

Memorandum on Completeness and Scope

File	FTAA-2605-1227
Application	Wairakei South
To	Ben Bond, Team Leader LOA
From	[REDACTED], Application lead
Date	24 June 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 Wairakei South application, lodged by Bell Road Limited Partnership (the Applicant), received by the Fast-track Team on 19 May 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 is a listed project.

6. The Application was lodged on 19 May 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 within 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)) This application was subject to a further information request therefore the date by which the EPA must make a decision under s 46 is 24 June 2026.
7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

8. The project is described in Schedule 2 of the Act as:

Develop rural land for residential, commercial, and industrial use, including up to approximately 2,000 to 3,000 residential allotments, approximately 60 to 80 hectares of new industrial land, stormwater corridors and management areas, and a State Highway Buffer Reserve.
9. The project description in Schedule 2 of the Act was amended by an Order in Council on 13 March 2026 by the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026. This amendment changed the approximate geographical location from “123 to 340 hectares” to the below description.
10. The approximate geographical location is identified in Schedule 2 of the Act as:

300 to 350 hectares (approximately) at Bell Road, Papamoa.
11. The proposed Development of Wairakei South is a large-scale master-planned community across 349.2 hectares. It consists of 2,729 residential lots, and approximately 50 ha of industrial land. In addition to residential and industrial/employment use, other uses to support a new community of this size are proposed, such as commercial/retail hubs, a school, parks/open space, stormwater reserves and green connections/shared pathways. A full breakdown of the activities sought, and their associated size can be found in the table below:

Table 1 – Proposed land use of Wairakei South

Description of land use	Allotments	Size in hectares
Residential Lots	2,729	128.4 (36.8%)
Industrial / employment land	70	52.6 (15.1%)
Commercial centres (service centre, neighbourhood centre, local centres)	4	4.1 (1%)
Education - school	1	3.5 (1%)

Integrated stormwater swales, reserves, treatment wetlands	Multiple	134 (38.4%)
Neighbourhood Reserves	8	3.5 (1%)
Primary Road Network	Multiple	23.3 (6.7%)
TOTAL		349.2

12. The application relates solely to the listed project because:

- a. The residential allotments of 2,729 fits within the range sought in the Schedule 2 listing (between 2,000 and 3,000).
- b. The industrial land use equates to 60.2 hectares (industrial / employment land, commercial centres, and education land) which fits withing the range sought in the Schedule 2 listing (between 60 and 80 hectares).
- c. The activities sought include stormwater corridors and management areas as listing in the Schedule 2 listing (137.5 hectares).
- d. The primary road network included in the list of activities (23.3 hectares) is a subsidiary of the listed project described in Schedule 2. I believe this type of activity directly supports the project as described.

13. The State Highway Buffer Reserve is not explicitly mentioned within the application. This was questioned in an RFI to the applicant. The response from the applicant can be found in **Appendix 3** below. In short, the applicant stated that the order in council to change the scope of the project to the above listing included changes to titles which made the original buffer reserve obsolete. However, the order in council did not amend the reference to the State Highway Buffer Reserve. The applicant has also noted that there is a reserve to the north of the project, including in part near the state highway. Given the scope is not specific about the nature of the State Highway Buffer Reserve, and that the project does contain some reserves along the State Highway, the absence of an express State Highway Buffer Reserve does not cause the project to fail the s 46 test. The adequacy of the reserve may be a matter for the Panel to consider in its assessment of the project.

Fast-track consenting application process

Legislative context

14. 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.
15. 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

16. 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.
17. This application has been lodged by Bell Road Limited Partnership. This person is an authorised person under the Act because they are the authorised person identified for the listed project under s42(1).
18. 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 subdivision or reclamation: **checklist A1**;
 - 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)(i) (archaeological authority), **checklist F**;
19. All of the above listed approvals are of the type set out in section 42(4) of the Act.
20. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

21. 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

22. 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.

23. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
24. As set out in more detail in Appendix 2, some agencies consulted have advised that the information required by section 44 is provided in **insufficient** detail to satisfy the purpose for which it is required. A request for further information was given to the applicant to counter some of the agencies concerns. This can be found in Appendix 3.
25. Following receipt of the further information, this memo now concludes that there is **sufficient** information that is required by section 44 to proceed.

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. A full breakdown of consultation with parties specified in section 29(1)(aa) can be found in table 2 below.

Table 2 – Bell Road Limited Partnership Consultation Overview

Party	Consultation began	Latest record	Total working days (to lodgement)
Western Bay of Plenty Council	4 November 2024	7 May 2026	350 (358)
Bay of Plenty Regional Council	1 August 2024	8 May 2026	419 (426)
Tauranga City Council	4 November 2024	13 April 2026	333 (358)
Te Kapu o Waitaha	16 June 2025	22 April 2026	202 (220)
Tapuika Iwi Authority	14 March 2025	22 April 2026	263 (281)
Nga Potiki	12 January 2026	10 April 2026	60 (86)
Te Maru o Kaituna Authority	15 May 2025	19 March 2026	201 (241)
Department of Conservation	17 March 2026	7 May 2026	33 (41)
Heritage New Zealand	2 July 2025	28 April 2026	194 (209)

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:
- Bay of Plenty Regional Council, Western Bay of Plenty District Council, and Tauranga City Council for:
 - i. an approval described in section 42(4)(a) (resource consent)
 - The Department of Conservation for:
 - i. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
 - Heritage New Zealand Pouhere Taonga for an approval described in section 42(4)(i) (archaeological authority);
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 **4 June 2026** in relation to multiple topics. The applicant responded with the information on **19 June 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

35. 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.
36. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
37. 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.
38. 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	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May	Yes, as described.

		2026, Section 3, Pages 25-87.	
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	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 2.2 & 2.3 pages 8-10	Yes, as described. Statutory Areas described and visualised in section 2.4.3 of the AEE (pg 17-18). Point ii and iii detailed in Appendix AM – FTAA Compliance (pg 2-3).

		for a description and map of the site. The site is not within or adjacent to— a statutory area (as defined in the relevant Treaty settlement Act); or 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	
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		(Takutai Moana) Act 2011.	
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.	The application complies with the above as set out in the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell	Yes, as described.

		Road-1-Rev F dated 12 May 2026, section 4.1, Page 88 and Appendix AM (Compliance Table).	
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 (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)).	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited,	Yes, as described.

		Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix AB (Consultation Summary Pack & Consultation Record), Table 2 Landowners, Pages 11-14. Site ownership details are in the table below. CURRENT REGISTERED OWNERS RECORD OF TITLE APPELLATI ON AREA (Ha) Bell Road Limited	
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		Partnership SA64B/396 Lot 2 DPS 81677 & Lot 1 DPS 54113 24.3230 Marie Evelyn Went, Matthew Charles Went SA64B/395 Lot 1 DPS 81677 2.6940 Bell Road Limited Partnership 624307 Lot 1 DPS 69524 & Section 26 SO 427562 21.4595 Gavin Mark Pharo, Brodie Meredith Loraine Pharo SA55D/202 Lot 2 DPS 69524 0.9815	
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		Bell Road Limited Partnership 893643 Lot 1 DP 537375 15.2909 Graham Douglas Thompson, Julie Thompson and James Colin Stewart 893644 Lot 2 DP 537375 3.5277 Aquila Property Holdings Limited 687138 Section 1 SO 457222 4.1790 Bell Road Limited Partnership 606872 Section 13	
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		SO 458365 59.9413 Bell Road Limited Partnership 605743 Section 12 SO 458365 1.7884 Graham Douglas Thompson, Julie Thompson and James Colin Stewart SA7A/206 Part Lot 1 DP 29530 113.7622 Perpetual Trust Limited 960662 Lot 2 DP 553506 99.1095 Tranz Port NZ	
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		Limited 960661 Lot 1 DP 553506 2.0626	
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F	Yes, as described.

		dated 12 May 2026, sections 3.1-3.17 pages 25-87.	
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	No other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates are sought apart from those set out in the resource consents, notices of requirement for designations, or alterations to designations required for the project to which	N/A

		the consent application relates	
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 4.1.2, pages 88-94	Yes, as described.

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: • 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.	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, sections 4.2, 4.3, 4.4, and 4.5 pages 94-110 and Appendix AC	Yes, as described. TCC notes: <i>“Wairakei South is located on a challenging site for urban development with a number of natural hazard risks including flooding, liquefaction, lateral spread and tsunامي.</i> <i>The application does not clearly demonstrate that natural hazard effects have been assessed under future climate change conditions including sea level rise, as required by the National Policy Statement for Natural Hazards and the Bay of Plenty Regional Policy Statement.</i> <i>Existing tsunami modelling relied upon does not consider the impact of sea level rise over a 100-yr period as it was undertaken to assist with updated evacuation mapping under present day conditions. Information sought</i> <i>To meet s 43 requirements, the application should include:</i>
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		(Consenting Tables)	<i>Assessment of natural hazard risks (including tsunامي) under future climate change scenarios.”</i> An assessment under the National Policy Statement on Natural Hazards 2025 is included in the AEE (pg 97-98) and Appendix Q. An assessment under the Bay of Plenty Regional Policy statement is also included in the AEE (pg 104-105). This is sufficient for completeness.
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	There are no relevant Treaty settlements that apply in the area covered by the consent application	DOC notes that there are Treaty settlement acts that could be relevant to the project site. See Checklist J, clause 13(4)(l) for more information.
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	There are no relevant customary marine title groups,	N/A

	moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	protected customary rights groups, ngā hapū o Ngāti Porou or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	
5(1)(k)	Any conditions that the applicant proposes for the resource consent.	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-	Yes, as described.

		AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix AD - Proposed Conditions	
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.	There are no existing resource consents for the same activity (please refer to the Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 2.4.2.1, page 17 and Appendix AB (Consultation	The information required by this section has been supplied in sufficient detail. Although there is no formal letter attached to the application, the applicant has asked the regional council in writing (Appendix AB, Part 2 pg 112-114) and the Council has responded in writing on 19 March 2026. This is within the three-month timeframe specified by the FTAA. BOPRC stated: <i>“Section 30 of the FTAA applies to this proposal, as the proposal includes a resource consent application for a water take. While the Applicant has not formally notified the BOPRC in accordance with s30(2), during the pre-application process, this type of information was</i>

		Summary Pack & Consultation Record), Part 2 of 3, Page 112. Confirmation of this has been provided by the Bay of Plenty Regional Council and is included in Appendix AB - Consultation Summary Pack & Consultation Record, Part 2 of 3, page 112.	<i>exchanged during pre-application consultation.</i> <i>We confirm that there is no existing resource consent to which section 124C(1)(c) or 165ZI (of the Resource Management Act 1991 (RMA)) apply to this Application.”</i> I consider that the applicant did request s 30 matters in writing from the council as per Appendix AB. This is sufficient to satisfy 5(1)(l).
5(4)(a)	An assessment of the activity’s effects on the environment that includes the information required by clause 6.	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals	Yes, as described.

		Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008- AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and the supporting appendices D-AL	
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast	Yes, as described.

		Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008- AMC-101-Bell Road-1-Rev F dated 12 May 2026 and and the supporting appendices D-AL	
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:	N/A.	BOPRC noted that there was information missing in this section, primarily: <i>(1)(c)(ii) where the Applicant has not identified any possible alternative methods or receiving environments for discharges, particularly in the instance of</i>

	(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: (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		<i>the permanent discharge of stormwater from the developed landform.</i> <i>o The Applicant's proposed method of discharge for permanent stormwater relies on continuous pumping of stormwater from the area. We have not been able to find any assessment within the Application relating to alternative methods.</i> <i>o There is also a lack of information relating to stormwater treatment alternatives."</i> This was addressed in an RFI to the applicant that can be found in Appendix 3. The applicant responded with an addendum that included an assessment of alternative methods. I believe that this meets the sufficiency requirements of this section.
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	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.		TCC notes the following information is missing from the application: • <i>An assessment of downstream and cross-boundary effects, including impacts beyond the site and implications on TCC's consented discharge to the Kaituna River from the Wairakei Stream.</i> • <i>An assessment of any other stormwater interactions across the TCC/WBOPDC boundary – including effects on discharges from the Wairakei urban growth area directly into the Bell Road catchment.</i> • <i>Assessment of pump and system performance under failure scenarios.</i> • <i>Evaluation of alternative stormwater management</i>
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			<i>approaches sufficient to demonstrate the chosen approach is appropriate.</i> These points were raised in the RFI to the applicant in Appendix 3. The applicant responded in sufficient detail to satisfy this clause.
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: (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:	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants	As above. BOPRC notes that there is not enough detail provided on stormwater discharge, flooding, modelling, infrastructure staging, and water quality. The majority of BOPRC's concerns with this section are matters that would fall to the Panel once appointed to rule on. For example, if an improved and more robust hydraulic model is needed to assess flood risk. Therefore, I consider the application is sufficiently complete on this clause.

