slope of the structure or fish facility is described in the application in terms of placement in the stream, but the placement within the proposed work zone is not provided in detail.
- In relation to the wildlife approval, the Wildlife Approval report discusses its consideration of avoiding, minimising and mitigation impacts, referring to the Lizard Management Plan Section 5-12. Residual effects on lizards are listed in the Terrestrial Ecology Effects report in Section 5.6.4, Table 5-8. Despite having a 'moderate' residual impact on lizards, they have not been incorporated into the offsetting and compensation calculations. It is assumed that the 36.6% positive benefit to impacted ecosystems will adequately address any residual effects to lizards. Section 6.3.2 of the Terrestrial Ecology Effects report describes lizard habitat replacement and enhancement that will be undertaken to address residual effects associated with habitat loss to lizards, with 5.18ha dedicated to a 'lizard habitat matrix'. The Panel may wish to request further information in relation to residual effects on lizards.

Further observations

In addition to the compliance requirements and further information identified above, DOC makes the following observation:

- The application for the wildlife approval only seeks a maximum of four hours of captive holding on each day of salvage before lizards are transported and released into the pre-appointed release sites. It is queried whether twice daily releases will be undertaken or whether the duration is extended to a maximum of 8 hours per day.

Applications for wildlife approvals

Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:	Yes	Part E wildlife Act Approval Section 3 Table 1-1 Appendix E1 Lizard Management Plan Appendix C4	Yes	
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(f) state how the methods proposed to be used to conduct the actions specified under paragraph	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments
(b) will ensure that best practice standards are met:		Appendix E1 Lizard Management Plan		
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Yes	Part E wildlife Act Approval Section 3 Table 1-1 Appendix E1 Lizard Management Plan	Yes	
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	Yes	Part E wildlife Act Approval Section 3 Table 1-1 Appendix E1 Lizard Management Plan	Yes	
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	**Refer to other observations section above** The application only seeks a maximum of four hours of captive holding on each day of salvage before lizards are transported and released into the pre-appointed release sites. It is queried whether twice daily releases will be undertaken or whether the duration is extended to a maximum of 8 hours per day.
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Yes	Part E wildlife Act Approval Section 3 Table 1-1 Appendix C4 Table 5-8 of the Terrestrial Ecology Assessment	Yes	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Yes	Part E wildlife Act Approval Section 3 Table 1-1 Appendix E1 Lizard Management Plan	Yes	***Refer to further information section above*** The Wildlife Approval report discusses its consideration of avoiding, minimising and mitigating impacts, referring to the LMP Sections 5-12 where these are discussed in further detail. Residual effects to lizards are listed in the Terrestrial Ecology Effects report in Section 5.6.4, Table 5-8. Despite having a 'moderate' residual impact on lizards, they have not been incorporated into the offsetting and compensation calculations. It is assumed that the 36.6% positive benefit to impacted ecosystems will adequately address any residual effects to lizards. Section 6.3.2 of the Terrestrial Ecology Effects report describes lizard habitat replacement and enhancement that will be undertaken to address residual effects associated with habitat loss to lizards, with 5.18ha dedicated to a 'lizard habitat matrix'. The Panel may wish to request further information in relation to residual effects on lizards.
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments
convicted of any offence under the Wildlife Act 1953:				
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court:	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Yes	Part E wildlife Act Approval Section 3 Table 1-1	Yes	

Applications for complex freshwater fisheries approvals

Clause 3 of Schedule 9 outlines the information required in an application for complex freshwater fisheries activity approval. Note that due to section 13(4)(y)(iv), and Schedule 5 clause 9, this information is also required for resource consent applications that include standard freshwater fisheries activities.

