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as at 13 March 2026



Fast-track Approvals Act 2024

Public Act 2024 No 56
Date of assent 23 December 2024
Commencement see section 2

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry for the Environment.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Fast-track Approvals Act 2024.

2 Commencement

This Act comes into force on the day after Royal assent.

Part 1

Preliminary provisions

3 Purpose

The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

4 Interpretation

(1) In this Act, unless the context otherwise requires,—

administering agency—

- (a) means the chief executive of a department that, with the authority of the Prime Minister, is responsible for the administration of a specified Act (other than the chief executives of the departments that, with the authority of the Prime Minister, are responsible for the administration of the Heritage New Zealand Pouhere Taonga Act 2014 and the Resource Management Act 1991); and

- (b) includes,—
- (i) in relation to the Heritage New Zealand Pouhere Taonga Act 2014, Heritage New Zealand Pouhere Taonga:
 - (ii) in relation to the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, the EPA:
 - (iii) in relation to the Crown Minerals Act 1991,—
 - (A) the Director-General of Conservation, if the appropriate Minister for the relevant land is or includes the Minister of Conservation:
 - (B) the chief executive of Land Information New Zealand, if the appropriate Minister for the relevant land is or includes the Minister of Lands

adverse effect on fishing means a restriction on access for fishing or a displacement of fishing

applicant, in relation to a referral application, a land exchange application, or a substantive application, means—

- (a) the person who lodged, or who is to lodge, the application:
- (b) if the application is lodged, or is to be lodged, by more than 1 person, all of those persons

appropriate Minister has the meaning given in section 2A of the Crown Minerals Act 1991

approval has the meaning given in section 42(4)

approval under a specified Act means a matter under a specified Act that corresponds to an approval under this Act

aquaculture agreement has the meaning given in section 186ZD of the Fisheries Act 1996

aquaculture decision means a determination or a reservation made by a panel under clause 20 of Schedule 5

authorised person means,—

- (a) in relation to a listed project, an authorised person specified for the project in Schedule 2:
- (b) in relation to an unlisted project, an authorised person specified for the project under section 27(2):
- (c) if, under paragraph (a) or (b), there is more than 1 authorised person for a project, all of those authorised persons

compensation declaration has the meaning given in section 186ZD of the Fisheries Act 1996

competing application, in relation to a substantive application (**application A**), means a substantive application or an application for an approval under a specified Act (**application B**) if—

- (a) the approval sought or applied for by application B relates to the same natural and physical resources as an approval sought by application A; and
- (b) the approval sought or applied for by application B could not be fully exercised (if at all) if the approval referred to in paragraph (a) were granted; and
- (c) application B was lodged by someone other than the person who lodged application A

complex freshwater fisheries activity means an activity that includes construction of any of the following:

- (a) a culvert or ford that permanently blocks fish passage;
- (b) a permanent dam or diversion structure;
- (c) works—
 - (i) that require disturbance to a water body, including diversions, in-stream operations, and removal of gravel, that persists for more than 3 months; or
 - (ii) that require disturbance of any duration during the whitebaiting season to a water body within 500 m of the coast; or
 - (iii) that require disturbance of any duration during the relevant spawning season to a water body that is known for the spawning of trout, salmon, or native fish; or
 - (iv) that require repeated disturbance to a water body and are temporary works for which there is a period of 6 months or less between each period of work

conservation area has the meaning given in clause 22 of Schedule 6

Conservation Board has the meaning given in section 2(1) of the Conservation Act 1987

Crown-owned reserve has the meaning given in clause 22 of Schedule 6

customary marine title area means a customary marine title area as defined in—

- (a) section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011; or
- (b) section 9 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

customary marine title group means—

- (a) a customary marine title group as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011; or

- (b) a customary marine title hapū as defined in section 9 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

dam has the meaning given in regulation 2(1) of the Freshwater Fisheries Regulations 1983

decision document has the meaning given in section 87(1)

deposit means a concentration or an accumulation that is capable of being mined effectively and economically

determination, in relation to an approval described in section 42(4)(a) or (b) regarding aquaculture activities to be undertaken in the coastal marine area, means a decision by a panel or a recommendation by the relevant chief executive that they are satisfied that the aquaculture activities authorised by the approval will not have an undue adverse effect on fishing

diversion structure has the meaning given in regulation 2(1) of the Freshwater Fisheries Regulations 1983

electricity infrastructure means electricity lines or infrastructure for the generation of electricity

electricity lines means works that are used or intended to be used for the conveyance of electricity

fast-track approvals process means the process for granting an approval that is set out in subparts 2 and 3 of Part 2

Game Animal Council means the council established under section 6 of the Game Animal Council Act 2013

General land owned by Māori has the meaning given in section 4 of Te Ture Whenua Maori Act 1993

Government policy statement means a Government policy statement issued under section 10A

identified Māori land means any of the following:

- (a) Māori freehold land;
- (b) land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land within the meaning of section 7 of the Te Urewera Act 2014);
- (c) the maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- (d) General land owned by Māori that was previously Māori freehold land, but ceased to have that status in accordance with—
 - (i) an order of the Māori Land Court made on or after 1 July 1993; or
 - (ii) Part 1 of the Maori Affairs Amendment Act 1967;
- (e) land vested in the Māori Trustee that—

- (i) is constituted as a Māori reserve by or under the Maori Reserved Land Act 1955; and
- (ii) remains subject to that Act:
- (f) a reserve under the Reserves Act 1977 that, under a Treaty settlement, is managed wholly or jointly by a Treaty settlement entity:
- (g) land owned by a Treaty settlement entity if the land was acquired—
 - (i) as redress for the settlement of Treaty of Waitangi claims; or
 - (ii) by the exercise of rights under a Treaty settlement:
- (h) other land held by or on behalf of an iwi or a hapū if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the holders of mana whenua over that land

iwi participation legislation means legislation, including any Treaty settlement Act, that provides a role for iwi or hapū in processes relevant to this Act, including processes for an approval under a specified Act

land exchange has the meaning given in clause 22 of Schedule 6

land exchange application means the information required to be lodged under section 33(1)

listed project means a project listed in Schedule 2

Māori customary land has the meaning given in section 4 of Te Ture Whenua Maori Act 1993

Māori freehold land has the meaning given in section 4 of Te Ture Whenua Maori Act 1993

Māori incorporation has the meaning given in section 4 of Te Ture Whenua Maori Act 1993

Māori land has the meaning given in section 4 of Te Ture Whenua Maori Act 1993

mātaitai reserve means a mātaitai reserve declared by notice in the *Gazette* under Part 9 of the Fisheries Act 1996

Minister means the Minister for Infrastructure

New Zealand Conservation Authority has the meaning given in section 2(1) of the Conservation Act 1987

New Zealand Fish and Game Council has the meaning given in section 2(1) of the Conservation Act 1987

ngā hapū o Ngāti Porou has the meaning given in section 10 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

ngā rohe moana o ngā hapū o Ngāti Porou has the meaning given in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

owner,—

- (a) in relation to Māori freehold land, means,—
 - (i) if the land is vested in 1 or more trustees, those trustees:
 - (ii) if the land is vested in a Māori incorporation, that incorporation:
 - (iii) if 1 or more agents have been appointed for the land under Part 10 of Te Ture Whenua Maori Act 1993 with the power to take the relevant action under this Act, those agents:
 - (iv) in any other case, the beneficial owners of the land:
- (b) in relation to land referred to in paragraph (b) of the definition of identified Māori land, means the entity or person who, under an Act referred to in that paragraph, acts for the natural feature

panel means an expert panel that is appointed in accordance with, and that complies with, Schedule 3

panel convener means the panel convener appointed under clause 1 of Schedule 3

post-settlement governance entity—

- (a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—
 - (i) by that group; or
 - (ii) by or under an enactment or order of a court; and
- (b) includes—
 - (i) an entity established to represent a collective or combination of claimant groups; and
 - (ii) an entity controlled by an entity referred to in paragraph (a); and
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a)

pre-request aquaculture agreement has the meaning given in section 186ZD of the Fisheries Act 1996

priority project means a project that the Minister has determined is a priority project under section 38

processing, when used in reference to suspending, resuming, or stopping the processing of a substantive application, includes the preparation of any of the following:

- (a) advice or a report requested under section 51:
- (b) a recommendation on an aquaculture decision requested under section 48:
- (c) an aquaculture decision

project—

- (a) means,—
 - (i) in relation to a listed project, the project as described in Schedule 2;
 - (ii) in relation to an unlisted project,—
 - (A) the project as described in the referral application for the project or, if the referral application is yet to be lodged, as it will be described in the application; or
 - (B) if the project has been referred, the project as described in the notice under section 28; and
- (b) includes any activity that is involved in, or that supports and is subsidiary to, a project referred to in paragraph (a)

project area means the whole or any part of the geographical location in which a project is to be undertaken

proposed approval, in relation to a project, means an approval specified in the referral application under section 13(2)(d) as one that is proposed to be applied for under the fast-track approvals process

protected customary rights area means—

- (a) a protected customary rights area as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011; or
- (b) an area in which a protected customary activity, as defined in section 9 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, is recognised under that Act

protected customary rights group means—

- (a) a protected customary rights group as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011; or
- (b) a protected customary activity hapū as defined in section 9 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

public conservation land means land to which either or both of the following apply:

- (a) the land is held, managed, or administered under the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953;
- (b) the land is listed in Schedule 4

quota management system has the meaning given in section 2(1) of the Fisheries Act 1996

referral application means an application under section 13 to use the fast-track approvals process

referred, in relation to an unlisted project, means referred to the fast-track approvals process under section 26

regulations means regulations made under section 116

relevant administering agency,—

- (a) in relation to a referral application, means an administering agency for a specified Act that relates to a proposed approval for the project:
- (b) in relation to a substantive application, means an administering agency for a specified Act that relates to an approval being sought in the substantive application

relevant chief executive means,—

- (a) in relation to an aquaculture decision, the chief executive as defined in section 2(1) of the Fisheries Act 1996:
- (b) in relation to an approval described in section 42(4)(n) (mining permit), the chief executive as defined in section 2(1) of the Crown Minerals Act 1991

relevant local authority, in relation to a referral application or substantive application,—

- (a) means any local authority whose region or district the project area is in; and
- (b) if a proposed approval in the referral application or an approval sought in the substantive application is one described in section 42(4)(k) (marine consent), includes any local authority whose region or district is adjacent to the site where the relevant activity would be undertaken

relevant portfolio Minister means a Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for,—

- (a) in relation to a proposed Government policy statement, a portfolio that is directly related to the subject of the proposed Government policy statement; or
- (b) in relation to a project, either or both of the following:
 - (i) a portfolio that is directly related to the nature of the project (for example, the Minister responsible for energy, in the case of a project to construct a solar farm):
 - (ii) the administration of a specified Act that relates to a proposed approval for the project or to an approval being sought in the substantive application (for example, the Minister responsible for the administration of the Heritage New Zealand Pouhere Taonga Act 2014, in the case of a project that requires an archaeological authority)

reservation, in relation to an approval described in section 42(4)(a) or (b) regarding aquaculture activities to be undertaken in the coastal marine area, means a decision by a panel or a recommendation by the relevant chief executive that they are not satisfied that the aquaculture activities authorised by the approval will not have an undue adverse effect on fishing

responsible agency means the Secretary for the Environment

specified Act means any of the following:

- (a) the Conservation Act 1987 (including the Freshwater Fisheries Regulations 1983):
- (b) the Crown Minerals Act 1991:
- (c) the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012:
- (d) the Heritage New Zealand Pouhere Taonga Act 2014:
- (e) the National Parks Act 1980:
- (f) the Reserves Act 1977:
- (g) the Resource Management Act 1991:
- (h) the Wildlife Act 1953

standard freshwater fisheries activity means an activity that includes construction of any of the following:

- (a) a culvert or ford that could impede but not permanently block fish passage:
- (b) weirs that comply with the conditions of regulation 72 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020:
- (c) works—
 - (i) that require active disturbance to a water body, including diversions, in-stream operations, and removal of gravel, that does not persist for more than 3 months; or
 - (ii) that require disturbance of any duration outside the whitebaiting season to a water body within 500 m of the coast; or
 - (iii) that require disturbance of any duration outside the relevant spawning season to a water body that is known for the spawning of trout, salmon, or native fish; or
 - (iv) that require repeated disturbance to a water body and are temporary works for which there is a period of more than 6 months between each period of work

substantive application means an application under section 42 for 1 or more approvals for a listed project or a referred project

taiāpure-local fishery means a taiāpure-local fishery established under Part 9 of the Fisheries Act 1996

tangata whenua, in relation to a taiāpure-local fishery, mātaītai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, has the meaning given in section 2(1) of that Act

Treaty settlement means—

- (a) a Treaty settlement Act; or
- (b) a Treaty settlement deed

Treaty settlement Act means—

- (a) an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975; or
- (b) any other Act that provides redress for Treaty of Waitangi claims, including Acts that provide collective redress or participation arrangements for claimant groups whose claims are, or are to be, settled by another Act, including—
 - (i) the Maori Commercial Aquaculture Claims Settlement Act 2004;
 - (ii) the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
 - (iii) the Nga Wai o Maniapoto (Waipa River) Act 2012;
 - (iv) the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010;
 - (v) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and secondary legislation that gives effect to section 10 of that Act and is made under Part 9 of the Fisheries Act 1996

Treaty settlement deed—

- (a) means a deed or other agreement that—
 - (i) has been signed by or on behalf of a Minister of the Crown and representatives of a group of Māori; and
 - (ii) is in settlement of the claims of that group or in express anticipation, or on account, of that settlement; and
- (b) to avoid doubt, includes a deed or other agreement of the kind described in paragraph (a) that relates to the claims of a collective or combination of Māori groups; but
- (c) does not include an agreement in principle or any document that is preliminary to a signed and ratified deed

Treaty settlement entity means any of the following:

- (a) a post-settlement governance entity:

- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:
- (c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural feature with legal personhood:
- (d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):
- (e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004)

unlisted project means a project that is not listed in Schedule 2

wildlife has the meaning given in section 2(1) of the Wildlife Act 1953.

- (2) Unless the context otherwise requires, terms used and not defined in this Act have the meanings given in—
 - (a) the Resource Management Act 1991, if they are defined in that Act:
 - (b) the relevant specified Act, if they are not defined in the Resource Management Act 1991 and are defined in the specified Act.
- (3) A reference in a schedule of this Act to an application for a particular approval, when used in relation to a substantive application, means the part of the substantive application that relates to that approval.