	(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.	Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and the supporting appendices D-AL	TCC notes concerns with water supply, transport, and natural hazard information lacking in the application. These concerns are not directly tied to information requirements in the FTAA. They are likely matters that the Panel will consider once appointed.
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)	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited,	BOPRC notes: <i>“While Appendix-AC lists the permitted activity rules, it does not demonstrate how the conditions of these rules will be met.</i> <i>The BOPRC agrees with the Applicant’s identified rule triggers, other than:</i> <i>The permanent discharge of stormwater from the developed landform:</i> <i>The Applicant has assessed that resource consent is required under Rules DW R21 and DW R23 – Restricted Discretionary Activity.</i>

		Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026 and Appendix AC	<i>It is it not clear whether the discharge can meet the conditions of the Restricted Discretionary Activity rules, in particular “The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.”</i> <i>We consider that consent may be required under Rule DW R8.</i> <i>The discharge from the site would be consented as a comprehensive catchment discharge consent, as such all of the stormwater discharged from the site requires consent as one activity (rather than components of the discharge being permitted).</i> <i>The construction, use and maintenance of bridges and culverts has been applied for under Controlled Activity rules. The structure(s) will be in an area that will become an urban area, therefore resource consent is required under BW R36 as a Discretionary Activity for these activities. We expect there will be no material difference in the assessment or</i>
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			<i>conditions for the bridges and culverts whether they are assessed as controlled or discretionary activities, as the matters of control are also the matters which we would use to assess the effects of these activities. Overall, the application is a Discretionary Activity under the RNRP.”</i> Further information was requested on these points raised by BOPRC. The applicant’s full response can be found in Appendix 3. The rule question has been answered by the applicant in sufficient detail to pass s 46, I believe several matters raised by BOPRC and the applicant may need to be considered further by the Panel once appointed.
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	The activity does not occur in an area that is within the scope of a planning document prepared by a customary marine	N/A

		title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	The activity does not occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is	N/A

		subject to bylaws made under Part 9 of the Fisheries Act 1996.	
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CHECKLIST A1 – Subdivision or reclamation resource consent

Clause, Schedule 5	Information required for an application for a subdivision consent or a reclamation consent (in addition to the information required in Checklist A)	Application Reference	EPA
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If this application is for a subdivision consent, please adequately define the matters set out in clause 8(1) below. If no subdivision consent is sought, please enter n/a.

8(1)(a)	The position of all new boundaries	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application)	Yes, as described (section 3.1.2, pg 30-31 of the AEE and Appendix M).
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		under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix M (Subdivision Scheme Plans)	
8(1)(b)	The areas of all new allotments, unless the subdivision involves a cross lease or company lease or unit plan	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals	Yes, as described (and as above).

		Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008- AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix M (Subdivision Scheme Plans)	
8(1)(c)	The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of	Yes, as described (and as above).

		Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix M (Subdivision Scheme Plans)	
8(1)(d)	The locations and areas of existing esplanade reserves, esplanade strips, and access strips	Not applicable. there are no existing esplanade reserves, esplanade strips, and access strips	N/A
8(1)(e)	The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the Resource Management Act 1991	Not applicable. There are no parts of the bed of a river or lake to be vested in a	N/A

		territorial authority	
8(1)(f)	The locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991	Not applicable. There are no areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991	N/A
8(1)(g)	The locations and areas of land to be set aside as new roads	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application)	Yes, as described (section 3.1.2, pg 30-31 of the AEE and Appendix M).

		under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Appendix M (Subdivision Scheme Plans)	
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If this application is for a reclamation consent, please include the information to show the area to be reclaimed set out in clause 8(2) below. If no reclamation consent is sought, please enter n/a.

8(2)(a)	The location of the area to be reclaimed	Not applicable. The application is not seeking a reclamation consent	N/A
8(2)(b)	If practicable, the position of all new boundaries	Not applicable. The application is	N/A

		not seeking a reclamation consent	
8(2)(c)	Any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip	Not applicable. The application is not seeking a reclamation consent	N/A

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:	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals	Yes, as described (especially appendix AH).

	(vi) the operating regime	Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008- AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and the supporting appendices	
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)	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals	Yes, as described (especially section 5.4 of Appendix L (pgs 27-28)).

		Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008- AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and Appendix L	
9(c)	the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream)	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of	Yes, as described.

		Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and Appendix L	
9(d)	how the passage of fish will be provided for or impeded	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared	Yes, as described (especially section 9.3.4 of Appendix L pgs 45-49)

		by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and Appendix L	
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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	To provide for the capture and relocation of native lizards that may be impacted by implementation of the proposal	Yes, also AEE pg 137 (section 6.5.6)

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)	Although there have been no lizards identified on the site the applicant wishes to take a precautionary approach. the applicant proposes methods reflective of best practice and are designed to capture ground dwelling lizards. Lizard management methods will involve the supervision of vegetation clearance, as well as manual searching, capture, and relocation of Lizards as set out in the applicants Lizard Management Plan (See Appendix AJ of the Application).	Yes, as described.
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2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	The measure to be adopted through Lizard capture and relocation will prevent the killing, or harming of these species, consistent with the purpose of the Wildlife Act. An assessment of the capture and relocation proposed is set out in Appendix AJ - Lizard Management Plan (sections 3-4, Pages 6-15)	Yes, as described.
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	The Wildlife species predicted in the area are lizards as there is habitat identified on the site as set out in Appendix L - Ecological	Yes, also 4.3 of Appendix L (pg 16).

		Assessment, section 9.4.2, page 40.	
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)	Impacts on species are set out in Appendix L of the application (Ecological Impact Assessment) Section 9 Pages 38-50	Yes, as described.
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	Methods proposed include the capture and relocation of indigenous lizards from identified lizard habitat areas to be affected by vegetation clearance. It is proposed to enhance/augment lizard habitat within the release site through the construction of one artificial refuge (e.g.,	Yes, as described.

		eco-stack/ piles of logs/branches/stones) for every 1 lizard captured and released. Five artificial refuge(s) to be constructed in advance of lizard salvage, with any additional refuge required to be established concurrently with lizard release. Implement predator control within the release area for a period of five years after release. Further detail is set out in Appendix AJ - Lizard Management Plan, Section 3, pages 6-14.	
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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:	The methods are set out Appendix AJ - Lizard Management Plan, Section 3 & 4, pages 6-14.	Yes, as described.
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)	The locations (including release sites) are set out in Appendix AJ - Lizard Management Plan, Section 3 & 4, pages 6-14.	Yes, as described.
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	Authorisation is sought to temporarily hold and relocate wildlife as set out in Appendix AJ - Lizard Management Plan, Section 3 & 4, pages 6-14.	Yes, as described.

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	An assessment of actual and potential effects including effects on lizards is set out in section 6.5 of the Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, (Section 6.5.1 pages 133-136) and the Ecological Impact Assessment (Appendix L of the application).	Yes, as described.
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or	Capture and relocation is	Yes, as described.

	compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	proposed this will be mitigated through lizard habitat enhancement within the release site through the construction of one artificial refuge (e.g., eco-stack/ piles of logs/branches/stones) for every 1 lizard captured and released. Five artificial refuge(s) to be constructed in advance of lizard salvage, with any additional refuge required to be established concurrently with lizard release. the applicant will also Implement predator control within the release area for a	DOC notes: <i>“Effects management activities e.g. in the LMP have not been customised to reflect species determined present (noting that different species have different ecological requirements). It is also noted that limited information about lizard populations present may mean effects are not fully identified and addressed.”</i> I believe the applicant has sufficiently addressed this section. It is for the Panel to consider whether it is necessary for these methods to be customised for individual species present on site.
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		period of five years after release as set out in Appendix AJ - Lizard Management Plan	
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	Neither the applicant nor the Company Directors have been convicted of an offence under the Wildlife Act	Yes, as described.
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	Neither the applicant nor the Company Directors have any current criminal charges under the Wildlife Act pending before a Court	As above.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	Please refer to the Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024	There isn't any clear proof that iwi consultation including discussions regarding wildlife and wildlife impacts in Appendix AB. There is also no mention of wildlife consultation in section 5.1 of the

		Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 5, Pages 114-116 and to Appendix AB- Consultation Summary Pack & Consultation Record	AEE. Consultation regarding wildlife is described solely with DOC. This question was raised with the applicant in the request for information at Appendix 3. The applicant responded that Appendix V satisfies this clauses requirement. The Cultural Impact Assessment at Appendix V does provide proof and details of consultation with hapū and iwi. This does not include specific reference to wildlife impacts, though there is brief comment from the authors of the Cultural Impact Assessment of taonga species and ecology discussions (Appendix V, section 11.7, pg 14). I believe on balance this is sufficient for this clause.
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2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	the applicant has obtained professional advice and technical reports concerning their proposal which include an Ecological Assessment (Appendix L), an Ecological Management Plan (Appendix AH) and a Lizard Management Plan (Appendix AJ)	Yes, as described.
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CHECKLIST F – Archaeological authority

Clause, Schedule 8	Information required for an approval described in section 43(3)(i) Archaeological Authority	Application Reference	EPA
2(1)(a)	a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates	The legal descriptions of the land are set out in the Resource	Yes, as described.

		Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 2.2, Page 9.	
2(1)(b)	the name of the owner of the relevant land, if the applicant is not the owner of the land	CURRENT REGISTERED OWNERS RECORD OF TITLE APPELLATION AREA (Ha) Bell Road Limited Partnership SA64B/396 Lot 2 DPS 81677 & Lot 1 DPS	Yes, as described and Appendix B – applicant only owns some of the land blocks. Has contract to purchase the remainder blocks.

		54113 24.3230 Marie Evelyn Went, Matthew Charles Went SA64B/395 Lot 1 DPS 81677 2.6940 Bell Road Limited Partnership 624307 Lot 1 DPS 69524 & Section 26 SO 427562 21.4595 Gavin Mark Pharo, Brodie Meredith Loraine Pharo SA55D/202 Lot 2 DPS 69524 0.9815 Bell Road Limited Partnership 893643 Lot 1 DP 537375 15.2909 Graham Douglas Thompson, Julie Thompson and	
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		James Colin Stewart 893644 Lot 2 DP 537375 3.5277 Aquila Property Holdings Limited 687138 Section 1 SO 4572224.1790 Bell Road Limited Partnership 606872 Section 13 SO 45836559.9413 Bell Road Limited Partnership 605743 Section 12 SO 4583651.7884 Graham Douglas Thompson, Julie Thompson and James Colin Stewart SA7A/206 Part Lot 1 DP 29530 113.7622	
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		Perpetual Trust Limited 960662 Lot 2 DP 553506 99.1095 Tranz Port NZ Limited 960661 Lot 1 DP 553506 2.0626	
2(1)(c)	proof of consent, if the owner of the relevant land has consented to the proposed activity	Not all owners of the land have consented to the activity	Yes, as described. Pg8 of AEE states: “The Applicant owns (or has contracted to purchase) the land subject to this application. There is accordingly no impediment to the Applicant's ability to undertake the proposed work on this land.”
2(1)(d)	confirmation that the application complies with section 42 , 43, and 44 of the Act	There are no recorded archeological sites on the land. The application seeks an	Yes, as described (Section 3.13.7 of AEE)

		Authority to undertake an activity that will or may modify or destroy the whole or any part of any archaeological site or sites within a specified area of land, whether or not a site is a recorded archaeological site	
	confirmation that the application relates solely to a listed project or a referred project	The application relates to the Wairakei South Listed Project	Yes, as described.
	any fee, charge, or levy payable under regulations in respect of the application is paid.	The applicant agrees to pay any fee payable	Yes, as described.
2(1)(e)	a description of each archaeological site to which the application relates and the location of each site	There are no record archaeological sites on the land as set out in the Application for	Yes, as described.

		Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 3.13.7, Page 74-75 and Section 6.7 Page 141, and the archaeological Assessment included as Appendix X.	
2(1)(f)	a description of the activity for which the authority is sought	The land is proposed to be developed for urban purposes. Ground disturbance associated with the subdivision will be extensive and	Yes, as described.

		include topsoil stripping, deposition of preload material, road construction, section development and installation of services. Earthworks and subdivision activities are proposed as set out in the Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 1, Pages 1-4, Section 3, Pages 25-87, Appendix C	
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		(Masterplan), Appendix D (Engineering Drawings), Appendix E (Subdivision landscape Package) and Appendix F (Infrastructure Report).	
2(1)(g)	a description of how the proposed activity will modify or destroy each archaeological site	The likelihood of encountering unrecorded subsurface archaeological sites during earthwork associated with the development is considered low due to the unsuitability of the poorly drained landscape for pre 1900 settlement or cultivation. However, it is not	Yes, as described, also in Appendix AD (pg 74-75).

		possible to provide absolute assurance that sites will not be encountered during ground disturbance associated with the project and given the large scale of the project it was recommended by Ken Phillips (Archaeology BOP) that an authority is obtained before the commencement of ground disturbance which has the potential to modify or destroy archaeological sites as a consequence of earthworks associated with changes to the landform associated with developing the	
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		land for urban purposes.	
2(1)(h)	except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of— (i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and (ii) the effect of the proposed activity on those values	Please refer to the Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Sections 6.6, Page 137-140 and 6.7 Page 140, to the Manage Whenua consultation record contained in Appendix AB, and to the Cultural Impact Assessment included in Appendix V.	Yes, as described.

2(1)(i)	a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected— (i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or (ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).	Consultation and engagement with Tangata Whenua and other person has taken place and a record of this consultation is included in Appendix AB., Pages 24-31.	Yes, as described.
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CHECKLIST J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference	EPA
13(4)(a)	a description of the project and the activities it involves	Please refer to the Bell Road Limited Partnership Application for Resource Consent	Yes, as described. Also refer to section 4.4 of the AEE as the description to the left does not include wildlife approval or any

		(the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, Section 3, Pages 25-87.	impacts on wildlife species. All other activities are outlined in section 3.
13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	There are no ineligible activities as set out in section 5 of the FTAA as set out in the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental	Yes, as described.

		Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 1.3 page 5.	
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 2.2 & 2.3 pages 8-10 for a description and	Yes, as described.

		map of the site. a statutory area (as defined in the relevant Treaty settlement Act); or 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.	
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track	Yes, as described.

		Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, regarding the staging and timing, sections 3.7-3.14 Pages 45-78	
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants	Yes, as described. BOPRC notes: “ <i>The proposal will be staged, as set out in the application there will be two primary stages (Northern and Southern), however these will be broken up further into sub-stages (18 earthworks stages) with each stage being completed independently over approximately 10 – 20 years. The Application does not contain an explanation of how each stage meets the criteria in s22</i> ”

		Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, regarding the staging and timing, sections 3.7-3.14 Pages 45-78	<i>of the FTAA, as required by s43(2)(b)(iii)."</i> I consider the council comment on this section is incorrect as the project is to be applied for under one application that covers the entire project, this is not an application for one stage of a project as per the assessment of s 43(2)(b). Therefore, I consider the description by the applicant sufficiently addresses requirements of 13(4)(f)(i).
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment and the significance of those adverse effects	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by	Yes, as described (especially section 6 of the AEE – pg 117-157).

		Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026 and supporting appendices D-AL	
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	N/A	N/A
13(4)(j)	a list of the persons and groups the applicant considers are likely to be affected by the project, including— (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups:	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated	Yes, as described, also Appendix AB.

	(vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:	12 May 2026, regarding the staging and timing, sections 5 and 6, pages 114-156	
13(4)(k)	a summary of— (i) the consultation undertaken for the purposes of section 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and (ii) how the consultation has informed the project:	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026,	Yes, as described. Also see Appendix AB, section 6 (pg 40) for description of how consultation has informed the project. DOC notes: “<i>The applicant has shown no evidence of consultation with or notification of Ngāti Rangiwewehi. This may be consequential in the context of the proposed hydrological alterations and the potential impact that the project may have on the Kaituna River, over which Ngāti Rangiwewehi has a Statutory</i>

		regarding the staging and timing, sections 5, pages 114-116, and Appendix W	<i>Acknowledgement, not precluding any other potential considerations.”</i> I consider the Applicant has attempted consultation with Ngāti Rangiwewehi (pg 114 of AEE) and they did not respond to the consultation request. This is sufficient for this section.
13(4)(ka)	a summary of how any responses provided to the notification under section 29(1)(aa) have informed the project	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026	Yes, as described. Evidence of consultation with all parties in the AEE as described (predominantly section 5). No evidence of notification (post amendments) but all parties provided summaries in response to consultation, and that consultation lasted longer than 20wds (see table 2 of this memo).

13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	N/A	DOC notes that there are three Settlement Acts that could be relevant to the project site: <i>DOC's assessment found that the Site falls within the area of interest under the following Treaty Settlements:</i> <i>Ngāti Pūkenga Claims Settlement Act 2017</i> <i>Tapuika Claims Settlement Act 2014</i> <i>Waitaha Claims Settlement Act 2013</i> <i>Further, Appendix AM states that 'No Treaty Settlements are applicable to the site'. DOC considers that Treaty Settlements where the Site is included in the Area of Interest may be applicable, further, being that the project site will include earthworks and alterations to the local hydraulic system, DOC considers the Statutory Acknowledgements over the Kaituna River and Kopuaroa Canal to be applicable.</i>
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			These questions were posed to the applicant in the request for information at Appendix 3 of this memo. The applicant responded with sufficient detail on all Treaty Settlements that may be relevant to their proposal (see Attachment C of their response) for the purposes of s 46.
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	N/A	N/A
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	N/A	N/A
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	N/A	N/A
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land	N/A	N/A
13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—	N/A	N/A

	(i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure		
13(4)(r)	a statement of whether the applicant is seeking a determination under section 24(4) and, if so,— (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— (A) a statement of the anticipated and known financial cost of undertaking the activity; and (B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or	N/A	N/A

	compensate for the anticipated and known adverse effects of the activity; and (D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and (E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell	Yes, as described.

		Road-1-Rev F dated 12 May 2026, regarding the staging and timing, sections 2.2, page 8	
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026 and Appendix AC	Yes, as described.
13(4)(u)	whether any activities that are involved in the project, or are substantially the same as those involved in the project, have	N/A	N/A

	been the subject of an application or a decision under a specified Act and,— (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it:		
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6.14 and Appendix AA	Yes, as described.

13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	N/A	N/A
13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	There has been no compliance or enforcement actions against the applicant	Yes, also detailed in Appendix AM.
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule.		
13(4)(y)(i), clause 2 of Schedule 5	Resource consent or designation (a) an assessment of the project against— (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell	Yes, as described. Also primarily described in AEE section 4.3 (pg 96-105).

		Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and the supporting Appendix AC	
	(b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).	No, to the best of the applicant's knowledge, there are no such existing resource consents.	Yes, as described.
13(4)(y)(ii), clause 3 of Schedule 5	Change or cancellation of resource consent condition The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.	N/A	N/A
13(4)(y)(iii), clause 4 of Schedule 5	Certificate of compliance The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that the activity that the	N/A	N/A

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

	(b) the financial value of the land proposed to be acquired by the Crown:	N/A	N/A
	(c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate: <i>Guidance note: This must include an explanation of why the exchange would benefit the conservation estate; and details of anything registered or noted for conservation purposes on the record of title for the land to be acquired by the Crown (clause 23(1A) of Schedule 6)</i>	N/A	N/A
	(d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:	N/A	N/A
	(e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – (i) land listed in Schedule 4; or (ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	N/A	N/A

13(4)(y)(vi), clause 4A of Schedule 5	Standard freshwater fisheries activity approval (4A) The information required to be provided under section 13(4)(y)(vi) is the following: (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which the proposed structure may impede fish passage; and (b) whether any fish salvage activities are proposed.	Please refer to the Bell Road Limited Partnership Application for Resource Consent (the Application) under the Fast Track Approvals Act 2024 Assessment of Environmental Effects prepared by Collier Consultants Limited, Reference 2008-AMC-101-Bell Road-1-Rev F dated 12 May 2026, section 6, pages 117-155 and the supporting appendices D-AL	Yes, as described, especially Appendix AH.
13(4)(y)(via), clause 2 of Schedule 9	Complex freshwater fisheries activity approval (2) The information required to be provided under section 13(4)(y)(via) is the following: (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure)	N/A	N/A

	and the extent to which this may impede fish passage; and (b) whether any other complex freshwater fisheries activities are proposed.		
13(4)(y)(vii), clause 2 of Schedule 10	Marine consent (1) The information required to be provided under section 13(4)(y)(vii) is– (a) information about whether the Minister of Conservation is an affected person:	N/A	N/A
	(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,— (i) details of any application made; and (ii) the decisions made on that application; and (iii) information about the matters that the Minister may consider under section 22(6):	N/A	N/A
	(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.	N/A	N/A

13(4)(y)(viii), clause 2 of Schedule 11	Access arrangement (1) Confirmation that the applicant has complied with section 29 (for the purposes of section 13(4)(y)(viii)).	N/A	N/A
13(4)(y)(ix), clause 15 of Schedule 11	Mining permit (1) For the purposes of section 13(4)(y)(ix), the information is— (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: (b) the name and contact details of the proposed permit participants and the proposed permit operator: (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: (e) information about the proposed permit holder's history of compliance with mining or similar permits and their conditions: (f) the proposed date on which the substantive application is intended to be lodged:	N/A	N/A

	(g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: (h) the proposed duration of the permit: (i) if the proposed approvals include a mining permit for petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates: (ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System: (iii) a high-level overview of the following: (A) the proposed field development plan: (B) the proposed date for the commencement of petroleum production: (C) the economic model for the project:		
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	(D) the proposed duration of the proposed mining permit: (E) decommissioning plans: (j) if the proposed approvals include a mining permit for minerals other than petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates: (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted: (iii) whether the application will be for a Tier 1 or Tier 2 permit: (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology):		
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	(v) an indicative mine plan: (vi) a high-level overview of the following: (A) the proposed mining method: (B) the proposed date for the commencement of mining and estimated annual production: (C) the economic model for the project: (D) the status of or anticipated timing for completing any prefeasibility or feasibility studies: (E) the proposed methods for processing mined material and handling and treating waste: (F) anticipated plans for mine closure and rehabilitation. (2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.		
43(2)(b)	if the project is planned to proceed in stages,— (i) an outline of the nature and timing of the stages; and (ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and	N/A	Not applicable. Refer to s 13(4)(f)(i) above for further explanation.

	(iii) an explanation of how each stage meets the criteria in section 22:		
43(2)(c)	the information that the applicant provided to the Minister when applying to have the project listed as a listed project and an explanation of how the substantive application is within the scope of the listed project.	N/A	N/A

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. On receipt of the original application, the agencies' responses were as follows:

- Western Bay of Plenty District Council confirmed that the application provides enough detail to meet the requirements of sections 42–44 of the FTA.
- Bay of Plenty Regional Council and Tauranga City Council does not believe the application provides enough detail to meet the requirements of sections 42-44 of the FTAA.
- The Department of Conservation does not believe that the application provides enough detail to meet the requirements of sections 42–44 of the FTA.
- Heritage New Zealand Pouhere Taonga confirmed that all documentation has been provided that is required for an archaeological authority application.

A request for further information was sent to the applicant that covered matters raised by Bay of Plenty Regional Council, Tauranga City Council, and the Department of Conservation. This can be found in Appendix 3.

1. **Consultation with Bay of Plenty Regional 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)

The primary concern for BOPRC is the lack of detail around stormwater and flood management, they believe there is insufficient information to properly assess environmental effects.