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comment
Clause 2 and 3 Schedule 9 - For the purpose of section 43(3)(j), an application for a complex freshwater fisheries activity approval must include the following information:				
Clause 3 of Schedule 9 for listed and referred projects				
(a) in relation to the structure and any fish facility:				
(i) a description of the type of structure or fish facility:	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval	Yes	
(ii) the dimensions of the structure or fish facility:	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Fisheries Act Approval	Yes	**Refer to further information section above –**. The applicant has provided the structure dimensions; however, is missing necessary information (e.g., stream width) to ensure appropriate culvert dimensions as legislated by the NES-F 2020 clause 70.
(iii) the design of the structure or fish facility:	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval	Yes	
(iv) the placement of the structure or fish facility:	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries	Yes	**Refer to further information section above –** The slope of structure or fish facility is described in terms of

		Act Approval and the Assessment of Freshwater and Wetland Ecology		placement in the stream but the placement within the proposed works zone is not provided in detail (e.g., GPS coordinates).
(v) the water flows:	No	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval and the Assessment of Freshwater and Wetland Ecology	No	No flow rates/hydrological data is presented in the documents.
(vi) the operating regime:	No	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval and Table 7.6 Assessment of Freshwater and Wetland Ecology	No	A comparison of the current to natural flow regime is presented in the SEV data in Table 7.6 within the Assessment of Freshwater and Wetland Ecology. However, the current operating regimes at the sites are not provided.
(b)the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System):	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval and the Assessment of Freshwater and Wetland Ecology	No	Table 5-1 in Part F Freshwater Fisheries Act approval lists species that are present or assumed to be present. The table in the Substantive Application Part F Freshwater Fisheries Act Approval refers to section 3.3.2. of the Freshwater Ecology Assessment where this information is not provided. The application states that Fish populations were inferred from eDNA surveys, the NZFFD and historical electrofishing survey data. Section 3.3.2 and Table 3-2 contain eDNA and NZFFD results but does not expand on the methodology or detail the sites sampled.

				Clarification on the number of replicates of eDNA and where samples were obtained from in relation to the affected reaches is sought. The number of eDNA replicates and the locations they were collected from are necessary to accurately determine the species and values present.
(c)the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream):	No	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval	No	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval has a column that is titled "Clause 3(c): *The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream, and downstream)*". However, the column does not contain information on water quality or quantity (e.g., nutrients, *E. coli*, or sediment). Instead, the column contains a brief description of the stream, catchment, habitat, SEV results and values.
(d)how the passage of fish will be provided for or impeded.	Yes	Tables 5-1, 5-2, and 5-3 in Substantive Application Part F Freshwater Fisheries Act Approval	Yes	

Appendix 3: Further information requests and responses

I sent one information request to the applicant during under section 46(2B) of the Act. The request and response are set out below.

Request for Further Information 1:

- Date sent: 5 October 2026
- Topic: Scope and DOC Technical Comments.
- Date of response: 19 October 2026

FTAA-2609-1295

5 October 2026

Nicola Bishop
NZ Transport Agency Waka Kotahi
[redacted]

Tēnā koe,

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

You lodged a substantive application, Mill Road Project – Stage 1, under the Fast-track Approvals Act 2024 (the Act) on 21 September 2026.

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

Request for Further Information

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

1. Scope

The EPA must make an assessment of the proposed substantive application scope against the scope described in the Minister's referral decision.

In addition to the works identified in the referral decision, the substantive application includes:

- Signalisation or upgrades to traffic signals at five existing intersections – Diorella Drive, Hollyford Drive/Everglade Drive, Goodwood Road, Hilltop Road, and Murphys Road;
- Intersection upgrades at Bartells Drive and Alexia Place; and
- Construction of three new bridges (within the Rural Section) where the road alignment crosses the existing Mill Road, Puhinui Gully, and Cheesman's Bush.

We have also identified that the application also proposes changes to Tōtara Park.

Please explain the rationale for the inclusion of these aspects which have not been expressly identified in the Project description contained in the Minister's referral decision. Please also clarify whether the applicant considers these works to be within the scope of the referred Project and provide the basis for that view.

2. Department of Conservation

Through mandatory consultation processes with the EPA, the Department of Conservation (DOC) has provided feedback regarding the proposed Complex Freshwater Fisheries approval and Wildlife Act approval for the project.

