

# Memorandum on Completeness and Scope

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<b>File</b>	FTAA-2603-1178
<b>Application</b>	Alternative to the Brynderwyn Hills
<b>To</b>	Manager LOA/ Team Leader LOA
<b>From</b>	Elliott Dennett, Team Leader LOA
<b>Date</b>	30 April 2026
<b>Subject</b>	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

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## Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Alternative to the Brynderwyn Hills application, lodged by New Zealand Transport Agency (the Applicant), received by the Fast-track Team on 08 April 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 8 April 2026. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive

application complies with section 46 of the Act within 15 working days of the lodgement of the application (but may be longer where the EPA has requested further information from the applicant under section 46(2B)). This application was not subject to a further information requests therefore the date by which the EPA must make a decision under 46 is 30 April 2026.

7. As set out in more detail below, the EPA must decide whether the application is complete and either:
  - Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
  - return it to the person who lodged it (if incomplete and/or not within scope).

## **Project and Scope**

8. The project is described in Schedule 2 of the Act as:
9. Develop a road and associated infrastructure between Te Hana and State Highway 15 (Port Marsden Highway) or 1 or more sections of road between those 2 points
10. The approximate geographical location is identified in Schedule 2 of the Act as:
11. Between Te Hana and the State Highway 1 and State Highway 15 (Port Marsden Highway) intersection
12. The application is for the following activity:
13. The construction, operation and maintenance of a new four-lane state highway and associated infrastructure forming the Brynderwyn Hills section of the Alternative to the Brynderwyn Hills listed project, extending approximately 17 km from the SH1 / Baldrock Road intersection at Pukekaroro to an interim tie-in immediately west of Waipū.
14. Associated activities include, but are not limited to: earthworks (cut, fill and spoil disposal), construction of bridges and culverts, stream diversions and realignments, stormwater treatment and drainage infrastructure, vegetation clearance and landscape mitigation, construction access and haul roads, network utility protection and relocation, and environmental mitigation and monitoring measures.
15. The application relates solely to the listed project because the proposed activities fall within the scope of the Alternative to the Brynderwyn Hills project as described in Schedule 2 of the Act and are consistent with the Minister’s determination allowing the project to proceed in stages.
16. The application seeks approvals for the Brynderwyn Hills section of the listed project only, which the Minister has expressly determined may be progressed as a standalone stage under section 37A of the Fast-track Approvals Act 2024. While the Schedule 2 description refers to a road between Te Hana and State Highway 15 (Port Marsden Highway), it also expressly provides for “1 or more sections of road between those 2 points”. The Brynderwyn Hills section is located between those endpoints and forms a discrete section of the listed corridor.
17. The project description, geographic extent and activities proposed in the application do not extend beyond the listed project corridor and do not introduce any new or materially different works outside the scope of the Schedule 2 listing or the Minister’s staging determination. All proposed

activities, including construction methodology, temporary works, environmental mitigation, and supporting infrastructure, are either integral to, or subsidiary and necessary for, the delivery of the listed project section and fall within the definition of “project” in section 4 of the Act.

18. Accordingly, the application relates solely to a listed project and is within scope of what was approved in Schedule 2 of the Act and the Minister’s determination on staging.

## Fast-track consenting application process

### Legislative context

19. 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.
20. 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

21. 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.
22. This application has been lodged by New Zealand Transport Agency. This person is an authorised person under the Act because it is identified in Schedule 2 of the Fast-track Approvals Act 2024.
23. The approvals being sought are the following approvals described in section 42(4) of the Act:
  - an approval described in section 42(4)(a) and (d) (resource consent and designation);
    - A resource consent, change to or cancellation of a resource consent: **checklist A**;
    - 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**;
24. All of the approvals listed above are of the type set out in section 42(4) of the Act.
25. For each of the approvals sought, the applicant is eligible to apply for the corresponding approval under the relevant specified Acts. NZTA is eligible to apply for resource consents and designations

under the Resource Management Act 1991, wildlife approvals under the Wildlife Act 1953, and archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014.

### **Section 43 Requirements**

26. 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**

27. 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.
28. 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.
29. 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**

30. 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.
31. 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.

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

### **Notification by applicant**

33. Section 29(1) of the Act requires that, before lodging a substantive application for a listed project, the authorised person must:

- a. consult the groups referred to in section 11(1)(a); and
- b. notify in writing the persons and groups referred to in section 11(1)(b) and give those persons and groups 20 working days to respond to the notice. Under section 29(1A), the authorised person must not lodge the substantive application until each 20-working-day period has expired.

34. Based on a review of the information provided in the application materials, I am satisfied that the applicant has consulted the groups referred to in section 11(1)(a), has notified in writing the persons and groups referred to in section 11(1)(b), and lodged the substantive application only after each applicable 20-working-day period had expired.

35. This conclusion is based on the information provided in section A5.4 of the application, supported by the engagement and notification records contained in Part D and Appendix E.

### **Fees and levies**

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

- Application fee in the sum of \$250,000 plus GST;
- Levy in the sum of \$140,000 plus GST; and

### **Consultation**

37. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

- Northland Regional Council, Kaipara District Council and Whangārei District 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);

38. A summary of the consultation is included as Appendix 2.

**Assessment of compliance for each section of each application form**

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

## Appendix 1: Assessment of section 44 sufficiency

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

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

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	<b>Volume A, Part C, pp. 27-50</b>	<p><b>Included (Volume A, Part C, pages 27–50).</b></p> <p>Part C of Volume A describes the proposed activity, including the project’s purpose, location and extent, and the nature and scale of the works. It outlines the key physical components and associated activities, including alignment, construction activities, earthworks, structures, drainage and stormwater infrastructure, stream works, and construction staging. The information is sufficient to understand what is proposed and how the project would be constructed, operated, and maintained.</p>
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—	<b>Volume A, Part B, pp. 13-26</b>	<b>Included (Volume A, Part B, pages 13–26; Appendix D).</b>

	<p>(i) a statutory area (as defined in the relevant Treaty settlement Act); or</p> <p>(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</p> <p>(iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011</p>	<b>Volume A, Appendix D</b>	Part B of Volume A and Appendix D describe and map the project location, extent, and boundaries, including relevant statutory and planning context. The information is sufficient to identify where the activity will occur.
5(1)(c)	<p>Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:</p> <ul style="list-style-type: none"> <li>• section 42; and</li> <li>• sections 43 and 44; and</li> <li>• relates solely to a listed project or a referred project; and</li> <li>• any fee, charge, or levy payable under regulations in respect of the application is paid.</li> </ul>	<p><b>Volume A, Section A2, pp.1-2</b></p> <p><b>Volume A, Section A5.4, pp. 5</b></p> <p><b>Volume A, Section A7, pp. 7-9</b></p>	<p><b>Included (Volume A, Sections A2, A5.4, A7, and A5.5).</b></p> <p>The application confirms compliance with section 46(2)(a), (b), and (d) of the Act, including that it relates to a listed project, meets the requirements of sections 42, 43, and 44, and that all applicable fees have been paid.</p>
5(1)(d) and 5(6)	<p>The full name and address of—</p> <p>(i) each owner of the site and of land adjacent to the site; and</p>	<p><b>Volume A, Section D5, p. 60</b></p> <p><b>Volume A, Appendix D</b></p> <p><b>Volume B,</b></p>	<p><b>Included (Volume A, Section D5; Volume B, Appendices F and G).</b></p> <p>Section D5 of Volume A and Appendices F and G of Volume B identify owners and occupiers of land within and adjacent to</p>