BOPRC full feedback can be found here - [2026-05-28 \(FTAA-2605-1227\) BOPRC Letter to EPA re s46 Completeness Check FINAL.pdf](#)

2. **Consultation with Western Bay of Plenty District 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)

Western Bay of Plenty District Council (WBOPDC) has been working closely with Bell Road Limited Partnership (BRLP), their agents and teams of specialists since the commencement of this project as outlined in the application.

In terms of jurisdiction and RMA approvals, WBOPDC is the relevant consent authority for the following parts of the application:

- *In addition to those matters identified under National Policy Statements and National Environmental Standards, we refer to the provisions listed under Appendix AC – Consenting Tables as submitted to the EPA. Specifically, we refer to those provisions under Section 4. “Western Bay of Plenty District Plan”, sub-sections 4.1 to 4.3.*

We can advise that those relevant matters listed in clauses 5 to 9 of Schedule 5 (information required in resource consent application) have been addressed in sufficient detail. The applicant has also covered this off through Appendix AM – FTAA Compliance Table as submitted to the EPA.

On that basis we have reviewed the documentation lodged by the applicant (via the portal) and are satisfied it meets the requirements of sections 42 and 43 of 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.

WBOPDC full feedback can be found here - [FTAA-2605-1227 - Confirmation of Application Completeness - S46FTAA2024 - WBOPDC.pdf](#)

3. Consultation with Tauranga City 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)

TCC’s full feedback can be found here - [Wairakei South Fast-track Application - TCC response to s 46 consultation.pdf](#)

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

- A wildlife approval as defined in clause 1 of schedule 7 of the Act (section 42(4)(h) of the Act)

Compliance with information requirements

Our assessment of the information requirements for the relevant approval is provided in the attached tables. In summary, DOC's advice is that the application may NOT meet the requirements of sections 42, 43, and 44 of the Act.

- *The following information has not been identified:*
 - *The applicant has shown no evidence of consultation with or notification of Ngāti Rangiwewehi. This may be consequential in the context of the proposed hydrological alterations and the potential impact that the project may have on the Kaituna River, over which Ngāti Rangiwewehi has a Statutory Acknowledgement, not precluding any other potential considerations.*
- *The following information has not been provided in sufficient detail:*
 - *Effects management activities in the LMP have not been customised to reflect species determined present (noting that different species have different ecological requirements).*

Notification/Pre-lodgement engagement

Section 29(1)(a) of the Act requires that, before lodging a substantive application for a listed project, the authorised person for the project must notify the relevant administering agencies 11(1)(aa).

With the understanding that the applicant intended to lodge their substantive application, and wishing to provide comments on the project, DOC provided a Pre Lodgement Consultation Summary to the applicant based on the information available at 7th of May 2026. While the applicant did provide some draft documents and a meeting was undertaken, DOC considers that the non-responsiveness of the applicant following a meeting on the 15th of April frustrated any ambitions for more meaningful pre-lodgement engagement and prevented DOC from providing comments on all the matters relevant to the Department.

Further observations

In addition to the compliance requirements, DOC makes the following observations:

- *Whilst species and their numbers have been outlined it does not appear as though the applicant has undertaken comprehensive wildlife surveys to determine the presence (or not) of specific protected species (either at the impact site or the two proposed release sites).*
- *The applicant has not consistently referenced the species of lizard we understand the approval is sought for in the LMP (which would normally contain this level of detail). In other*

areas of the application (labelled consultation advice) copper and moko skink are identified. Clarification will be required on this issue.

- DOC notes that the applicant has not indicated an intention to apply for any Complex Freshwater Fisheries Activity Approvals (CFFA). DOC considers it likely that the proposed activities will require CFFA, and this opinion was expressed in our Pre-Lodgement Consultation Summary sent to the applicant on the 7th of May. It is acknowledged that an applicant under the FTAA may choose to apply for as many or as few of the required approvals through the FTAA as they deem prudent. DOC notes that any required CFFA not acquired through the Fast-track process will need to be obtained through the business-as-usual application process. DOC notes that the proposed hydrologic alterations are consequential and may have a meaningful impact on the Kaituna River. As indicated in the tables below, the applicant has consulted with most of the Treaty partners that DOC considers to be likely impacted. However, we were unable to identify if the applicant has consulted with Ngāti Rangiwewehi.*

DOC's full feedback can be found here - [Wairakei South Completeness.docx - APPROVED - 2026-05-29T02 30 12.9929779Z.pdf](#)

- 5. Consultation with the Heritage New Zealand Pouhere Taonga** as the administering agency for an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 (section 42(4)(i)).

Introduction

1. Bell Road Limited Partnership (the Applicant) has lodged a substantive application for Wairakei South (the Project) with the Environmental Protection Agency (EPA).

2. On 21 May 2026 the EPA requested feedback regarding completeness to determine whether the substantive application complies with section 46(2) of the FTA Act.

3. HNZPT has also undertaken a check for competing applications to assist in determining if there are any competing applications or existing resource consents under section 47 of the FTA Act.

Completeness Check

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

5. HNZPT has not been provided with an application for the approval of a person to undertake the archaeological work under the proposed authority. The applicant must nominate a person

if they wish for HNZPT to make a recommendation on the proposed Section 45 Approved Person within our s51 Report.

Appendix 3: Further information requests and responses

I sent one further information requests 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: 4 June 2026
- Topic: Multiple topics
- Date of response: 19 June 2026

Please see below for the verbatim request for further information and the applicant's response.



FTAA-2605-1227

3 June 2026

Rod Bailey
Bell Road Limited Partnership



Tēnā koe,

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

You lodged a substantive application, Wairakei South, under the Fast-track Approvals Act 2024 (the Act) on 19 May 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:

Scope

Within the schedule 2 listing of the application, the project is described as:

Develop rural land for residential, commercial, and industrial use, including up to approximately 2,000 to 3,000 residential allotments, approximately 60 to 80 hectares of new industrial land, stormwater corridors and management areas, and a State Highway Buffer Reserve.

The State Highway Buffer Reserve is not explicitly mentioned within the application. To assist us in assessing if the application relates solely to a listed project could you please clarify whether and how this element of the scope is met?

Resource Consent

The following requests were raised as part of the mandatory consultation the EPA undertook with the Bay of Plenty Regional Council (BOPRC). BOPRC considered these details were missing from the application:

“While Appendix-AC lists the permitted activity rules, it does not demonstrate how the conditions of these rules will be met. The BOPRC agrees with the Applicant’s identified rule triggers, other than:

The permanent discharge of stormwater from the developed landform:

The Applicant has assessed that resource consent is required under Rules DW R21 and DW R23 – Restricted Discretionary Activity.

It is not clear whether the discharge can meet the conditions of the Restricted Discretionary Activity rules, in particular “The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.

We consider that consent may be required under Rule DW R8.

The discharge from the site would be consented as a comprehensive catchment discharge consent, as such all of the stormwater discharged from the site requires consent as one activity (rather than components of the discharge being permitted).

The construction, use and maintenance of bridges and culverts has been applied for under Controlled Activity rules. The structure(s) will be in an area that will become an urban area, therefore resource consent is required under BW R36 as a Discretionary Activity for these activities. We expect there will be no material difference in the assessment or conditions for the bridges and culverts whether they are assessed as controlled or discretionary activities, as the matters of control are also the matters which we would use to assess the effects of these activities. Overall, the application is a Discretionary Activity under the RNRP.”

To assist us in assessing if the application complies with s 46(2) of the Act (and in particular the information required for Sch 5, cl 5(5)(a)), please can you provide further information on:

- In relation to the comments identified by BOPRC, how the conditions of the rules will be met.
- Whether discharge can meet the conditions of the Restricted Discretionary Activity rules (rules DW R21 and DW R23). In particular “The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.”
- Whether consent is or may be required under rule DW R8.
- Whether consent is or may be required under rule BW R36 as a discretionary activity.

BOPRC also noted that there was information missing in relation to Schedule 5, Clause 6 of the FTAA. We invite further comments from you in relation to this issue. In particular:

- (1)(c)(ii) identifying any possible alternative methods or receiving environments for discharges, particularly in the instance of the permanent discharge of stormwater from the developed landform.

In this respect, BOPRC noted:

- The Applicant's proposed method of discharge for permanent stormwater relies on continuous pumping of stormwater from the area. We have not been able to find any assessment within the Application relating to alternative methods.
- There is also a lack of information relating to stormwater treatment alternatives.

We have not located any discussion of alternative methods in relation to these matters. If you wish them to be considered, then they should be provided in response to this letter.

Tauranga City Council identified the following areas that it considered were not adequately addressed in the application:

- An assessment of downstream and cross-boundary effects, including impacts beyond the site and implications on TCC's consented discharge to the Kaituna River from the Wairakei Stream.
- An assessment of any other stormwater interactions across the TCC/WBOPDC boundary – including effects on discharges from the Wairakei urban growth area directly into the Bell Road catchment.
- Assessment of pump and system performance under failure scenarios.
- Evaluation of alternative stormwater management approaches sufficient to demonstrate the chosen approach is appropriate.

To assist us in assessing if the application complies with s 46(2) of the Act, please provide any further information on the above matters identified by TCC.

Wildlife

In relation to Schedule 7, clause 2(1)(n) we have been unable to locate proof of iwi consultation in relation to wildlife and wildlife impacts within the AB Appendixes and the consultation section of the AEE. To assist us in assessing if the application complies with s 46(2) of the Act, please confirm whether consultation with relevant hapū or iwi included the wildlife impacts of the application, and if so provide proof and details.

Other Matters

The following request was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation.

- DOC's assessment found that the Site falls within the area of interest under the following Treaty Settlements:

- Ngāti Pūkenga Claims Settlement Act 2017
- Tapuika Claims Settlement Act 2014
- Waitaha Claims Settlement Act 2013

To assist us in assessing if the application complies with s 46(2) of the Act, please provide any further information in relation to s 13(4)(l) and schedule 5, cl 5(1)(i) of the FTAA in relation to the information DOC has identified.

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 2 July 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 2 July 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 Emma Fahey, Application Lead, by email at info@fasttrack.govt.nz.

Nāku noa, nā



Ben Bond
Team Leader, Fast-track Applications

Wairakei South s46 RFI Response

Client: Bell Road Limited Partnership
Project: BOP0749 - Wairakei South
Date: 18/06/2026

RFI	Request	Response	
Scope			
1	Within the schedule 2 listing of the application, the project is described as: Develop rural land for residential, commercial, and industrial use, including up to approximately 2,000 to 3,000 residential allotments, approximately 60 to 80 hectares of new industrial land, stormwater corridors and management areas, and a State Highway Buffer Reserve.	The State Highway Buffer Reserve is not explicitly mentioned within the application. To assist us in assessing if the application relates solely to a listed project could you please clarify whether and how this element of the scope is met?	Bell Road Limited Partnership ("the applicant") original referral application for Wairakei South was approved and included in Schedule 2 as a listed project under the Fast-track Approvals Act 2024 ("FTAA"). On 29 January 2026 changes were sought to the description of the listed project under Section 117A of the FTAA. These changes related to the land titles included in the project and consequently, the project's boundaries – while not altering the substantive nature of the project itself. The amendment to the referral as applied for included a revised masterplan (Annexure 2 of the application), a copy of which is included as Attachment A to this response. The Schedule 2 amendment applied for, was approved under the Fast-track Approvals (Wairakei South and Other Projects Amendment Order 2026) which came into force on 13 March 2026. As the amendment to the project description made changes to the land titles included in the project and the project's masterplan, the original "State Highway Buffer Reserve" was no longer required (and is not shown) in the revised masterplan. Notwithstanding this, there is a State Highway reserve which continues to apply, this being the existing SH2 Road reserve. This area acts as a buffer to the north of the project area. The project also continues to include a 55dB LAeq(24h) road traffic noise contour along its northern boundary, which applies specific acoustic controls to development in this area. Those controls are detailed in the Assessment of Noise Effects included as Appendix Y to the application. Accordingly, the applicant's position is that the substantive application clearly relates solely to a listed project, as required by section 46(2)(b) of the FTAA.
Resource Consent			
2	The following requests were raised as part of the mandatory consultation the EPA undertook with the Bay of Plenty Regional Council ("BOPRC").	To assist us in assessing if the application complies with s46(2) of the FTAA (and in particular the information required for Sch 5, cl 5(5)(a)), please can you provide further information on:	As an initial point, we note that BOPRC's response does not relate to the application's compliance with clause 5(5)(a) of Schedule 5 to the FTAA. That clause requires that for every aspect of a project identified as being a permitted activity, the applicant demonstrate how it complies with the requirements, conditions and permissions specified for it to be a permitted activity.