DOC considers the following information is **not present** in relation to the Complex Freshwater Fisheries approval:

- **Water flows:** *"Water flows are required under Clause 3 of Schedule 9(a)(v). No flow rates/hydrological data is provided in either the Substantive Application Part F Freshwater Fisheries Act Approval or in the Assessment of Freshwater and Wetland Ecology application documents".*
- **Operating regime:** *"The operating regime is required under Clause 3 of Schedule 9(a)(vi). A comparison of the current to natural flow regime is presented in the SEV data in Table 7.6 within the Assessment of Freshwater and Wetland Ecology. Information on the current operating regimes at the sites is not present in the application documents".*
- **Water quality and quantity**: *"The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream is required under Clause 3 of Schedule 9(c). Tables 5-1, 5-2, and 5-3 in the Substantive Application Part F Freshwater Fisheries Act Approval has a column titled "Clause 3(c): The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream, and downstream)" that is populated with SEV data, habitat, and stream and catchment values but does not contain water quality or quantity data (e.g., nutrients, sediment, E. coli, or flow rates)".*

DOC considers that the following information is **not in sufficient detail** in relation to the Complex Freshwater Fisheries approval:

- The application does not provide sufficient detail of the freshwater species and values present as required by Clause 3 of Schedule 9(b).
- Table 5-1 in Part F Freshwater Fisheries Act approval lists species that are present or assumed to be present. Other application documents state that Fish populations were inferred from eDNA surveys, the NZFFD and historical electrofishing survey data.

It is unclear if the freshwater species and values present are adequately described for each river reach affected by the proposed structures. The application includes eDNA and New Zealand Freshwater Fisheries Database (NZFFD) results but does not expand on the methodology or detail the sites sampled. Clarification is required on the number of replicates of eDNA and where samples were obtained from in relation to the affected reaches. The number of eDNA replicates and the locations they were collected from are necessary to accurately determine the species and values present.

DOC considers that the following further information could be provided as part of the application:

- **Complex Freshwater Fisheries approval:** *"In relation to the complex freshwater fisheries approval, the dimensions of the structures are provided but further detail around the stream dimensions (primarily width) are needed to ensure the dimensions are appropriate under the National Environmental Standard – Freshwater 2020 (NES-F) clause 70".*
- **Complex Freshwater Fisheries approval:** *"In relation to the complex freshwater fisheries approval, the slope of the structure or fish facility is described in the application in terms of placement in the stream, but the placement within the proposed work zone is not provided in detail".*
- ***Wildlife Act approval:*** *"In relation to the wildlife approval, the Wildlife Approval report discusses its consideration of avoiding, minimising and mitigation impacts, referring to the Lizard Management Plan Section 5-12. Residual effects on lizards are listed in the Terrestrial Ecology Effects report in Section 5.6.4, Table 5-8. Despite having a 'moderate' residual impact on lizards, they have not been incorporated into the offsetting and compensation calculations. It is assumed that the 36.6% positive benefit to impacted ecosystems will adequately address any residual effects to lizards. Section 6.3.2 of the Terrestrial Ecology Effects report describes lizard habitat replacement and enhancement that will be undertaken to address residual effects associated with habitat loss to lizards, with 5.18ha dedicated to a 'lizard habitat matrix'. The Panel may wish to request further information in relation to residual effects on lizards".*

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

Responding to the Request for Further Information

Under the Act, you have until the end of the 20th working day from the date of this letter to provide a response to the EPA, which is 3 November 2026.

From the date of this letter, the 15 working day timeframe for the EPA to decide on completeness and scope of the substantive application ceases to run. The 15 working day timeframe will recommence once your response is received or after 3 November 2026, whichever is sooner.

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

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

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

If you have any questions, please contact [redacted] by email at info@fasttrack.govt.nz.

Nāku noa, nā



Daya Thomson

Team Leader, Fast-track Applications

Before an Expert Panel appointed under the Fast-track Approvals Act 2024

I mua i te roopu tohunga

Under	the Fast-track Approvals Act 2024
In the matter of	A substantive application for alterations to existing designations, resource consents, a wildlife approval and complex freshwater fisheries activity approval to construct, maintain and operate the Mill Road Project - Stage 1
Between	**New Zealand Transport Agency Waka Kotahi** Applicant

Memorandum of counsel for the New Zealand Transport Agency Waka Kotahi in response to a request for further information on completeness

Dated 19 October 2026

DENTONS

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[redacted]

1 Introduction

1.1 This memorandum of counsel responds to the request for further information by the Environmental Protection Authority ('**EPA**') dated 5 October 2026. The request relates to the substantive application lodged by New Zealand Transport Agency Waka Kotahi ('**NZTA**') under the Fast-track Approvals Act 2024 ('**FTAA**') for the Mill Road Project – Stage 1 (the '**Application**' or '**Project**').