	<p>(ii) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry;</p> <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).</p>	<b>Appendices F and G</b>	the site following reasonable inquiry, and confirm that clause 5(6) does not apply.
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	<b>Volume A, Part C, pp. 27-50</b>	<p><b>Included (Volume A, Part C, pages 27-50).</b></p> <p>Part C of Volume A identifies the other activities that form part of the proposal, including establishment works, earthworks, construction access, stream works, stormwater infrastructure, utility relocations, and temporary construction activities. The information is sufficient to identify the ancillary and supporting activities associated with the primary activity.</p>
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	<b>Volume A, Section A6, pp. 5-6</b>	<b>Included (Volume A, Section A6, pages 5-6).</b>

			Section A6 of Volume A identifies the statutory approvals required for the project, including resource consents and notices of requirement, and confirms that these approvals are sought through the substantive application.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	<b>Volume B, Section C7, pp. 35-37</b>	<b>Included (Volume B, Section C7, pages 35-37).</b>  Section C7 of Volume B provides an assessment of the proposal against sections 5, 6, and 7 of the Resource Management Act 1991.
5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: <ul style="list-style-type: none"> <li>• a national environmental standard:</li> <li>• other regulations made under the Resource Management Act 1991:</li> <li>• a national policy statement:</li> <li>• a New Zealand coastal policy statement:</li> <li>• a regional policy statement or proposed regional policy statement:</li> <li>• a plan or proposed plan:</li> </ul>	<b>Volume B, Section C2, pp. 10-21</b> <b>Volume B, Section C3, pp. 21-23</b> <b>Volume B, Appendix C</b>	<b>Included (Volume B, Sections C2 and C3; Appendix C).</b>  Sections C2 and C3 of Volume B assess the proposal against the relevant statutory planning framework, including national, regional, and local planning documents. Appendix C provides supporting plan and policy analysis.

	<ul style="list-style-type: none"> <li>• a planning document recognised by a relevant iwi authority and lodged with a local authority.</li> </ul> <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> <li>• any relevant objectives, policies or rules in the documents listed; and</li> <li>• any requirement, condition, or permission in any rules in any of those documents; and</li> <li>• any other requirements in any of those documents.</li> </ul>		
5(1)(i)	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <ul style="list-style-type: none"> <li>(i) identification of the relevant provisions in those Treaty settlements; and</li> <li>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area</li> </ul>	<p><b>Volume A, Section D7, pp.62-63</b></p>	<p><b>Included (Volume A, Section D7, pages 62–63).</b></p> <p>Section D7 of Volume A identifies the Treaty settlements that apply in the project area and summarises the relevant settlement provisions and redress.</p>
5(1)(j)	<p>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</p>	<p><b>Volume A, Section A5.1, pp. 4</b></p> <p><b>Volume A,</b></p>	<p><b>Included (Volume A, Sections A5.1 and D6.2).</b></p> <p>Sections A5.1 and D6.2 confirm that the project does not involve Māori customary land, customary marine title or protected</p>

	moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	<b>Section D6.2, pp. 62</b>	customary rights areas, and does not fall within or affect ngā rohe moana o ngā hapū o Ngāti Porou.
5(1)(k)	Any conditions that the applicant proposes for the resource consent.	<b>Volume B, Part E3 Volume B, Appendix E</b>	<b>Included (Volume B, Part E3; Appendix E).</b> Volume B, Part E3 and Appendix E set out the conditions proposed by the applicant for the resource consents.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— <ul style="list-style-type: none"> <li>(i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and</li> <li>(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.</li> </ul>	<b>Volume A, Section B2, pp. 13 Volume A, Appendix C</b>	<b>Included (Volume A, Section B2, page 13; Appendix C).</b> Section B2 of Volume A and Appendix C address the requirements of section 30 of the Act, including notification to the relevant consent authority and confirmation that no existing resource consents of the kind referred to in section 30(3)(a) apply.
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	<b>Volume B, Part D, pp. 38-84 and the appended technical assessments</b>	<b>Included (Volume B, Part D, pages 38-84; Appendices D1-D12).</b> Volume B, Part D assesses the actual and potential environmental effects of the proposal in accordance with clause 6 of Schedule 5, supported by specialist

		<b>(Appendices D1 to D12)</b>	technical assessments in Appendices D1–D12.
5(4)(b)	An assessment of the activity’s effects on the environment that covers the matters specified in clause 7.	<b>Volume B, Part D, pp. 38-84 and the appended technical assessments (Appendices D1 to D12)</b>	<b>Included (Volume B, Part D, pages 38–84; Appendices D1–D12).</b> Volume B, Part D addresses the matters specified in clause 7 of Schedule 5, supported by the technical assessments in Appendices D1–D12.
6	(1) The assessment of an activity's effects on the environment must include the following information: (a) an assessment of the actual or potential effects on the environment; (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use; (c) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and	<b>a), (c) and (d): Volume B, Part D, pp. 38-84.</b> <b>(b): N/A</b> <b>(c): Volume B, Sections D10 and D11.1, pp. 65-70</b> <b>(d): Volume B, Part D, pp. 38-84.</b> <b>(e): Volume A, Part D, pp. 52-63</b>	<b>Included (Volume B, Part D, pages 38–84; Volume A, Part D, pages 52–63; Appendices D1–D12 and Appendix E).</b> The application addresses the matters specified, including environmental effects, contaminant discharges, mitigation and monitoring, identification of affected persons, and consultation outcomes, supported by technical assessments and consultation records.

	<ul style="list-style-type: none"> <li>(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</li> <li>(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:</li> <li>(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:</li> <li>(f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:</li> <li>(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:</li> <li>(h) an assessment of any effects of the activity on the exercise of a protected customary right.</li> </ul>	<p><b>Volume A, Appendix E</b>  <b>(f): Volume A, Part D, pp. 52-63</b>  <b>Volume A, Appendix E</b>  <b>(g): Volume B, Part D, pp. 38-84.</b>  <b>(h): N/A</b></p>	
7	The assessment of an activity's effects on the environment must cover the following matters:	<b>a): Volume B, Part D, pp. 38-84.</b>	<b>Included (Volume B, Part D, pages 38-84; Appendices D2-D11).</b> Volume B, Part D addresses the matters

<p>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p> <p>(b) any physical effect on the locality, including landscape and visual effects:</p> <p>(c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:</p> <p>(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:</p> <p>(e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:</p> <p>(f) any unreasonable emission of noise:</p> <p>(g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</p>	<p><b>(b): Volume B, Part D, pp. 38-84, and in particular, Section D5, pp. 47-50 and Appendix D4.</b></p> <p><b>(c): Volume B, Part D, pp. 38-84, and in particular, Section D7, pp. 51-62.</b></p> <p><b>(d): Volume B, Sections D5 and D6, pp. 47-51, and in particular,</b></p> <p><b>(e): Volume B, Sections D10 and D11.1, pp. 65-70,</b></p>	<p>specified in clauses (a) to (g), supported by the relevant technical assessments.</p>
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		<p><b>and Appendices D10 and D11.</b></p> <p><b>(f): Volume B, Section D4, pp. 44-47, and Appendices D2 and D3.</b></p> <p><b>(g): Volume B, Section D11.2, pp. 70-72 and Appendix D11.</b></p>	
5(5)(a)	<p>If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, 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)</p>	<p><b>Volume B, Section B3, pp. 6-9.</b></p> <p><b>Volume B, Appendix B</b></p>	<p><b>Included (Volume B, Section B3, pages 6-9; Appendix B).</b></p> <p>Section B3 of Volume B identifies permitted activities associated with the proposal and demonstrates compliance with the relevant permitted activity standards, supported by the rule assessments in Appendix B.</p>
5(5)(b)	<p>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</p>	<p><b>N/A</b></p>	<p><b>Not applicable.</b></p> <p>The application confirms that the</p>

	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		proposed activity does not occur within the scope of a customary marine title planning document or an environmental covenant under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, and no assessment against such documents is required.
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	N/A	<b>Not applicable.</b> The application confirms that the proposed activity does not occur within a taiāpure-local fishery, a mātaimai reserve, or an area subject to Part 9 Fisheries Act 1996 bylaws, and no assessment is required.