RFI	Request	Response
BOPRC considered these details were missing from the application: “While Appendix-AC lists the permitted activity rules, it does not demonstrate how the conditions of these rules will be met. The BOPRC agrees with the Applicant’s identified rule triggers, other than: The permanent discharge of stormwater from the developed landform: The Applicant has assessed that resource consent is required under Rules DW R21 and DW R23 – Restricted Discretionary Activity. It is not clear whether the discharge can meet the conditions of the Restricted Discretionary Activity rules, in particular “The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person. We consider that consent may be required under Rule DW R8. The discharge from the site would be consented as a comprehensive catchment discharge consent, as such all of the stormwater discharged from the site requires consent as one activity (rather than components of the discharge being permitted). The construction, use and maintenance of bridges and culverts has been applied for under Controlled Activity rules. The structure(s) will be in an area that will become an urban area, therefore resource consent is required under BW R36 as a Discretionary Activity for these activities. We expect there will be no material difference in the assessment or conditions for the bridges and culverts whether they are assessed as controlled or discretionary activities, as the matters of control are also the matters which we would use to assess the effects of these activities. Overall, the application is a Discretionary Activity under the RNRP.”		Correctly, BOPRC’s response relates to clause 5(3)(a) of Schedule 5 to the FTAA. As relevant to BOPRC’s response, that clause requires the applicant to assess the proposed activity against the relevant rules of an applicable regional plan. And the applicant has provided that assessment in Appendix AC to the application. So there can be no question that the application complies with that clause, for the purposes of EPA’s initial completeness check under section 46 of the FTAA. Whether the Panel and/or BOPRC agree with that assessment is a substantive matter, to appropriately be addressed during processing of the application (not for the purposes of the initial completeness check). Further, the applicant has appropriately applied for all necessary consents, approvals and other authorisation required under the Resource Management Act 1991 (“RMA”) to enable the comprehensive, staged development of the Wairakei South site (see page 105, section 4.4 of the assessment of environmental effects (“AEE”) provided in support of the application). The application has assessed the proposal as overall requiring consent as a non-complying activity, due to the fact that the application site is zoned rural under the relevant District Plans (and accepting that all the consents required under the RMA are sufficiently interrelated that they should be bundled). Thus, whatever consent triggers apply under Chapter 6 (or any other chapter) of the Regional Natural Resources Plan (“RNRP”), those are covered by and included in the application. That said, the applicant’s response to BOPRC’s specific queries is as set out below.
	In relation to the comments identified by BOPRC, how the conditions of the rules will be met.	The application outlines how the conditions of rules DW R21 and DW R23 will be met (which it is presumed are the only rules relevant to BOPRC’s response). The conditions of the rules will be met by the applicant’s proposed treatment train approach to managing stormwater quality. This is set out in Appendix AI (Stormwater Monitoring) and Appendix G (Stormwater Management Plan) to the application.
	Whether discharge can meet the conditions of the Restricted Discretionary Activity rules (rules DW R21 and DW R23). In particular “The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.”	Based on the applicant’s proposed treatment train approach, the discharge of stormwater to surface water, to land where the discharge enters surface water, or to land soakage, where the rate of discharge is greater than 125 litres per second for a 10-minute duration 10% AEP storm event (10-year return period storm) can meet the following conditions (as applicable) from rules DW21 and DWR23 of the RNRP: (a) The suspended solids concentration of the discharge shall not be greater than 150g/m³, except where a 10-minute duration 10% AEP storm event (10-year return period storm) is exceeded. (b) The discharge shall be substantially free of grease, oil, scums and foam.

RFI	Request	Response
		(c) The discharge shall not contain any stormwater from a timber preservation site, timber treatment site, or a site where chemically treated timber is stored. (d) The discharge shall not cause or induce erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes: (i) Instability of land or the banks of the surface water body. (ii) Scour to the bed of the surface water body. (iii) Damage to the margins or banks of the surface water body. (e) The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person. (f) The discharge shall not contain hazardous substances, or substances that are toxic to aquatic ecosystems (as measured relative to the ANZECC Guidelines for Fresh and Marine Water Quality, 2000). (g) The discharge shall not contain any wastes (including, but not limited to, wastewater or condensates) from a trade or industrial process. (h) The discharge shall not cause a conspicuous change in the colour of the receiving waters. (i) Where the discharge is to a part of a receiving water body that is classified as Water Supply, the discharge shall not contain any substance that renders the water unsuitable for treatment (equivalent to coagulation, filtration, disinfection and micro-filtration) for human consumption. In relation to the above matters, the applicant has adopted water sensitive design (including treatment through wetland swales and stormwater management wetlands) prior to stormwater being discharged. With respect to BOPRC's specific query regarding flooding or ponding, the applicant is satisfied based on the results contained in the Stormwater flood modelling report (and Peer review) included as Appendix H of the application that the discharge will not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person. Notwithstanding the above, as noted, the applicant has applied for all necessary consents, approvals and other authorisation required to authorise the project under the RMA. The applicant has also assessed the proposal as overall requiring consent as a non-complying activity, on the basis that all required Regional and District consents should appropriately be bundled. So, if consent is required under any other rules, the applicant has already applied for it.

RFI	Request	Response
	Whether consent is or may be required under rule DW R8.	Consent has been sought under Rule DW R8. Please refer to Page 46 of Appendix AC to the application.
	Whether consent is or may be required under rule BW R36 as a discretionary activity.	Rule BW R36 controls activities in, on, under or over the beds of rivers, streams and lakes. The rules do not control activities in artificial watercourses (including farm drains and roadside drains) or other waterways. Consent has been sought under this rule as a discretionary activity (Refer Pages 44 & 45 of Appendix AC of the application (Consenting Tables) and section 4.4 of the AEE.
3	BOPRC also noted that there was information missing in relation to Schedule 5, Clause 6 of the FTAA. We invite further comments from you in relation to this issue. In particular: (1)(c)(ii) identifying any possible alternative methods or receiving environments for discharges, particularly in the instance of the permanent discharge of stormwater from the developed landform. In this respect, BOPRC noted: The Applicant's proposed method of discharge for permanent stormwater relies on continuous pumping of stormwater from the area. We have not been able to find any assessment within the Application relating to alternative methods. There is also a lack of information relating to stormwater treatment alternatives.	We have not located any discussion of alternative methods in relation to these matters. If you wish them to be considered, then they should be provided in response to this letter. The applicant again notes that this is a substantive technical issue regarding the project, rather than a procedural/compliance one that can appropriately be raised as part of the completeness check under section 46 of the FTAA. More importantly, we also note that clause 6(1)(c) of Schedule 5 to the FTAA: - Only applies if the proposal includes the discharge of any contaminant. And BOPRC has not identified or confirmed that the project's stormwater discharge comes within the definition of "contaminant" as per section 2 of the RMA; and - Does not require or oblige an applicant to undertake an alternatives assessment. It only requires applicants to provide a description of any <i>possible</i> alternative methods of discharge, if they are available. Nevertheless, the information can be found in the relevant application documentation and our response to satisfy this query is outlined below: Various stormwater conveyance and treatment options were considered through the master planning process, with the presented conveyance and treatment solution determined to be the most cohesive for the development proposal. Please refer to the addendum to the infrastructure report for further detail, a copy of which is included as Attachment B to this response.
4	Tauranga City Council identified the following areas that it considered were not adequately addressed in the application: 1. An assessment of downstream and cross-boundary effects, including impacts beyond the site and implications on TCC's consented discharge to the Kaituna River from the Wairakei Stream. 2. An assessment of any other stormwater interactions across the TCC/WBOPDC boundary – including effects on discharges from the Wairakei urban growth area directly into the Bell Road catchment. 3. Assessment of pump and system performance under failure scenarios. 4. Evaluation of alternative stormwater management approaches sufficient to demonstrate the chosen approach is appropriate.	To assist us in assessing if the application complies with s 46(2) of the Act, please provide any further information on the above matters identified by TCC. 1. An assessment of downstream and cross-boundary effects <u>has</u> been undertaken during the master planning and substantive design phase of the application, including potential impacts on the Kaituna River downstream. Relevant information to appropriately explain the stormwater conveyance strategy is supplied within the application. Please refer to the following documents for further information: - Infrastructure Report (Appendix F of the application) - Stormwater Management Plan (Appendix G of the application) - Flood Modelling Plan (Appendix H of the application) To summarise; the proposed pump station infrastructure has been designed to provide a maximum combined additional pumping capacity of 18.8 m³/s. Downstream effects have been assessed using the calibrated hydraulic model,

RFI	Request	Response
		with comparisons made between pre-development and post-development scenarios at locations upstream of the SH2 bridge. Under climate change (3.68°C) and sea level rise (1.59 m) scenarios the modelled results indicate the following changes in downstream water levels: • 5-year ARI event: no change • 10-year ARI event: no change • 50-year ARI event: no change • 100-year ARI event: 20mm increase The hydraulic modelling indicates that the proposed discharge results in a predicted increase in Kaituna River flood levels of approximately 20 mm during the 100-year future scenario. This increase is considered minor in the context of the Kaituna River flood regime and the available flood protection freeboard provided by the Kaituna River stopbank scheme and in similar order to the consented Wairakei Stream discharge. The predicted increase represents only a small proportion of the available stopbank freeboard and does not materially affect the performance of the wider flood protection network. Furthermore, the increase is not expected to result in any measurable change in flood hazard, flood extent, or flood risk to surrounding properties. Overall flood levels remain within channel capacity and do not adversely affect TCC's consented discharge to the Kaituna River via the Wairakei Stream. Accordingly, the assessment confirms that the proposed development will not result in any material adverse downstream or cross-boundary effects. 2. We note that Maven's stormwater modelling workstream commenced with the review and incorporation of BOPRC's Bell Road flood model. All relevant boundary conditions and inflows, including runoff contributions from the Papamoa/Wairakei urban growth area, were incorporated into the HEC-RAS model to ensure that cross-boundary stormwater interactions were appropriately represented. The modelling results demonstrate that the proposed development does not result in any material adverse effects on the Bell Road catchment or neighbouring land. Comparison of pre-development and post-development scenarios confirms that the proposed development does not adversely affect stormwater performance across the TCC/WBOPDC boundary. Any changes in flood levels within the Bell Road catchment are negligible and remain within acceptable modelling tolerances for all assessed events, including current and future climate scenarios up to and including the 1% AEP year ARI event.

RFI	Request	Response
		3. Assessment of pump and system performance under failure scenarios <u>has</u> been undertaken as part of the flood modelling assessment. A sensitivity assessment was undertaken assuming complete pump failure during the post-development 100-year ARI event with 3.68°C climate change and 1.59 m sea level rise allowances. This represents a highly conservative scenario used to test system resilience rather than a realistic operational outcome. Given the provision of backup generation, redundancy within the pump network, and adherence to current best-practice design standards, the residual risk associated with complete pump failure is considered low. Further details are provided in Appendix H – Flood Modelling Report Part 2 of 2 to the application (see Section 3: Pump Failure During the 100-Year ARI 3.68°C Event (Page 65)). 4. Please refer to RFI 3 above.
Wildlife		
5	In relation to Schedule 7, clause 2(1)(n) we have been unable to locate proof of iwi consultation in relation to wildlife and wildlife impacts within the AB Appendixes and the consultation section of the AEE.	To assist us in assessing if the application complies with s 46(2) of the Act, please confirm whether consultation with relevant hapū or iwi included the wildlife impacts of the application, and if so provide proof and details. The Te Kapua o Waitaha Cultural Impact Assessment (Appendix V of the application) appropriately addresses this request.
Other Matters		
6	The following request was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation. DOC's assessment found that the Site falls within the area of interest under the following Treaty Settlements: • Ngāti Pūkenga Claims Settlement Act 2017 • Tapuika Claims Settlement Act 2014 • Waitaha Claims Settlement Act 2013	To assist us in assessing if the application complies with s 46(2) of the Act, please provide any further information in relation to s 13(4)(l) and schedule 5, cl 5(1)(i) of the FTAA in relation to the information DOC has identified. Please see the separate letter prepared by The Environmental Lawyers on this matter, which is attached to this response as Attachment C.