1.2 The EPA's request for further information asks for:

a An explanation as to the rationale for inclusion of various aspects of the Project which were not expressly identified in the Project description contained in the Minister for Infrastructure's ('**Minister**') referral decision and whether NZTA considers these works to be within the scope of the referred project; and

b Further information relating to comments from the Department of Conservation ('**DOC**') on the complex freshwater fisheries activity approval and wildlife approval sought.

2 Scope

2.1 One of the criteria to be satisfied in the EPA's assessment of completeness and scope is that the Application must relate solely to a listed or referred project.[1] The Project was referred by the Minister on 14 November 2025.

2.2 The term 'project' is defined in the FTAA (in relation to referred projects) as "the project as described in the notice under section 28" and "includes any activity that is **involved in**, or that **supports** and is **subsidiary to**" that project.[2]

2.3 The EPA states that the Application includes several items that were not expressly identified in the Minister's referral decision comprising:

a Signalisation or upgrades to traffic signals at five existing intersections – Diorella Drive, Hollyford Drive/ Everglade Drive, Goodwood Road, Hilltop Road and Murphys Road;

b Intersection upgrades at Bartells Drive and Alexia Place;

[1] Fast-track Approvals Act 2024, section 46(2)(b).
[2] Fast-track Approvals Act 2024, section 4.

c Construction of three new bridges (within the Rural section) where the road alignment crosses the existing Mill Road, Puhinui Gully, and Cheesman's Bush; and

d Changes to Totara Park.

2.4 NZTA submits that all of these aspects are clearly within the scope of the referred project which includes all the components of the Project.

2.5 The referral notice issued under section 28 FTAA for the Project describes the Project as:[3]

> The project is described as being to undertake an infrastructure development upgrade of the transport corridor (approximately 7 kilometres). The project area is Mill Road (linear) corridor – between the Redoubt Road interchange on State Highway 1 (SH1) in Manukau to the Phillip Road intersection with Mill Road in Takanini, Auckland.
>
> The project includes:
>
> a. an upgrade of the existing Mill Road to four lanes and associated local road connections;
>
> b. a westbound bus lane on Redoubt Road between Hollyford Drive and SH1; and
>
> c. a new shared path active mode facility along Mill Road from the SH1/ Mill Road interchange to the intersection of Murphy's Road.

2.6 The Project, as described in the referral notice, is an "infrastructure development upgrade of the transport corridor (approximately 7 kilometres)" in the "Mill Road (linear) corridor – between the Redoubt Road interchange on State Highway 1 (SH1) in Manukau to the Phillip Road intersection with Mill Road in Takanini, Auckland".

2.7 The FTAA does not anticipate that every single component of a project will be listed in either the list in Schedule 2 of the FTAA or the referral decisions issued by the Minister. Section 13(4) of the FTAA requires a 'description' of the project to be included in the referral application.

2.8 The Mill Road Project is a large, complex infrastructure project encompassing a wide range of construction activities. The description is non-exhaustive and sets the broad parameters of what the Project involves. Individual traffic signals,

[3] Notice of decisions on application for referral of the Mill Road Project – Stage 1 issued under section 28 of the Fast-track Approvals Act 2024, dated 14 November 2025, available at: https://www.fasttrack.govt.nz/__data/assets/pdf_file/0019/15175/Mill-Road-Project-Stage-1-Stage-2-Notice-of-decisions_Redacted.pdf.

intersections and bridge upgrades are not specifically listed but are integral parts of the road upgrade described in the referral decision. If all the individual items involved in the construction of the Project were to be listed in the referral decision, the list would be several pages long.

2.9 Some of the proposed work in Totara Park is within the area adjacent to the existing road corridor and is identified on the maps lodged with the referral application. In addition, an area in Totara Park (item 2.3(d)) will be used to undertake stream restoration work to compensate for the freshwater effects of the Project. These works are clearly covered by the definition of the term 'project' (as it relates to referred projects) which includes "any activity that is **involved in**, or that **supports** and is **subsidiary to**" that project.[4]

2.10 In summary, the items referred to above at paragraph 2.1 were included in the scope of the referral application and decision, and have not been subsequently added. They also relate to the Project as described in the referral notice and are therefore within the scope of the referred project.