Section 4(1) **administering agency** paragraph (a): amended, on 17 December 2025, by section 4(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **competing application**: replaced, on 17 December 2025, by section 4(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **complex freshwater fisheries activity** paragraph (c)(ii): replaced, on 17 December 2025, by section 4(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **complex freshwater fisheries activity** paragraph (c)(iii): replaced, on 17 December 2025, by section 4(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **Government policy statement**: inserted, on 17 December 2025, by section 4(5) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **relevant portfolio Minister**: inserted, on 17 December 2025, by section 4(5) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **standard freshwater fisheries activity** paragraph (c)(ii): replaced, on 17 December 2025, by section 4(4) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 4(1) **standard freshwater fisheries activity** paragraph (c)(iii): replaced, on 17 December 2025, by section 4(4) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

5 Meaning of ineligible activity

- (1) In this Act, **ineligible activity** means any of the following:
 - (a) an activity that—
 - (i) would occur on identified Māori land; and
 - (ii) has not been agreed to in writing by the owners of the land or been subject to a determination under section 23:

- (b) an activity that—
 - (i) would occur in a customary marine title area; and
 - (ii) has not been agreed to in writing by the customary marine title group:
- (c) an activity that—
 - (i) would occur in a protected customary rights area; and
 - (ii) would have a more than minor adverse effect on the exercise of the protected customary right; and
 - (iii) has not been agreed to in writing by the protected customary rights group:
- (d) an activity that would occur on either of the following classes of land:
 - (i) Māori customary land:
 - (ii) land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993:
- (e) an aquaculture activity or an activity that is incompatible with aquaculture activities—
 - (i) that would occur within an aquaculture settlement area declared under section 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty settlement for the aquaculture activities of a particular group; and
 - (ii) for which the applicant who is proposed to hold an approval described in section 42(4)(a) (resource consent) is not authorised to apply for a coastal permit under the Resource Management Act 1991:
- (f) an activity—
 - (i) that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991; and
 - (ii) that—
 - (A) could not be granted an access arrangement because of section 61(1A) of that Act; or
 - (B) would occur in an area for which a permit cannot be granted under that Act:
- (g) an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991:
- (h) an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that—
 - (i) would occur on land that is listed in Schedule 4; and
 - (ii) has not been subject to a determination under section 24:

- (i) an activity that—
 - (i) would occur on a national reserve held under the Reserves Act 1977; and
 - (ii) requires approval under that Act; and
 - (iii) has not been subject to a determination under section 24:
 - (j) an activity that—
 - (i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and
 - (ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:
 - (k) an activity that—
 - (i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and
 - (ii) has not been agreed to in writing by the person or persons responsible for managing it:
 - (l) an activity that is—
 - (i) a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; or
 - (ii) an activity that is described in section 15B of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it; or
 - (iii) an activity that is prohibited by section 15C of the Resource Management Act 1991:
 - (m) a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012):
 - (n) an activity undertaken for the purposes of an offshore renewable energy project.
- (2) The agreement referred to in subsection (1)(a), (b), (j), or (k) is not required for an activity that is prospecting, exploration, mining, or mining operations of Crown-owned minerals undertaken below the surface of any land or area referred to in that subsection (the **land**) if the activity—
- (a) will not or is not likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land; and
 - (b) will not or is not likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land; and

- (c) will not or is not likely to have any prejudicial effect in respect of any possible future use of the surface of the land.
- (3) A person whose agreement is required under subsection (1)(j) or (k)—
 - (a) must not unreasonably withhold their agreement; and
 - (b) in deciding whether to give their agreement, must take into account the purpose of this Act and any relevant matters under the Reserves Act 1977.
- (4) For the purposes of subsection (3)(b), if a provision of the Reserves Act 1977 would require the person to withhold their agreement, the person must take into account that the provision would normally require them to withhold their agreement, but must not treat the provision as requiring them to do so.
- (5) The agreement referred to in subsection (1)(k) is not required if—
 - (a) the reserve on which the activity is to occur is proposed to be the subject of a land exchange; and
 - (b) the reserve is a Crown-owned reserve; and
 - (c) the person or persons responsible for managing the reserve are not in place because of a Treaty settlement.
- (6) In subsection (2), **exploration, mining, mining operations, and prospecting** have the meanings given to those terms in section 2(1) of the Crown Minerals Act 1991.

Compare: 1991 No 70 s 57; 2020 No 35 s 18(3); 2023 No 46 Schedule 10 cl 15

6 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

7 Obligation relating to Treaty settlements and recognised customary rights

- (1) All persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—
 - (a) the obligations arising under existing Treaty settlements; and
 - (b) customary rights recognised under—
 - (i) the Marine and Coastal Area (Takutai Moana) Act 2011;
 - (ii) the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- (2) To avoid doubt, subsection (1) does not apply to a court or a person exercising a judicial power or performing a judicial function or duty.
- (3) In this section, **existing Treaty settlements** means Treaty settlements that exist at the time the relevant function, power, or duty is performed or exercised (rather than only those that exist at the commencement of this Act).

8 Te Ture Whaimana

- (1) Te Ture Whaimana is intended by Parliament to be the primary direction-setting document for the Waikato and Waipā Rivers and activities within their catchments affecting the rivers (*see* the legislation referred to in subsection (3)).
- (2) Te Ture Whaimana—
 - (a) prevails over any inconsistent provision in a national policy statement, New Zealand coastal policy statement, or national planning standard; and
 - (b) in its entirety is deemed to be part of the Waikato regional policy statement; and any regional plan or district plan that affects the Waikato River or the Waipā River or activities within their catchments must give effect to Te Ture Whaimana.
- (3) In this section, **Te Ture Whaimana** means the vision and strategy set out in—
 - (a) Schedule 2 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010; and
 - (b) Schedule 1 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010; and
 - (c) Schedule 1 of the Nga Wai o Maniapoto (Waipa River) Act 2012.

Compare: 2023 No 46 s 104

9 Act binds the Crown

This Act binds the Crown.

10 Procedural principles

- (1) Every person performing functions and duties and exercising powers under this Act must take all practicable steps to use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions, duties, or powers being performed or exercised.
- (2) Without limiting subsection (1), that subsection—
 - (a) includes a duty to act promptly in circumstances where no time limit has been set for the performance or exercise of a function, power, duty, or requirement under this Act;
 - (b) applies to any chief executive of a department when they are providing any advice, report, or comment under this Act or supporting a Minister to do so.
- (3) A failure to comply with this section does not of itself invalidate the performance of a function or duty or the exercise of a power under this Act.

Compare: 2020 No 35 s 10

10A Government policy statements

- (1) The Minister may issue a Government policy statement.
- (2) The purpose of a Government policy statement is to state the Government's policies about the regional or national benefits of certain types of infrastructure or development projects.
- (3) Before issuing a Government policy statement, the Minister—
 - (a) must consult the relevant portfolio Ministers; and
 - (b) may consult any other person the Minister thinks appropriate.
- (4) The responsible agency must—
 - (a) notify a Government policy statement in the *Gazette*; and
 - (b) make a Government policy statement available on an internet site administered by or on behalf of the responsible agency.
- (5) *See* section 22(1A), which requires the Minister to consider a relevant Government policy statement when making a decision to accept or decline a referral application.
- (6) *See* section 81(2)(aab), which requires a panel to consider a relevant Government policy statement when making a decision whether to grant an approval and set any conditions, or to decline the approval.

Section 10A: inserted, on 17 December 2025, by section 5 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Part 2**Fast-track approvals process****Subpart 1—Referral of project to fast-track approvals process***Steps before lodging referral application***11 Consultation requirements for referral application**

- (1) Before lodging a referral application, the applicant must consult—
 - (a) the relevant local authorities; and
 - (b) any relevant iwi authorities, hapū, and Treaty settlement entities, including—
 - (i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and
 - (ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996; and

- (c) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011; and
 - (d) 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; and
 - (e) the relevant administering agencies; and
 - (f) if the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in the land that is to be exchanged by the Crown.
- (2) If a referral application is to be lodged by more than 1 person, any 1 of those persons may comply with this section on behalf of all of them.

12 Notice of request to grant right of access for proposed access arrangement

- (1) This section applies if a proposed approval is an approval described in section 42(4)(l) or (m) (access arrangement).
- (2) Before lodging the referral application, the applicant must comply with section 59(1) and (2) of the Crown Minerals Act 1991 (which applies as if a reference to an access arrangement under that Act were a reference to an access arrangement under this Act).
- (3) If a referral application is to be lodged by more than 1 person, the person who is the proposed holder of the approval referred to in subsection (1) must comply with this section.

Referral application

13 Referral application

General requirements

- (1) A person or persons may apply to use the fast-track approvals process for a project by lodging a referral application with the responsible agency.
- (2) The referral application—
- (a) must be lodged in the form and manner approved by the responsible agency; and
 - (b) must be lodged jointly by all of the persons who are proposed to be authorised persons for the project; and
 - (c) must include the information specified in subsection (4); and
 - (d) must specify all of the proposed approvals, but need only provide a general level of detail about each proposed approval, sufficient to inform the Minister’s decision on the referral application; and
 - (e) must not be lodged unless any fee, charge, or levy payable under regulations in respect of the application is paid.
- (3) For each proposed approval,—

- (a) the applicant must be eligible to apply for any corresponding approval under a specified Act; or
- (b) if the referral application is lodged by more than 1 person, the person who is to hold the proposed approval must be a person who would be eligible to apply for any corresponding approval under a specified Act.

Information requirements

- (4) The information to be included in the referral application is as follows:

Proposal and effects

- (a) a description of the project and the activities it involves;
- (b) an explanation of how the project meets the criteria in section 22;
- (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):
- (d) a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application;
- (e) the anticipated commencement and completion dates for construction activities (where relevant):
- (f) a statement of whether the project is planned to proceed in stages and, if so,—
 - (i) an outline of the nature and timing of the stages; and
 - (ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and
 - (iii) an explanation of how each stage meets the criteria in section 22:
- (g) a statement of whether a part of the project is proposed as an alternative project in itself and, if so,—
 - (i) a description of that part of the project; and
 - (ii) an explanation of how that part of the project meets the criteria in section 22:
- (h) a description of the anticipated and known adverse effects of the project on the environment;
- (i) a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991:

Persons affected

- (j) a list of the persons and groups the applicant considers are likely to be affected by the project, including—
 - (i) relevant local authorities:

- (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements:
- (iii) other relevant iwi authorities:
- (iv) relevant Treaty settlement entities:
- (v) relevant protected customary rights groups and customary marine title groups:
- (vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou:
- (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011:
- (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:
- (k) a summary of—
 - (i) the consultation undertaken for the purposes of section 11 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and
 - (ii) how the consultation has informed the project:
- (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:
- (m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project:
- (n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:
- (o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area:
Information relating to activity that may be subject of determination under section 23 or 24
- (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:
- (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:

- (r) a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—
- (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the **activity**); and
 - (ii) for each alternative site considered,—
 - (A) a statement of the anticipated and known financial cost of undertaking the activity; and
 - (B) a description of the anticipated and known adverse effects of undertaking the activity; and
 - (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and
 - (D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and
 - (E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters:

What is needed to complete project

- (s) a description of the applicant's legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work:
- (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:

Other matters

- (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:

- (v) a description of whether and how the project would be affected by climate change and natural hazards:
- (w) if the referral application is lodged by more than 1 person, a statement of each proposed approval to be held by each of those persons:
- (x) a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act:

Matters relating to specific proposed approvals

- (y) if the proposed approvals include—
 - (i) an approval described in section 42(4)(a) or (d) (resource consent or designation), the information specified in clause 2 of Schedule 5:
 - (ii) an approval described in section 42(4)(b) (change or cancellation of resource consent condition), the information specified in clause 3 of Schedule 5:
 - (iii) an approval described in section 42(4)(c) (certificate of compliance), the information specified in clause 4 of Schedule 5:
 - (iv) an approval described in section 42(4)(e) (concession), the information specified in clause 2 of Schedule 6:
 - (v) an approval described in section 42(4)(f) (land exchange), the information specified in clause 23 of Schedule 6:
 - (vi) an approval described in section 42(4)(a) or (d) where the project includes a standard freshwater fisheries activity, or an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), the information specified in clause 2 of Schedule 9:
 - (vii) an approval described in section 42(4)(k) (marine consent), the information specified in clause 2 of Schedule 10:
 - (viii) an approval described in section 42(4)(l) or (m) (access arrangement), the information specified in clause 2 of Schedule 11:
 - (ix) an approval described in section 42(4)(n) (mining permit), the information specified in clause 15 of Schedule 11.

Other matters

- (5) The responsible agency must approve a form for referral applications and ensure that it is made available on an internet site that is administered by or on behalf of the responsible agency.
- (6) In subsection (4)(u), **application** includes a notice of requirement and any other means by which a decision may be sought under a specified Act.

Compare: 2020 No 35 s 20; 2023 No 46 Schedule 10 cl 17(1)–(6)

14 Responsible agency decides whether referral application is complete and within scope

- (1) The responsible agency must decide whether a referral application complies with subsection (2) within 10 working days after receiving it.
- (2) A referral application complies with this subsection if—
 - (a) the application complies with section 13; and
 - (b) the responsible agency considers that the project—
 - (i) may be capable of satisfying the criteria in section 22; and
 - (ii) does not appear to involve an ineligible activity; and
 - (c) any fee, charge, or levy payable under regulations in respect of the application is paid.
- (3) For the purposes of subsection (2)(b)(ii), an activity that could be the subject of a determination under section 23 or 24 is not considered to be an ineligible activity.
- (4) If the responsible agency decides that the referral application complies with subsection (2), the responsible agency must provide the application to the Minister.
- (5) If the responsible agency decides that the referral application does not comply with that subsection, the responsible agency must immediately return the application to the applicant, with written reasons for returning it.
- (6) If a referral application is lodged again with the responsible agency after it has returned the application,—
 - (a) that application must be treated as a new referral application; and
 - (b) the time period specified in subsection (1) begins again for the responsible agency.

Compare: 2023 No 46 Schedule 10 cl 17(7)–(10)

*Process after Minister receives referral application***15 Process after Minister receives referral application**

If the Minister receives a referral application from the responsible agency under section 14, the Minister must—

- (a) consider the application; and
- (b) comply with section 16; and
- (c) comply with sections 17 to 19 unless, before doing so, the Minister decides to decline the application in accordance with section 25; and
- (d) make a decision on the application in accordance with section 21.