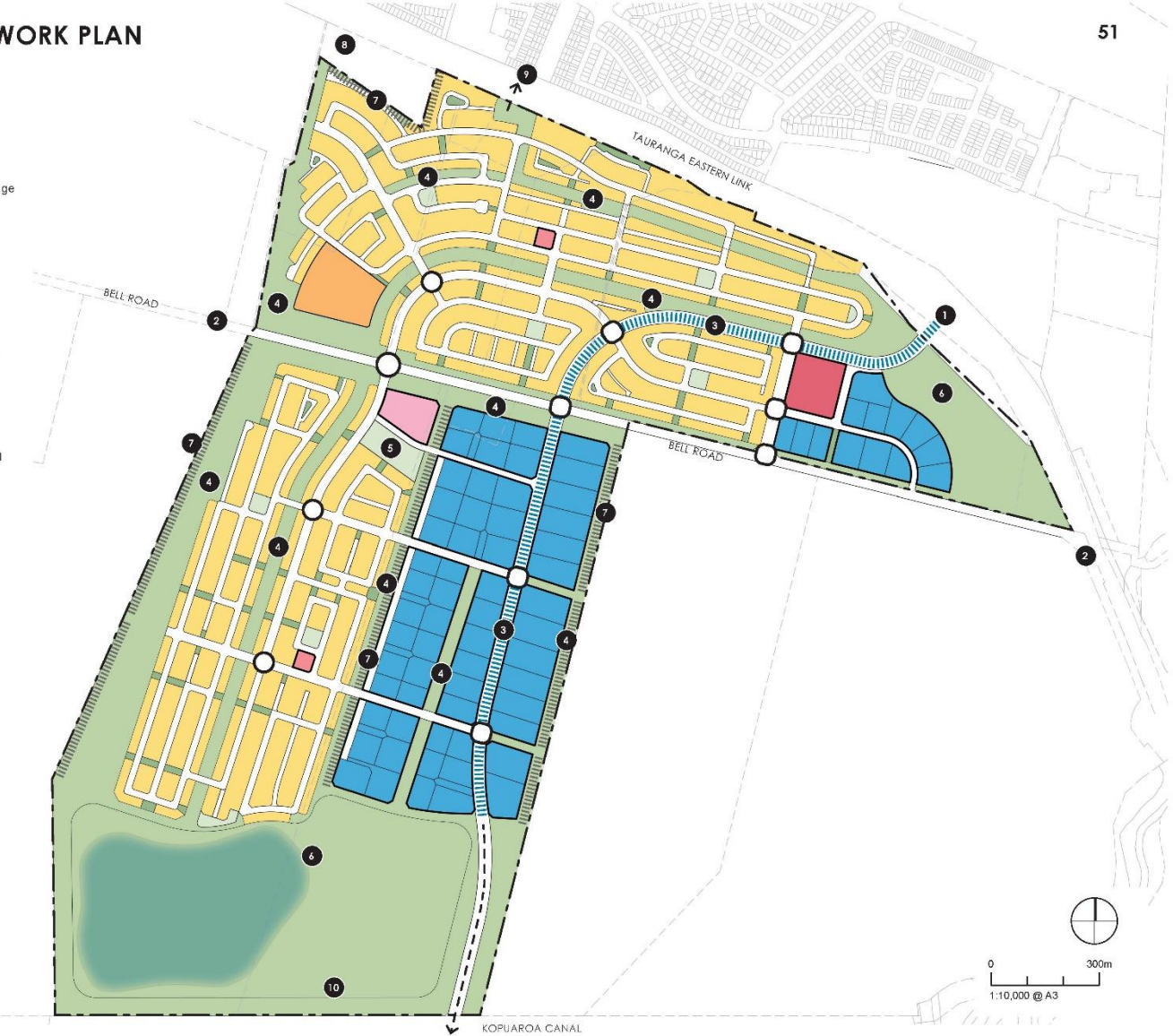
Attachment A - Annexure 2 of the Referral Amendment

ANNEXURE 2
UPDATED (AND CURRENT) MASTERPLAN

5.5 CONCEPT FRAMEWORK PLAN 28 OCTOBER 2025

- KEY**
1. New Connection to Papamoa East 2 Interchange
 2. Bell Road (Existing)
 3. Main Central Boulevard
 4. Stormwater Reserve / Conveyance Swale
 5. Major Neighbourhood Reserve
 6. Stormwater Treatment Wetland Area
 7. Landscape Buffer Strip / Development Extent (subject to LVA (TBC))
 8. Existing Power Sub-Station
 9. Existing Pathway Access Under TEL (via Large Box Culvert)
 10. Stormwater Wetland Outlet to Kopuaroa Canal

- LEGEND**
- SITE BOUNDARY
 - RESIDENTIAL (MCRZ) ZONE
 - EMPLOYMENT (INDUSTRIAL / COMMERCIAL)
 - SERVICE CENTRE
 - NEIGHBOURHOOD CENTRE
 - LOCAL CENTRE
 - PRIMARY SCHOOL
 - STORMWATER RESERVE
 - NEIGHBOURHOOD RESERVE
 - GREEN LINKS / POCKET PARKS / SERVICES CORRIDORS / STORMWATER CONNECTIONS
 - BUFFER RESERVE STRIP
 - SECONDARY ARTERIAL ROAD
 - FUTURE ROAD CONNECTION
 - KEY NETWORK SIGNALISED INTERSECTION
 - KEY NETWORK ROUNDABOUT





Attachment B - Wairakei South Addendum to Infrastructure Report



Wairakei South – Addendum to Infrastructure Report

Date: 17/06/2026

Subject: Stormwater conveyance and treatment solutions considered through master planning and substantive design phase

Purpose

This addendum has been prepared to supplement the Infrastructure Report (Appendix F of the AEE) to provide additional information regarding the stormwater conveyance and treatment options considered during the master planning and substantive design phase for Wairakei South. It should be read in conjunction with the Infrastructure Report, Stormwater Management Plan (Appendix G of the AEE) and the Flood Modelling Report (Appendix H of the AEE), which describe the existing catchment characteristics, groundwater conditions, drainage constraints, receiving environment and proposed stormwater management methodology.

Gravity Catchment Conveyance

A gravity-only drainage approach was considered during the initial master planning stage. This option offers reduced operational requirements and minimises reliance on mechanical infrastructure. However, a gravity-only solution was not considered a viable option for the entire development area and Bell Road Catchment due to:

- the low-lying nature of the site;
- the presence of the existing Kaituna River and Kopuaroa Canal stopbanks;
- capacity constraints within the existing drainage infrastructure beneath State Highway 2;
- the influence of downstream receiving water levels;
- the projected effects of climate change and sea-level rise; and
- the development site has no frontage to the Kaituna River.

It is also important to note that the catchment is currently managed predominantly by a pumped system.

Soakage Based Stormwater Disposal

Stormwater disposal via soakage within the development was also considered.

However, the site is characterised by a shallow groundwater environment and forms part of a low-lying managed drainage catchment. In addition, the proposed development platform is to be established through the placement of engineered fill across the development area. As a result, soakage systems



would be expected to have limited infiltration performance and would provide limited reliability as a primary stormwater management solution.

Infiltration based disposal also has the potential to adversely influence local groundwater levels, which is inconsistent with the broader drainage objectives for the site and surrounding catchment.

Therefore, soakage was not considered a practical or reliable stormwater disposal solution for the proposed development.

Adopted Conveyance Approach

The adopted stormwater conveyance strategy combines gravity drainage with targeted pumping infrastructure to manage potential flood effects, in line with the existing management strategy for the Bell Road Catchment.

Within the North Block, groundwater and stormwater collected within the proposed swale and stormwater management network are conveyed via gravity through the existing drainage system to the Bell Road Drain and ultimately the Kaituna River catchment.

Within the South Block, gravity drainage remains the primary conveyance mechanism under current operating conditions. The proposed Kopuaroa Pump Station has been incorporated to maintain long-term drainage functionality under future climate change and sea-level rise scenarios where rising receiving water levels progressively reduce the effectiveness of the existing gravity drainage pathways.

This hybrid approach makes use of all available gravity drainage solutions while providing resilience to future changes in downstream tailwater conditions and was assessed as the most practical and integrated conveyance solution for the development.

Stormwater Treatment Options Considered

A range of stormwater treatment approaches were considered during the master planning process.

Distributed Rain Gardens and Bioretention Devices

Treatment through distributed rain gardens, bioretention devices and similar at source measures located throughout the development area was considered.

Such systems can provide effective treatment close to the source of runoff and can be successfully incorporated into urban environments. However, for a development of this scale, a distributed treatment approach would require numerous treatment assets throughout the development, resulting in increased operational and maintenance requirements and a greater risk of variable long-term performance. The approach would also reduce opportunities to consolidate stormwater management functions within the wider open space network and would not provide the broader conveyance, attenuation and ecological benefits available through larger integrated stormwater management areas.

Accordingly, a distributed rain garden and bioretention approach was not considered the preferred treatment solution.

Gross Pollutant Traps and Proprietary Treatment Devices

The use of gross pollutant traps (GPTs) and proprietary stormwater treatment devices was also considered during the master planning process.

Such devices can be effective at capturing gross pollutants, litter and, in some cases, sediment and other contaminants from stormwater runoff. However, they generally function as standalone treatment assets and are typically most effective where site constraints limit the availability of larger integrated treatment systems.

For Wairakei South, the proposed stormwater management framework incorporates vegetated swales, stormwater management areas and wetlands that collectively provide a treatment train approach. This approach enables sediment removal, contaminant attenuation, flow management and ecological enhancement functions to be achieved within a single integrated system.

The use of GPTs and proprietary treatment devices would introduce additional treatment assets and associated maintenance requirements while providing limited additional benefit beyond that already achieved through the proposed integrated treatment train.

Accordingly, GPTs and proprietary treatment devices were not adopted as the primary stormwater treatment solution for the development.

Stormwater Management Wetlands

The use of two to three stormwater management wetlands located within the proposed open spaces was considered during the master planning process.

Such systems can provide consolidated treatment for a development of this scale and are capable of delivering sediment removal, contaminant attenuation, flow management and ecological enhancement functions within a single integrated asset. Stormwater management wetlands are generally most effective where sufficient hydraulic head is available to convey inflows into, through and out of the system under gravity, and where permanent water levels can be reliably maintained.

However, the low-lying nature of the development, paired with the requirement to keep inflow channel invert low in order to maximise available flood storage, meant that the necessary hydraulic gradient could not be achieved. Under these conditions, consolidated wetlands would not function correctly via gravity drainage, and reliable inflow, circulation and discharge could not be assured without introducing additional infrastructure such as pumping.

Accordingly, consolidated stormwater management wetlands were not considered the preferred treatment solution for the site.

Wetland Swales and Stormwater Management Wetlands (Adopted)

The adopted treatment strategy utilises vegetated wetland swales integrated within the proposed drainage network as the primary source of stormwater treatment. These swales provide treatment capable of addressing stormwater quality objectives while also delivering conveyance, attenuation, landscape and ecological benefits within a single integrated system. Treatment performance is able to be quantified and demonstrated against the relevant water quality criteria, and there are maintenance



efficiencies compared with a distributed treatment approach. Additionally, the larger attenuation areas are anticipated to develop unconsolidated wetland characteristics over time. Owing to the high groundwater table across the development and the absence of formal outlet control in these areas, sections of the attenuation storage are expected to remain permanently or seasonally wet, forming vegetated marshy environments. While these areas are expected to provide incidental water quality treatment and ecological benefit, their performance cannot be reliably quantified, and they are therefore not relied upon within the treatment calculations. Any treatment they provide is considered a secondary benefit additional to that achieved by the wetland swales. The integrated treatment wetland swales and bonus stormwater management “wetland” areas was therefore assessed as the most practical, resilient and effective stormwater treatment solution for the proposed development.