### CHECKLIST C – Designation or alteration of existing designation

Clause, Schedule 5	Information required for an approval described in section 42(4)(d) of the Act, Clause 12 of Schedule 5	Application Reference	EPA

12(1)(a)	a description and map of the site to which the notice of requirement applies, including whether the site is within or adjacent to a statutory area (as defined in a relevant Treaty settlement Act)	<b>Volume B, Section B3, pp. 6-9. Volume B, Appendix B</b>	<b>Included (Volume B, Section B3, pages 6–9; Appendix B).</b> Section B3 of Volume B and Appendix B describe and map the site to which the notice of requirement applies, including the designation footprint and relevant statutory context.
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	<b>Volume B, Section C5.1, pp. 24 Volume B, Part D, pp. 38-84 and the appended technical assessments (Appendices D1 to D12)</b>	<b>Included (Volume B, Section C5.1, page 24; Volume B, Part D, pages 38–84; Appendices D1–D12).</b> Section C5.1 and Volume B, Part D describe the environmental effects of the project and the proposed mitigation measures, supported by specialist technical assessments.
12(1)(c)	confirmation that the notice of requirement complies with section 46(2)(a), (b), and (d), being; <ul style="list-style-type: none"> <li>• section 42; and</li> <li>• sections 43 and 44; and</li> </ul>	<b>Volume A, Section A2, pp.1-2 Volume A, Section</b>	<b>Included (Volume A, Sections A2, A5.4, A7, and A5.5).</b> The application confirms that the notice of requirement complies with section 46(2)(a), (b), and (d) of the Act,

	<ul style="list-style-type: none"> <li>relates solely to a listed project or a referred project;</li> <li>any fee, charge, or levy payable under regulations in respect of the application is paid.</li> </ul>	<b>A5.4, pp. 5 Volume A, Section A7, pp. 7-9</b>	including that it relates to a listed project, meets the requirements of sections 42, 43, and 44, and that all applicable fees have been paid.
12(1)(d)(i)	an assessment of the project or work against sections 5, 6, and 7 of the Resource Management Act 1991	<b>Volume B, Section C7, pp. 35-37</b>	<b>Included (Volume B, Section C7, pages 35–37).</b> Section C7 of Volume B assesses the project against sections 5, 6, and 7 of the Resource Management Act 1991.
12(1)(d)(ii) and 12(2)	<p>an assessment of the project or work against any relevant provisions in any of the documents listed in subclause (2) being:</p> <p>(a) a national policy statement:</p> <p>(b) a New Zealand coastal policy statement:</p> <p>(c) a regional policy statement or proposed regional policy statement:</p> <p>(d) a plan or proposed plan:</p> <p>(e) a planning document recognised by a relevant iwi authority and lodged with a local authority.</p>	<b>Volume B, Section C2, pp. 10-21 Volume B, Section C3, pp. 21-23 Volume B, Appendix C</b>	<b>Included (Volume B, Sections C2 and C3; Appendix C).</b> Sections C2 and C3 of Volume B assess the project against the relevant statutory planning framework, supported by the planning analysis in Appendix C.
12(1)(e)	information about any Treaty settlements that apply in the area to which the substantive application relates, including—	<b>Volume A, Section D7, pp.62-63</b>	<b>Included (Volume A, Section D7, pages 62–63).</b> Section D7 of Volume A identifies the Treaty settlements that apply to the

	<ul style="list-style-type: none"> <li>(i) identification of the relevant provisions in those Treaty settlements; and</li> <li>(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</li> </ul>		project area and summarises the relevant settlement provisions and redress.
12(1)(f), 12(3) and 12(4)	<p>the full name and address of—</p> <ul style="list-style-type: none"> <li>(i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land; and</li> <li>(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</li> </ul> <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 12(3)).</p>	<b>Volume A, Section D5, pp. 60</b> <b>Volume A, Appendix D</b> <b>Volume B, Appendices F and G</b>	<p><b>Included (Volume A, Section D5, page 60; Volume B, Appendices F and G).</b></p> <p>Section D5 of Volume A and Appendices F and G of Volume B identify the owners and occupiers of land to which the notice of requirement relates and adjacent land following reasonable inquiry, and confirm that clause 12(3) does not apply.</p>
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	<b>Volume B, Section C5.3, pp. 31-3</b>	<p><b>Included (Volume B, Section C5.3, pages 31–33).</b></p> <p>Section C5.3 of Volume B assesses whether the project and the designation sought are reasonably necessary to achieve the objectives of the requiring authority.</p>

12(1)(h)	any consideration of alternative sites, routes, or methods of undertaking the project or work	<b>Volume B, Section C5.2, pp. 24-31</b>	<b>Included (Volume B, Section C5.2, pages 24–31).</b> Section C5.2 of Volume B considers alternative sites, routes, and methods for undertaking the project.
12(1)(i)	a list of the resource consents needed for the project or work and whether they have been applied for	<b>Volume B, Section B3, pp. 6-9. Volume B, Appendix B</b>	<b>Included (Volume B, Section B3, pages 6–9; Appendix B).</b> Section B3 of Volume B identifies the resource consents required for the project and confirms that they are being sought through the substantive application, supported by the rule assessments in Appendix B.
12(1)(j)	a description of any consultation undertaken with parties likely to be affected by the project or work and the designation	<b>Volume A, Part D, pp. 52-63 Volume A, Appendix E</b>	<b>Included (Volume A, Part D, pages 52–63; Appendix E).</b> Part D of Volume A and Appendix E describe consultation undertaken with parties likely to be affected by the project and the designation.
12(1)(k)	any conditions that the requiring authority proposes for the designation.	<b>Volume B, Section E2</b>	<b>Included (Volume B, Section E2; Appendix E).</b>

		<b>Volume B, Appendix E</b>	Section E2 of Volume B and Appendix E identify the conditions proposed by the requiring authority for the designation.
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### CHECKLIST E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(a)	Specify the purpose of the proposed activity	<b>Volume C, Section 2, pp. 2.</b>	<b>Included (Volume C, Section 2, page 2).</b> Section 2 of Volume C specifies the purpose of the proposed activity for which Wildlife Act approval is sought.
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)	<b>Volume C, Section 3, pp. 3.</b>	<b>Included (Volume C, Section 3, page 3).</b> Section 3 of Volume C identifies the actions involving protected wildlife