16 Effect of Treaty settlements and other obligations on decision making

- (1) This section applies if a Treaty settlement, the Marine and Coastal Area (Taketai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe, or a joint management agreement provides for—
 - (a) the consideration of any document:
 - (b) procedural requirements.
- (2) The Minister must, where relevant,—
 - (a) give the document referred to in subsection (1)(a) the same or equivalent effect through the Minister’s process and decision making as it would have under any relevant specified Act; and
 - (b) comply with any applicable procedural requirements referred to in subsection (1)(b); and
 - (c) in any notice under section 28, direct any panel that considers a substantive application for the project to comply with any applicable requirements.
- (3) In this section, **document**—
 - (a) means any document, arrangement, or other matter; and
 - (b) includes any statutory planning document amended as a result of the settlement, Act, arrangement, or agreement referred to in subsection (1).

17 Minister invites comments

- (1) The Minister must copy the application to, and invite written comments from,—
 - (a) the relevant local authorities; and
 - (b) the Minister for the Environment and other relevant portfolio Ministers; and
 - (c) the relevant administering agencies; and
 - (d) the Māori groups identified in the list provided to the Minister under subsection (2); and
 - (e) the owners of Māori land in the project area.
- (2) Before the Minister invites comments under subsection (1), the responsible agency must provide the Minister with a list of the Māori groups referred to in section 18(2).
- (3) Without limiting subsection (1), a local authority must provide comments advising of—
 - (a) any applications that have been lodged with the local authority that would be competing applications if a substantive application for the project were lodged; and

- (b) in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), any existing resource consents of the kind referred to in section 30(3)(a).
- (4) Without limiting subsection (1)(b), if the project area includes land within a World Heritage Area, the Minister of Conservation is a relevant portfolio Minister under that subsection.
- (5) The Minister may also copy the application to, and invite written comments from, any other person.
- (6) Anyone who is invited to provide written comments under this section has 20 working days from the receipt of the copy of the application to do so.
- (7) The Minister—
 - (a) must consider any comments received within that time frame:
 - (b) is not required to consider any comments received after that time frame, but may do so, in the Minister’s absolute discretion, as long as the Minister has not already made a decision under section 21.
- (8) In this section,—

World Heritage Area means a property included in the World Heritage List under paragraph 2 of Article 11 of the World Heritage Convention, as amended from time to time

World Heritage Convention means the United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage, done at Paris on 16 November 1972.

Compare: 2020 No 35 s 21; 2023 No 46 Schedule 10 cl 18(1)–(4)

18 Report on Treaty settlements and other obligations

- (1) The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.
- (2) The report must include the following matters:
 - (a) any relevant iwi authorities and relevant Treaty settlement entities:
 - (b) any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area:
 - (c) the relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991:
 - (d) any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area:
 - (e) any court orders or agreements that recognise protected customary rights or customary marine title within the project area:

- (f) any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area:
 - (g) whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019):
 - (h) whether the project area includes any taiāpure-local fisheries, mātaimai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are):
 - (i) whether the project involves an activity that could be the subject of a determination under section 23 (and, if so, who the owners of the land are):
 - (j) if the proposed approvals include an approval described in any of section 42(4)(a) to (d) (resource consent, change or cancellation of resource consent condition, certificate of compliance, or designation),—
 - (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements; and
 - (ii) the relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements:
 - (k) any other Māori groups with relevant interests:
 - (l) a summary of—
 - (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); and
 - (ii) any further information received by the Minister from those groups:
 - (m) the responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
- (3) In preparing the report required by this section, the responsible agency must—
- (a) consult relevant departments; and
 - (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.
- (4) Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report.

Compare: 2020 No 35 s 17; 2023 No 46 Schedule 10 cl 18(7)

19 Report in relation to use of public conservation land

- (1) If a project area includes public conservation land, the Minister must, for a referral application, obtain and consider a report that is prepared by the Director-General of Conservation in accordance with this section.
- (2) The report must set out—
 - (a) the existing arrangements (whether formal or informal) for the administration, access to, or use of public conservation land within the project area; and
 - (b) advice on the risks to, and potential liabilities of, the Crown that relate to any proposed approvals of the kind described in section 42(4)(e), (f), (l), or (m) (concession, land exchange, or access arrangement); and
 - (c) if the referral application was required to include information under paragraph (q) or (r) of section 13(4), advice on the matters set out in the applicable paragraph.
- (3) The report content required by subsection (2)(a) and (b) must be prepared by the Director-General of Conservation in consultation with every owner, administrator, or manager of the land who is not the Crown.

Section 19(1): amended, on 17 December 2025, by section 11 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

20 Minister may request information

- (1) The Minister may request further information about a referral application from the applicant (or, if the application is lodged by more than 1 person, any of those persons), the relevant local authorities, or the relevant administering agencies to be provided within the time frame specified in the request.
- (2) The Minister—
 - (a) must consider any information received within that time frame:
 - (b) is not required to consider any information received after that time frame, but may do so, in the Minister's absolute discretion, as long as the Minister has not already made a decision on the referral application under section 21.
- (3) A request may be made at any time before a decision on the referral application is made under section 21.

Compare: 2020 No 35 s 22; 2023 No 46 Schedule 10 cl 18(1)–(4)

*Decision on referral application***21 Minister's decision on referral application***Decision to accept referral application*

- (1) The Minister may accept a referral application if the Minister is satisfied that,—

- (a) in the case of a staged project,—
 - (i) the whole project meets the criteria in section 22; and
 - (ii) each stage of the project would meet those criteria if considered as a stand-alone project:
 - (b) in the case of a project for which part of the project has been proposed as an alternative,—
 - (i) the whole project meets the criteria in section 22; or
 - (ii) the part of the project that has been proposed as an alternative would meet those criteria if considered as a project in itself:
 - (c) in any other case, the project meets the criteria in section 22.
- (2) If the Minister accepts a referral application, they may refer the whole or a part of the project to the fast-track approvals process in accordance with section 26.

Decision to decline referral application

- (3) The Minister must decline a referral application if—
- (a) the application may not be accepted under subsection (1); or
 - (b) the Minister is satisfied that the project involves an ineligible activity; or
 - (c) the Minister considers that they do not have adequate information to inform the decision under this section.
- (4) The Minister may decline a referral application for any other reason, whether or not the project meets the criteria in section 22.
- (5) Reasons to decline a referral application under subsection (4) include, without limitation, the following:
- (a) the project would be inconsistent with any of the following:
 - (i) a Treaty settlement:
 - (ii) the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:
 - (iii) the Marine and Coastal Area (Takutai Moana) Act 2011:
 - (iv) a Mana Whakahono ā Rohe:
 - (v) a joint management agreement:
 - (b) it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts:
 - (c) the project may have significant adverse effects on the environment:
 - (d) the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) has a poor compliance history under a specified Act that relates to any of the proposed approvals:
 - (e) the project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes:

- (f) the project includes an activity that is a prohibited activity under the Resource Management Act 1991;
 - (g) a substantive application for the project would have 1 or more competing applications;
 - (h) in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are 1 or more existing resource consents of the kind referred to in section 30(3)(a).
- (6) The Minister may decline a referral application at any time permitted by section 25.

Avoidance of doubt and definitions

- (7) To avoid doubt, the Minister is not prevented from accepting a referral application, or referring the whole or a part of a project to the fast-track approvals process, just because the project involves an activity that is a prohibited activity under the Resource Management Act 1991.
- (8) In this section,—

alternative, in relation to a project, means a part of the project that is proposed as an alternative project in itself under section 13(4)(g)

staged project means a project for which the referral application states under section 13(4)(f)(ii) that a separate substantive application is to be lodged for each stage of the project.

Compare: 2020 No 35 ss 23(1), (2), (5)–(7), 24(2)(a), (b); 2023 No 46 Schedule 10 cl 19

22 Criteria for assessing referral application

- (1) The criteria for accepting a referral application are that—
- (a) the project is an infrastructure or development project that would have significant regional or national benefits; and
 - (b) referring the project to the fast-track approvals process—
 - (i) would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and
 - (ii) is unlikely to materially affect the efficient operation of the fast-track approvals process.
- (1A) For the purposes of subsection (1)(a), the Minister must consider a relevant Government policy statement.
- (2) For the purposes of subsection (1)(a), the Minister may consider—
- (a) whether the project—
 - (i) has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:

- (ii) will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure:
 - (iii) will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020):
 - (iv) will deliver significant economic benefits:
 - (v) will support primary industries, including aquaculture:
 - (vi) will support development of natural resources, including minerals and petroleum:
 - (vii) will support climate change mitigation, including the reduction or removal of greenhouse gas emissions:
 - (viii) will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards:
 - (ix) will address significant environmental issues:
 - (ixa) will promote competition in the grocery industry:
 - (x) is consistent with local or regional planning documents, including spatial strategies:
 - (b) any other matters the Minister considers relevant.
- (3) Subsection (4) applies if—
- (a) the proposed approvals for the project include an approval described in section 42(4)(f) (land exchange); and
 - (b) the land to be exchanged by the Crown is—
 - (i) a Crown-owned reserve; and
 - (ii) managed by someone other than the Department of Conservation.
- (4) For the purposes of subsection (1)(a), the Minister must consider the impact of the proposed land exchange on the person or persons responsible for managing the Crown-owned reserve.
- (5) Subsection (6) applies if the Minister considers there is likely to be competition for space in areas of New Zealand’s continental shelf or exclusive economic zone between activity involved in the project proposed to be undertaken under an approval described in section 42(4)(k) (marine consent) and—
- (a) any activities to which the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or any other specified Act applies; or
 - (b) commercial fisheries activities.

- (6) For the purposes of subsection (1)(a), the Minister may compare the activity involved in the project against the current and other likely uses of the space, taking into account—
- (a) the economic benefits and strategic importance of the proposed project; and
 - (b) the likely impact of the proposed project on current and proposed marine management regimes; and
 - (c) the environmental impacts of the competing activities.
- (7) A project is considered to meet the criterion in subsection (1)(a) if the project is an aquaculture activity—
- (a) that is within an aquaculture settlement area declared under section 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty settlement for the aquaculture activities of a particular group; and
 - (b) for which the applicant who is proposed to hold an approval described in section 42(4)(a) (resource consent) is authorised to apply for a coastal permit under the Resource Management Act 1991.
- (8) Subsections (4) and (6) do not limit subsection (2)(b).

Compare: 2020 No 35 s 18(2)

Section 22(1A): inserted, on 17 December 2025, by section 12(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 22(2)(a)(ixa): inserted, on 17 December 2025, by section 12(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Minister may determine that certain activities are not ineligible when making referral decision

23 Minister may determine that linear infrastructure on certain identified Māori land is not ineligible activity

- (1) In making a decision under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it—
- (a) is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - (b) would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
- (2) Before making a determination, the Minister must take into account the effects of the activity on the land and on the rights and interests of Māori in that land.
- (3) The Minister may decline to make a determination—

- (a) if the Minister considers that the activity would have adverse effects on that land or those rights or interests; or
 - (b) for any other reason.
- (4) In this section, **land transport infrastructure** means structures for transport on land by cycleways, rail, roads, walkways, or any other means.

24 Minister may determine that electricity infrastructure on certain Schedule 4 land or in national reserve is not ineligible activity

- (1) In making a decision under section 21, the Minister may determine under subsection (2) or (4) that, for the purposes of the project, an activity described in section 5(1)(h) or (i) is not an ineligible activity.

Existing electricity infrastructure

- (2) The Minister may make a determination under this subsection if—
- (a) the activity is the maintenance, upgrading, or continued operation of existing electricity infrastructure; and
 - (b) the activity would occur on eligible land; and
 - (c) the Minister is satisfied that the activity would not materially increase the scale or adverse effects of the existing electricity infrastructure.
- (3) For the purposes of subsection (2), **eligible land** means,—
- (a) for an activity described in section 5(1)(h), land listed in an item of Schedule 4 other than item 7 (marine reserve);
 - (b) for an activity described in section 5(1)(i), land that is within a national reserve held under the Reserves Act 1977.

New electricity lines

- (4) The Minister may make a determination under this subsection if—
- (a) the activity is the construction and operation of new electricity lines; and
 - (b) the activity would occur on eligible land; and
 - (c) the Minister is satisfied that it would not be practical or reasonable to undertake the activity on other land.
- (5) For the purposes of subsection (4), **eligible land** means,—
- (a) for an activity described in section 5(1)(h), land listed in Schedule 4 other than—
 - (i) land listed in item 1 of that schedule (national park) that is a specially protected area or wilderness area as those terms are defined in section 2 of the National Parks Act 1980;
 - (ii) land listed in item 2, 4, 5(a), 7, or 8 of that schedule (nature reserve, wilderness area, marine reserve, or Ramsar site);
 - (b) for an activity described in section 5(1)(i), land that is within a national reserve held under the Reserves Act 1977.

Minister may decline to make determination for any reason

- (6) The Minister may decline to make a determination under this section for any reason.

Timing of decision to decline referral application

25 Timing of decision to decline referral application

- (1) A decision to decline a referral application may be made, in accordance with section 21,—
- (a) before or after comments are invited under section 17(1):
 - (b) before or after a report is obtained under section 18 or 19:
 - (c) whether or not further information is requested and provided under section 20.
- (2) However, if a report has been obtained, or if comments or further information have been sought and provided within the required time frame, the Minister must consider those things, along with the referral application, before deciding to decline the application.

Compare: 2020 No 35 s 23(2), (4)

Section 25(1)(a): amended, on 17 December 2025, by section 13 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 25(1)(b): amended, on 17 December 2025, by section 13 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 25(1)(c): amended, on 17 December 2025, by section 13 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Steps if referral application accepted

26 Referral of project if referral application accepted

- (1) This section applies if the Minister accepts a referral application under section 21.
- (2) The Minister may,—
- (a) if the application is accepted under section 21(1)(a) or (c), refer the whole project:
 - (b) if the application is accepted under section 21(1)(b)(i), refer—
 - (i) the whole project; or
 - (ii) the part of the project that has been proposed as an alternative:
 - (c) if the application is accepted under section 21(1)(b)(ii), refer the part of the project that has been proposed as an alternative.
- (3) If the Minister refers a part of a project under subsection (2)(b)(ii) or (c) of this section, that part of the project constitutes the referred project.