3 Response to information requested in relation to comments from DOC

3.1 NZTA's response to the information requested in relation to the Wildlife Act and Freshwater Fisheries applications is set out in **Attachment 1**. NZTA submits that the information provided in the Substantive Application and Attachment 1 is sufficient to satisfy the information requirements set out in the FTAA.

Dated 19 October 2026

Christina Sheard / Liam Bullen
Counsel for NZTA

[4] Fast-track Approvals Act 2024, section 4.

Attachment 1:
Response to request for further information

The following table provides a response to the questions raised by the EPA in relation to the completeness of the Substantive Application for Stage 1 of the Mill Road Project. The responses provide clarification and additional information where requested and identify the relevant parts of the Application and supporting technical material where those matters are addressed. This table has been completed with input from Jerry Liu (water flows), Rosa Kirkham (freshwater ecology) and Andrew Blayney (terrestrial ecology).

<table>
<tr><th>Question</th><th>Response</th></tr>
<tr><td>Water flows: Water flows are required under Clause 3 of Schedule 9(a)(v). No flow rates/hydrological data is provided in either the Substantive Application Part F Freshwater Fisheries Act Approval or in the Assessment of Freshwater and Wetland Ecology application documents.</td><td>For permanent culverts where fish passage is being provided, we assume that the request for “water flows” relates to the designed fish passage upper (QH) and lower (QL) flows. The table below, whilst not included in the Substantive Application, forms part of the background material used to inform the design of the proposed permanent culverts that provide fish passage (i.e. MM04A, MM04B, MM05, MM06, MM10).
<table>
<tr><th></th><th colspan="2">Design fish passage flow (m^3/s)</th><th colspan="3">Design flood flow (m^3/s)</th></tr>
<tr><th>CULVERT ID</th><th>10% of 2yr ARI (Q_L)</th><th>50% of 2yr ARI (Q_H)</th><th>2yr ARI</th><th>10yr ARI</th><th>100yr ARI</th></tr>
<tr><td>CUL MM04A</td><td>0.02</td><td>0.12</td><td>0.24</td><td>2.45</td><td>5.63</td></tr>
<tr><td>CUL MM04B</td><td>0.09</td><td>0.43</td><td>0.86</td><td>4.47</td><td>9.99</td></tr>
<tr><td>CUL MM05</td><td>0.24</td><td>1.19</td><td>2.38</td><td>6.41</td><td>14.07</td></tr>
<tr><td>CUL MM06</td><td>0.06</td><td>0.30</td><td>0.60</td><td>1.63</td><td>3.57</td></tr>
<tr><td>CUL MM10</td><td>0.08</td><td>0.40</td><td>0.81</td><td>2.17</td><td>4.76</td></tr>
</table>
We have not provided any flow information for culverts that do not provide for fish passage because this data provides no useful purpose where fish passage is not being provided. These culverts (i.e. MM01, MM01A, MM01C and MM02) are located within intermittent streams that do not provide suitable habitat for fish, which is why fish passage is not being provided.
We consider that sufficient relevant information has been provided in relation to streams subject to the complex freshwater fisheries activity, and the requirements of Clause 3(a)(v) are met.</td></tr>
<tr><td>Operating regime: The operating regime is required under Clause 3 of Schedule 9(a)(vi). A comparison of the current to natural flow regime is presented in the SEV data in Table 7.6 within the Assessment of Freshwater and Wetland Ecology. Information on the current operating regimes at the sites is not present in the application documents.</td><td>We assume that “operating regimes” refers to the hydrological flow regimes for base flow condition within stream or wetland systems.
We confirm that the culvert structures in the table above will not alter the low flow regimes because they have been specifically designed to avoid becoming a dam, constriction of flow and obstructions during the low flow conditions. Therefore, we consider that sufficient information has been provided about the current operating regimes of the streams subject to the complex freshwater fisheries activity, and the requirements of Clause 3(a)(vi) are met.</td></tr>
<tr><td>Water quality and quantity: The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream) is required under Clause 3 of Schedule 9(c). Tables</td><td>The Freshwater and Wetland Ecology Assessment (Appendix C7 of Part C of the Substantive Application) broadly comments on the water quality of the catchments in relation to the land use and inferred from macroinvertebrate data. These details are provided in Sections 3.3.2 and 3.3.3.</td></tr>
</table>