			<p>and the locations in which those actions will occur, including whether they are on or off public conservation land.</p> <p>The Department of Conservation has noted that the proposed conditions allow for additional fauna release locations to be approved at a later stage. This is acknowledged; however, the application sufficiently identifies the nature of the actions and the spatial context in which they will occur to meet the information requirement at a completeness level. The flexibility in final release locations relates to condition scope and implementation and does not indicate an absence of required information.</p>
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	<b>Volume C, Section 4, pp. 3-4.</b>	<p><b>Included (Volume C, Section 4, pages 3-4).</b></p> <p>Section 4 of Volume C assesses the proposed activity and its impacts</p>

			against the purpose of the Wildlife Act 1953.
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	<b>Volume C, Section 5, pp. 4 and Appendix B.</b>	<p><b>Included (Volume C, Section 5, page 4; Appendix B).</b></p> <p>Section 5 of Volume C and Appendix B identify the protected wildlife species known or predicted to be present within the project area, supported by ecological survey information.</p> <p>The Department of Conservation has noted that expected numbers of individuals likely to be impacted and indirect effects are not always explicitly quantified. This is acknowledged; however, the requirement is to list protected wildlife species and, where possible, identify numbers present and likely to be impacted. The survey data and impact pathways provided are sufficient to meet this requirement at a completeness level. Any further quantification of impacts or indirect effects can be</p>

			addressed through subsequent assessment, management planning, or conditions.
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)	<b>Volume C, Section 6, pp. 4-5 and Appendix B.</b>	<p><b>Included (Volume C, Section 6, pages 4–5; Appendix B).</b></p> <p>Section 6 of Volume C and Appendix B outline the impacts of the proposed activity on threatened and at-risk wildlife species, as defined in the New Zealand Threat Classification System.</p> <p>The Department of Conservation has noted that avoidance, minimisation, and mitigation measures are not fully developed at this stage, limiting assessment of residual effects. This is acknowledged; however, the requirement is to outline impacts on threatened and at-risk species, which the application does. Matters relating to the effectiveness of mitigation and residual effects are appropriately addressed through</p>

			management plans, conditions, or further information and do not affect completeness.
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	<b>Volume C, Section 7, pp. 5 and Appendix B.</b>	<p><b>Included (Volume C, Section 7, page 5; Appendix B).</b></p> <p>Section 7 of Volume C sets out how the proposed methods for actions involving protected wildlife are intended to meet best practice standards, with reference to relevant DOC guidance and industry protocols, supported by Appendix B.</p> <p>The Department of Conservation has noted that detailed, species-specific methodologies and a draft Ecological Management Plan have not been provided. This is acknowledged; however, the requirement is to provide a statement of how best practice standards will be met, rather than finalised methodologies. The commitment to implementing relevant standards through a</p>

			certified management plan process is sufficient to meet the requirement at a completeness level.
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:	<b>Volume C, Section 8, pp. 5 and Appendix C.</b>	<p><b>Included (Volume C, Section 8, page 5; Appendix C).</b></p> <p>Section 8 of Volume C describes the methods proposed to safely, efficiently, and humanely catch, hold, transfer, or incidentally kill protected wildlife, and identifies relevant animal ethics considerations, supported by the proposed Wildlife Approval conditions in Appendix C.</p> <p>The Department of Conservation has noted that detailed, finalised methodologies are to be developed through future management plans. This is acknowledged; however, the requirement is to provide a description of methods and ethics processes, not finalised operational detail. The information provided is sufficient to meet the requirement</p>

			at a completeness level, with further methodological detail appropriately addressed through subsequent management plan and condition processes.
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)	<b>Volume C, Section 9, pp. 5-6.</b>	<p><b>Included (Volume C, Section 9, pages 5–6).</b></p> <p>Section 9 of Volume C identifies the location of activities involving protected wildlife, with activities occurring within the proposed designation and supported by mapped information.</p> <p>The Department of Conservation has noted that proposed conditions allow additional fauna release locations to be approved through an Ecological Management Plan. This is acknowledged; however, the application sufficiently identifies the spatial context in which wildlife activities will occur to meet the requirement at a completeness level. The flexibility in final release site selection relates to</p>

			implementation and condition scope and does not affect completeness.
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	<b>Volume C, Section 10, pp. 6.</b>	<b>Included (Volume C, Section 10, page 6).</b> Section 10 of Volume C states whether authorisation is sought to temporarily hold or relocate protected wildlife.
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	<b>Volume C, Section 11, pp. 6-7 and Appendix B.</b>	<b>Included (Volume C, Section 11, pages 6–7; Appendix B).</b> Section 11 of Volume C and Appendix B list the actual and potential wildlife effects of the proposed activity, including effects on target species, other indigenous species, and ecosystems. The Department of Conservation has noted that limited detail on species and pest management means net effects and potential benefits cannot yet be fully assessed. This is acknowledged;

			however, the requirement is to list actual and potential effects, not to determine net effects following mitigation. Matters relating to management detail and net effects are appropriately addressed through subsequent assessment and conditions and do not affect completeness.
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)	<b>Volume C, Section 12, pp. 7-8 and Appendix B</b>	<b>Included (Volume C, Section 12, pages 7-8; Appendix B).</b> Section 12 of Volume C and Appendix B identify the methods proposed to avoid and minimise adverse effects on protected wildlife and outline potential mitigation, offsetting, and compensation measures. The Department of Conservation has noted that mitigation measures are described at a high level and that further detail is required to assess effectiveness and residual effects, particularly for species such as Hochstetter's frog. This is

			acknowledged; however, the requirement is to state the methods and approaches proposed, not to provide fully detailed or quantified methodologies at this stage. Matters relating to mitigation effectiveness, residual effects, and offset design are appropriately addressed through management plans, conditions, or further information and do not affect completeness.
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	<b>Volume C, Section 13, pp. 8.</b>	<b>Included (Volume C, Section 13, page 8).</b> Section 13 of Volume C states that neither the applicant nor any person involved with the application has been convicted of an offence under the Wildlife Act 1953.
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	<b>Volume C, Section 13, pp. 8.</b>	<b>Included (Volume C, Section 13, page 8).</b> Section 13 of Volume C states that neither the applicant nor any

			person involved with the application has any current criminal charges under the Wildlife Act 1953.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	<b>Volume C, Section 14 and Appendix B</b>	<b>Included (Volume C, Section 14; Appendix B).</b>  Section 14 of Volume C and Appendix B describe consultation undertaken in relation to wildlife impacts.
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	<b>Volume A, Appendix E.</b>	<b>Included (Volume A, Appendix E).</b>  Appendix E of Volume A identifies and records written expert views and advice obtained in relation to the proposal.

#### CHECKLIST F – Archaeological authority

Clause, Schedule 8	Information required for an approval described in section 43(3)(i) Archaeological Authority	Application Reference	EPA

2(1)(a)	a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates	<b>Volume D, Section 2, pp. 2-3.</b>	<b>Included (Volume D, Section 2, pages 2-3).</b> Section 2 of Volume D provides a legal description of the land to which the application for Archaeological Authorities relates.
2(1)(b)	the name of the owner of the relevant land, if the applicant is not the owner of the land	<b>Volume D, Section 2, pp. 2-3.</b>	<b>Included (Volume D, Section 2, pages 2-3).</b> Section 2 of Volume D identifies the owners of the land to which the application for Archaeological Authorities relates.
2(1)(c)	proof of consent, if the owner of the relevant land has consented to the proposed activity	<b>Volume D, Section 3, pp.3.</b>	<b>Included (Volume D, Section 3, page 3).</b> Section 3 of Volume D addresses landowner consent for the archaeological authority application and confirms that no proof of consent is required at this stage.