27 Minister specifies matters for accepted referral application

- (1) This section applies if the Minister accepts a referral application and refers a project.
- (2) The Minister must specify the person or persons who lodged the referral application as the person who is, or the persons who are, authorised to lodge a substantive application for the project.
- (3) The Minister may specify any or all of the following:
 - (a) restrictions that apply to the project (for example, on its geographical location, its duration, or the aspects of the project that may be carried out):
 - (b) in relation to a substantive application for the project,—
 - (i) a deadline for lodging the application, unless paragraph (c) applies:
 - (ii) information that must be submitted with the application:
 - (iii) the persons or groups from whom a panel must invite comments in addition to those specified in section 53:
 - (iv) whether the substantive application would have any competing applications:
 - (v) whether, in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are any existing resource consents of the kind referred to in section 30(3)(a):
 - (c) if the proposed approvals for the project include an approval described in section 42(4)(f) (land exchange),—
 - (i) a deadline for lodging the land exchange application:
 - (ii) information that must be submitted with the land exchange application:
 - (iii) the persons and groups from whom the Director-General of Conservation must invite comments in addition to those specified in section 35.

Compare: 2020 No 35 s 24(2)(c)–(f); 2023 No 46 Schedule 10 cl 20

28 Notice of Minister’s decision on referral application

- (1) The responsible agency must—
 - (a) give written notice of decisions made by the Minister on a referral application and the associated project under sections 21 and 26, and the reasons for them, to—
 - (i) the applicant; and
 - (ii) anyone invited to comment on the application; and

- (b) publish the notice on an internet site that is administered by or on behalf of the responsible agency and is publicly available as far as practicable and free of charge.
- (2) If the decisions are to accept the referral application and refer a project, the responsible agency must also give written notice to—
- (a) the panel convener; and
 - (b) any iwi authorities or Treaty settlement entities (other than those that must be notified under subsection (1)(a)(ii)) that the Minister considers have an interest in the matter; and
 - (c) the EPA; and
 - (d) if a proposed approval would require an aquaculture decision under section 80, the relevant chief executive; and
 - (e) the relevant administering agencies.
- (3) If the decisions are to accept the referral application and refer a project, the notice must—
- (a) describe the application and state that it has been accepted; and
 - (b) state the Minister's reasons for accepting the application, including which provision of section 21(1) it was accepted under; and
 - (c) include a description of the project that incorporates any restrictions imposed on the project under section 27(3)(a); and
 - (d) specify the deadline for lodging the substantive application or, if the proposed approvals include an approval described in section 42(4)(f) (land exchange), the land exchange application, which must be—
 - (i) the deadline set by the Minister under section 27(3)(b)(i) or (c)(i), as applicable; or
 - (ii) if no deadline is set, the date that is 2 years after the notice is given to the applicant; and
 - (e) include any other matters specified by the Minister under section 27; and
 - (f) include any direction under section 16(2)(c).
- (4) The Minister must provide all the information received by the Minister that relates to the matter to the EPA and to the panel convener, including—
- (a) the referral application; and
 - (b) any comments received under section 17; and
 - (c) the report obtained under section 18; and
 - (d) if a report was obtained under section 19, that report.

Compare: 2020 No 35 s 25; 2023 No 46 Schedule 10 cl 21

Section 28(2)(b): editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(iii) of the Legislation Act 2019 (2019 No 58).

Subpart 2—Steps before lodging substantive application

Preliminary step for listed project

29 Pre-lodgement requirements for listed project

- (1) Before lodging a substantive application for a listed project, the authorised person for the project must—
 - (a) consult the persons and groups referred to in section 11; and
 - (b) if the substantive application seeks an approval described in section 42(4)(l) or (m) (access arrangement), comply with section 59(1) and (2) of the Crown Minerals Act 1991 (which applies as if a reference to an access arrangement under that Act were a reference to an access arrangement under this Act).
- (2) If there is more than 1 authorised person for a listed project,—
 - (a) any 1 of the authorised persons may comply with paragraph (a) of subsection (1) on behalf of all of them:
 - (b) the authorised person who is the proposed holder of the approval referred to in paragraph (b) of subsection (1) must comply with that paragraph.

Preliminary steps for application for resource consent

30 Identification of existing resource consent for same activity

- (1) This section applies if—
 - (a) a substantive application for a listed project or a referred project is to seek an approval described in section 42(4)(a) (resource consent); and
 - (b) the authorised person for the project does not hold an existing resource consent for the same activity using some or all of the same natural resource.
- (2) Before lodging the substantive application, the authorised person must notify in writing each regional council that is the consent authority for an area where the approval would apply.
- (3) A regional council that receives the notice must, within 10 working days after receiving it, notify the authorised person in writing—
 - (a) of any existing resource consent to which section 124C(1)(c) or 165ZI of the Resource Management Act 1991 would apply if the approval were to be applied for as a resource consent under that Act; or
 - (b) that there are no existing resource consents of that kind.
- (4) If there is an existing resource consent of the kind referred to in subsection (3)(a), the regional council must notify the holder of the existing resource consent in writing that—

- (a) the regional council has received notice under this section; and
- (b) the holder of the existing resource consent may—
 - (i) lodge an application for a resource consent under the Resource Management Act 1991 that is affected by section 124 or 165ZH of that Act; or
 - (ii) if the existing resource consent relates to a listed project or referred project for which a substantive application has not been lodged, lodge a substantive application that seeks an approval described in section 42(4)(a) (resource consent) for the same activity as is authorised by the existing resource consent.
- (5) The regional council must notify the authorised person in writing if the holder of the existing resource consent—
 - (a) notifies the regional council in writing that they do not propose to lodge an application described in subsection (4)(b); or
 - (b) does or does not lodge an application described in that subsection more than 3 months before the expiry of the existing resource consent.
- (6) The authorised person—
 - (a) must not lodge the substantive application until they receive a notice under subsection (3)(b) or (5) from each regional council or for each existing resource consent, as the case may be; and
 - (b) if they wish to lodge a substantive application after receiving those notices, must do so within 3 months after the date of the earliest notice.
- (7) If there is more than 1 authorised person for a project,—
 - (a) subsection (1)(b) is met if none of the authorised persons hold the resource consent referred to in that paragraph; and
 - (b) any 1 of the authorised persons may comply with subsection (2) on behalf of all of them (and, if that occurs, each reference to an authorised person in subsections (3) and (5) must be read as a reference to that authorised person); and
 - (c) the reference to the authorised person in subsection (6) must be read as a reference to every authorised person who would be required by section 42(2)(b) to jointly lodge the substantive application.

Section 30(2): amended, on 17 December 2025, by section 15(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(3): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(3): amended, on 17 December 2025, by section 15(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(4): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(4)(a): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(5): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(5)(a): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 30(6)(a): amended, on 17 December 2025, by section 15(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

31 Pre-request aquaculture agreement

- (1) This section applies if a substantive application for a listed project or a referred project is to seek an approval described in section 42(4)(a) (resource consent) for which the EPA will need to request a recommendation under section 48.
- (2) If the authorised person for the project wishes to lodge a pre-request aquaculture agreement in relation to the area, they must lodge it with the relevant chief executive before lodging the substantive application.
- (3) Section 186ZM of the Fisheries Act 1996 applies in relation to the pre-request aquaculture agreement—
 - (a) as if the reference to the chief executive in section 186ZM(9) of that Act were a reference to the panel that considers the substantive application; and
 - (b) with any other necessary modifications.
- (4) If there is more than 1 authorised person for a project, any 1 of the authorised persons may comply with subsection (2) on behalf of all of them.

Preliminary steps for application for land exchange

32 Sections 32A to 36 apply to land exchange

Sections 32A to 36 apply if a substantive application for a listed project or a referred project is to seek an approval described in section 42(4)(f) (land exchange).

Section 32 heading: amended, on 17 December 2025, by section 16(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 32: amended, on 17 December 2025, by section 16(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

32A Pre-lodgement consultation with Director-General of Conservation

- (1) Before lodging a land exchange application under section 33, the authorised person for the project must consult the Director-General of Conservation.
- (2) If there is more than 1 authorised person for a project, any 1 of the authorised persons may comply with subsection (1) on behalf of all of them.

Section 32A: inserted, on 17 December 2025, by section 17 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

33 Land exchange application lodged with Director-General of Conservation

- (1) Before lodging the substantive application, the authorised person for the project must lodge with the Director-General of Conservation a land exchange application that consists of—
 - (a) the information set out in clause 24 of Schedule 6; and
 - (b) the information relevant to the land exchange that,—
 - (i) in the case of a listed project, is required under section 43(2);
 - (ii) in the case of an unlisted project, was contained in the referral application; and
 - (c) any information specified by the Minister under section 27(3)(c)(ii).
- (2) The Director-General of Conservation must give written notice of the receipt of a land exchange application to the panel convener.
- (3) The information must not be lodged unless any fee, charge, or levy payable under regulations in respect of the land exchange application is paid.
- (4) If there is more than 1 authorised person for a project, any 1 of the authorised persons may comply with subsection (1) on behalf of all of them (and, if that occurs, each reference in sections 34 to 36 to the applicant must be read as a reference to that authorised person).

Section 33(1): editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(i) of the Legislation Act 2019 (2019 No 58).

34 Director-General of Conservation decides whether application is complete and within scope

- (1) The Director-General of Conservation must decide whether subsection (2) is met within 15 working days after a land exchange application is lodged.
- (2) This subsection is met if—
 - (a) the land exchange application—
 - (i) complies with section 33(1); and
 - (ii) relates solely to a listed project or a referred project; and
 - (iii) is made by the deadline specified in the notice under section 28(3)(d); and
 - (b) any fee, charge, or levy payable under regulations in respect of the land exchange application is paid.
- (3) If the Director-General of Conservation decides that subsection (2) is not met, the Director-General must return the information immediately to the applicant, with written reasons for the return.
- (4) If a land exchange application is lodged again after being returned by the Director-General of Conservation,—
 - (a) the information must be treated as new information; and

- (b) the time period specified in subsection (1) begins again for the Director-General.

35 Director-General of Conservation’s report on land exchange

Director-General of Conservation invites comments for report

- (1) The Director-General of Conservation must, not later than 5 working days after deciding that section 34(2) is met, invite written comments on the proposed land exchange from—
 - (a) the persons and groups referred to in section 53(2)(a) to (l); and
 - (b) the persons listed in clause 25 of Schedule 6; and
 - (c) any persons or groups specified by the Minister under section 27(3)(c)(iii); and
 - (d) any groups with recognised negotiation mandates for, or current negotiations for, Treaty settlements in the area of the proposed land exchange; and
 - (e) any other person the Director-General of Conservation considers appropriate.
- (2) For the purposes of subsection (1), sections 54 and 55, including the time frames for comments and responses, apply—
 - (a) as if references in those sections to a panel or the EPA were references to the Director-General of Conservation; and
 - (b) as if references in those sections to the area to which the substantive application relates were references to the area of the land exchange; and
 - (c) with any other necessary modifications.
- (2A) Any comments made by a relevant local authority or a relevant administering agency must be relevant to the proposed land exchange and the report that the Director-General is required to prepare under this section.

Director-General of Conservation prepares report

- (3) The Director-General of Conservation must provide a report to the applicant that includes—
 - (a) the matters specified in clause 26 of Schedule 6; and
 - (b) in attachments,—
 - (i) the information lodged under section 33(1); and
 - (ii) any comments received under subsection (1) or (5).
- (4) The report may, in relation to the proposed land exchange, also include advice on matters relevant to section 82, 83, or 84.
- (5) Before finalising the report, the Director-General of Conservation must invite written comments on the draft report from—
 - (a) the applicant; and

- (b) every person or group that provided comments under subsection (1).
- (6) In inviting comments under subsection (5), the Director-General of Conservation must include a date by which comments on the report must be received by the Director-General.
- (7) The Director-General of Conservation must provide the report to the applicant within a time frame that is set by the panel convener after consulting the Director-General.

Consideration of comments received under this section

- (8) The Director-General of Conservation—
 - (a) is not required to consider comments under subsection (1) or (5) that the Director-General receives after the time frame for providing the comments; but
 - (b) may, in the Director-General’s discretion, consider the comments as long as the report has not been finalised.

Applicant may lodge substantive application after receiving report

- (9) The applicant must not lodge the substantive application for the project until they receive the report.

Section 35(1)(e): inserted, on 17 December 2025, by section 18(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 35(2): amended, on 17 December 2025, by section 18(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 35(2A): inserted, on 17 December 2025, by section 18(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

36 Withdrawal of land exchange application

At any time before the Director-General of Conservation provides a report under section 35, the applicant may withdraw the land exchange application by giving written notice to—

- (a) the EPA; and
- (b) the Director-General of Conservation; and
- (c) if the withdrawal occurs after persons or groups are invited to provide written comments under section 35, those persons or groups.

Preliminary step for application for mining permit

37 Mining permit information may be lodged with relevant chief executive

- (1) This section applies if a substantive application for a listed project or a referred project is to seek an approval described in section 42(4)(n) (mining permit).
- (2) Before lodging the substantive application, the authorised person may lodge with the relevant chief executive—
 - (a) the information specified in clause 16(a) and (b) of Schedule 11:

- (b) the information relevant to the mining permit that,—
 - (i) in the case of a listed project, is required under section 43(2);
 - (ii) in the case of a referred project, was contained in the referral application.
- (3) The information must not be lodged unless any fee, charge, or levy payable under regulations in respect of lodging the information is paid.
- (4) If there is more than 1 authorised person for a project, any 1 of the authorised persons may lodge the information on behalf of all of them.

Ministerial powers

38 Minister may determine that project is priority

- (1) Before a substantive application is lodged for a listed project or a referred project, the Minister may determine that the project is a priority project—
 - (a) on application of the authorised person for the project; or
 - (b) on the Minister’s own initiative but with the written agreement of that authorised person.
- (2) The application must not be made unless any fee, charge, or levy payable under regulations in respect of the application is paid.
- (3) The Minister may make the determination if the Minister is satisfied that—
 - (a) the project needs to be progressed urgently; and
 - (b) there is a risk that, if a substantive application for the project is lodged, a panel may not be set up within a period that reflects the urgency of the project; and
 - (c) there is no information before the Minister to indicate that the substantive application would have a competing application.
- (4) The Minister must give written notice of a decision under this section, and the reasons for it, to—
 - (a) the authorised person; and
 - (b) the EPA; and
 - (c) the panel convener; and
 - (d) if the substantive application is to seek an approval described in section 42(4)(f) (land exchange), the Director-General of Conservation.
- (5) If there is more than 1 authorised person for a project, any 1 of the authorised persons may, on behalf of all of them,—
 - (a) make an application under subsection (1)(a); or
 - (b) give the written agreement referred to in subsection (1)(b).
- (6) *See* section 50(2) (which relates to setting up panels for priority projects).

