Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

# Memorandum on Completeness and Scope

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| **File** | FTAA-2603-1179 |
| **Application** | Auckland Prison Capacity Increase |
| **To** | Team Leader LOA |
| **From** | [redacted] |
| **Date** | 24 April 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 Auckland Prison Capacity Increase application, lodged by Department of Corrections (the Applicant), received by the Fast-track Team on 1/04/2026 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 1/04/2026. 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)).

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:

   *"Alter the designation conditions and undertake works to enable the increase in prisoner numbers to approximately 1,200"*

9. The approximate geographical location is identified in Schedule 2 of the Act as:

   *"530 Paremoremo Road, Paremoremo, Auckland"*

10. The application is for the following activity:

    *"The proposal as is sought to be enabled by this Substantive Application, seeks to increase the capacity at Auckland Prison in Pāremoremo Auckland from the current designation limit of 681 prisoners to 1,220 prisoners"* (Page 12; Volume 1 of the substantive application).

11. Whilst Appendix 2 specifies that the application is to increase in prisoner numbers to approximately 1,200, this substantive application seeks an increase to 1,220 prisoners. This difference has been addressed in Appendix 1E to Volume 1: "*Given the reference in the listing is to approximately 1,200, an increase to 1,220 is considered to be consistent with that description and presents no jurisdictional issue*" (paragraph 24, page 9). I agree with this assessment because although the application is for slightly more prisoners than referenced in Schedule 2, the increase of 20 more prisoners than that specified in the project description is less than 2%, and I consider it to fall within an acceptable margin of variance given the project description refers to "approximately" 1,200.

12. The geographic location identified in the substantive application differs from that set out in Schedule 2. The substantive application describes the project site as "*Auckland Prison, 530 Pāremoremo Road, 505 Pāremoremo Road, and 540 Pāremoremo Road, Pāremoremo, Auckland*" (Volume 1, page 3). Whilst 505 and 540 Pāremoremo Road are not expressly listed within the approximate geographic location specified in Schedule 2, the use of the term "approximate" allows for a degree of flexibility. 505 and 540 Pāremoremo Road are contiguous parcels to 530 Pāremoremo Road but for separation by road and, as noted by the applicant in Appendix 1E of Volume 1, all of the addresses fall within the current designation extent. Based on the wording of the project description in Schedule 2, it is reasonable to conclude that the project was intended to apply to the entire designation site. Accordingly, in my opinion, the additional addresses do not mean that the application no longer "solely" relates to the project as described in Schedule 2 of the Act.

13. The substantive application also proposes amending the designation to reduce its spatial extent by removing the Prison Village at 540 Pāremoremo Road, on the basis that the facility is no longer required for prison purposes (Volume 1, paragraph 111). While the prison village was originally developed to provide accommodation for staff (Volume 1, paragraph 107), the majority of dwellings are now rented to non-staff or people otherwise not associated with the Auckland Prison Village (Volume 1, paragraph 110). As noted in Volume 1, paragraph 111, "*the designation is proposed to be removed through this process to provide certainty and confidence that the Prison Village land will not be used for prison purposes in the future (as could potentially be the case were the land to remain designated)*". Although this proposed reduction is not explicitly referenced in Schedule 2, it does not detract from the purpose of the project as set out in the project description ("to enable the increase in prisoner numbers") and it confirms that the increase can be accommodated within the reduced spatial extent. I consider that with the removal of the Prison Village the application still solely relates to a listed project, as described in Schedule 2, specifically in relation to prisoner capacity. As the overall purpose of the project remains unchanged, the reduction in spatial extent of the designation does not affect the project's alignment with the Schedule 2 listing.
14. Accordingly, I consider that the application relates solely to the listed project.

**Legislative context**

15. 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.
16. 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**

17. 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.
18. This application has been lodged by Department of Corrections. This person is the authorised person under Schedule 2 of the Act.
19. The approvals being sought are:

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

20. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.
21. It should be noted that whilst the Department of Corrections is the authorised applicant, the Minister of Corrections is the Requiring Authority who holds the existing the designation. Paragraph 300 of Volume 1 of the substantive application (page 66) states that "*The alteration to the designation is applied for by Corrections on behalf of the Minister of Corrections ... As a result, Corrections is able to undertake the work to be covered by the approvals*". Additionally, paragraph 14 of Appendix 1E to Volume 1 states that "*While it is the Minister who holds the current designation in place at Auckland Prison and who is entitled to give Auckland Council notice of a requirement to alter that designation under the RMA, it is Corrections who is making this application under the FTAA as the "authorised person". Corrections does so on the delegated authority of the Minister in respect of the notice of requirement, and in its own right in respect of the other approvals sought.*"
22. As the Department of Corrections assert in their legal submissions that they are acting on the delegated authority of the Minister of Corrections, in my opinion the applicant is eligible to apply for a designation alteration under the Act.

**Section 43 Requirements**

23. 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**

24. 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.
25. 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.
26. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.

## Ineligibility

27. 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.
28. 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.
29. I consider that, on the face of the application, the project does not appear to involve an ineligible activity (Section 10.2 Volume 1 refers).

## Notification by applicant

30. 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.

31. I have checked and reviewed the dates of notification sent to the persons or groups in section 29(1)(aa) and confirmed that the application has lodged their application only after each 20 working day period has elapsed.

**Fees and levies**

32. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:

**Consultation**

33. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
    - Auckland Council for:
        i. an approval described in section 42(4)(a) (resource consent)
        ii. an approval described in section 42(4)(d) (designation)
    - The Department of Conservation for:
        i. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
    - Heritage New Zealand Pouhere Taonga for an approval described in section 42(4)(i) (archaeological authority)
34. A summary of the consultation is included as Appendix 2.

**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 |
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| 5(1)(a) | A description of the proposed activity | **Volume 3, Section 3.0, Page 21-30** | Addressed as stated by the applicant. |

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| 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—<br>(i) a statutory area (as defined in the relevant Treaty settlement Act); or<br>(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<br>(iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011 | **Volume 3, Section 2.0, Page 4 and Volume 1, Section 8.0, Page 45-49** | Addressed.<br>Volume 3, Section 2.0, Pages 4-6 contains a description and map of the site, including the proposed activity subject to the resource consent application.<br>Volume 1, Section 8.0, Page 45-49 provides a description of the relevant statutory areas (as defined in the relevant Treaty settlements) and the adjacent projected customary rights areas under MACA act.<br>Volume 1, Paragraph 241 (page 45) states that "*the Auckland Prison site is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou*."<br>Volume 1, Appendix 1C, Figure 6 includes a map with the statutory areas. |

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| 5(1)(c) | Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:<br>• section 42; and<br>• sections 43 and 44; and<br>• relates solely to a listed project or a referred project; and<br>• any fee, charge, or levy payable under regulations in respect of the application is paid. | **Volume 3, Section 8.0, Page 93** | Addressed as stated by the applicant.<br>*"All information requirements of the FTAA (including section 46(2)(a), (b) and (d)) is provided in Appendix 1H of the Volume 1 – Overview Report of the Substantive Application. The Auckland Prison Capacity Increase Proposal is a listed project under Schedule 2 of the FTAA."* |
| 5(1)(d) and 5(6) | The full name and address of—<br>(i) each owner of the site and of land adjacent to the site; and<br>(ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry;<br>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)). | **Volume 1, Section 10.1, Page 61** | Addressed.<br>Appendix 1I. |