2(1)(d)	confirmation that the application complies with <a href="#">section 42</a> , 43, and <a href="#">44</a> of the Act	<b>Volume D, Section 4, pp. 3; Volume A, Section A7, pp. 7-9.</b>	<b>Included (Volume D, Section 4, page 3; Volume A, Section A7, pages 7-9).</b>  Volume D, Section 4 and Volume A, Section A7 confirm that the application complies with sections 42, 43, and 44 of the Fast-track Approvals Act 2024.
	confirmation that the application relates solely to a listed project or a referred project	<b>Volume D, Section 4; Volume A, Section A7 pp. 7-9.</b>	<b>Included (Volume D, Section 4; Volume A, Section A7).</b>  The application confirms that it relates solely to a listed project
	any fee, charge, or levy payable under regulations in respect of the application is paid.	<b>Volume D, Section 4, pp. 3.</b>	<b>Included (Volume D, Section 4, page 3).</b>  The application confirms that all applicable fees have been paid.
2(1)(e)	a description of each archaeological site to which the application relates and the location of each site	<b>Volume D, Section 6, pp. 4-5.</b>	<b>Included (Volume D, Section 6, pages 4-5).</b>  Section 6 of Volume D describes each archaeological site to which

			the application relates and identifies the location of each site.
2(1)(f)	a description of the activity for which the authority is sought	<b>Volume D, Section 7, pp. 6.</b>	<b>Included (Volume D, Section 7, page 6).</b> Section 7 of Volume D describes the activities for which the Archaeological Authorities are sought.
2(1)(g)	a description of how the proposed activity will modify or destroy each archaeological site	<b>Volume D, Section 7, pp. 6.</b>	<b>Included (Volume D, Section 7, page 6).</b> Section 7 of Volume D describes how the proposed activities will modify or destroy each archaeological site to which the application relates.
2(1)(h)	except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of—  (i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and	<b>Volume D, Section 8, pp. 7; Volume D, Appendix B</b>	<b>Included (Volume D, Section 8, page 7; Appendix B).</b> Section 8 of Volume D and Appendix B assess the archaeological, Māori, and other relevant values of the affected sites

	(ii) the effect of the proposed activity on those values		and the effects of the proposed activity on those values.
2(1)(i)	<p>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—</p> <p>(i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or</p> <p>(ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).</p>	<b>Volume D, Section 9, pp. 7.</b>	<p><b>Included (Volume D, Section 9, page 7).</b></p> <p>Section 9 of Volume D describes consultation undertaken in relation to the application for Archaeological Authorities, including consultation with tangata whenua, and explains why consultation with landowners has not yet occurred.</p>

#### CHECKLIST J – Listed project information requirements

<b>Section, Fast-track Approvals Act</b>	<b>Information required for a substantive application under section 43(2) and section 13(4)</b>	<b>Application Reference</b>	<b>EPA</b>
13(4)(a)	a description of the project and the activities it involves	<b>Volume A, Part C, pp. 26 - 48.</b>	<b>Included (Volume A, Part C, pages 26–48).</b>

			Volume A, Part C describes the project and the activities it involves.
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)	<b>Volume A, Section A5.1, pp. 4.</b>	<b>Included (Volume A, Section A5.1, page 4).</b>  Section A5.1 of Volume A confirms that the project does not involve any ineligible activities under the Fast-track Approvals Act 2024, other than activities potentially subject to a determination under sections 23 or 24.
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	<b>Volume A, Appendix D</b>	<b>Included (Volume A, Appendix D).</b>  Appendix D of Volume A maps the project area and identifies the project boundaries.
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	<b>Volume A, Section C4.3, pp. 38 - 39.</b>	<b>Included (Volume A, Section C4.3, pages 38–39).</b>  Section C4.3 of Volume A identifies the anticipated commencement and completion timeframes for construction activities.

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	<b>Volume A, Section C4.3, pp. 38 - 39.</b>	<b>Included (Volume A, Section C4.3, pages 38–39).</b>  Section C4.3 of Volume A confirms that the project is planned to proceed in stages and outlines the nature and indicative timing of those stages.
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	<b>Volume B, Part D, pp. 38 - 82.</b> <b>Volume C, Section 8, pp. 8.</b> <b>Volume D, Section 11, pp. 9 - 10.</b>	<b>Included (Volume B, Part D, pages 38–82; Volume C, Section 8, page 8; Volume D, Section 11, pages 9–10).</b>  The application describes the anticipated and known adverse environmental effects of the project and their significance, supported by topic-specific assessments in Volumes B, C, and D.
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	<b>Volume A, Section A6.2, pp.6.</b>	<b>Included (Volume A, Section A6.2, page 6).</b>  Section A6.2 of Volume A confirms that the project does not involve

			any activities prohibited under the Resource Management Act 1991.
13(4)(j)	<p>a list of the persons and groups the applicant considers are likely to be affected by the project, including—</p> <ul style="list-style-type: none"> <li>(i) relevant local authorities:</li> <li>(ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements:</li> <li>(iii) other relevant iwi authorities:</li> <li>(iv) relevant Treaty settlement entities:</li> <li>(v) relevant protected customary rights groups and customary marine title groups:</li> <li>(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:</li> <li>(vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011:</li> <li>(viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:</li> </ul>	<p><b>Volume A, Part D, pp. 49 - 59.</b></p> <p><b>Volume A, Appendix E.</b></p>	<p><b>Included (Volume A, Part D, pages 49–59; Appendix E).</b></p> <p>Volume A, Part D and Appendix E identify the persons and groups the applicant considers are likely to be affected by the project.</p>

13(4)(k)	<p>a summary of—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(ii) how the consultation has informed the project:</li> </ul>	<p><b>Volume A, Part D, pp. 49 - 59.</b>  <b>Volume A, Appendix E</b></p>	<p><b>Included (Volume A, Part D, pages 49–59; Appendix E).</b></p> <p>Volume A, Part D and Appendix E summarise consultation undertaken under section 29 of the Fast-track Approvals Act 2024 and explain how that consultation has informed the project.</p>
13(4)(ka)	<p>a summary of how any responses provided to the notification under section 29(1)(aa) have informed the project</p>	<p><b>N/A</b></p>	<p><b>Included.</b></p> <p>While no responses were received to a notification under section 29(1)(aa), the application includes consultation undertaken with relevant parties under section 29 more broadly. That consultation has informed the development and refinement of the project and is summarised elsewhere in the application. Accordingly, the requirement to demonstrate how consultation responses have informed the project is addressed at a completeness level.</p>

13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	<b>Volume A, Section D7, pp. 58 - 59.</b>	<b>Included (Volume A, Section D7, pages 58–59).</b>  Section D7 of Volume A identifies the Treaty settlements that apply to the project area and summarises the relevant principles and provisions.
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	<b>Volume A, Section D5.1, pp. 56.</b>	<b>Included (Volume A, Section D5.1, page 56).</b>  Section D5.1 of Volume A describes the Public Works Act 1981 processes undertaken in relation to the project.
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	<b>Volume A, Section D6.2, pp. 58.</b>	<b>Included (Volume A, Section D6.2, page 58).</b>  Section D6.2 of Volume A addresses the relevance of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 to the project area.
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	<b>Volume A, Section D8, pp. 59.</b>	<b>Included (Volume A, Section D8, page 59).</b>