Section 38(3)(c): editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(i) of the Legislation Act 2019 (2019 No 58).

39 Minister may make determination under section 23 or 24

- (1) Before a substantive application is lodged for a listed project or a referred project, the Minister may determine under section 23 or 24 that an activity is not an ineligible activity.
- (2) The Minister may make the determination only on receiving an application that—
 - (a) is lodged with the responsible agency by the authorised person for the project; and
 - (b) contains the information described in section 13(4)(p), (q), or (r), as applicable.
- (3) The application for the Minister’s determination must not be lodged unless any fee, charge, or levy payable under regulations in respect of the application is paid.
- (4) The Minister must give written notice of their decision on the application, and the reasons for it, to—
 - (a) the authorised person; and
 - (b) the EPA; and
 - (c) the panel convener; and
 - (d) any iwi authorities or Treaty settlement entities (other than those that must be notified under paragraph (g)) that the Minister considers have an interest in the matter; and
 - (e) the relevant administering agencies; and
 - (f) if the determination is made under section 23, the owners of the land; and
 - (g) if the decision relates to a referred project, anyone invited to comment on its referral application.
- (5) The proposed substantive application must not be lodged until the authorised person receives notice of the Minister’s decision.
- (6) If there is more than 1 authorised person for a project, any 1 of the authorised persons may lodge the application under subsection (2) on behalf of all of them.
- (7) For the purposes of subsection (1), sections 23 and 24 apply—
 - (a) as if the words “In making a decision under section 21” were omitted from sections 23(1) and 24(1); and
 - (b) with any other necessary modifications.

- (8) To avoid doubt, this section does not affect the Minister's ability to make a determination under section 23 or 24 when making a decision on a referral application under section 21.

Subpart 3—Panel consideration of substantive application

40 Process under this Act applies instead of process under specified Act

If a substantive application seeks an approval under this Act,—

- (a) the process under this Act for obtaining the approval (including any steps under subpart 2) applies instead of the process for obtaining any corresponding approval under a specified Act; and
- (b) the process under this Act for obtaining any aquaculture decision in connection with an approval described in section 42(4)(a) (resource consent) (including any steps under subpart 2) applies instead of the process for obtaining an aquaculture decision under the Fisheries Act 1996.

41 Application of panel process to land exchange

Sections 53 to 55 do not apply in relation to the part of a substantive application that relates to a land exchange.

Substantive application

42 Authorised person may lodge substantive application for approvals

- (1) The authorised person for a listed project or a referred project may lodge with the EPA—
 - (a) 1 substantive application for the project; or
 - (b) in the case of a referred project whose referral application was accepted under section 21(1)(a), 1 substantive application for each stage of the project.
- (2) A substantive application must—
 - (a) comply with section 43; and
 - (b) if there is more than 1 authorised person for the project, be lodged jointly by every authorised person who is the proposed holder of an approval.
- (3) For each approval sought under subsection (4),—
 - (a) the applicant must be eligible to apply for any corresponding approval under a specified Act; or
 - (b) if the substantive application is lodged by more than 1 authorised person, the authorised person who is proposed to hold the approval sought under subsection (4) must be a person who would be eligible to apply for any corresponding approval under a specified Act.

- (4) A substantive application may seek 1 or more of the following matters (the **approvals**):
- (a) a resource consent that would otherwise be applied for under the Resource Management Act 1991 (but *see* subsection (5));
 - (b) a change or cancellation of a resource consent condition that would otherwise be applied for under the Resource Management Act 1991 (but *see* subsection (6));
 - (c) a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991 (but *see* subsection (7));
 - (d) a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the Resource Management Act 1991;
 - (e) a concession as defined in clause 1 of Schedule 6;
 - (f) a land exchange (but *see* subsection (8));
 - (g) an amendment to or revocation of a conservation covenant as defined in clause 41 of Schedule 6;
 - (h) a wildlife approval as defined in clause 1 of Schedule 7;
 - (i) an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under that Act (but *see* subsection (9));
 - (j) an approval or a dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity;
 - (k) a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012;
 - (l) an initial access arrangement or a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991 (but *see* subsection (10));
 - (m) an access arrangement that would otherwise be applied for under section 61B of the Crown Minerals Act 1991 or a variation to an access arrangement granted under that section;
 - (n) a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991 (but *see* subsection (11)).
- (5) A substantive application that seeks an approval described in subsection (4)(a)—
- (a) may seek that approval for an activity that is a prohibited activity under the Resource Management Act 1991;
 - (b) must, if section 30(6) applies, be lodged within the time frame specified in that section.

- (6) A substantive application may seek an approval described in subsection (4)(b) only if—
 - (a) the substantive application also seeks an approval described in subsection (4)(a) or (d); and
 - (b) the change or cancellation is material to the implementation or delivery of the project.
- (7) A substantive application may seek an approval described in subsection (4)(c) only if the substantive application also seeks an approval described in subsection (4)(a) or (d).
- (8) A substantive application that seeks an approval described in subsection (4)(f) must comply with section 35(9).
- (9) A substantive application that seeks an approval described in subsection (4)(i)—
 - (a) may be made only if the application also seeks an approval described in subsection (4)(a) or (d):
 - (b) may include an application under clause 7 of Schedule 8 (application for approval of person to carry out activity).
- (10) A substantive application may seek an approval described in subsection (4)(l) if the applicant—
 - (a) is the holder of an appropriate permit required by section 61 of the Crown Minerals Act 1991; or
 - (b) is also applying for the relevant approval under subsection (4)(n) as part of the substantive application.
- (11) A substantive application may seek an approval described in subsection (4)(n) only if—
 - (a) the approval is sought for 1 or more deposits of 1 or more minerals; and
 - (b) the applicant holds exploration permits or existing privileges that—
 - (i) apply to those minerals; and
 - (ii) have more than 3 months before they expire; and
 - (c) the area of land for which the approval is sought is within, or the same as, the area of land to which those exploration permits or existing privileges apply; and
 - (d) the application proposes that those exploration permits or existing privileges be surrendered in relation to the area of land over which the approval is sought; and
 - (e) the proposed term of the approval is no more than 40 years; and
 - (f) granting the approval would not be prevented by any of sections 25(6) and (7) and 30(8) of the Crown Minerals Act 1991 if the approval were applied for under that Act.

- (12) If a substantive application is lodged by more than 1 authorised person, the applicant for the purposes of subsections (10) and (11) is the person who is proposed to hold the approval described in subsection (4)(l) or (n), as the case may be.
- (13) If the authorised person has applied under section 39 for a determination under section 23 or 24, the substantive application must comply with section 39(5).

43 Requirements for substantive application

- (1) A substantive application—
 - (a) must be lodged in the form and manner approved by the EPA; and
 - (b) must—
 - (i) explain how the project to which the application relates is consistent with the purpose of this Act; or
 - (ii) for a project referred under section 21(1)(a),—
 - (A) explain how both the stage to which the application relates and the whole project are consistent with the purpose of this Act; and
 - (B) contain information relating to the likelihood that any later stages of the project will be completed; and
 - (c) must demonstrate that the project does not involve any ineligible activities; and
 - (d) must, if the application is lodged by more than 1 authorised person, state the proposed approval to be held by each person; and
 - (e) must comply with—
 - (i) any information requirements specified by the Minister under section 27(3)(b)(ii); and
 - (ii) the requirements listed in subsection (3) that apply to the approvals sought; and
 - (f) must, if the authorised person has applied under section 39 for a determination under section 23 or 24, include a copy of the notice under section 39(4); and
 - (g) must, if the application seeks an approval for an activity that is the subject of a determination under section 23, set out the steps taken to secure the agreement referred to in section 5(1)(a); and
 - (h) must state whether the application relates to a priority project and, if so, include confirmation that, to the best of the applicant’s knowledge, there are no competing applications; and
 - (i) must be made by the deadline specified in the notice under section 28(3)(d); and

- (j) must not lodge a substantive application unless any fee, charge, or levy payable under regulations in respect of the application is paid.
- (2) If a substantive application is for a listed project, it must also contain the information required by section 13(4) (other than section 13(4)(b), (f)(ii) and (iii), and (g)), which applies—
 - (a) as if the reference in section 13(4)(k) to section 11 were a reference to section 29; and
 - (b) as if the reference in clause 2 of Schedule 11 to section 12(2) were a reference to section 29; and
 - (c) with any other necessary modifications.
- (3) The requirements referred to in subsection (1)(e)(ii) are those set out in,—
 - (a) for an approval described in section 42(4)(a) (resource consent), clauses 5 to 9 of Schedule 5:
 - (b) for an approval described in section 42(4)(b) (change or cancellation of resource consent condition), clause 10 of Schedule 5:
 - (c) for an approval described in section 42(4)(c) (certificate of compliance), clause 11 of Schedule 5:
 - (d) for an approval described in section 42(4)(d) (designation), clause 12 of Schedule 5:
 - (e) for an approval described in section 42(4)(e) (concession), clause 3 of Schedule 6:
 - (f) for an approval described in section 42(4)(f) (land exchange), clause 27 of Schedule 6:
 - (g) for an approval described in section 42(4)(g) (conservation covenant), clause 42 of Schedule 6:
 - (h) for an approval described in section 42(4)(h) (wildlife approval), clause 2 of Schedule 7:
 - (i) for an approval described in section 42(4)(i) (archaeological authority), clause 2 of Schedule 8:
 - (j) for an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), clause 3 of Schedule 9:
 - (k) for an approval described in section 42(4)(k) (marine consent), clauses 3 and 4 of Schedule 10:
 - (l) for an approval described in section 42(4)(l) or (m) (access arrangement), clause 3 of Schedule 11:
 - (m) for an approval described in section 42(4)(n) (mining permit), clause 16 of Schedule 11.

- (4) The EPA must approve an application form for the purposes of this section and ensure that it is made available on an internet site administered by or on behalf of the EPA.

Compare: 2020 No 35 Schedule 6 cl 2(2), (5); 2023 No 46 Schedule 10 cl 22

Section 43(3)(a): editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(i) and (iii) of the Legislation Act 2019 (2019 No 58).

44 Information must be specified in sufficient detail

Information required by section 43 must be specified in sufficient detail to satisfy the purpose for which it is required.

Compare: 1991 No 69 Schedule 4 cl 1

45 Withdrawal of substantive application

- (1) At any time before a panel makes its decisions under section 81 on the approvals sought in a substantive application, the applicant may withdraw the application by giving written notice—

- (a) to the EPA; and
- (b) if the withdrawal occurs after a request is made under section 48, to the relevant chief executive; and
- (c) if the withdrawal occurs after persons or groups are invited to provide written comments under section 35 or 53, to those persons or groups.

- (2) After receiving a notice under subsection (1)(a), the EPA must advise the panel that the substantive application has been withdrawn.

Compare: 2020 No 35 Schedule 6 cl 5; 2023 No 46 Schedule 10 cl 32

Steps by EPA after substantive application lodged

46 EPA decides whether substantive application is complete and within scope

- (1) The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether a substantive application complies with subsection (2) within 15 working days after receiving it.

- (2) A substantive application complies with this subsection if—

- (a) the application complies with—
 - (i) section 42; and
 - (ii) sections 43 and 44; and
- (b) the application relates solely to a listed project or a referred project; and
- (c) the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
- (d) any fee, charge, or levy payable under regulations in respect of the application is paid.

- (3) If the EPA decides that the substantive application complies with subsection (2), the EPA must—
 - (a) give written notice of the decision to the applicant; and
 - (b) provide the application to the panel convener.
- (4) If the EPA decides that the substantive application does not comply with subsection (2), it must return the application immediately to the applicant, with written reasons for returning the application.
- (5) If a substantive application is lodged again with the EPA after the EPA has returned the application,—
 - (a) that application must be treated as a new substantive application; and
 - (b) the time period specified in subsection (1) begins again for the EPA.

Compare: 2020 No 35 Schedule 6 cls 3, 4; 2023 No 46 Schedule 10 cl 23

47 EPA makes recommendation on whether there are competing applications or existing resource consents for same activity

- (1) The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, make a recommendation to the Minister on—
 - (a) whether a substantive application has any competing applications; and
 - (b) if a substantive application seeks an approval described in section 42(4)(a) (resource consent), whether there are any existing resource consents of the kind referred to in section 30(3)(a) that are not identified in the substantive application.
- (2) The EPA must make a recommendation under subsection (1) within 10 working days after the EPA decides that the substantive application complies with section 46(2).

Competing applications

- (3) After receiving a recommendation under subsection (1)(a), the Minister must decide whether the substantive application has a competing application.
- (4) If the Minister decides that the substantive application has a competing application, the Minister must give written notice of that decision to—
 - (a) the consent authority or administering agency with which the competing application had been lodged; and
 - (b) the applicant.
- (5) The Minister must be notified in writing by the following when a competing application has been determined and any rights of appeal that relate to that application have been exhausted or have expired:
 - (a) the EPA, if the competing application was made under this Act;
 - (b) the consent authority or administering agency referred to in subsection (4)(a), if the competing application was made under a specified Act.

- (6) The Minister may give notice under subsection (7) if the Minister—
- (a) considers that the substantive application has 1 or more competing applications and the Minister has received notice under subsection (5) for each of those competing applications; or
 - (b) does not consider that the substantive application has any competing applications.
- (7) The EPA must not provide the substantive application to the panel convener before the Minister notifies the EPA in writing that a panel may be set up for the substantive application.

Existing resource consents for same activity

- (8) After receiving a recommendation under subsection (1)(b), the Minister must decide whether there are any existing resource consents of the kind referred to in section 30(3)(a) that are not identified in the substantive application.
- (9) If the Minister decides that there are any existing resource consents of that kind, the EPA must return the application under section 46(4) (and section 46(5) applies accordingly).

Delegation by Minister to EPA

- (10) The Minister may, in writing, delegate to the EPA the Minister's functions, powers, and duties under this section.
- (11) A delegation under subsection (10)—
- (a) is revocable at will, but the revocation does not take effect until it is communicated in writing to the EPA; and
 - (b) does not prevent the Minister from performing or exercising the functions, duties, or powers concerned.
- (12) If the Minister delegates to the EPA the power to make any or all decisions under subsection (3) or (8), the EPA must make those decisions within the 10-working-day time frame that applies under subsection (2) rather than making recommendations under subsection (1).