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| 5(1)(e) | A description of any other activities that are part of the proposal to which the consent application relates | **Volume 3, Section 3.3, Page 29-30** | Addressed, as stated by the applicant, with reference to volumes 1 and 2 of the substantive application. |
| 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 | **Volume 3, Section 4.0, Page 30-42** | Addressed, as stated by the applicant, with reference to volumes 1 and 2 of the substantive application. |
| 5(1)(g) | An assessment of the activity against sections 5, 6 and 7of the Resource Management Act 1991 | **Volume 3, Section 6.2, Page 71-73** | While the section referenced by the applicant provides a very high-level assessment against sections 5, 6, and 7 of the RMA, Volume 2, Section 8.0 (pages 202–206) of the substantive application contains a clear and comprehensive assessment against the Part 2 provisions of the RMA. When the substantive application is considered in its entirety, my assessment is that this requirement has been met. |

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| 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:<br>• a national environmental standard:<br>• other regulations made under the Resource Management Act 1991:<br>• a national policy statement:<br>• a New Zealand coastal policy statement:<br>• a regional policy statement or proposed regional policy statement:<br>• a plan or proposed plan:<br>• a planning document recognised by a relevant iwi authority and lodged with a local authority.<br>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:<br>• any relevant objectives, policies or rules in the documents listed; and<br>• any requirement, condition, or permission in any rules in any of those documents; and<br>• any other requirements in any of those documents. | **Volume 3, Section 6.0, Page 70-90** | Addressed as stated by the applicant.<br>The following documents have been assessed:<br>• the New Zealand Coastal Policy Statement 2010 (amended 2025)<br>• the National Policy Statements for:<br>  ◦ Infrastructure 2025,<br>  ◦ Indigenous Biodiversity 2023 (amended 2025),<br>  ◦ Freshwater Management 2020 (amended 2025),<br>  ◦ Urban Development 2020,<br>  ◦ Highly Productive Land 2022 (amended 2025)<br>  ◦ and Natural Hazards 2025;<br>• the Resource Management (National Environmental Standards for<br>• Freshwater) Regulations 2020, |

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| | | | • and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;<br>• the Regional Policy Statement (RPS) contained within the Unitary Plan; and<br>• the regional and district components of the Unitary Plan.<br><br>Appendix 1F provides an overview of relevant Treaty settlement legislation, Deeds of Settlement and Iwi Environmental Management Plans. |
| 5(1)(i) | Information about any Treaty settlements that apply in the area covered by the consent application, including—<br><br>(i) identification of the relevant provisions in those Treaty settlements; and<br><br>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area | **Volume 1, Section 8.0, Page 45-49** | Addressed, as stated by the applicant.<br><br>Also refer to Appendix 1F for the relevant provisions and any redress provided for by the relevant treaty settlements. |

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| 5(1)(j) | A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011; | **Volume 1, Section 8.2, Page 46-47** | Addressed, as stated by the applicant.<br>Paragraph 241 of Volume 1 states that "*the Auckland Prison site is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou*", however, there are 18 applicants are seeking recognition of Customary Marine Title and Protected Customary Right. |
| 5(1)(k) | Any conditions that the applicant proposes for the resource consent. | **Volume 3, Section 5.0, Page 43-69, and Volume 6B** | Addressed.<br>Volume 3; Tables 4-13 identify the proposed consent conditions; whilst Appendix 6B includes the full suite of proposed conditions associated with the resource consent application. |

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| 5(1)(l) | if a notice under section 30(3)(b) or (5) has been received,—<br>(i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and<br>(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. | **Volume 3, Section 8.0, Page 94** | Addressed.<br>Appendix 1J refers. |
| 5(4)(a) | An assessment of the activity's effects on the environment that includes the information required by clause 6. | **Volume 3, Section 5.0, Page 43-69** | Addressed, as stated by the applicant.<br>Also refer to assessment below. |
| 5(4)(b) | An assessment of the activity's effects on the environment that covers the matters specified in clause 7. | **Volume 3, Section 5.0, Page 43-69** | Addressed, as stated by the applicant.<br>Also refer to assessment below. |

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| 6 | (1) The assessment of an activity's effects on the environment must include the following information:<br>(a) an assessment of the actual or potential effects on the environment:<br>(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:<br>(c) if the activity includes the discharge of any contaminant, a description of—<br>(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and<br>(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:<br>(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:<br>(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: | **(a)-(b), (d) and (g) – Volume 3, Section 5.0, Page 43-69**<br>**(c) – Volume 3, Section 5.7, Page 59-61**<br>**(e)-(f) – Volume 1, Section 9.0, Page 50-60**<br>**(h) – Volume 3, Section 5.9, Page 64- 66** | Addressed, as follows:<br>a) Volume 3, Section 5.0, Page 43-69<br>b) Volume 3, Section 5.6, Page 59 states that "*No hazardous installations are proposed as a part of the proposed works*".<br>c) Paragraph 233; volume 3 notes that "*while a watercourse is not an identified HAIL* [Hazardous Activities and Industries List] *activity, PCOC* [potential contaminants of concern] *can arise in sediment / soil and water from surrounding land uses*"<br>i. The nature of the discharge is identified in paragraph 137, volume 3, which identifies a complete source-pathway-receptor linkage for watercourse 1 for asbestos and heavy metals analyte lead associated with established HAIL activities. The sensitivity of the |

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| | (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:<br>(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:<br>(h) an assessment of any effects of the activity on the exercise of a protected customary right. | | receiving environments is addressed in Appendix 3B.<br>ii. Volume 3, section 5.7.1 provides methods to avoid disturbance and discharge of contaminants firstly, followed by disposal methods.<br>d) Volume 3, Section 5.0, Page 43-69<br>e) Volume 1, Section 9.0, Page 50-60. Also, Appendices 1G and 1F.<br>f) Volume 1, Section 9.3, Page 54-59 and Appendix 1F.<br>g) The scale of effects is described in Volume 3, Section 5.0, pages 43–69. Paragraph 277 concludes that "*overall, the effects of the proposed watercourse works can be avoided or appropriately mitigated through the proposed resource consent conditions (and proposed designation conditions where relevant).*" Monitoring requirements, should the activity |

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| | | | be approved, are set out in Appendix 6B (Proposed Resource Consent Conditions).<br>h) Paragraph 295, Volume 3, states "*There are no protected customary rights over those parts of Watercourses 1 and 2 which are the subject of this resource consent application*". |