Question	Response
5-1, 5-2, and 5-3 in the Substantive Application Part F Freshwater Fisheries Act Approval has a column titled Clause 3(c): The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream, and downstream) that is populated with SEV data, habitat, and stream and catchment values but does not contain water quality or quantity data (e.g., nutrients, sediment, E. coli, or flow rates).	Specific water quality data such as nutrients, sediment, or E.coli are not available. This data was not collected, and public records of water quality have not been identified. While additional water quality data can provide additional context of stream habitat, it is not necessary to determine the impacts of instream structures and their effects on fish passage. The broad assessment of water quality describing the state as degraded is sufficient to provide the required context. Specific water quality information for areas or impacts of concern are often established through baseline monitoring programs. We consider that sufficient relevant information has been provided in relation to water quality and the requirements of Clause 3(c) are met.
Freshwater species and values present: The application does not provide sufficient detail of the freshwater species and values present as required by Clause 3 of Schedule 9(b).	Information on freshwater species and values present has been included in Part H Freshwater Fisheries Act Approval of the Substantive Application. In particular, Section 5, Tables 5-1 to 5-3 provide detailed freshwater species and values under column heading *Clause 3(b): The freshwater species and values present.* The level of information provided is sufficient to assess the freshwater species and values likely to be impacted by instream structures as the likely species to be impacted are described for each stream/structure individually. We consider that sufficient relevant information has been provided in relation to the freshwater species and values present, and the requirements of Clause 3(b) are met.
eDNA replicates and where samples were obtained: Table 5-1 in Part F Freshwater Fisheries Act approval lists species that are present or assumed to be present. Other application documents state that Fish populations were inferred from eDNA surveys, the NZFFD and historical electrofishing survey data. It is unclear if the freshwater species and values present are adequately described for each river reach affected by the proposed structures. The application includes eDNA and New Zealand Freshwater Fisheries Database (NZFFD) results but does not expand on the methodology or detail the sites sampled. Clarification is required on the number of replicates of eDNA and where samples were obtained from in relation to the affected reaches. The number of eDNA replicates and the locations they were collected from are necessary to accurately determine the species and values present.	Information on location of eDNA sampling is provided in the **Freshwater Ecological Impact Assessment – Appendix E Section 7.5 Table 7-2**. Single replicate eDNA samples were collected at each site for analysis. This involves using one filter, and filtering approximately one litre of stream water. In comparison, a six-replicate sample would involve six filters, each filter used to filter approximately one litre of stream water. Single replicate sampling is sufficient for general assessments of species presence that does not require ongoing monitoring or statistical analysis. Single replicate samples are at higher risk of false negatives (not detecting a species that is present). However, smaller streams such as intermittent, single order streams, and headwaters, can often be assessed with fewer replicates. Many of the streams sampled were small streams and therefore a single replicate eDNA sample is adequate for the broad descriptions of species presence required.
Stream dimensions and NES-F clause 70: In relation to the complex freshwater fisheries approval, the dimensions of the structures are provided but further detail around the stream dimensions (primarily width) are needed to ensure the dimensions are appropriate under the National Environmental Standard – Freshwater 2020 (NES-F) clause 70.	We assume that the "width" details requested relate to the bank full width required under Clause 70 of the NES:F. Bank full width has been calculated for sections of the streams that are proposed to be culverted. These details are shown on drawing 60755376-SHT-DR-0508 in Part H of the Substantive Application.