48 EPA requests recommendation in relation to aquaculture activities

- (1) This section applies if—
- (a) a substantive application seeks an approval described in section 42(4)(a) or (b) (resource consent or change or cancellation of resource consent condition) for aquaculture activities to be undertaken in the coastal marine area; and
 - (b) for an approval described in section 42(4)(a), either—
 - (i) the authorised person who is proposed to hold the approval does not hold a coastal permit under the Resource Management Act 1991 to occupy the relevant area of the coastal marine area for aquaculture activities; or

- (ii) that authorised person does hold a coastal permit of that kind but it has conditions specified under section 186H(3) of the Fisheries Act 1996; and
 - (c) for an approval described in section 42(4)(b) in relation to a coastal permit to occupy the relevant area of the coastal marine area for aquaculture activities, the coastal permit has conditions specified under section 186H(3) of the Fisheries Act 1996.
- (2) When the EPA provides the substantive application to the panel convener, the EPA must request that the relevant chief executive make a recommendation, in accordance with clauses 14 to 16 of Schedule 5, on the aquaculture decision to be made under section 80.
- (3) If the EPA sends 2 or more requests to the relevant chief executive at the same time, the EPA must indicate to the relevant chief executive the time at which the respective applications were received.
- (4) The EPA, at the direction of the panel that considers the substantive application, must notify the relevant chief executive of the date on which the panel intends to invite comments under section 53 at least 1 day before that date to allow the processes under clause 14 of Schedule 5 to occur at the same time.

49 EPA obtains section 18 report for listed project

- (1) This section applies to a substantive application that relates to a listed project.
- (2) When the EPA provides the substantive application to the panel convener, the EPA must request a report from the responsible agency that is prepared in accordance with section 18(2) and (3)(a) (but does not contain the matters in section 18(2)(l) and (m)).
- (3) The responsible agency must provide the report within 10 working days after receiving the request.

Steps by panel convener after receiving substantive application from EPA

50 Panel convener sets up panel

- (1) The panel convener must set up a panel in accordance with Schedule 3 for each substantive application that the panel convener receives from the EPA.
- (2) If a substantive application relates to a priority project, the panel convener must set up a panel for that application before setting up a panel for any substantive application that does not relate to a priority project.

51 Panel convener obtains other advice and reports

- (1) After receiving a substantive application from the EPA, the panel convener must direct the EPA to obtain—

- (a) any advice from the relevant administering agencies that the panel convener considers will be necessary for the panel to consider, and make decisions on, the approvals sought in the application; and
 - (b) any reports referred to in subsection (2).
- (2) The reports are as follows:
- (a) if the substantive application seeks an approval described in section 42(4)(e) (concession) on land that is vested in the Crown, a report prepared by the Director-General of Conservation in accordance with clause 4 of Schedule 6:
 - (b) if the substantive application seeks an approval described in section 42(4)(g) (conservation covenant), a report prepared by the Director-General of Conservation in accordance with clause 43 of Schedule 6:
 - (c) if the substantive application seeks an approval described in section 42(4)(h) (wildlife approval), a report prepared by the Director-General of Conservation in accordance with clause 3 of Schedule 7:
 - (d) if the substantive application seeks an approval described in section 42(4)(i) (archaeological authority), reports prepared by Heritage New Zealand Pouhere Taonga and the Māori Heritage Council in accordance with clause 3 of Schedule 8:
 - (e) if the substantive application seeks an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), a report prepared by the Director-General of Conservation in accordance with clause 4 of Schedule 9:
 - (f) if the substantive application seeks an approval described in section 42(4)(l) or (m) (access arrangement), a report prepared in accordance with clause 4 of Schedule 11 by the chief executives of the 1 or more departments that administer the land to which the approval relates:
 - (g) if the substantive application seeks an approval described in section 42(4)(n) (mining permit), a report prepared by the relevant chief executive in accordance with clause 17 of Schedule 11.
- (3) A report may, in relation to the relevant approval, include advice on—
- (a) matters relevant to section 82, 83, or 84; and
 - (b) whether any of the activities that would be authorised by the approval are ineligible activities.
- (4) Advice or a report requested under subsection (1) must be provided to the EPA—
- (a) within 10 working days after the panel invites comments under section 53; or
 - (b) in the case of a report referred to in subsection (2)(g), within a longer time frame set by the panel convener.

- (5) The EPA—
- (a) must provide electronic copies of the advice or report to—
 - (i) the panel; and
 - (ii) the applicant; and
 - (iii) every person or group that provides comments under section 35 or 53; and
 - (b) in complying with paragraph (a)(ii) and (iii), may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.
- (6) The persons and groups that receive advice or a report under subsection (5)(a)(iii) may not make any further comments unless requested by the panel.

52 Panel convener provides information to panel

After setting up a panel for a substantive application, the panel convener must provide to the panel—

- (a) the substantive application; and
- (b) the report obtained under section 18 in relation to the project; and
- (c) if a report was obtained under section 19 in relation to the project, that report; and
- (d) any other information received by the panel convener under section 28(4) that the panel convener considers will be necessary for the panel to consider, and make decisions on, the approvals sought in the application; and
- (e) the notice given under section 28 in relation to the project.

Opportunity for comment on substantive application

53 Panel invites comments on substantive application

- (1) A panel must direct the EPA to, in accordance with this section, invite written comments on a substantive application not later than 10 working days after the panel is set up.
- (2) Comments must be invited from—
- (a) the relevant local authorities; and
 - (b) any relevant iwi authorities; and
 - (c) any relevant Treaty settlement entities, including, to avoid doubt,—
 - (i) an entity that has an interest under a Treaty settlement within the area to which the substantive application relates; and
 - (ii) an entity operating in a collective arrangement, provided for under a Treaty settlement, that relates to that area; and

- (d) any protected customary rights groups and customary marine title groups whose protected customary rights area or customary marine title is within the area to which the substantive application relates; and
- (e) any applicant group under the Marine and Coastal Area (Takutai Moana) Act 2011 that is identified in the report prepared under section 18 or 49 and seeks recognition of customary marine title or protected customary rights within the area to which the substantive application relates; and
- (f) ngā hapū o Ngāti Porou if the area to which the substantive application relates is within or adjacent to, or the activities to which it relates would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou; and
- (g) the tangata whenua of any area within the area to which the substantive application relates that is a taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996; and
- (h) the owners of the land to which the substantive application relates and the land adjacent to that land; and
- (i) the occupiers of the land to which the substantive application relates and the land adjacent to that land unless, after reasonable inquiry, an occupier cannot be identified; and
- (j) the Minister for the Environment and other relevant portfolio Ministers; and
- (k) relevant administering agencies; and
- (l) any requiring authority that has a designation on land to which the substantive application relates or on land adjacent to that land; and
- (m) if the approvals sought in the substantive application include—
 - (i) an approval described in section 42(4)(a) or (d) (resource consent or designation), the persons and groups listed in clause 13 of Schedule 5:
 - (ii) an approval described in section 42(4)(e) (concession), the persons listed in clause 5 of Schedule 6:
 - (iii) an approval described in section 42(4)(g) (conservation covenant), the persons listed in clause 44 of Schedule 6:
 - (iv) an approval described in section 42(4)(h) (wildlife approval), the persons listed in clause 4 of Schedule 7:
 - (v) an approval described in section 42(4)(k) (marine consent), the persons listed in clause 5 of Schedule 10:
 - (vi) an approval described in section 42(4)(l) or (m) (access arrangement), the persons listed in clause 5 of Schedule 11:
 - (vii) an approval described in section 42(4)(n) (mining permit), the person listed in clause 18 of Schedule 11; and

- (n) any persons or groups specified by the Minister under section 27(3)(b)(iii).
- (3) Comments may be invited from any other person the panel considers appropriate.
Compare: 2020 No 35 Schedule 6 cl 17; 2023 No 46 Schedule 10 cl 26

54 General provisions relating to invitations given under section 53

- (1) The EPA must, at the panel's direction, specify in its invitation for comments under section 53 that the comments must be received by the EPA on behalf of the panel on a specified date that is 20 working days after the date on which the invitation is given.
- (2) The invitation must include notice of the substantive application, with details as to how to access the application.
- (3) An iwi authority invited to provide comments under section 53 may—
 - (a) share the substantive application for the approval with hapū whose rohe is in the area to which the substantive application relates; and
 - (b) choose to include comments from that hapū with the comments provided to the panel by the iwi authority.
- (4) There is no right for any person to seek a waiver of the time limit for written comments to be received by the EPA.
Compare: 2020 No 35 Schedule 6 cl 18(1)–(3); 2023 No 46 Schedule 10 cl 27(1)

55 Response to comments provided under section 53

- (1) The EPA must forward copies of any comments received under section 53 to the applicant.
- (2) The applicant may provide the EPA with a response to the comments not later than 5 working days after the date specified under section 54(1).
Compare: 2020 No 35 Schedule 6 cl 19

Hearing of panel

56 Hearing not required

There is no requirement for a panel to hold a hearing in respect of a substantive application and no person has a right to be heard by a panel.
Compare: 2020 No 35 Schedule 6 cl 20; 2023 No 46 Schedule 10 cl 28(2)

57 Procedure if hearing is held

Who may appear and be heard

- (1) If, in its discretion, a panel considers it is appropriate to hold a hearing on a substantive application (or any part of a substantive application), it may hear from—

- (a) the applicant (or, if the substantive application is lodged by more than 1 authorised person, any of those persons); and
 - (b) any person commissioned by the panel to write a report on the substantive application; and
 - (c) any person or group that provided comments under section 35 or 53.
- (2) If a person or group that provided comments is heard, a panel must give the applicant the opportunity to be heard.

Notices and timing requirements

- (3) If a panel decides to hold a hearing, the EPA, at the direction of the panel, must issue a notice of hearing to persons and groups referred to in subsection (1), fixing the date, time, and place of the hearing.
- (4) The notice must give no less than 5 working days' notice of the hearing, and must advise the persons and groups notified—
- (a) that they may appear and be heard, be represented, and call evidence in relation to the substantive application (or the part of the substantive application for which a hearing is held); and
 - (b) that they must, within 3 working days after the notice of hearing is given, advise the EPA whether they will attend the hearing.
- (5) If a person or group advises the EPA under subsection (4)(b) that they will attend a hearing but fails to appear, the panel may proceed with the hearing.
- (6) A panel must complete any hearing within the time frame allowed under section 79 for the panel to issue its decisions under section 88.

Application of Local Government Official Information and Meetings Act 1987

- (7) For the purposes of this section and sections 58 and 59, Part 1 and sections 48 and 53 of the Local Government Official Information and Meetings Act 1987 apply, with any necessary modifications, as if a panel were a board of inquiry given authority to conduct a hearing under section 149J of the Resource Management Act 1991.

Compare: 2020 No 35 Schedule 6 cl 21(1)–(6)

58 Other provisions about conduct of hearing

- (1) If a hearing is held, a panel must—
- (a) avoid unnecessary formality; and
 - (b) recognise tikanga Māori where appropriate; and
 - (c) receive evidence, written or spoken, in te reo Māori (and Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016 applies accordingly); and
 - (d) not permit any person other than the chairperson or members of a panel to question a party or witness; but
 - (e) if the chairperson of a panel gives leave, permit cross-examination.

- (2) Section 4 of the Commissions of Inquiry Act 1908 (which gives powers to maintain order) applies to any hearing conducted by a panel under this Act.
- (3) A panel may receive as evidence any statement, document, information, or matter that in its opinion may assist it to deal effectively with an application for an approval, whether or not it would be admissible in a court of law.
- (4) A panel may, in its discretion, make an order that prohibits or restricts the publication or other means of communication of information supplied to the panel or obtained by it in the course of a hearing.
- (5) Subsection (4) applies whether or not the information is material to determining whether to grant an approval sought in a substantive application if there would be good reason to withhold the information under section 6 or 7 of the Local Government Official Information and Meetings Act 1987.
- (6) A panel may, if it considers that there is likely to be excessive repetition, limit the circumstances in which persons with the same interests may speak or call evidence.

Compare: 2020 No 35 Schedule 6 cl 21(7)–(12)

59 Remote access hearing

- (1) A panel may direct that a hearing or part of a hearing be held using 1 or more remote access facilities—
 - (a) on the initiative of the panel; or
 - (b) at the request of the applicant; or
 - (c) at the request of a person, or a representative of a group of persons, referred to in section 57(1).
- (2) If a hearing is held using a remote access facility, a panel must,—
 - (a) if it is reasonably practicable to do so, enable access to the hearing by making it available live and free of charge to the public, for example, on an internet site; or
 - (b) after the hearing closes, make available, in accordance with subsection (3),—
 - (i) an audio or a video recording of the hearing; or
 - (ii) a written transcript of the hearing.
- (3) A recording or transcript that is made available under subsection (2)(b) must be published on an internet site that is administered by or on behalf of the EPA and is publicly available as far as practicable and free of charge.
- (4) Subsection (2) is subject to section 48 of the Local Government Official Information and Meetings Act 1987 (right of local authorities to exclude public).

Compare: 2020 No 35 Schedule 6 cl 21(13)–(15)

*Suspension of processing substantive application***60 When processing of substantive application may be suspended**

- (1) Processing of a substantive application may be suspended in the following circumstances:
 - (a) by direction of the EPA under section 61;
 - (b) by direction of the panel convener under section 62;
 - (c) at the discretion of the panel convener or the panel following a request under section 64 by the applicant;
 - (d) if the EPA commissions advice under section 68(2)(b).
- (2) Any time frame under this Act that relates to the processing of a substantive application excludes any period during which processing of the application is suspended.

Compare: 2020 No 35 Schedule 6 cl 6(1)

Section 60(1)(b): amended, on 17 December 2025, by section 31(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 60(1)(c): amended, on 17 December 2025, by section 31(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

61 EPA may direct suspension in processing substantive application

- (1) If the applicant has not paid the costs recoverable by the EPA, the EPA may suspend the processing of the application and must give notice of the suspension to—
 - (a) the panel; and
 - (b) the relevant local authorities; and
 - (c) the applicant; and
 - (d) if advice or a report has been requested from a person under section 51 and is yet to be provided to the EPA, that person; and
 - (e) if a recommendation has been requested from the relevant chief executive under section 48 and is yet to be made, the relevant chief executive; and
 - (f) if persons or groups have been invited to provide comments under section 35 or 53, those persons or groups.
- (2) If the applicant subsequently pays the costs recoverable by the EPA, the EPA must resume processing the substantive application and must give notice of the resumption to the persons notified of the suspension.
- (3) The panel and a person referred to in subsection (1)(d) or (e) must—
 - (a) suspend processing of the substantive application if they receive a notice under subsection (1); and

- (b) resume processing of the application if they receive a notice under subsection (2).