			Section D8 of Volume A identifies Māori land, marae, and wāhi tapu relevant to the project area.
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	<b>Volume A, Section A5.2, pp. 4.</b>	<b>Included (Volume A, Section A5.2, page 4).</b>  Section A5.2 of Volume A addresses whether the applicant is 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—  (i) the scale and adverse effects of the existing electricity infrastructure; and  (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure	<b>Volume A, Section A5.1, pp.4.</b>	<b>Included (Volume A, Section A5.1, page 4).</b>  Section A5.1 of Volume A addresses whether a determination is sought under section 24(2) and, where relevant, describes effects associated with existing electricity infrastructure.
13(4)(r)	a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—  (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the	<b>Volume A, Section A5.1, pp.4.</b>	<b>Included (Volume A, Section A5.1, page 4).</b>  Section A5.1 of Volume A confirms that no determination is sought under section 24(4), and therefore

	<p>construction and operation of the new electricity lines (the activity); and</p> <p>(ii) for each alternative site considered,—</p> <p>(A) a statement of the anticipated and known financial cost of undertaking the activity; and</p> <p>(B) a description of the anticipated and known adverse effects of undertaking the activity; and</p> <p>(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</p> <p>(D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and</p> <p>(E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters</p>		the associated information requirements do not apply.
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	<b>Volume A, Section A8.2, pp. 10.</b>	<b>Included (Volume A, Section A8.2, page 10).</b>

	project will occur, including a statement of how that affects the applicant's ability to undertake the work		Section A8.2 of Volume A describes the applicant's legal interest in the land on which the project will occur.
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	<b>Volume A, Section A6, pp. 6.</b>	<b>Included (Volume A, Section A6, page 6).</b>  Section A6 of Volume A outlines the other statutory consents, designations, concessions, and legal authorisations required to authorise the project, aside from the approvals sought under the Fast-track Approvals Act 2024.
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,—  (i) if an application has been made, details of the application:  (ii) if a decision has been made, the outcome of the decision and the reasons for it:	<b>N/A</b>	<b>Not applicable.</b>  No prior applications or decisions under a specified Act apply to the project.

13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	<b>Volume A, Section C4.6, pp. 44</b>	<b>Included (Volume A, Section C4.6, page 44).</b>  Section C4.6 of Volume A describes how climate change and natural hazards may affect the project.
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	<b>N/A</b>	<b>Not applicable.</b>  The application is lodged by a single applicant.
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	<b>Volume A, Section A3.2, pp. 2.</b>	<b>Included (Volume A, Section A3.2, page 2).</b>  Section A3.2 of Volume A addresses compliance and enforcement matters.
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	<b>Resource consent or designation</b>  (a) an assessment of the project against—  (i) any relevant national policy statement; and	<b>Volume B, Section C2, pp. 10 - 21.</b> <b>Volume B, Appendix C</b>	<b>Included (Volume B, Section C2, pages 10–21; Appendix C).</b>  Section C2 of Volume B assesses the project against relevant national policy statements,

	<p>(ii) any relevant national environmental standards; and</p> <p>(iii) if relevant, the New Zealand Coastal Policy Statement; and</p>		<p>national environmental standards, and, where applicable, the New Zealand Coastal Policy Statement. Appendix C provides supporting policy and standards analysis.</p>
	<p>(b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).</p>	<p><b>Volume A, Section B2, pp. 13.</b> <b>Volume A, Appendix C</b></p>	<p><b>Included (Volume A, Section B2, page 13; Appendix C).</b></p> <p>Section B2 of Volume A and Appendix C address whether any existing resource consents of the kind referred to in section 30(3)(a) apply to the project.</p>
<p>13(4)(y)(ii), clause 3 of Schedule 5</p>	<p><b>Change or cancellation of resource consent condition</b></p> <p>The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.</p>	<p><b>N/A</b></p>	<p><b>N/A</b></p>
<p>13(4)(y)(iii), clause 4 of Schedule 5</p>	<p><b>Certificate of compliance</b></p> <p>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.</p>	<p><b>N/A</b></p>	<p><b>N/A</b></p>

	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.		
13(4)(y)(iv), clause 2 of Schedule 6	<p><b>Concession</b></p> <p>(1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and—</p> <p>(a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and</p> <p>(b) the granting of the lease would trigger a right of first refusal or a right of offer or return.</p> <p>(2) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.</p>	<b>N/A</b>	<b>N/A</b>
13(4)(y)(v), clause 23 of Schedule 6	<p><b>Land exchange</b></p> <p>(1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below:</p> <p>(a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:</p>	<b>N/A</b>	<b>N/A</b>

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

13(4)(y)(vi), clause 4A of Schedule 5	<p><b>Standard freshwater fisheries activity approval</b></p> <p>(4A) The information required to be provided under section 13(4)(y)(vi) is the following:</p> <p>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which the proposed structure may impede fish passage; and</p> <p>(b) whether any fish salvage activities are proposed.</p>	N/A	N/A
13(4)(y)(via), clause 2 of Schedule 9	<p><b>Complex freshwater fisheries activity approval</b></p> <p>(2) The information required to be provided under section 13(4)(y)(via) is the following:</p> <p>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and</p> <p>(b) whether any other complex freshwater fisheries activities are proposed.</p>	N/A	N/A
13(4)(y)(vii), clause 2 of Schedule 10	<p><b>Marine consent</b></p> <p>(1) The information required to be provided under section 13(4)(y)(vii) is–</p>	N/A	N/A

	(a) information about whether the Minister of Conservation is an affected person:		
	(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,— (i) details of any application made; and (ii) the decisions made on that application; and (iii) information about the matters that the Minister may consider under section 22(6):	N/A	N/A
	(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.	N/A	N/A
13(4)(y)(viii), clause 2 of Schedule 11	<b>Access arrangement</b> (1) Confirmation that the applicant has complied with section 29 (for the purposes of section 13(4)(y)(viii)).	N/A	N/A

<p>13(4)(y)(ix), clause 15 of Schedule 11</p>	<p><b>Mining permit</b></p> <p>(1) For the purposes of section 13(4)(y)(ix), the information is—</p> <ul style="list-style-type: none"> <li>(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:</li> <li>(b) the name and contact details of the proposed permit participants and the proposed permit operator:</li> <li>(c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both:</li> <li>(d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme:</li> <li>(e) information about the proposed permit holder’s history of compliance with mining or similar permits and their conditions:</li> <li>(f) the proposed date on which the substantive application is intended to be lodged:</li> <li>(g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information:</li> </ul>	<p><b>N/A</b></p>	<p><b>N/A</b></p>
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	<p>(h) the proposed duration of the permit:</p> <p>(i) if the proposed approvals include a mining permit for petroleum,—</p> <p>(i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:</p> <p>(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:</p> <p>(iii) a high-level overview of the following:</p> <p>(A) the proposed field development plan:</p> <p>(B) the proposed date for the commencement of petroleum production:</p> <p>(C) the economic model for the project:</p> <p>(D) the proposed duration of the proposed mining permit:</p> <p>(E) decommissioning plans:</p>		
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	<p>(j) if the proposed approvals include a mining permit for minerals other than petroleum,—</p> <ul style="list-style-type: none"> <li>(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:</li> <li>(ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted:</li> <li>(iii) whether the application will be for a Tier 1 or Tier 2 permit:</li> <li>(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):</li> <li>(v) an indicative mine plan:</li> <li>(vi) a high-level overview of the following: <ul style="list-style-type: none"> <li>(A) the proposed mining method:</li> </ul> </li> </ul>		
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	<p>(B) the proposed date for the commencement of mining and estimated annual production:</p> <p>(C) the economic model for the project:</p> <p>(D) the status of or anticipated timing for completing any prefeasibility or feasibility studies:</p> <p>(E) the proposed methods for processing mined material and handling and treating waste:</p> <p>(F) anticipated plans for mine closure and rehabilitation.</p> <p>(2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.</p>		
43(2)(b)	<p>if the project is planned to proceed in stages,—</p> <p>(i) an outline of the nature and timing of the stages; and</p> <p>(ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and</p>	<b>Volume A, Section A2, pp. 1-2.</b>	<p><b>Included (Volume A, Section A2, pages 1-2).</b></p> <p>Section A2 of Volume A addresses project staging and section 22 criteria.</p>