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| 7 | The assessment of an activity's effects on the environment must cover the following matters:<br>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:<br>(b) any physical effect on the locality, including landscape and visual effects:<br>(c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:<br>(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:<br>(e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:<br>(f) any unreasonable emission of noise:<br>(g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations. | **Volume 3, Section 5.0, Page 43-69** | Addressed, as follows:<br>a) Cultural effects are addressed in Voume 3, section 5.9 (page 64 – 65) and Appendix 1F.<br>Social effects are addressed in Voume 3, section 5.10 (pages 66 – 67) and Appendix 2D<br>Economic effects were addressed in Voume 3, section 5.11 (page 67 – 68) and Appendix 2E.<br>b) Voume 3, section 5.4 (pages 49 - 52) addresses landscape, visual and natural character effects. Also refer to Appendix 3C.<br>c) Voume 3, section 5.2 (pages 44-47) addresses ecosystem effects. Also refer to Appendix 3B.<br>d) Addressed generally in Volume 3, appendix 5.0 (pages 43-69) , with particular reference to sections 5.4, 5.9, and 5.10.<br>e) Voume 3, section 5.7 (pages 59-61) addresses potential contamination effects, including |

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| | | | management options for disposal of contaminated material. Also refer to Appendix 3M.<br>f) Volume 3, section 5.5.2 (pages 53-55) addresses noise effects. Also refer to Appendix 3E.<br>g) Volume 3, section 5.8 (pages 61-64) addresses the risks from natural hazards. Note that Volume 3, Section 5.6, Page 59 states that "*No hazardous installations are proposed as a part of the proposed works*". |
| 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) | **Volume 3, Section 4.5, Page 40-42** | Addressed, as stated by the applicant.<br>Note pages 39-42 refers. |

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| 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 | **Not applicable. See Volume 1, Section 8.2, Page 46-47.** | Not applicable as stated by the applicant.<br><br>Page 45 of Volume 1 states "*the Auckland Prison site is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou*." |
| 5(5)(c) | If the activity is to occur in an area that is taiāpure-local fishery, a mātaitai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area. | **Not applicable. See Volume 1, Section 8.6, Page 49.** | Not applicable as stated by the applicant.<br><br>Page 48 of Volume 1 states "*The Auckland Prison site is not within a taiāpure-local fisheries area, mātaitai reserve, or area subject to a bylaw made under Part 9 of the Fisheries Act 1996*." |

## 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 |
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| 9(a) | in relation to the structure and any fish facility:<br>(i) a description of the type of structure or fish facility:<br>(ii) the dimensions of the structure or fish facility:<br>(iii) the design of the structure or fish facility:<br>(iv) the placement of the structure or fish facility:<br>(v) the water flows:<br>(vi) the operating regime | **Volume 3, Section 4.4, Page 35-39** | Addressed.<br>Also, table 3.4 of Appendix 3G, the Engineering Design Report (Part 1), page 20. |
| 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) | **Volume 3, Section 4.4, Page 35-39** | Addressed as stated by the applicant (Table 3, page 38 of Volume 3).<br>Also refer to Appendix 3B. |
| 9(c) | the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream) | **Volume 3, Section 4.4, Page 35-39** | Addressed as stated by the applicant.<br>Specifically, page 38 "*Existing impervious surface areas at the Auckland* |

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| | | | *Prison Site will not increase as a result of the proposed*". |
| 9(d) | how the passage of fish will be provided for or impeded | **Volume 3, Section 4.4, Page 35-39** | Addressed as stated by the applicant. Specifically, Table 3, page 37 of Volume 3. |

## CHECKLIST C – Designation or alteration of existing designation

| Clause, Schedule 5 | Information required for an approval described in section 42(4)(d) of the Act, Clause 12 of Schedule 5 | Application Reference | EPA |
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| 12(1)(a) | a description and map of the site to which the notice of requirement applies, including whether the site is within or adjacent to a statutory area (as defined in a relevant Treaty settlement Act) | **Volume 2, Section 2.0, Page 3-5** | Addressed, as stated by the applicant.<br>Also Appendix 2A and section 2.6 of Volume 2 on pages 8 -9. |
| 12(1)(b) | information on the effects of the proposed project or work on the environment, together with a description of how any adverse effects will be mitigated | **Volume 2, Section 7.0, Page 49-199** | Addressed, as stated by the applicant. |

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| 12(1)(c) | confirmation that the notice of requirement complies with section 46(2)(a), (b), and (d), being;<br>• section 42; and<br>• sections 43 and 44; and<br>• relates solely to a listed project or a referred project;<br>• any fee, charge, or levy payable under regulations in respect of the application is paid. | **Volume 2, Section 9.0, Page 229 and Volume 1, Appendix 1H Checklists, Pages 1-3.** | Addressed, as stated by the applicant. |
| 12(1)(d)(i) | an assessment of the project or work against sections 5, 6, and 7 of the Resource Management Act 1991 | **Volume 2, Section 8.0, Page 202-206** | Addressed, as stated by the applicant. |
| 12(1)(d)(ii) and 12(2) | an assessment of the project or work against any relevant provisions in any of the documents listed in subclause (2) being:<br>(a) a national policy statement:<br>(b) a New Zealand coastal policy statement:<br>(c) a regional policy statement or proposed regional policy statement:<br>(d) a plan or proposed plan:<br>(e) a planning document recognised by a relevant iwi authority and lodged with a local authority. | **Volume 2, Section 8.0, Page 206-229** | Addressed, as stated by the applicant.<br>Also, Appendices 2F and 1F. |

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| 12(1)(e) | information about any Treaty settlements that apply in the area to which the substantive application relates, including—<br>(i) identification of the relevant provisions in those Treaty settlements; and<br>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the area to which the substantive application relates | **Volume 1, Section 8.0, Page 44-48** | Addressed, as stated by the applicant.<br>Also, Appendix 1F. |
| 12(1)(f), 12(3) and 12(4) | the full name and address of—<br>(i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land; and<br>(ii) each occupier of the land to which the notice of requirement relates and of land adjacent to that land whom the requiring authority is able to identify after reasonable inquiry; and<br>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 12(3)). | **Volume 1, Section 10.1, Page 60-61 (and Appendix 1I)** | Addressed as stated by the applicant. |
| 12(1)(g) | an assessment of whether the project or work and the designation sought are reasonably necessary for achieving the objectives of the requiring authority | **Volume 2, Section 4.0, Page 38-39** | Addressed as stated by the applicant. |

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| 12(1)(h) | any consideration of alternative sites, routes, or methods of undertaking the project or work | **Volume 2, Section 5.0, Page 39-45 (and Appendix 2C Alternatives Assessment)** | Addressed as stated by the applicant |
| 12(1)(i) | a list of the resource consents needed for the project or work and whether they have been applied for | **Volume 2, Section 6.0, Page 45-49** | Addressed as stated by the applicant. |
| 12(1)(j) | a description of any consultation undertaken with parties likely to be affected by the project or work and the designation | **Volume 2, Section 9.0, Page 49-59 (and Volume1, Appendix 1G Consultation Report)** | Addressed.<br>Note that applicant is referring to **Volume 1**, section 9.0, Pages 49-59. |

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| 12(1)(k) | any conditions that the requiring authority proposes for the designation. | **Volume 2, Section 7.0, Page 49-199 (and Volume 6, Appendix 6A)** | Addressed, as stated by the applicant.<br>Appendix 6A in particular. |