Question	Response
Placement of the proposed work zone: In relation to the complex freshwater fisheries approval, the slope of the structure or fish facility is described in the application in terms of placement in the stream, but the placement within the proposed work zone is not provided in detail.	The final placement within the 'proposed work zone' will depend on the construction methodology and sequencing. Drawings 60755376-SHT-DR-0101 to 0113 in Part H of the Substantive Application Report show the location of these proposed culverts in relation to the overall project. We do not have specific details about construction methodologies or sequencing at this stage so cannot provide any further details.
Wildlife Act approval: In relation to the wildlife approval, the Wildlife Approval report discusses its consideration of avoiding, minimising and mitigation impacts, referring to the Lizard Management Plan Section 5-12. Residual effects on lizards are listed in the Terrestrial Ecology Effects report in Section 5.6.4, Table 5-8. Despite having a 'moderate' residual impact on lizards, they have not been incorporated into the offsetting and compensation calculations. It is assumed that the 36.6% positive benefit to impacted ecosystems will adequately address any residual effects to lizards. Section 6.3.2 of the Terrestrial Ecology Effects report describes lizard habitat replacement and enhancement that will be undertaken to address residual effects associated with habitat loss to lizards, with 5.18ha dedicated to a 'lizard habitat matrix'. The Panel may wish to request further information in relation to residual effects on lizards.	The residual effects on indigenous lizards are already addressed through the residual effects management package described in the Terrestrial Ecology Assessment (Terrestrial EcIA) - see Appendix C4 of Part C of the Substantive Application Report. As identified in Sections 5.6.4 and 6.1 of the Terrestrial EcIA, the residual effects include the permanent loss and modification of confirmed and potential lizard habitat, together with residual uncertainty associated with injury or mortality despite salvage and relocation. These residual effects are addressed through the residual effects management package and Biodiversity Compensation Model (BCM) described in Sections 6.2 to 6.6 of the Terrestrial EcIA. The BCM assesses biodiversity at an ecosystem scale. While vegetation type, extent, condition and ecological value are used as assessment inputs, the model does not assess botanical values in isolation. Rather, the benchmark is a functioning indigenous ecosystem, including the habitat attributes, ecological functions and ecological processes that support associated indigenous fauna. Accordingly, the affected vegetation and habitat types are incorporated within the biodiversity losses assessed by the model, including the habitat values they provide for indigenous lizards. The vegetation and habitat types affected by the Project, including confirmed and potential lizard habitat, are included as losses within the model, with the corresponding restoration and enhancement measures providing gains in habitat extent, condition, structural complexity and connectivity. As restoration planting establishes and matures, it will progressively provide habitat attributes utilised by indigenous lizards, including vegetation cover, leaf litter, coarse woody debris, refuge opportunities, suitable microclimates and connections with retained habitat. Accordingly, the wider restoration programme contributes to addressing residual effects on indigenous lizards through the creation and enhancement of indigenous habitat across the Project area. In addition, approximately 5.18 ha of the restoration package will be specifically designed and managed as a lizard habitat matrix, as described in Sections 6.2 and 6.3.2 of the Terrestrial EcIA This area provides an additional targeted response to the permanent loss of lizard habitat through the incorporation of habitat features specifically intended to support indigenous lizards, including coarse woody debris, refuge structures and increased habitat complexity. These features are intended to provide habitat function in the short term while restoration planting establishes and matures. The residual effects management package also includes pest plant control and pest animal control within Cheesman's Bush (SEA_T_9102) and Puhinui Gully (SEA_T_4570). These measures will improve habitat condition, support regeneration, and increase the survival of resident indigenous fauna populations, including indigenous lizards, within these retained forest remnants. Accordingly, residual effects on lizards have not been omitted from the compensation assessment, nor are they assumed to be addressed incidentally through the modelled 36.6% positive benefit. Rather, they form part of the biodiversity losses addressed through the residual effects management package. The combination of indigenous habitat restoration, the specifically designed 5.18 ha lizard habitat matrix, habitat enhancement, and pest management measures provides the ecological gains intended to address the residual effects on indigenous lizards.
Holding period: The application for the wildlife approval only seeks a maximum of four hours of captive holding on each day of salvage before lizards are transported and released into the pre-appointed release sites. It is queried whether twice	The four hours holding period has been recommended for two reasons; the first being that the most likely native species regularly captured in these environs is copper skink. This species is prone to heat and handling stress, and shorter holding periods assist in reducing both of these concerns. The second is the proposed release sites are very close to the proposed areas of salvage and making additional trips to carry out interim releases during each day of salvage would not be onerous.

Question	Response
daily releases will be undertaken or whether the duration is extended to a maximum of 8 hours per day.	That said this four hour period could remain as a recommendation in the Lizard Management Plan and the 8 hour maximum being permitted as an authorised maximum.