	(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.	<b>Volume A, Section A2, pp.1-2.</b>	<b>Included (Volume A, Section A2, pages 1-2).</b> Section A2 of Volume A summarises the information provided to the Minister for listing the project and explains how the substantive application remains within the scope of the listed project.

## 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 Northland Regional Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

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

In our opinion the information provided for the resource consent application(s) generally meets the requirements of Section 42 and 43 of the FTAA. The only matters identified that appear to not have been addressed are as follows:

- The information requirements listed under Section 8(2) of Schedule 5 (information required in application for subdivision or reclamation). At the bottom of page 2 of the document titled 'Substantive Application under the fast track Approvals Act 2024 – Volume B – RMA Approvals' there is a footnote that states that clause 8 is not relevant to this application, however the application does include the reclamation of a riverbed (Regulation 57 of the NES-FW).
- The assessment of the activity against the relevant provisions of the documents listed in Subclause 2 of Clause 5 of Schedule 5 appears to be missing an assessment against the objectives and policies of Te Iwi o Ngatiwai Iwi Environmental Policy Document 2007.

I can also confirm that the written notice provided in accordance with section 30(5) on the 31 March 2026 remains accurate.

**2. Consultation with Kaipara District Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

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

We have undertaken a high-level review of the application material submitted. It appears that all relevant matters listed in Clauses 5 to 9 of schedule 5 have been addressed. Similarly it appears that all relevant matters listed in clause 12 of Schedule 5 have been addressed.

**3. Consultation with Whangarei District Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

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

Dear Elliot,

Re: Consultation regarding a substantive application under the Fast-track Approvals Act 2024 - Alternative to the Brynderwyn Hills (FTAA-2603-1178).

Thank you for your invitation to provide written comments on the completeness of the application made for one stage of the listed project, "The Alternative to the Brynderwyn Hills", by the New Zealand Transport Agency Waka Kotahi (NZTA) under the Fast-track Approvals Act 2024 (FT AA) - reference FT AA-2603-1178<sup>1</sup>.

The substantive application includes applications for the following approvals under the Resource Management Act 1991 (RMA), for which Whangarei District Council (WDC) is the relevant consent authority that would otherwise administer the approvals under the RMA (Sections 42(4)(a) and 24(4)(d) of the FTAA):

- A resource consent for a discretionary activity (Regulation 11) under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS); and
- A designation, for which a Notice of Requirement would otherwise be lodged under section 168 of the RMA.

WDC has reviewed the substantive application documentation related to the RMA approvals relevant to its functions, based on the documentation lodged in the Environmental Protection Authority (EPA) portal as at 20 April 2026.

### **Section 42 - Authorised person may lodge substantive application for approvals**

The New Zealand Transport Agency Waka Kotahi is the authorised person specified for the listed project in Schedule 2 of the FTAA.

In accordance with Section 42(3)(a), Council confirms that NZTA is the requiring authority for state highway designations in the Whangarei District Plan and is therefore eligible to apply for the approvals set out above.

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<sup>1</sup> Council notes the advice provided in the application (Sections A1 and A2, Part A of Volume A- FTM Substantive Application) that the substantive application, as lodged, represents one stage of the "Alternative to Brynderwyn Hills" project listed in Schedule 2 of the FT AA. Schedule 2 of the FT AA identifies the approximate geographical location of the listed project as being "between Te Hana and the State Highway 1 and State Highway 15 (Port Marsden Highway) intersection". This substantive application has been made for the central section of the proposed corridor between Pukekaroro, Kaiwaka, and Waipu.

## **Section 43 and Schedule 12 - Requirements for substantive application**

WOC has reviewed the assessment of substantive application requirements provided in section A? of Volume A- FTAA Substantive Application and considers that the application generally satisfies the requirements of Section 43 of the FTAA. Regarding section 13(4)(k)(ii), the consultation summary identifies how feedback from many of the entities consulted informed the project. Further detail could be supplied on how landowner consultation informed the project as the applications are assessed.

As requested, additional commentary is provided below on the information requirements set out in clauses 5 to 9 of Schedule 5 (information required in a resource consent application) and clause 12 of Schedule 5 (information required in a Notice of Requirement) of the FT AA.

### Clauses 5 to 9 of Schedule 5 - Resource consent information requirements

Section A2.2.1 and Appendix A of Volume B - RMA Approvals provide a tabulated guide to the relevant part(s) of the application that satisfy the information required for resource consent applications in clauses 5, 6, and 7 of Schedule 5. Clauses 8 and 9 are not relevant to the application or to WOC's functions. Many of the sub-clauses are also not relevant to consideration of the management of human health effects from contaminated soils. In reviewing these sections of the application, it appears there is sufficient detail to satisfy the clauses and sub-clauses relevant to contaminated soils management.

### Clause 12 of Schedule 5 - Notice of Requirement information requirements

Section A2.2.2 and Appendix A of Volume B - RMA Approvals provide a tabulated guide to the relevant part(s) of the application that satisfy the information required for a Notice of Requirement under clause 12 of Schedule 5. In reviewing these sections of the application, it appears there is sufficient detail to satisfy clauses 12(1) to 12(3). Clause 12(4) does not appear relevant to the application.

## **Conclusion**

WOC has reviewed the substantive application with respect to the material relating to its administrative functions under the RMA and considers that the application generally satisfies the relevant information requirements of sections 42 and 43 of the FT AA. The information provided generally contains sufficient detail to satisfy the purpose for which it is required under section 44 of the FT AA.

WOC welcomes ongoing opportunities to engage with the applicant with a view to refining its understanding of the key issues for the district and to inform its formal comments on the application.

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

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

**Overview**

Project name	Alternative to the Brynderwyn Hills – Brynderwyn Hills section
Project applicant	New Zealand Transport Agency Waka Kotahi (NZTA)
EPA unique ref. no	FTAA-2603-1178
EPA Request Number	CRM:0139012552
Conservation approvals sought	Wildlife approval for the handling, salvage, transfer/relocation and release (and incidental killing) of native lizards, frogs and kauri snails for a duration of 20 years
EPA request overview	To inform the EPA’s completeness assessment of the application, please provide DOC’s views on whether the documentation provided by the applicant, meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (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. In your response, please include: • whether any relevant matters listed in clause 2 of Schedule 7 (information required in application for wildlife approval) have not been addressed or have not been provided in sufficient detail.
Date due to EPA	21 April 2026

On 14/04/2026 the Department of Conservation (DOC) received a request from the EPA seeking its views whether the application meets the requirements of sections 42 and 43 of the Act and whether the information is in sufficient detail to satisfy section 44 of the Act.