## 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 |
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| 2(1)(a) | Specify the purpose of the proposed activity | **Volume 4, Section 3.1, Page 2** | Addressed, as stated by the applicant.<br>Also refer to page 5 of Appendix 4B.<br>DOC comments "*The purpose of the Wildlife Approval is to protect lizards that may be present at the Auckland Prison Site in accordance with the Lizard Management Plan (LMP). The activity will include the salvage and relocation of skinks and also authorises incidental killing during construction works.*" |

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| 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) | **Volume 4, Section 3.2, Page 2-3** | Addressed.<br>Section 3.2 – 3.3 (pages 6-8).<br>DOC comments "*Handling for salvage, release on same site and incidental killing of lizards. This is not on public conservation land.*" |
| 2(1)(c) | An assessment of the activity and its impacts against the purpose of the Wildlife Act | **Volume 4, Section 4.0, Page 11** | Addressed, as stated by the applicant. |

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| 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 | **Volume 4, Section 2.1, Page 5** | Addressed, as stated by the applicant.<br><br>DOC comments "*The applicant has outlined potential indigenous herpetofauna within 20 km of the site, desktop study and site walk over undertaken, predicts that copper skink and ornate skink are likely to be present. Numbers are unknown but estimates approximately 20 of each species could be present.*<br><br>*The applicant has explained that no detailed survey has been undertaken as this will occur closer to the time the project will be implemented. The applicant has included in the application for resource consent a 10 year lapse period for giving effect to the consent and then a duration of 15 years for the watercourse works and 35 years for the stormwater diversion and discharge.*" |

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| 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) | **Volume 4, Section 4.0, Page 11-12** | Addressed, as stated by the applicant. The threatened, data deficient, and at-risk wildlife species are provided in section 2.1 of Volume 4 (page 5).<br>DOC comments: "*Impacts are described in Section 5 and adequately discuss the typical impacts associated with habitat removal.*" |
| 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 | **Volume 4, Section 3.4, Page 8-9** | Addressed as stated by the applicant.<br>DOC comments "*LMP Section 2.3 correctly identifies DOC's best practice methods documents, and Section 6 discusses the mitigation hierarchy*" |
| 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: | **Volume 4, Section 3.4, Page 9** | Addressed as stated by the applicant.<br>DOC comments "*Methods are described.*" |

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| 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) | **Volume 4, Section 3.3, Page 7-8, and Appendix 4A.** | Addressed, as stated by the applicant.<br>DOC comments "*The application site and the relocation site are all within the operational prison, which will be further developed if the capacity increase is granted. The proposed lizard release area is shown on the site plan.*" |
| 2(1)(i) | A statement of whether authorisation is sought to temporarily hold or relocate wildlife | **Volume 4, Section 3.5, Page 10** | Addressed, as stated by the applicant.<br>DOC comments "*The activity of lizard salvage is being applied for, which involves capture and relocation of lizards*." |
| 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 | **Volume 4, Section 4.0, Page 11-12** | Addressed, as stated by the applicant.<br>DOC comments "*Actual and potential effects have been described*" |

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| 2(1)(k) | Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife) | **Volume 4, Section 4.2.2, Page 12-15** | Addressed, as stated by the applicant.<br>DOC comments *"Survey, salvage and enhancement activities are all described."* |
| 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 | **Volume 4, Section 6.0, Page 17** | Addressed, as stated by the applicant. |
| 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 | **Volume 4, Section 6.0, Page 17** | Addressed, as stated by the applicant. |
| 2(1)(n) | Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts | **Volume 4, Section 6.1, Page 17-19** | Addressed, as stated by the applicant.<br>Also refer to Appendices 1F and 1G |
| 2(1)(o) | Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal | **Volume 4, Section 6.1, Page 17-19** | Addressed.<br>Refer to appendices 1F, 1G, 2I, and 4B. |

## CHECKLIST F – Archaeological authority

| Clause, Schedule 8 | Information required for an approval described in section 43(3)(i) Archaeological Authority | Application Reference | EPA |
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| 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 | **Volume 5, Section 2.0, Page 2** | Addressed, as described by the applicant, specifically paragraph 10. |
| 2(1)(b) | the name of the owner of the relevant land, if the applicant is not the owner of the land | **Volume 5, Section 2.0, Page 2** | Addressed, as described by the applicant, specifically paragraph 11. |
| 2(1)(c) | proof of consent, if the owner of the relevant land has consented to the proposed activity | **Volume 5, Section 6.0, Page 16** | Addressed, as described by the applicant.<br>Also refer to Appendix 1E, paragraph 64. |
| 2(1)(d) | confirmation that the application complies with section 42, 43, and 44 of the Act | **Volume 5, Section 6.0, Page 16 and Volume 1** | Addressed as described by the applicant, specifically paragraph 58. |

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| | confirmation that the application relates solely to a listed project or a referred project | **Volume 5, Section 1.0, Page 1** | Addressed, as described by the applicant. |
| | any fee, charge, or levy payable under regulations in respect of the application is paid. | **Volume 1, Section 10.3, Page 65** | Confirmed. |
| 2(1)(e) | a description of each archaeological site to which the application relates and the location of each site | **Volume 5, Section 2.0, Page 3** | Addressed, as described by the applicant. |
| 2(1)(f) | a description of the activity for which the authority is sought | **Volume 5, Section 3.0, Page 4-5** | Addressed, as described by the applicant.<br>Note page references are pages 5-6. |
| 2(1)(g) | a description of how the proposed activity will modify or destroy each archaeological site | **Volume 5, Section 3.0, Page 4-5** | Addressed, as described by the applicant.<br>Note page references are pages 5-6. |
| 2(1)(h) | except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of—<br>(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 | **Volume 5, Section 4.2 and 4.3, Page 10-12** | Addressed, as described by the applicant. |

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| | (ii) the effect of the proposed activity on those values | | |
| 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—<br>(i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or<br>(ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable). | **Volume 5, Section 6.1, Page 16-18** | Addressed, as described by the applicant. |

## 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 |
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| 13(4)(a) | a description of the project and the activities it involves | **Volume 1, Section 4.0, Page 12-21** | Addressed, as stated by the applicant. |

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| 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) | **Volume 1, Section 10.2, Page 61-62** | Addressed, as stated by the applicant. |
| 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 | **Volume 1, Section 2.0, Page 4-5 and Volume 2, Section 2.0, Page 3-5** | Addressed, as stated by the applicant.<br>But also refer to Appendix for maps of the site. |
| 13(4)(e) | the anticipated commencement and completion dates for construction activities (where relevant) | **Volume 1, Section 6.5, Page 36** | Addressed, as stated by the applicant. |
| 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 | **Volume 1, Section 6.5, Page 36** | Addressed, as stated by the applicant.<br>Also refer to paragraph 16-20 of Appendix 1E. |
| 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 | **Volume 2, Section 7.0, Page 49-200 Volume 3, Section 5.0, Page 43-69 Volume 4, Section 4.0, Page 11-15 Volume 5, Section 4.0, Page 10-12** | Addressed, as stated by the applicant. |