Compare: 2020 No 35 Schedule 6 cl 6(2)–(3)

62 Panel convener may direct suspension in processing substantive application

- (1) The panel convener may, at any time after a substantive application has been provided to a panel, give a written direction, with reasons, to the EPA that processing of the application be suspended.
- (2) The panel convener may give a direction under subsection (1) if the panel convener considers that—
 - (a) different or further approvals are required in respect of the project; and
 - (b) those approvals relate to the same specified Act as an approval that is sought in the substantive application; and
 - (c) the nature of the project would be better understood if the substantive application were amended to seek those approvals before the panel proceeds further.
- (3) If the EPA receives a direction from the panel convener under subsection (1), the EPA must, within 5 working days after receiving the direction, give notice of the direction to—
 - (a) the panel; and
 - (b) the relevant local authorities; and
 - (c) the applicant; and
 - (d) if advice or a report has been requested from a person under section 51 and is yet to be provided to the EPA, that person; and
 - (e) if a recommendation has been requested from the relevant chief executive under section 48 and is yet to be made, the relevant chief executive; and
 - (f) if persons or groups have been invited to provide comments under section 35 or 53, those persons or groups.
- (4) A notice under subsection (3) must include a copy of the direction and reasons received from the panel convener by the EPA.
- (5) The panel and a person referred to in subsection (3)(d) or (e) must suspend processing of the substantive application if they receive a notice under subsection (3).

Compare: 2020 No 35 Schedule 6 cl 22(1)–(3), (5)

Section 62 heading: amended, on 17 December 2025, by section 32(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 62(1): amended, on 17 December 2025, by section 32(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 62(2): amended, on 17 December 2025, by section 32(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 62(3): amended, on 17 December 2025, by section 32(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 62(4): amended, on 17 December 2025, by section 32(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

63 Resumption in processing substantive application following suspension under section 62

- (1) The panel convener may, at any time, by notice in writing with reasons, withdraw the direction given to the EPA under section 62.
- (2) Subsection (3) applies if the panel convener's direction is withdrawn before the substantive application is amended to seek the different or further approvals referred to in section 62(2).
- (3) If this subsection applies, the panel and any person notified under section 62(3)(d) or (e) must resume processing the original substantive application from the date on which the panel convener's direction is withdrawn.
- (4) Subsection (5) applies if a substantive application is amended to seek the further or different approvals referred to in section 62(2) before the panel convener's direction is withdrawn.
- (5) If this subsection applies, the panel and any person notified under section 62(3)(d) or (e) must—
 - (a) process the parts of the amended substantive application that relate to the further or different approvals as if they were a new substantive application (except for the purposes of section 81); and
 - (b) resume processing the parts of the amended substantive application that relate to the approvals originally sought but, in doing so, observe the time frames set out in this Act that apply to the parts of the application described in paragraph (a).

Compare: 2020 No 35 Schedule 6 cl 22(4), (6)–(9)

Section 63(1): amended, on 17 December 2025, by section 33(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 63(2): amended, on 17 December 2025, by section 33(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 63(3): amended, on 17 December 2025, by section 33(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 63(4): amended, on 17 December 2025, by section 33(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

64 Applicant may request suspension of processing substantive application

- (1) An applicant may make a written request to the EPA that processing of their substantive application be suspended.
- (2) A request may be made only in the period between—

- (a) the time when the EPA provides the substantive application to the panel convener; and
 - (b) the time when a panel makes its decisions under section 81 on the approvals sought in the application.
- (3) When a request is made under subsection (1), the panel convener or, if a panel has been set up, the panel, may suspend the processing of a substantive application at their or its discretion.
- (4) If the panel convener or a panel grants a suspension, the EPA must give notice of the date on which the panel convener or the panel suspended processing of the application to—
- (a) the applicant; and
 - (b) if advice or a report has been requested from a person under section 51 and is yet to be provided to the EPA, that person; and
 - (c) if a recommendation has been requested from the relevant chief executive under section 48 and is yet to be made, the relevant chief executive; and
 - (d) if persons or groups have been invited to provide comments under section 35 or 53, those persons or groups.
- (5) A person who receives a notice under subsection (4)(b) or (c) must suspend processing of the substantive application.

Compare: 2020 No 35 Schedule 6 cl 23(1)–(5)

Section 64(2)(a): amended, on 17 December 2025, by section 34(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 64(3): replaced, on 17 December 2025, by section 34(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 64(4): amended, on 17 December 2025, by section 34(3)(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 64(4): amended, on 17 December 2025, by section 34(3)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

65 Resumption in processing of substantive application following suspension under section 64

- (1) An applicant granted a suspension under section 64(3) may request in writing to the EPA that the processing of the substantive application be resumed.
- (2) If a request is made under subsection (1), the panel convener or the panel must resume processing the substantive application.
- (3) The panel may decide under section 66(2)(b) to resume processing the substantive application in the absence of a request under subsection (1).
- (4) If the panel convener or a panel resumes processing a substantive application under subsection (2) or (3), the EPA must give written notice of that fact, specifying the date on which the panel convener or the panel resumed processing, to the persons or groups notified of the suspension under section 64(4).

- (5) A person referred to in section 64(4)(b) or (c) must resume processing the substantive application if they receive a notice under subsection (4).

Compare: 2020 No 35 Schedule 6 cl 23(6)–(9)

Section 65(2): amended, on 17 December 2025, by section 35(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 65(4): amended, on 17 December 2025, by section 35(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 65(4): amended, on 17 December 2025, by section 35(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

66 Return of substantive application

- (1) This section applies if 50 working days have elapsed since the processing of a substantive application was suspended under section 64(3).
- (2) A panel must decide whether to—
- (a) return the substantive application to the applicant; or
 - (b) resume processing the application.
- (3) The decision of the panel convener or a panel under this section must be notified in writing to—
- (a) the persons or groups notified under section 64(4); and
 - (b) the relevant administering agencies.
- (4) If the panel convener or a panel decides to return the substantive application, it must be returned together with written reasons for its return.
- (5) If a substantive application that has been returned is lodged again with the EPA, the application must be treated as a new application.
- (6) If a substantive application is suspended more than once, the total number of working days during which processing is suspended must not be more than 100.

Compare: 2020 No 35 Schedule 6 cl 24

Section 66(3): amended, on 17 December 2025, by section 36(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 66(4): amended, on 17 December 2025, by section 36(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 66(6): amended, on 17 December 2025, by section 36(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Further information, etc

67 Panel may request further information or report

- (1) At any time before a panel makes its decisions under section 81 on a substantive application, the panel may direct the EPA—
- (a) to request further information in relation to the application from any or all of the following:

- (i) the applicant (or, if the application is lodged by more than 1 authorised person, any of those persons):
 - (ii) a relevant local authority:
 - (iii) a relevant administering agency:
 - (iv) any person or group invited to provide comments under section 35 or 53:
- (b) to prepare or commission a report (including a report from a relevant local authority) on an issue relevant to the application.
- (2) If further information is requested under subsection (1)(a), the person or body requested to provide the information must—
 - (a) provide electronic copies of the information or report requested; or
 - (b) advise the EPA, with reasons, that it declines to provide the information or report requested.
- (3) Subsection (2) must be complied with by the date directed by the panel, which must not be later than 10 working days after the direction is given.
- (4) The EPA must provide electronic copies of any information or report it receives under this section to—
 - (a) the panel; and
 - (b) the applicant; and
 - (c) every person or group that provides comments under section 35 or 53.
- (5) The persons who, or groups that, receive the information or report under subsection (4)(c) may not make further comments unless requested by the panel.
- (6) If information requested under subsection (1) is not received by the panel in accordance with subsections (2) and (3), the panel must proceed as if the request for further information had been declined.

Compare: 2020 No 35 Schedule 6 cl 25; 2023 No 46 Schedule 10 cl 30

68 Panel may request or commission advice on concession, land exchange, or access arrangement

- (1) This section applies if a substantive application seeks an approval described in section 42(4)(e), (f), (l), or (m) (concession, land exchange, or access arrangement).

Request for, or commissioning of, advice

- (2) At any time before a panel makes its decisions under section 81 on a substantive application, the panel may direct the EPA to—
 - (a) request advice from the Director-General of Conservation or the chief executive of Land Information New Zealand, as relevant, on any issue relating to an approval referred to in subsection (1) that the panel considers relevant:

- (b) commission advice on any risks to, or potential liabilities of, the Crown in relation to an approval referred to in subsection (1).
- (3) The EPA—
 - (a) must provide electronic copies of any advice it receives under this section to—
 - (i) the panel; and
 - (ii) the applicant; and
 - (iii) every person or group that provides comments under section 35 or 53; and
 - (b) in complying with paragraph (a)(ii) and (iii), may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.

Suspension of processing if advice commissioned

- (4) If the EPA commissions advice under subsection (2)(b),—
 - (a) processing of the substantive application is suspended until the EPA receives the advice; and
 - (b) the EPA must give notice of the suspension and resumption of the processing to—
 - (i) the panel; and
 - (ii) the relevant local authorities; and
 - (iii) the applicant; and
 - (iv) if advice or a report has been requested from a person under section 51 and is yet to be provided to the EPA, that person; and
 - (v) if a recommendation has been requested from the relevant chief executive under section 48 and is yet to be made, the relevant chief executive; and
 - (vi) if persons or groups have been invited to provide comments under section 35 or 53, those persons or groups.
- (5) The panel and a person referred to in subsection (4)(b)(iv) or (v) must—
 - (a) suspend processing of the substantive application if they receive notice of the suspension; and
 - (b) resume processing of the substantive application if they receive notice of the resumption.
- (6) This section does not limit section 67.

Draft decisions on approvals

69 Panel provides draft decisions to applicant before declining approval

- (1) This section applies if a panel—
 - (a) proposes to decline an approval under section 81; and
 - (b) has not previously invited the applicant to make a proposal under subsection (2)(b).
- (2) The panel must direct the EPA to—
 - (a) provide the applicant with a copy of its draft decision document for every approval sought in the substantive application; and
 - (b) invite the applicant to—
 - (i) propose conditions on, or modifications to, any of the approvals sought; or
 - (ii) withdraw the part of the substantive application that seeks any of the approvals sought.
- (3) A proposal under subsection (2)(b) must—
 - (a) be for the purpose of addressing the reasons for which the approval referred to in subsection (1) is proposed to be declined; and
 - (b) be within the scope of the substantive application.
- (4) An invitation for a proposal under subsection (2)(b) must include the date set by the panel by which the proposal must be received by the EPA.

70 Panel seeks comment on draft conditions before granting approval

- (1) Before a panel decides to grant an approval under section 81, the panel must direct the EPA to provide a copy of its draft conditions to the following, inviting comments on the draft conditions:
 - (a) the applicant; and
 - (b) every person or group that provided comments under section 35 or 53; and
 - (c) any local authority or other body with a statutory responsibility to enforce or monitor compliance with the conditions.
- (2) In providing the draft conditions and invitation to comment under subsection (1), the EPA—
 - (a) must include the date set by the panel by which comments on the draft conditions must be received by the EPA; and
 - (b) must include a copy of the panel’s draft decision document for each approval; and

- (c) may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.
- (3) The EPA must provide electronic copies of comments received under subsection (1) to—
 - (a) the panel; and
 - (b) the applicant; and
 - (c) every person or group that provided comments under section 35 or 53.
- (4) The applicant may provide the EPA with a response to the comments not later than 5 working days after the date specified under subsection (2)(a).

Compare: 2020 No 35 Schedule 6 cl 36

71 Panel provides draft conditions relating to aquaculture activities for recommendation

- (1) This section applies if an aquaculture decision is required under section 80 in respect of a substantive application for a coastal permit for aquaculture activities to be undertaken in the coastal marine area.
- (2) A panel must direct the EPA to provide a copy of its draft conditions to the relevant chief executive for the purposes of clause 15 of Schedule 5 at the same time as it complies with section 70(1).

72 Panel seeks comments from Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development

- (1) Before a panel decides to grant or decline an approval under section 81, the panel must direct the EPA to invite comments from the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Māori Development on the draft decision, including any draft conditions.
- (2) Those Ministers must be allowed 10 working days to comment on the draft decision, including any assessment made by the panel in relation to a relevant Treaty settlement and any draft conditions related to that assessment.
- (3) The EPA must provide any comments received under subsection (1) to the panel.

Role of appropriate Minister in relation to concessions, land exchanges, and access arrangements

73 Sections 74 to 78 apply to concession, land exchange, and access arrangement

Sections 74 to 78 apply to an approval described in section 42(4)(e), (f), (l), or (m) (concession, land exchange, or access arrangement).

Section 73 heading: editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(iii) of the Legislation Act 2019 (2019 No 58).

Section 73: editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(iii) of the Legislation Act 2019 (2019 No 58).

74 Appropriate Minister may call in decision

- (1) At any time before a panel makes a decision under section 81 on an approval referred to in section 73, the appropriate Minister for the land to which the approval relates may call in the decision.
- (2) The appropriate Minister may call in—
 - (a) a decision on an approval described in section 42(4)(e) (concession) in accordance with clause 6 of Schedule 6:
 - (b) a decision on an approval described in section 42(4)(f) (land exchange) in accordance with clause 28 of Schedule 6:
 - (c) a decision on an approval described in section 42(4)(l) or (m) (access arrangement) in accordance with clause 6 of Schedule 11.

75 Panel may transfer decision to appropriate Minister

- (1) At any time before a panel makes a decision under section 81 on an approval referred to in section 73, the panel may transfer the decision to the appropriate Minister for the land to which the approval relates.
- (2) The panel may transfer the decision if the panel—
 - (a) is not satisfied that the panel has adequate information to assess the risks to the Crown arising from any decision by the panel to grant the approval:
 - (b) is not satisfied that any decision by the panel to grant the approval could adequately mitigate the potential liabilities of the Crown arising from that decision.

76 Process if decision is called in by, or transferred to, appropriate Minister

- (1) This section applies if a decision is called in under section 74 or transferred to the appropriate Minister under section 75.
- (2) A panel must,—
 - (a) in accordance with this subpart, process the substantive application to which the decision relates; but
 - (b) instead of making the decision under section 81, set out in the panel's decision document under section 87, as a recommendation for the appropriate Minister, the decision that the panel would have made under section 81.
- (3) After receiving notice of the panel's recommendation under section 88, the appropriate Minister must make a decision on the approval in accordance with section 81.