Conclusion

A range of stormwater conveyance and treatment options were considered throughout the master planning and design development process.

Having regard to the site's low-lying topography, existing drainage regime, groundwater conditions, future climate change and sea-level rise projections, and the requirement to provide stormwater quantity and quality management for the proposed development, the adopted approach comprising gravity drainage, targeted pumping infrastructure, vegetated swales and stormwater management “wetlands” was assessed as the most practical, resilient and integrated solution available.



Attachment C - Treaty Settlements Letter



18 June 2026

Environmental Protection Authority
Fast-track Consenting Team
Private Bag 63002
WELLINGTON 6140

For: Ben Bond, Team Leader, Fast-track Applications
Application Lead
Email: info@fasttrack.govt.nz

Dear Ben and [REDACTED]

WAIRAKEI SOUTH PROJECT – REQUEST FOR FURTHER INFORMATION

1. We act for the Bell Road Limited Partnership (“applicant”) in respect of its substantive application for the Wairakei South Project (“application”) lodged under the Fast-track Approvals Act 2024 (“FTAA”). This letter provides the applicant’s response to the following query in respect of the application, from the EPA’s letter of 3 June 2026:

The following request was raised as part of the mandatory consultation the EPA undertook with the Department of Conservation (“DoC”).

DoC’s assessment found that the Site falls within the area of interest under the following Treaty Settlements:

- Ngāti Pūkenga Claims Settlement Act 2017 (“NSA”)
- Tapuika Claims Settlement Act 2014 (“TSA”)
- Waitaha Claims Settlement Act 2013 (“WSA”)

To assist us in assessing if the application complies with section 46(2) of the FTAA, please provide any further information in relation to section 13(4)(i) and Schedule 5, clause 5(1)(i) of the FTAA in relation to the information DoC has identified.

2. As requested, we address the potential relevance of each of the identified Settlement Acts as follows.

Ngāti Pūkenga Claims Settlement Act 2017

Applicable principles from the NSA

3. The applicable principles of Ngāti Pūkenga’s Treaty Settlement are established via both the NSA and their 2013 Deed of Settlement. Those key principles can be summarised as follows:
 - (a) Restoration of Partnership and Te Tiriti Principles:

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- (i) *Honouring Te Tiriti*: Re-establishing the original relationship envisioned when rangatira Te Kou o Rehua signed Te Tiriti o Waitangi at Maungatapu in 1840.
 - (ii) *Good faith*: A commitment from the Crown to act in good faith and build an enduring, positive relationship with the iwi.
 - (iii) *Mutual respect*: Basing all future interactions on mutual respect for Ngāti Pūkenga's authority and governance.
- (b) Agreement on, acknowledgement of and apology for historical injustices:
 - (i) *Crown apology*: Sincere recognition of the suffering caused by historical breaches.
 - (ii) *Raupatu*: Acknowledging the unjust war brought to Tauranga Moana and the wrongful stripping of customary titles and the marginalisation that occurred as a result (which resulted in Ngāti Pūkenga being displaced to four fragmented, disconnected Kāinga: Maketū, Manaia, Ngāpeke, and Pakikakutu).
- (c) Cultural redress:
 - (i) *Return of land*: Returning ancestral lands to Ngāti Pūkenga to restore their ability to act as guardians over local environments.
 - (ii) *Statutory acknowledgements*: Legally recognising Ngāti Pūkenga's cultural, spiritual, and historical ties to specific locations (e.g., Manaia River and Manaia Harbour) to ensure they are formally consulted during environmental resource management processes.
 - (iii) *Co-governance*: Facilitating joint administration of crucial regional waterways and ranges, such as the Piako and Waihou rivers.
 - (iv) *Te Reo Māori investment*: Providing dedicated funding of \$500,000 for Ngāti Pūkenga's cultural revitalisation, and \$180,000 for marae revitalisation in Manaia.
- (d) Relationship redress:
 - (i) Entering into a specific relationship agreements with both the Ministry for Business, Innovation and Employment and the Minister of Conservation/Director-General of Conservation.
 - (ii) Entering into two protocols regarding taonga tūturu and Primary Industries respectively:
 - (A) The taonga tūturu protocol ("TTP") sets out how the Minister for Arts, Culture and Heritage and the Chief Executive for Manatū Taonga/Ministry for Culture and Heritage will interact with the Ngāti Pūkenga governance entity regarding any taonga tūturu found within the protocol area or identified as being of Ngāti Pūkenga origin found anywhere else Aotearoa. The "protocol area" for the TTP includes the "Tauranga and Maketū Kāinga Area of Interest" under the NSA, which the application site is within. But the TTP does not impose any specific obligations or create any additional requirements to be considered with respect to the application, as a result.



- (B) The primary industries protocol (“PIP”) is a protocol regarding the relationship between Ngāti Pūkenga, the Minister for Primary Industries and the Director-General of the Ministry for Primary Industries which sets out how and on what basis they will work together to maintain a positive, co-operative and enduring relationship with respect to matters in the “protocol area”. The PIP applies to fisheries, biosecurity and food safety portfolios administered by the Ministry for Primary Industries. However, the PIP does not cover processes regarding the allocation of aquaculture space. The application site is not within the “protocol area” for the purposes of the PIP.
- (iii) Receiving support from the Minister for Treaty of Waitangi Negotiations to enhance Ngāti Pūkenga's relationship with both other ministries and specific organisations.
- (e) Economic redress:
 - (i) *Commercial and financial redress:* Ngāti Pūkenga received financial redress of \$7 million. Commercial rights of first refusal were also granted to empower the iwi to manage and grow its own asset base.
 - (ii) *Centralised governance:* Managing all settlement assets autonomously via the post-settlement entity, Te Tāwharau o Ngāti Pūkenga Trust, to ensure the long-term well-being of all descendants.

Applicable provisions from the NSA

- 4. As noted, the application site is within the “Tauranga and Maketu Kainga Area of Interest” under the NSA. But the application site does not include or affect any of the nine cultural redress properties under that Act (Schedules 2 and 3 of the NSA).
- 5. The NSA includes five statutory areas (Schedule 1 of the NSA). Of those, only one is potentially relevant (or in any proximity to) the application site: Te Tumu to Waihi Estuary coastal statutory area (“statutory area”). In accordance with section 38(2) of the NSA, the statutory acknowledgment in respect of the statutory area applies, and is limited, to the area between mean high-water springs and mean low-water springs.
- 6. Section 30 of the NSA further provides that the only purposes of the statutory area are as follows:
 - (a) In respect of any resource consent application for an activity *within, adjacent to or directly affecting* the statutory area, to require:
 - (i) A relevant consent authority to have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991 (“RMA”), whether the trustees¹ are affected persons in relation to the activity (section 31 of the NSA); and
 - (ii) The Environment Court to have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the RMA, whether the

¹ As defined in section 11(1) of the NSA.



trustees are persons with an interest in the proceedings greater than that of the general public (section 32 of the NSA).

- (b) In respect of any application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZA") for an authority to undertake an activity that will or may modify or destroy an archaeological site *within* the statutory area, to require:
 - (i) Heritage New Zealand Pouhere Taonga ("HNZ") to have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the HNZA in relation to the application (section 33(2) of the NSA); and
 - (ii) The Environment Court to have regard to the statutory acknowledgement relating to the statutory area in determining:
 - (A) Whether the trustees are persons directly affected by the decision; and
 - (B) Under section 59(1) or 64(1) of the HNZA, an appeal against a decision of HNZ in relation to the application (section 33(3) of the NSA).
 - (c) To require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate wholly or partly to the statutory area (section 34 of the NSA).
 - (d) To require relevant consent authorities to provide summaries of resource consent applications or copies of notices of applications served under section 145(10) of the RMA to the trustees, where the application is for an activity *within, adjacent to, or directly affecting* the statutory area (section 35 of the NSA).
 - (e) To enable the trustees and any member of Ngāti Pūkenga to cite the statutory acknowledgement as evidence of the association of Ngāti Pūkenga's association with the statutory area, in submissions concerning activities *within, adjacent to, or directly affecting* the statutory area that are made to or before:
 - (i) Relevant consent authorities; or
 - (ii) The Environment Court; or
 - (iii) HNZ; or
 - (iv) The Environmental Protection Authority or a board of inquiry under Part 6AA of the RMA (section 36 of the NSA).
7. The following limitations also apply in respect of the statutory area and statutory acknowledgement relating to that area:
- (a) Except as expressly provided for in sections 30 to 33 and 36 of the NSA:
 - (i) The statutory acknowledgement relating to the statutory area does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and
 - (ii) A person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association



of Ngāti Pūkenga with a statutory area than that person would give if there were no statutory acknowledgement or deed of recognition for the statutory area (section 39 of the NSA).

- (b) The statutory acknowledgement does not:
 - (i) Affect the lawful rights or interests of a person who is not a party to the deed of settlement; or
 - (ii) Have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, the statutory area (section 40 of the NSA).

Assessment: Relevance of and compliance with the NSA

- 8. In respect of the above statutory provisions:
 - (a) The application site is not within or adjacent to the statutory area. Nor does it directly affect that area.
 - (b) The application does not involve any proceedings before the Environment Court.
 - (c) The Panel established to determine the application under the FTAA is not a “relevant consent authority” for the purposes of the NSA.² Nor is it established under Part 6AA of the RMA.
 - (d) There are no applicable provisions from any planning instrument (including the operative Bay of Plenty Regional Policy Statement (“RPS”), operative Regional Natural Resources Plan (“RNRP”) or operative Western Bay of Plenty District Plan (“ODP”)) relating to the NSA or statutory area which the applicant has not identified, addressed or complied with.
- 9. Accordingly:
 - (a) The application site is not within or adjacent to “a statutory area” as defined in the NSA (clause 5(1)(b)(i) of Schedule 5 to the FTAA);
 - (b) The applicant has provided all information about the NSA as it relates to the application, including identifying all relevant provisions in that Act (and the Settlement to which it relates) (section 13(4)(l) and clause 5(1)(i)(i) of Schedule 5 to the FTAA); and
 - (c) There is no redress provided in the NSA that affects natural and physical resources relevant to the application or application site (clause 5(1)(i)(ii) of Schedule 5 to the FTAA).
- 10. Notwithstanding the above, the applicant has contacted Ngāti Pūkenga regarding the application and correspondence with them is ongoing.³

² In accordance with the relevant definitions of “consent authority” provided in sections 11(1) of the NSA and section 2(1) of the RMA, together with the definition of “relevant consent authority” provided in section 28 of the NSA.

³ As outlined in Section 5.1 of the assessment of environmental effects submitted in support of the application and Appendix E – Mana Whenua consultation of Appendix AB to the application.



Tapuika Claims Settlement Act 2014

Applicable principles from the TSA

11. The applicable principles of Tapuika's Treaty Settlement are established via both the TSA and their 2012 Deed of Settlement. Those key principles can be summarised as follows:

- (a) Finality and closure:
 - (i) *Full and Final Settlement:* The settlement provides a comprehensive, full, and final settlement of all historical (pre-September 21, 1992) claims by Tapuika against the Crown.
 - (ii) *Legislative Enactment:* Tapuika is prevented from re-litigating these historical claims before the Waitangi Tribunal or the courts, while preserving any rights to pursue claims for post-1992 acts or omissions.
- (b) Crown acknowledgments and apology:
 - (i) The foundation of the settlement is a formal acknowledgment by the Crown of its historical breaches of the Treaty of Waitangi and its principles. Based on an agreed historical account of Crown actions, the Crown issued a formal apology to Tapuika for failing to protect their tribal estate and interests in the 19th and 20th centuries.
- (c) Cultural redress and protection principles:
 - (i) Cultural redress is guided by principles that recognise the spiritual, historical, and cultural associations of Tapuika with their rohe, including:
 - (A) *Vesting of Land:* The vesting of several culturally significant sites directly to Tapuika, such as the Pokopoko Stream Scenic Reserve (134.4 hectares).
 - (B) *Statutory Acknowledgements and Deeds of Recognition:* The Crown provides statutory acknowledgements over 27 areas and waterways (including the Kaituna River).
 - (C) *Opoutihi Protection Principles:* Specific protocols (known as Whenua Rāhui) were established for sites such as Opoutihi to outline shared principles for protecting wāhi tapu, indigenous flora and fauna, and allowing Tapuika to deal with un-earthed koiwi in accordance with their tikanga. The Whenua Rāhui is not within the application site.
 - (D) *Co-governance:* The settlement supported the establishment of the Kaituna River Authority (Te Maru o Kaituna) to restore and protect the environmental and spiritual health of the river.
- (d) Relationship redress:
 - (i) Entering into two protocols regarding taonga tūturu and Crown minerals respectively and a conservation relationship agreement:
 - (A) The TTP sets out how the Minister for Arts, Culture and Heritage and the Chief Executive for Manatū Taonga/Ministry for Culture and Heritage will



interact with the Tapuika governance entity regarding any taonga tūturu found within the protocol area or identified as being of Tapuika origin found anywhere else in Aotearoa. The application site comes within the “protocol area” for purposes of the TTP. But the TTP does not impose any specific obligations or create any additional requirements to be considered with respect to the application, as a result.