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| 13(4)(i) | a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991 | **Volume 1, Section 10.2, Page 61-62** | Addressed, as stated by the applicant. |
| 13(4)(j) | a list of the persons and groups the applicant considers are likely to be affected by the project, including—<br>(i) relevant local authorities:<br>(ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements:<br>(iii) other relevant iwi authorities:<br>(iv) relevant Treaty settlement entities:<br>(v) relevant protected customary rights groups and customary marine title groups:<br>(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:<br>(vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011:<br>(viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981: | **Volume 1, Section 8.0, Page 44-48 and Volume 1, Section 9.0, Page 49-59** | Addressed, as stated by the applicant.<br>(i) Volume 1, section 9.2<br>(ii) Not applicable, as there are none recorded with Auckland Council.<br>(iii) Volume 1, section 9.3<br>(iv) Volume 1, section 8.1 (pages 44-45)<br>(v) Volume 1, paragraph 241: "*the Auckland Prison site is not within a customary marine title area, [or a] protected customary rights area*."<br>(vi) Volume 1, paragraph 241: "*the Auckland Prison site is not … within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou*" |

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| | | | (vii) Volume 1, paragraph 242.<br>(viii) Volume 1, paragraph 298. |
| 13(4)(k) | a summary of—<br>(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<br>(ii) how the consultation has informed the project: | **Volume 1, Section 9.0, Page 49-59** | Addressed as stated by the applicant.<br>Also Appendices 1F and 1G. |
| 13(4)(ka) | a summary of how any responses provided to the notification under section 29(1)(aa) have informed the project | **Volume 1, Section 9.0, Page 55** | Addressed as stated by the applicant.<br>Also Appendices 1F and 1G. |
| 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 | **Volume 1, Section 8.1, Page 44-45** | Addressed as stated by the applicant. |
| 13(4)(m) | a description of any processes already undertaken under the Public Works Act 1981 in relation to the project | **Volume 1, Section 10.4, Page 64** | Addressed as stated by the applicant. |

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| 13(4)(n) | a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 | **Volume 1, Section 8.4, Page 48** | Addressed as stated by the applicant. |
| 13(4)(o) | information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area | **Volume 1, Section 8.5, Page 48** | Addressed as stated by the applicant. |
| 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 | **Volume 1, Section 10.5, Page 65** | Addressed as stated by the applicant.<br>The applicant is not seeking a determination under section 23. |
| 13(4)(q) | a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—<br>(i) the scale and adverse effects of the existing electricity infrastructure; and<br>(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 | **Volume 1, Section 10.5, Page 65** | Addressed as stated by the applicant.<br>The applicant is not seeking a determination under section 24(2). |
| 13(4)(r) | a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—<br>(i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by | **Volume 1, Section 10.5, Page 65** | Addressed as stated by the applicant.<br>The applicant is not seeking a determination under section 24(4). |

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| | more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and<br><br>(ii) for each alternative site considered,—<br><br>(A) a statement of the anticipated and known financial cost of undertaking the activity; and<br><br>(B) a description of the anticipated and known adverse effects of undertaking the activity; and<br><br>(C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and<br><br>(D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and<br><br>(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 | | |

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| 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 | **Volume 1, Section 10.6, Page 66** | Addressed as stated by the applicant. |
| 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 | **Volume 1, Section 10.7, Page 66** | Addressed as stated by the applicant. |
| 13(4)(u) | whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,—<br>(i) if an application has been made, details of the application:<br>(ii) if a decision has been made, the outcome of the decision and the reasons for it: | **Volume 1, Section 10.8, Page 67** | Addressed as stated by the applicant. |
| 13(4)(v) | a description of whether and how the project would be affected by climate change and natural hazards | **Volume 2, Section 7.15, Page 180-188** | Addressed as stated by the applicant. |

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| 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 | **Volume 1, Section 10.3, Page 64** | Addressed as stated by the applicant.<br>Specifically, paragraph 292. |
| 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 | **Volume 1, Section 10.9, Page 69** | Addressed as stated by the applicant.<br>Also Appendix 1K. |
| 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**<br>(a) an assessment of the project against—<br>(i) any relevant national policy statement; and<br>(ii) any relevant national environmental standards; and<br>(iii) if relevant, the New Zealand Coastal Policy Statement; and | **Volume 2, Section 8.0, Page 201-230 and Volume 3, Section 6.0, Page 75-90** | Addressed as stated by the applicant.<br>Specifically, section 8.3 in volume 2, and section 6.3 in volume 3. |

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| | (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). | **Volume 3, Section 8.0, Page 92-93** | Addressed as stated by the applicant. Also refer to Appendix 1J. |
| 13(4)(y)(ii), clause 3 of Schedule 5 | **Change or cancellation of resource consent condition**<br>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** | Not Applicable |
| 13(4)(y)(iii), clause 4 of Schedule 5 | **Certificate of compliance**<br>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 certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. | **n/a** | Not Applicable |
| 13(4)(y)(iv), clause 2 of Schedule 6 | **Concession**<br>(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— | **n/a** | Not Applicable |

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| | (a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and<br>(b) the granting of the lease would trigger a right of first refusal or a right of offer or return.<br>(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. | | |
| 13(4)(y)(v), clause 23 of Schedule 6 | **Land exchange**<br>(1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below:<br>(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** | Not Applicable |
| | (b) the financial value of the land proposed to be acquired by the Crown: | **n/a** | Not Applicable |
| | (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:<br>*Guidance note: This must include an explanation of why the exchange would benefit the conservation estate; and* | **n/a** | Not Applicable |

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| | *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)* | | |
| | (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** | Not Applicable |
| | (e) confirmation by the applicant that no part of any land to be exchanged by the Crown is –<br>(i) land listed in Schedule 4; or<br>(ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977 | **n/a** | Not Applicable |
| 13(4)(y)(vi), clause 4A of Schedule 5 | **Standard freshwater fisheries activity approval**<br>(4A) The information required to be provided under section 13(4)(y)(vi) is the following:<br>(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 | **Volume 3, Section 4.4, Page 35-39** | Addressed as stated by the applicant. |

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| | (b) whether any fish salvage activities are proposed. | | |
| 13(4)(y)(via), clause 2 of Schedule 9 | **Complex freshwater fisheries activity approval**<br>(2) The information required to be provided under section 13(4)(y)(via) is the following:<br>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and<br>(b) whether any other complex freshwater fisheries activities are proposed. | **n/a** | Not Applicable |
| 13(4)(y)(vii), clause 2 of Schedule 10 | **Marine consent**<br>(1) The information required to be provided under section 13(4)(y)(vii) is–<br>(a) information about whether the Minister of Conservation is an affected person: | **n/a** | Not Applicable |
| | (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,—<br>(i) details of any application made; and<br>(ii) the decisions made on that application; and | **n/a** | Not Applicable |

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| | (iii) information about the matters that the Minister may consider under section 22(6): | | |
| | (c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act. | **n/a** | Not Applicable |
| 13(4)(y)(viii), clause 2 of Schedule 11 | **Access arrangement**<br>(1) Confirmation that the applicant has complied with section 29 (for the purposes of section 13(4)(y)(viii)). | **n/a** | Not Applicable |