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

The advice covers compliance with the following

- Preliminary matters under section 43
- Information requirements for relevant approvals
- Consultation requirements

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 does NOT meet the requirements of sections 42, 43, and 44 of the Act.

1. The following information is not in sufficient detail:
  - a. Methods to avoid, remedy, or mitigate adverse effects (including offsetting or compensation). The application does not adequately describe the specific methods that will be used to avoid and minimise adverse effects on protected wildlife, or any proposed offsetting or compensation to address unmitigated adverse effects. Only high-level mitigation measures are included and no draft Ecological Management Plan (EMP) or detailed methodologies are provided. Instead, it relies on the future development of management plans post-approval. This information is required under clause 2(1) of Schedule 7 and is necessary to assess the application against the purpose of the Wildlife Act 1953.
  - b. Activity locations: Not all locations where wildlife handling, relocation, and release may occur are identified; proposed conditions allow for additional, unspecified release sites to be determined post-approval.
  - c. Numbers of wildlife likely to be impacted: Expected numbers of individuals affected are not clearly stated.
  - d. Impacts on threatened, at-risk, and data-deficient species: Avoidance, minimisation, and mitigation measures are insufficiently described to determine likely net effects.
  - e. Best-practice wildlife methods: No draft Ecological Management Plan (EMP) or detailed methodologies are provided to demonstrate how best-practice standards will be met for handling, salvage, and relocation.

- f. Actual and potential wildlife effects: Proposed pest management measures are not sufficiently described to enable assessment of potential benefits to wildlife.

DOC notes that, while it considers the application to be incomplete, that the EPA can request further information from the applicant under section 46(2A). We recommend seeking a draft EMP to cover the missing information identified above.

## **Consultation**

NZTA have held discussions with DOC and some draft reports were shared. The draft Assessment of Effects on Terrestrial Ecology dated 16 March 2026 stated that an EMP would accompany the wildlife approval application; however one has not.

## **Further observations**

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

1. No freshwater fisheries approvals have been applied for. However, the content of the application suggests that a Complex Freshwater Fisheries Approval (CFFA) may be required. For example:
  - a) Volume A – Main Application – at page 38 states that for some proposed culverts, fish passage is not expected to be practicable. Therefore, a CFFA would be required by invoking of regulation 42 of the Freshwater Fisheries Regulations 1983.
  - b) This same page states that some stream diversions are unavoidable where existing watercourses are displaced by the highway or a spoil fill site. These diversions will be configured to convey the design flow (1% AEP+CC or greater) via a combination of channel and flood plain flow. Subsequent design will incorporate habitat features and erosion-resistant elements where appropriate. Details of the proposed stream diversions are shown on Drawing 10722-PTA-2B0-SW-DRG 1432. This drawing is at Appendix D04 and indicates, among other things, ‘margin planting into vegetated structures at the outside of bends’. Therefore, a CFFA would be required by invoking of regulation 43 of the Freshwater Fisheries Regulations 1983.
  - c) The Construction Water Assessment (Volume B, Appendix D10) indicates a lack of certainty about whether fish passage will be impeded. It seems reasonably clear that there will be structures of a temporary nature that will dam and or divert the waterway (see page 20 of Appendix D10). This would require a CFFA by invoking of regulation 43 of the Freshwater Fisheries Regulations 1983.

(2) The Fast Track Approvals Amendment Act 2025 introduced a new requirement for information regarding staging and other information requirements of s43(2). We understand the EPA will need to be satisfied that these requirements are met.

## S43(2)

### Applications for wildlife approvals

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

Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Y	Volume C - section 2 pp 2	Y	
(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 C - section 3 pp 3	N	The applicant has identified that they intend to undertake the handling, salvage and transfer/relocation (and incidental killing) of protected wildlife. Locations are specified, although conditions are drafted such that additional unspecified locations could be used for fauna release.
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Y	Volume C section 4 pp 3-4, Appendix B	Y	
(d) list protected wildlife species known or predicted to be in the area and, where	Y	Volume C - section 5 pp 4,	N	While ecological survey data is presented (e.g. Table 19 of Volume C for frogs) and can be extrapolated, expected numbers

possible, the numbers of wildlife present and numbers likely to be impacted:		Appendix B		that will be impacted are not clearly stated. DOC's rough extrapolation is that approximately 40,000 frogs could be impacted. Indirect impacts are also not factored in (e.g., potential future impacts on relocated frogs if the fauna release site is subsequently harvested).
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Y	Volume C - section 6 pp 4-5, Appendix B.	N	Avoidance, minimisation and mitigation measures are not outlined in EMPs, so it is difficult to determine likely impacts after management.
(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 C - section 7 pp 5, Appendix B.	N	The application states that an EMP will be developed for the project, following industry standard guidelines for preparing native fauna management plans. However, a draft EMP or detailed methodology has not been provided. This limits DOC's and the decision maker's ability to assess best practice, particularly for species such as native frogs and snails, where assessment depends on expert review of specific proposed methods rather than established protocols.
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify	Y	Volume C - section 8 pp 5-6, Appendix B.	N	The application relies on the future development of management plans rather than describing specific methods. This limits DOC's and the decision maker's ability to

relevant animal ethics processes:				assess whether the methods to catch, hold, or kill protected wildlife are safe, efficient, and humane.
(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 C - section 9 pp 6, Appendix B, Appendix C.	N	The proposed conditions are that fauna release sites include specified mitigations sites and/or “other areas determined by a Suitably Qualified Person in accordance with the Ecological Management Plan”. i.e., all potential release sites are not identified in the application.
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Y	Volume C - section 3 pp 3, section 10 pp 6	Y	
(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 C section 11 pp 7-8, Appendix B	N	As species management is not described in detail, net effects are unknown. The applicant has not described the proposed pest management (area, methods, targets) so that benefits to wildlife can be assessed.
(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 C -section 12 pp 9, Appendix B	N	Significant adverse effects are identified, but the application provides only high-level mitigation measures and relies on management plans to be developed post-approval. The specific methods to avoid and minimise those effects, and any proposed offsetting or compensation, are not described in sufficient detail to assess.

				Detailed methods are particularly important for species such as Hochstetter's frog where there is a high degree of uncertainty regarding the effectiveness of salvage and relocation as a mitigation tool. For all species, it is necessary to understand details such as salvage effort (what percentage of the impacted population will be salvaged) to understand residual effects and ensure appropriate offsetting or compensation measures. Detail on carrying capacities, monitoring plans, and pest control (including target levels etc) for release sites are relevant to assessing whether adverse effects are adequately addressed.
(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 C - section 13, pp 8	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 C - section 13, pp 8	Y	

(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Y	Volume C - section 13, pp 10 Volume A - sections D2-D8, and Appendix E	Y	
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Y	Volume A - Appendix E	Y	

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

#### **Introduction**

The New Zealand Transport Agency (the Applicant) lodged a substantive application for the Alternatives to Brynderwyn Hills Project (the Project) with the Environmental Protection Agency (EPA).

On 14th April 2026 the EPA requested feedback regarding completeness to determine whether the substantive application complies with section 46(2) of the FTA Act.

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**

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

#### **Competing Interests Check**

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.