- (B) The Crown minerals protocol (“CMP”) is a protocol between Tapuika and the Minister of Energy and Resources regarding consultation that must occur in respect of various minerals programmes, block offers, applications, permits and other matters relating to Crown minerals. The application site is within the “protocol area” for the purposes of the CMP. But the CMP does not impose any specific obligations or create any additional requirements to be considered with respect to the application, as a result.
- (C) The Conservation Relationship Agreement (“CRA”) sets out how DoC and Tapuika will work together in fulfilling the agreed strategic objectives across the Tapuika Agreement Area. It is a framework to foster the development of a positive, collaborative and enduring relationship into the future between Tapuika and DoC. The application site is within the Tapuika Agreement Area for the purposes of the CRA. But the CRA does not impose any specific obligations or create any additional requirements to be considered with respect to the application, as a result.

(e) Financial and commercial redress:

- (i) *Financial Compensation:* The settlement included a financial redress package of \$6 million plus accrued interest to support the economic and social development of the iwi.
- (ii) *Commercial Presence:* To enhance Tapuika's cultural and economic presence in Te Puke (the heart of their traditional territory), the settlement included \$0.5 million as well as options to purchase commercial transfer properties and rights of first refusal over designated Crown lands (such as parts of Te Matai Forest) for up to 171 years.

(f) Representation and accountability (Post-Settlement Governance):

- (i) The settlement principles ensure that all benefits and assets are managed by a transparent, democratic governance entity. The Tapuika Iwi Authority Trust (“TIA”) is the mandated representative organisation responsible for managing the settlement's assets for the benefit of all Tapuika members, wherever they may live.

Applicable provisions from the TSA

Cultural redress properties

12. The application site is within Tapuika's “Area of Interest” under the TSA. But the application site does not include or affect any of the 15 cultural redress properties under that Act (Schedules 2 and 3 of the TSA).



Statutory areas

13. The TSA includes 27 statutory areas (Schedule 1 of the TSA). Of those, only two are potentially relevant (or in close proximity to) the application site: the Kaituna River and the coastal marine area from Little Waihi to Wairakei. The provisions in the TSA regarding the purposes and effect of the statutory areas identified in that Act are virtually identical to those provided in the NSA as outlined in paragraphs 6 and 7 above (see Part 2, Subpart 2 of the TSA).

Kaituna River

14. Part 3 of the TSA provides for the establishment of Te Maru o Kaituna and preparation of the Kaituna River document.
15. The purpose of Te Maru o Kaituna is the restoration, protection, and enhancement of the environmental, cultural, and spiritual health and well-being of the Kaituna River (section 115 of the TSA). In order to achieve that purpose, the functions of Te Maru o Kaituna include (section 116 of the TSA):
- (a) Preparing and approving the Kaituna River document;
 - (b) Monitoring the implementation and effectiveness of the Kaituna River document;
 - (c) Supporting the integrated and collaborative management of the Kaituna River;
 - (d) Providing advice and recommendations to local authorities:
 - (i) Relating to projects, action, or research designed to restore, protect, or enhance the health and well-being of the Kaituna River; and
 - (ii) On the appointment of commissioners to hear and decide applications for resource consents under the RMA that affect the Kaituna River; and
 - (e) Facilitating the participation of iwi in the management of the river.
16. The purpose of the Kaituna River document is (section 122 of the TSA):
- (a) To promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Kaituna River; and
 - (b) To the extent necessary to fulfil the purpose described in paragraph (a), to provide for the social and economic well-being of people and communities.
17. Section 123 of the TSA provides that local authorities must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document, in preparing or amending a regional policy statement, regional plan or district plan under the RMA.

Lower Kaituna Wetlands Wildlife Management Reserve

18. Sections 130-132 of the TSA address the vesting, gifting and future management of the Lower Kaituna Wetlands Wildlife Management Reserve ("Reserve"). The Reserve is located to the south-east of the application site, along the southern boundary of the Kaituna River.



19. The TSA provides that ownership of the Reserve is to be vested either jointly in the trustees of the Tapuika Iwi Authority Trust and the Ngāti Whakaue entity, or solely in the trustees. Under either process, the fee simple in the Reserve automatically vested in the Crown a short period thereafter, as a gifting back to the Crown by the trustees (and Ngāti Whakaue entity, if appropriate) for the people of Aotearoa.

Assessment: Relevance of and compliance with the TSA

20. Having regard to the above, the applicant's position is as follows:
- (a) The application site is not within or adjacent to "a statutory area" as defined in the TSA (clause 5(1)(b)(i) of Schedule 5 to the FTAA);
 - (b) The applicant has provided all information about the TSA as it relates to the application, including identifying all relevant provisions in that Act (and the Settlement to which it relates) (section 13(4)(l) and clause 5(1)(i)(i) of Schedule 5 to the FTAA); and
 - (c) There is no redress provided in the TSA that affects natural and physical resources relevant to the application or application site (clause 5(1)(i)(ii) of Schedule 5 to the FTAA).
21. However, the applicant acknowledges that the application is in proximity to both the Kaituna River and the Reserve. It has accordingly engaged directly with both Te Maru o Kaituna and TIA regarding the application for over a year now. And that engagement is ongoing.⁴ It has also ensured that the application has properly assessed and addressed any potential downstream effects of the proposal on both the Kaituna River and Reserve. Noting of course that the vision, objectives and desired outcomes of the Kaituna River document must be appropriately incorporated into the RPS, RNRP and ODP, in accordance with section 123 of the TSA.

Waitaha Claims Settlement Act 2013

Applicable principles from the WSA

22. The applicable principles of Waitaha's Treaty Settlement are established via both the WSA and their 2011 Deed of Settlement. Those key principles can be summarised as follows:
- (a) The principle of Ngā Tikanga o Waitaha (tribal identity and values):
 - (i) Unlike generic settlements, the Waitaha framework explicitly embeds Ngā Tikanga o Waitaha as its foundational guiding principles. The Crown and iwi agreed that the settlement must uphold and reinforce these specific cultural dimensions:
 - (A) *Te Mauriora and Te Mauritapu*: Prioritising human well-being, healthy emotional expression, and positive community behaviours.
 - (B) *Te Whakakaha and Te Whakanui*: Actively strengthening and elevating the presence, language, and culture of the iwi.
 - (C) *Manaaki and Awhina*: Nurturing, supporting, and caring for all members.

⁴ Ibid.



- (D) *Te Whakapapa ki te Whenua and Te Kaitiaki*: Honouring genealogy, deep kinship to the land, and the tribal obligation of environmental stewardship/guardianship.
- (b) The elevation of ancestral redress (the Hakaraia principle):
- (i) A defining core component of this settlement is the formal recognition of the Waitaha tūpuna Hakaraia Mahika. Hakaraia was a significant 19th-century poropiti and rangatira who initially preached peaceful engagement but was later targeted during the Crown's military campaigns. The principle here mandates that the cultural, economic, and historical redress must explicitly restore his honour and address the specific grievances related to his unjust treatment and the subsequent Crown raupatu of Waitaha lands.
- (c) Absolute finality and universality:
- (i) *Comprehensive Resolution*: The settlement provides a full and final resolution of all historical Treaty claims resulting from Crown acts or omissions prior to September 21, 1992.
 - (ii) *Inclusive Benefit*: Assets and benefits secured through the settlement are managed under the principle that they must benefit all members of Waitaha, regardless of where they currently live.
- (d) Cultural redress:
- (i) The settlement applies the principle of *active protection* of Waitaha interests by restoring ownership and management input over ancestral sites:
 - (ii) *Vesting of Sites*: Culturally critical sites were returned to the iwi in fee simple, including the Hine Poto, Ohineangaanga, and Te Haehae sites. Historic locations like the Maungaruahine Pā Historic Reserve were vested back to be managed appropriately as reserves.
- (e) Relationship redress:
- (i) Entering into two protocols regarding taonga tūturu and Crown minerals respectively, to the same effect as for Tapuika under the TSA.
 - (ii) Entering into a Conservation Protocol ("CP") with the Minister of Conservation. The CP sets out a framework that enables DoC and Waitaha to establish a constructive working relationship that gives effect to section 4 of the Conservation Act 1987. It provides for Waitaha to have meaningful input into relevant policy, planning and decision-making processes in DoC's management of conservation lands and fulfilment of statutory responsibilities within the Waitaha Protocol Area. The application site comes within the Waitaha Protocol Area for purposes of the CP. But the CP does not impose any specific obligations or create any additional requirements to be considered with respect to the application, as a result.
- (f) Economic restoration and recompense:



- (i) *Compensatory Redress*: Grounded in the Treaty principle of *redress* (fair compensation for wrongs suffered), the settlement provides a financial and commercial package.
- (ii) *Self-Determination*: These resources are designated specifically to provide the post-settlement governance entity, Te Kapu o Waitaha, with the independent means to advance the economic and social well-being of their people moving forward.

Applicable provisions from the WSA

Cultural redress properties

23. The application site is within Waitaha’s “Area of Interest” under the WSA. But the application site does not include or affect any of the eight cultural redress properties under that Act (Schedules 3 and 4 of the WSA).

Statutory areas

24. The TSA includes 16 statutory areas (Schedule 1 of the WSA). Of those, the following are potentially relevant (or in close proximity to) the application site:
- (a) Part of the Kaituna River;
 - (b) Te Kopuaroa River;
 - (c) Wairakei Stream; and
 - (d) Coastal marine area from Maketu to Mauao.
25. The provisions in the WSA regarding the purposes and effect of the statutory areas identified in that Act are virtually identical to those provided in the NSA as outlined in paragraphs 6 and 7 above (see Part 2, Subpart 2 of the WSA).

Declaration of Te Whakairinga Kōrero

26. Two sites are subject to an overlay classification called Te Whakairinga Kōrero – Ōtawa and Te Ara a Hei (section 42 of the WSA). But neither of those sites are within the application area.

Assessment: Relevance of and compliance with the WSA

27. Having regard to the above, the applicant’s position is as follows:
- (a) The application site is adjacent to the Te Kopuaroa River statutory area. Otherwise, the application site is not within or adjacent to “a statutory area” as defined in the WSA (clause 5(1)(b)(i) of Schedule 5 to the FTAA);
 - (b) The applicant has provided all information about the WSA as it relates to the application, including identifying all relevant provisions in that Act (and the Settlement to which it relates) (section 13(4)(l) and clause 5(1)(i)(i) of Schedule 5 to the FTAA); and
 - (c) There is no redress provided in the WSA that affects natural and physical resources relevant to the application or application site (clause 5(1)(i)(ii) of Schedule 5 to the FTAA).



28. The applicant also acknowledges that the application is in proximity to both the Kaituna River and the Reserve. It has accordingly engaged directly with Waitaha for over a year now. That engagement is ongoing and has resulted in Waitaha preparing a Cultural Impact Assessment which has been provided with the application.⁵ The applicant has also ensured that the application has properly assessed and addressed any potential downstream effects of the proposal on the Te Kopuaroa River, the Kaituna River and Reserve.

Conclusion

29. We trust the above provides a sufficient response to the relevant query from the EPA's letter of 3 June 2026. We are able to expand on any aspect of the above in more detail, if required.

Yours faithfully

Helen Andrews
Director

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⁵ Ibid.