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| 13(4)(y)(ix), clause 15 of Schedule 11 | **Mining permit**<br>(1) For the purposes of section 13(4)(y)(ix), the information is—<br>(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:<br>(b) the name and contact details of the proposed permit participants and the proposed permit operator:<br>(c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both:<br>(d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme:<br>(e) information about the proposed permit holder's history of compliance with mining or similar permits and their conditions:<br>(f) the proposed date on which the substantive application is intended to be lodged:<br>(g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: | **n/a** | Not Applicable |

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| | (h) the proposed duration of the permit:<br>(i) if the proposed approvals include a mining permit for petroleum,—<br>(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:<br>(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:<br>(iii) a high-level overview of the following:<br>(A) the proposed field development plan:<br>(B) the proposed date for the commencement of petroleum production:<br>(C) the economic model for the project:<br>(D) the proposed duration of the proposed mining permit:<br>(E) decommissioning plans: | | |

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| | (j) if the proposed approvals include a mining permit for minerals other than petroleum,—<br>(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:<br>(ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted:<br>(iii) whether the application will be for a Tier 1 or Tier 2 permit:<br>(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):<br>(v) an indicative mine plan:<br>(vi) a high-level overview of the following:<br>(A) the proposed mining method: | | |

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| | (B) the proposed date for the commencement of mining and estimated annual production:<br>(C) the economic model for the project:<br>(D) the status of or anticipated timing for completing any prefeasibility or feasibility studies:<br>(E) the proposed methods for processing mined material and handling and treating waste:<br>(F) anticipated plans for mine closure and rehabilitation.<br>(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,—<br>(i) an outline of the nature and timing of the stages; and<br>(ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and | **Volume 1, Section 6.5, Page 36** | Addressed as stated by the applicant.<br>Also refer to paragraph 16-20 of Appendix 1E. |

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| | (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. | **Volume 1, Section 3.1, Page 7 and legal submissions in Appendix 1E, Page 8.** | Addressed as stated by the applicant.<br>Also Appendix 1B. |

# Appendix 2: Consultation Summary

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

1. **Consultation with Auckland Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:
    - Resource consent (section 42(4)(a) of the Act)
    - Designation (section 42(4)(d) of the Act)

| Response from Auckland Council in verbatim received via the portal on 15 April 2026 |
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15 April 2026

Keely Paler
Application Lead
Fast-track Applications
Environmental Protection Agency
**VIA Email**

Dear Keely,

**Subject: Response to Consultation regarding a substantive application under the Fast-track Approvals Act 2024**

- Project Name: Auckland Prison Capacity Increase
- EPA Reference: FTAA-2603-1179
- Auckland Council Reference: BUN60464166

## Purpose of this Response

In relation to the requirements of section 46(1) of the Fast-track Approvals Act 2024 (FTAA), the EPA has consulted Auckland Council for this Listed Project for input to assist with their decision as to whether the substantive application lodged in relation to the above project complies with the requirements of S46 of the FTAA.

The listed project seeks approvals for the following which would otherwise be lodged under the RMA:

- Alteration to an existing Designation for which a Notice of Requirement is required.
- Resource Consents

## Summary Assessment of Section 46(2) Criteria

S44 of the FTAA requires that the information required by S43 must be specified in sufficient detail to satisfy the purpose for which it is required. It should therefore be understood that the comments provided against the S43 information are made with this understanding. These comments have been provided in good faith based on the time allowed and a proportional approach which has not involved engagement of specialists and Council Controlled Organisations (CCO's) relative to the matters and effects arising from the project. The application material is extensive and our review has therefore focused on the three overview reports and is not an exhaustive review of all application documentation. Council reserves the reasonable right on detailed review inclusive of specialist and CCO's identify areas where we consider further information is required in the future.

| Section 42 | Information Required | Comment |
|---|---|---|
| (1)(a) | An authorised person for a listed project or a referred project may lodge with the EPA 1 substantive application for the project. | Department of Corrections is the authorised person listed under schedule 2 of the FTAA and the applicant for this singular substantive application.<br><br>As noted in the substantive application it is the Minister of Corrections who is the Requiring Authority for the existing Designation which the substantive application seeks to amend through a Notice of Requirement. It is Council's understanding based on previous discussion and application documentation that no change to the Requiring Authority is proposed.<br><br>The substantive application states that Department of Corrections is making the substantive application on the authority of the Minister of Corrections in respect to the Notice of Requirement to amend to the existing Designation. |
| (2)(a) | A substantive application must comply with section 43. | Refer to below. |
| (3)(a) | For each approval sought under subsection (4) the applicant must be eligible to apply for any corresponding approval under a specified Act. | No concerns regarding the eligibility to apply for the Notice of Requirement and Resource Consent. |
| (4) (a) and (d) | A substantive application may seek 1 or more of the following matters (approvals)<br><br>a) a resource consent that would otherwise be applied for under the RMA<br><br>d) a designation or an alteration to an existing designation for which a notice of requirement would | Confirmed that the application seeks approvals under these two approval types for an alteration to an existing Designation and a Resource Consent that would be otherwise applied/lodged under the RMA.<br><br>Considered important to note and understand that subject to the Panels decision on this substantive application, that further and future regional resource consents may be required beyond the watercourse works sought in this |

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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| | otherwise be lodged under the RMA. | substantive application. These would be based upon the finalised proposals developed under and in response to the proposed designation alterations subject to the Panel's decision. These regional consents would likely but may not be limited to matters/works relating to earthworks, potential management of contaminants and stormwater discharge and diversion.<br><br>With the clear acknowledgment provided in the application of the above, Council has no concerns with the approach and understand the reasons for this in the context of the main approval relating to an alteration of the existing designation.<br><br>Resource consents (regional or district) requirements may or may not also be triggered for the 'infrastructure works' referred to in proposed conditions DES20 and DES24, subject to any finalised design. These are beyond and outside the project and designation site. |
| **Section 43** | **Information Required** | **Comment** |
| S43 of the FTAA outlines a variety of information requirements in respect to the substantive lodgement for the EPA to consider and assess. In relation to the request received consultation with the Council and our comments this is focused on the below listed parts of S43.<br><br>One additional point of note is in relation to S43(2)(c). Information is provided within the substantive application regarding the substantive application and the consideration of it falling within the scope of the listed project. This is most discussed in paragraphs 21-31 of Volume 1 – Appendix 1E (legal submissions) including identified points of potential discrepancy in respect to the matter of scope. Those paragraphs note that these matters have been discussed with the EPA prior to lodgement of the substantive application. | | |
| 1 (e) (ii) | the requirements listed in subsection (3) that apply to the approvals sought; and | Refer to below |
| 3 (a) and 3 (d) | The requirements referred to in substation 1(e)(ii) are those described in section 42(4)(a) (resource consent), clauses 5 to 9 of Schedule 5. | From our review of the information focused on the Overview Report (Vol 1), Designation Alteration Report (Vol 2) and Resource Consent and OPW Waiver for Watercourse Works Reports (Vol 3) the application responds |

Auckland Council
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| | The requirements referred to in substation 1(e)(ii) are those described in section 42(4)(d) (designations), clauses 12 of Schedule 5. | comprehensively to the requirements of clause 5 and 12, Schedule 5. The following points are provided to assist:<br><br>1. Confirmation of meeting S46(2)(d) is not possible as this is information that is not available to Council, this will be known by the EPA.<br><br>2. The project enabled by the designation amendment proposed (subject to a decision on the substantive application) may, subject to finalised works and designs, trigger the need for additional regional resource consent and other approvals which are not sought in this substantive application. In the context of the nature of the designation (subject to proposed alteration) the substantive application provides sufficient detail and consideration in regard to acknowledging this likelihood and identifying potential consent matters.<br><br>3. In respect to table of owners and occupiers of adjacent land (volume 1, appendix 1L) we note the following for clarification/correction, noting that in certain instances there can be a discrepancy between RoT address and post address which may explain some of these matters:<br><br>- Map reference 1 appears to incorrectly list the address as 55 Iona Avenue rather than R75 Iona Avenue based on Council GeoMaps.<br>- Map ref 3: queried as to whether the principal address is 61 Iona Avenue for this property (however noted that it is joted |

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| | | that also known by this address aswell – assumed contact with be made with both addresses)<br>- Map reference 10 and 11: this lists the address as 473 Ridge Road for the Scenic Reserve which is attributed to another address not within the selected adjacent land address<br>- Map reference 24: the recorded address linked to the title is 499 Paremoremo Road, it is however on the corner with Merewhira Road which may explain the use of 100 Merewhira Road as the address.<br><br>4. In respect to occupier details for properties within the Prison Village would query are these details not held on tenancy agreements? Note the endeavors undertaken by the applicant in respect to these matters.<br><br>In respect to clause 9, schedule 5, the information provided and matter is considered to require the involvement of relative specialists to freshwater ecology matters which has not been possible in the timescale. |

## S30 Confirmation

We confirm that the written notice prepared by the Council on the 29.01.26 remains accurate and final at the time of receiving this letter.

If further clarification or technical input is required, please contact either Joe or Jo on the below details.

Joe Wilson

Principal Project Lead

Premium Resource Consents

Auckland Council

[redacted]

Jo Hart

Senior Policy Planner

Plans and Places

Auckland Council

[redacted]

2. **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)

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

# Department of Conservation advice for EPA compliance assessment

### Overview

| | |
|---|---|
| **Project name** | Auckland Prison Capacity Increase |
| **Project applicant** | Department of Corrections |
| **EPA unique ref. no** | FTA-2601-1179 |
| **EPA Request Number** | Request dated 2 April 2026 |
| **Conservation approvals sought** | Wildlife Approval for the salvage, handling and relocation of lizards (as defined in clause 1 of Schedule 7 of the Act) (section 42(4)(h) of the Act) |
| **EPA request overview** | To inform the EPA's completeness assessment of the application, please provide DOC's views on the documentation provided by the EPA regarding the above proposals, as provided by the applicant, meet the requirements of sections 42 and 43 of the Act and has been provided in sufficient detail to satisfy the purpose for which it is required, in accordance with section 44 of the Act. |
| **Date due to EPA** | 13 April 2026 |

1. **Completeness**

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by the Department of Corrections on 2 April 2026 complies with the requirements of section 46(2) of the Act.

The advice covers compliance with the following:

- Information requirements for relevant approvals

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

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

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

**Compliance with information requirements**

Our detailed assessment of the information requirements for the relevant approval is provided in the attached table. In summary, DOC's advice is that **the application meets the requirements** of sections 42, 43 and 44 of the Act.

**Notification**

Section 29(1)(aa) of the Act requires that, before lodging a substantive application for a **listed project**, the authorised person for the project must notify in writing the persons and groups referred to in section 11(1)(b) including relevant Treaty partners and administering agencies.

DOC is a relevant administering agency for this application.

The Department of Corrections undertook an appropriate level of pre-lodgement consultation during 2025/2026, prior to the amendment of the Act which now focuses on pre-lodgement notification.

**Further observations**

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

<u>Freshwater Fisheries Approval</u>

- DOC notes the applicant is applying for a standard freshwater fisheries activity (clause 9 Schedule 5). During pre-lodgement consultation, DOC noted that the application involves activities that are relevant to a complex freshwater fisheries approval. In broad terms, DOC considers that:
  a) a complex application *might be required* based on the prison culverts; and
  b) a complex application *is required* based on the stream reclamation.
- Specifically, in relation to the culverts, DOC agrees with the applicant that the proposed culvert design will impede and not block fish passage (meaning that fish are able to access the pipe network in certain conditions). But based on information provided by the applicant relating to the possibility that the existing upstream infrastructure *might* trap fish that do access the pipe network, further evidence from the applicant is required to confirm this or otherwise.
- This further information is important, because if fish are continuously accessing the network and then getting trapped then they would not be able to complete their life cycle. If this will be an ongoing situation, DOC would require the applicant to block fish passage into the pipe network. This action would require a complex freshwater fisheries activity approval. In summary, the current culvert design <u>impedes</u> fish passage but may need to <u>block</u> fish passage. DOC outlined the brief fieldwork methods that would provide this information.
- In relation to the proposed stream reclamation, DOC has advised the applicant that, as a permanent diversion structure, a complex freshwater fisheries activity approval is required. The definition of a complex fisheries activity includes construction of *a permanent dam or diversion structure* or a diversion that persists for more than 3 months.

**Further information**

Although DOC's advice is that the application for Wildlife Approval meets the requirements of sections 42, 43, and 44 of the Act, as outlined above DOC considers a complex freshwater fisheries approval is required for the proposed stream reclamation and further information, as outlined above, would help clarify how fish species, could potentially be better protected.

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

**Listed project requirements under section 43(2)**

The table below provides information to assist the EPA in relation to consideration of the matters required for listed projects for a substantive application under section 43(2) of the Act. This section requires additional information for listed projects that would otherwise have been required during the referral process. Where this information duplicates other requirements it will be addressed elsewhere.

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| 13(4)(j):<br>• relevant Treaty settlement entities<br>• relevant protected customary rights groups and customary marine title groups<br>• relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011<br>• persons with a registered interest in land that may need to be acquired under the Public Works Act 1981 | Y | Volume 1, Section 8.0, pages 44-48 and Volume 1 Section 9.0, pages 49-59, Appendix A | Y | Each of the relevant Acts are referred to. |
| 13(4)(ka) a summary of the responses to notification received for the purposes of section 11/29 and how any of the responses have informed the project.<br>13(4)(k) Any other consultation undertaken on the project with the persons and groups referred to in paragraph (j) and how that consultation has informed the project | Y | Volume 1, Section 9.0, page 55 | Y | |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| 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<br><br>13(4)(n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019<br><br>13(4)(o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area | Y<br><br>Y<br><br>Y | Volume 1, Section 8.1, pages 45-55 | Y<br><br>Y<br><br>Y | Each of the relevant Acts are referred to, but there is no clear list of the relevant treaty settlements directly linked with their associated Post-Settlement Governance Entity (PSGE).<br>DOC understands the following list represents the settlement Acts and the associated PSGE:<br>Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014<br>Te Kawerau ā Maki Claims Settlement Act 2015 -- Post-Settlement Governance Entity (PSGE): Te Kawerau Iwi Settlement Trust;<br>Ngāti Tamaoho Claims Settlement Act 2018 — PSGE: Ngāti Tamaoho Settlement Trust;<br>Ngāti Whātua Ōrakei Claims Settlement Act 2012 — PSGE: Ngāti Whātua o Ōrākei Trust Board;<br>Ngāti Whātua o Kaipara Claims Settlement Act 2013 — PSGE: Ngā Maunga Whakahii o Kaipara Development Trust;<br>Ngāi Tai ki Tāmaki Claims Settlement Act 2018 — PSGE: Ngāi Tai ki Tāmaki Trust;<br>Ngāti Pāoa Claims Settlement Act 2025 — PSGE: Ngāti Pāoa Iwi Trust. |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| 13(4)(m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project | Y | Volume 1, Section 10.4, page 64 | Y | |
| 13(4)(u) whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and<br>(i) if an application has been made, details of the application<br>(ii) if a decision has been made, the outcome of the decision and the reasons for it | Y | Volume 1, Section 10.8, page 67 | Y | |
| 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 referral application is lodged by more than 1 person, any of those persons) under a specified Act | Y | Volume 1, Section 10.9, page 69 | Y | |
| 43(2) If a substantive application is for a listed project and if the project in planned to proceed in stages it must contain:<br>• an outline of the nature and timing of the stages<br>• a statement of whether a separate substantive application is to be lodged for each of the stages | Y | Volume 1, section 6.5, page 36 | Y | |
| **Relevant section** | **Is the information present?** | **Application document reference** | **Is the information provided in sufficient detail?** | **Comments** |
| • an explanation of how each stage meets the criteria in section 22 | | | | |
| 43(2) If a substantive application is for a listed project it must contain 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. | Y | Volume 1, Section 3.1, page 7 | Y | |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

**Applications for wildlife approvals**

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

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information: | | | | |
| (a) specify the purpose of the proposed activity | Y | Volume 4, Section 3.1, page 2<br><br>LMP page 5 | Y | The purpose of the Wildlife Approval is to protect lizards that may be present at the Auckland Prison Site in accordance with the Lizard Management Plan (LMP). The activity will include the salvage and relocation of skinks and also authorises incidental killing during construction works. |
| (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) | Y | Volume 4, Section 3.2, pages 2-3<br><br>LMP page 6 | Y | Handling for salvage, release on same site and incidental killing of lizards. This is not on public conservation land. |
| (c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953 | Y | Volume 4, Section 4, page 11 | Y | |
| (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 | Y | Volume 4, Section 2.1, page 5<br>LMP Section 4 | Y | The applicant has outlined potential indigenous herpetofauna within 20 km of the site, desktop study and site walk over undertaken, predicts that copper skink and ornate skink are likely to be present. Numbers are unknown but estimates |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| | | | | approximately 20 of each species could be present.<br><br>The applicant has explained that no detailed survey has been undertaken as this will occur closer to the time the project will be implemented. The applicant has included in the application for resource consent a 10 year lapse period for giving effect to the consent and then a duration of 15 years for the watercourse works and 35 years for the stormwater diversion and discharge. |
| (e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System) | Y | Volume 4, Section 4, pages 11-12<br><br>LMP Section 5, Table 4 | Y | Impacts are described in Section 5 and adequately discuss the typical impacts associated with habitat removal. |
| (f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met | Y | Volume 4, Section 3.4, pages 8-9<br><br>LMP Section 6 | Y | LMP Section 2.3 correctly identifies DOC's best practice methods documents, and Section 6 discusses the mitigation hierarchy. |
| (g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the | Y | Volume 4, Section 3.4, page 9 | Y | Methods are described. |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| | | | | approximately 20 of each species could be present.<br><br>The applicant has explained that no detailed survey has been undertaken as this will occur closer to the time the project will be implemented. The applicant has included in the application for resource consent a 10 year lapse period for giving effect to the consent and then a duration of 15 years for the watercourse works and 35 years for the stormwater diversion and discharge. |
| (e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System) | Y | Volume 4, Section 4, pages 11-12<br><br>LMP Section 5, Table 4 | Y | Impacts are described in Section 5 and adequately discuss the typical impacts associated with habitat removal. |
| (f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met | Y | Volume 4, Section 3.4, pages 8-9<br><br>LMP Section 6 | Y | LMP Section 2.3 correctly identifies DOC's best practice methods documents, and Section 6 discusses the mitigation hierarchy. |
| (g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the | Y | Volume 4, Section 3.4, page 9 | Y | Methods are described. |

## Response from the Department of Conservation in verbatim received via email on 13 April 2026

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| animals and identify relevant animal ethics processes | | LMP Section 6.5 and 7.2.2 | | |
| (h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available) | Y | Volume 4, Section 3.3, pages 7-8 | Y | The application site and the relocation site are all within the operational prison, which will be further developed if the capacity increase is granted. The proposed lizard release area is shown on the site plan. |
| (i) state whether authorisation is sought to temporarily hold or relocate wildlife | Y | Volume 4, Section 3.5, page 10<br><br>LMP Section 7 | Y | The activity of lizard salvage is being applied for, which involves capture and relocation of lizards. |
| (j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site | Y | Volume 4, Section 4.0, pages 11-12<br><br>LMP Section 5 | Y | Actual and potential effects have been described. |
| (k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife) | Y | Volume 4, Section 4.2.2, pages 12-15<br><br>LMP Sections 7 and 8 | Y | Survey, salvage and enhancement activities are all described. |

| Relevant section | Is the information present? | Application document reference | Is the information provided in sufficient detail? | Comments |
|---|---|---|---|---|
| (l) state 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 1953 | Y | Volume 4, Section 6.0, page 17 | Y | |
| (m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court | Y | Volume 4, Section 6.0, page 17 | Y | |
| (n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts | Y | Volume 4, Section 6.1, pages 17-19 | Y | |
| (o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal | Y | Volume 4, Section 6.1, pages 17-19 | Y | |

3. **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)).

**Response from Heritage New Zealand Pouhere Taonga in verbatim received via the portal on 13 April 2026**

HERITAGE NEW ZEALAND
POUHERE TAONGA

# Competing Interests and Completeness check for project under the Fast Track Approvals Act 2024

## Auckland Prison Capacity Increase, FTAA- 2603-1179

| Contact Details | | | |
|---|---|---|---|
| **Organisation Name** | Heritage New Zealand Pouhere Taonga (HNZPT) | | |
| **Contact person** | Ben Henson | | |
| **Contact Number** | [redacted] | Alternative | |
| **Email** | fasttrack@heritage.org.nz | | |

**Introduction**

1. On 1 April 2026, Department of Corrections (the Applicant) lodged a substantive application for 2603-1179 (the Project) with the Environmental Protection Agency (EPA).
2. On 2 April 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.

**Competing Interests Check**

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