- (4) Before making the decision under subsection (3), the appropriate Minister must—
- (a) comply with sections 69 and 72 if the appropriate Minister proposes to decline an approval that the panel recommended be granted;
 - (b) comply with sections 70 and 72 if the appropriate Minister proposes to grant an approval that the panel recommended be declined.
- (5) For the purpose of making the decision under subsection (3), the appropriate Minister may request further information or advice from—
- (a) the panel;
 - (b) the applicant (or, if the substantive application is lodged by more than 1 authorised person, any of those persons);
 - (c) a relevant local authority;
 - (d) a relevant administering agency;
 - (e) any person or group invited to provide comments under section 35 or 53.
- (6) For the purposes of subsections (3) and (4), sections 69, 70, 72, 81 to 89, 99, and 100 and Schedules 6 and 11 apply with any necessary modifications and, unless the context otherwise requires, as if—
- (a) a reference in those sections and schedules to a panel were a reference to the appropriate Minister; and
 - (b) section 81(2)(a) also referred to subsection (5) of this section.

77 Panel informs appropriate Minister of proposed decision

Before a panel makes a decision under section 81 on an approval referred to in section 73, the panel must direct the EPA to inform the appropriate Minister for the land to which the approval applies—

- (a) of the decision that the panel proposes to make on the approval; and
- (b) that the appropriate Minister may call in the decision under section 74.

78 Appropriate Minister may specify standard conditions

- (1) For the purposes of clauses 9 and 33 of Schedule 6 and clause 10 of Schedule 11, the appropriate Minister for land to which an approval referred to in section 73 may be sought may specify conditions that a panel may be required to impose on approvals of that kind.
- (2) A condition specified under subsection (1) must be one that the appropriate Minister considers is appropriate in order to manage risks to, and potential liabilities of, the Crown arising from the granting of an approval of that kind.

Panel decisions

79 Timing of panel decisions

- (1) A panel must issue its decision documents under section 88 within—

- (a) a time frame set by the panel convener in accordance with subsection (2); or
 - (b) if no time frame is set, within 30 working days after the date specified for receiving comments under section 53.
- (2) A time frame set by the panel convener for the purposes of subsection (1)(a) must—
- (a) be set at or before the time the panel convener complies with section 52; and
 - (b) be a time frame that the panel convener considers is appropriate, having regard to the scale, nature, and complexity of the approvals sought in, and any other matters raised by, the substantive application; and
 - (c) be set after consulting the relevant administering agencies; and
 - (d) be notified to the applicant.

Compare: 2020 No 35 Schedule 6 cl 37(2)

80 Aquaculture decision required for certain coastal permits

- (1) This section applies if the EPA requests the relevant chief executive to make a recommendation on an aquaculture decision under section 48.
- (2) A panel must make an aquaculture decision in accordance with clause 20 of Schedule 5 when it makes its decision under section 81 on an approval described in section 42(4)(a) or (b) (resource consent or change or cancellation of resource consent condition).
- (3) The EPA—
 - (a) must provide electronic copies of an aquaculture decision to—
 - (i) the relevant consent authority; and
 - (ii) the persons and organisations who supplied information to the relevant chief executive; and
 - (iii) the persons and organisations consulted by the relevant chief executive; and
 - (b) in complying with paragraph (a), may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.

81 Decisions on approvals sought in substantive application

- (1) A panel must, for each approval sought in a substantive application, decide whether to—
 - (a) grant the approval and set any conditions to be imposed on the approval; or
 - (b) decline the approval.

- (2) For the purpose of making the decision, the panel—
- (aaa) must, if the substantive application relates to an unlisted project, consider the Minister’s reasons for accepting the referral application that are stated in the notice given by the responsible agency under section 28(1):
 - (aab) must consider a relevant Government policy statement:
 - (a) must consider the substantive application and any advice, report, comment, or other information received by the panel under section 51, 52, 53, 55, 58, 67, 68, 69, 70, 72, or 90:
 - (b) must apply the applicable clauses set out in subsection (3) (*see* those clauses in relation to the weight to be given to the purpose of this Act when making the decision):
 - (c) must comply with section 82, if applicable:
 - (d) must comply with section 83 in setting conditions:
 - (e) may impose conditions under section 84:
 - (ea) may impose conditions under section 84A:
 - (f) may decline the approval only in accordance with section 85.
- (3) For the purposes of subsection (2)(b), the clauses are as follows:
- (a) for an approval described in section 42(4)(a) (resource consent), clauses 17 to 22 of Schedule 5:
 - (b) for an approval described in section 42(4)(b) (change or cancellation of resource consent condition), in relation to a condition of a coastal permit specified under section 186H(3) of the Fisheries Act 1996, clauses 20 to 22 of Schedule 5:
 - (c) for any other approval described in section 42(4)(b) (change or cancellation of resource consent condition), clause 23 of Schedule 5:
 - (d) for an approval described in section 42(4)(c) (certificate of compliance), clause 27 of Schedule 5:
 - (e) for an approval described in section 42(4)(d) (designation), clauses 24 and 25 of Schedule 5:
 - (f) for an approval described in section 42(4)(e) (concession), clauses 7 to 9 of Schedule 6:
 - (g) for an approval described in section 42(4)(f) (land exchange), clauses 29 to 33 of Schedule 6:
 - (h) for an approval described in section 42(4)(g) (conservation covenant), clauses 45 and 46 of Schedule 6:
 - (i) for an approval described in section 42(4)(h) (wildlife approval), clauses 5 and 6 of Schedule 7:
 - (j) for an approval described in section 42(4)(i) (archaeological authority), clauses 4 and 5 of Schedule 8:

- (k) for an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), clauses 5 and 6 of Schedule 9:
 - (l) for an approval described in section 42(4)(k) (marine consent), clauses 6 and 7 of Schedule 10:
 - (m) for an approval described in section 42(4)(l) (access arrangement), clauses 7, 9, and 10 of Schedule 11:
 - (n) for an approval described in section 42(4)(m) (access arrangement), clauses 8, 9, and 10 of Schedule 11:
 - (o) for an approval described in section 42(4)(n) (mining permit), clauses 19 to 21 of Schedule 11.
- (4) When taking the purpose of this Act into account under a clause referred to in subsection (3), the panel must consider the extent of the project's regional or national benefits.
- (5) For the purposes of subsection (4), if the substantive application was made under section 42(1)(aa) or (b), the panel—
- (a) must treat the stage of the project to which the application relates as constituting the project; but
 - (b) may consider the regional or national benefits of the whole project, having regard to the likelihood that any later stages of the project will be completed.
- (6) Despite subsection (2)(a), the panel—
- (a) is not required to consider any advice, report, comment, or other information it receives under section 51, 53, 55, 67, 69, 70, or 72 after the applicable time frame; but
 - (b) may, in its discretion, consider the information as long as the panel has not made its decision under this section on the approval.
- (7) To avoid doubt, nothing in this section or section 82 or 85 limits section 7.

Section 81(2)(aaa): inserted, on 17 December 2025, by section 40(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 81(2)(aab): inserted, on 17 December 2025, by section 40(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 81(2)(ea): inserted, on 17 December 2025, by section 40(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 81(5): amended, on 17 December 2025, by section 40(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

82 Effect of Treaty settlements and other obligations on decision making

- (1) This section applies if a Treaty settlement, the Marine and Coastal Area (Taketaitai Moana) Act 2011, or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 is relevant to an approval.

- (2) If the settlement or Act provides for the consideration of any document, the panel must give the document the same or equivalent effect through the panel's decision making as it would have under any relevant specified Act.
- (3) The panel must also consider whether granting the approval would comply with section 7.
- (4) In this section, **document**—
 - (a) means any document, arrangement, or other matter; and
 - (b) includes any statutory planning document amended as a result of the settlement or Act referred to in subsection (1).

83 Conditions must be no more onerous than necessary

When exercising a discretion to set a condition under this Act, the panel must not set a condition that is more onerous than necessary to address the reason for which it is set in accordance with the provision of this Act that confers the discretion.

84 Conditions relating to Treaty settlements and recognised customary rights

- (1) For the purposes of section 7, the panel may set conditions to recognise or protect a relevant Treaty settlement and any obligations arising under the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.

84A Conditions relating to infrastructure

- (1) The panel may set conditions to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support—
 - (a) the project; or
 - (b) the stage of the project to which the application relates.
- (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.
- (3) To avoid doubt, a condition set under this section may impose an obligation on the applicant only.

Section 84A: inserted, on 17 December 2025, by section 41 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

85 When panel must or may decline approvals

When approval must be declined

- (1) The panel must decline an approval if 1 or more of the following apply:
 - (a) the approval is for an ineligible activity:

- (b) the panel considers that granting the approval would breach section 7:
 - (c) in the case of an approval described in section 42(4)(b) (change or cancellation of resource consent condition), the approval must be declined under clause 23 of Schedule 5:
 - (d) in the case of an approval described in section 42(4)(c) (certificate of compliance), the approval must be declined under clause 27 of Schedule 5:
 - (e) in the case of an approval described in section 42(4)(e) (concession), the approval must be declined under clause 7(3) of Schedule 6:
 - (f) in the case of an approval described in section 42(4)(f) (land exchange), the approval must be declined under clause 29(2) or (3) of Schedule 6:
 - (g) in the case of an approval described in section 42(4)(l) or (m) (access arrangement), the approval must be declined under clause 7(2) or 8(2) of Schedule 11, as the case may be:
 - (h) in the case of an approval described in section 42(4)(n) (mining permit), the approval must be declined under clause 20 of Schedule 11.
- (2) A panel must decline an approval described in section 42(4)(a) (resource consent) for any area for which the approval must not be granted under clause 17(5) of Schedule 5.

Approval may be declined if adverse impacts out of proportion to regional or national benefits

- (3) A panel may decline an approval if, in complying with section 81(2), the panel forms the view that—
- (a) there are 1 or more adverse impacts in relation to the approval sought; and
 - (b) those adverse impacts are sufficiently significant to be out of proportion to the project’s regional or national benefits that the panel has considered under section 81(4), even after taking into account—
 - (i) any conditions that the panel may set in relation to those adverse impacts; and
 - (ii) any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.
- (4) To avoid doubt, a panel may not form the view that an adverse impact meets the threshold in subsection (3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider in complying with section 81(2).

- (5) In subsections (3) and (4), **adverse impact** means any matter considered by the panel in complying with section 81(2) that weighs against granting the approval.

86 Decision on land exchange is conditional

- (1) A decision under section 81 to grant an approval described in section 42(4)(f) (land exchange) is to be treated as a conditional decision until the appropriate Minister is satisfied that any conditions imposed by the panel in accordance with clause 31 of Schedule 6 are complied with.
- (2) If the appropriate Minister is not satisfied that all of the conditions referred to in subsection (1) are complied with by the close of the second anniversary of the panel's decision, the approval is treated as having lapsed at that time.

Decision documents

87 Content of panel decision documents

- (1) A panel must, for each approval sought in a substantive application, prepare a document (a **decision document**) for its decision under section 81 on the approval.
- (2) A decision document—
- (a) must—
 - (i) state the panel's decision; and
 - (ii) state the panel's reasons for the decision; and
 - (iii) include a statement of the principal issues that were in contention; and
 - (iv) include the main findings of the panel on those issues:
 - (b) for an approval described in—
 - (i) section 42(4)(a) or (d) (resource consent or designation), may specify a date on which the approval lapses in accordance with clause 26 of Schedule 5:
 - (ii) section 42(4)(a) or (b) (resource consent or change or cancellation of resource consent condition), must comply with clause 22 of Schedule 5, if applicable:
 - (iii) section 42(4)(c) (certificate of compliance), must comply with clause 28 of Schedule 5:
 - (iv) section 42(4)(n) (mining permit), must comply with clauses 22 and 23(1) of Schedule 11.

Compare: 2020 No 35 Schedule 6 cl 37(6)–(8); 2023 No 46 Schedule 10 cl 36(5)–(8)

88 Issue, service, and publication of decision documents

- (1) Each decision document that relates to a substantive application must be issued at the same time by being served on—
 - (a) the applicant; and
 - (b) if the relevant chief executive has made a recommendation on an aquaculture decision following a request under section 48 in respect of the substantive application, the relevant chief executive; and
 - (c) for an approval described in section 42(4)(i) (archaeological authority), the persons listed in clause 8 of Schedule 8; and
 - (d) the persons and groups invited to provide comments under section 35 or 53; and
 - (e) the relevant local authorities; and
 - (f) the relevant administering agencies; and
 - (g) other persons and authorities that the panel considers appropriate.
- (2) A decision document must be served together with advice as to the time within which an appeal may be lodged under section 99.
- (3) A decision document must be published on an internet site that is administered by or on behalf of the EPA and is publicly available as far as practicable and free of charge.
- (4) In complying with subsection (3), the EPA may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.
- (5) This section applies to a recommendation made by a panel in accordance with section 76(2)(b) as if it were a decision of the panel, except that the notice under subsection (1)—
 - (a) must also be served on the appropriate Minister; and
 - (b) need not include the information referred to in subsection (2).

Compare: 2020 No 35 Schedule 6 cl 38; 2023 No 46 Schedule 10 cl 37

89 Minor corrections

- (1) A panel may, within 20 working days after issuing a decision document under section 88(1), issue an amendment to the document to correct minor omissions, errors, or other defects in it.
- (2) A panel may correct a requirement for a designation before the earlier of the following:
 - (a) the day on which the territorial authority includes the designation in its district plan and any proposed district plan under clause 30 of Schedule 5; and

- (b) the day that is 40 working days after the day on which any rights of appeal under section 99 that relate to the designation have been exhausted or have expired.

Compare: 2020 No 35 Schedule 6 cl 40; 2023 No 46 Schedule 10 cl 39

EPA powers and duties relating to substantive application

90 EPA may request information from relevant administering agencies and local authorities

- (1) This section applies to information that the EPA considers—
- (a) is held by a relevant administering agency or a local authority; and
 - (b) relates to a listed project or a referred project; and
 - (c) is necessary for considering a current or anticipated substantive application.
- (2) The EPA, at any time before or after it receives the substantive application, may request the relevant administering agency or local authority to provide the information and set a date by which the information must be made available.
- (3) The relevant administering agency or local authority must,—
- (a) within the time specified by the EPA, provide the information requested; or
 - (b) advise the EPA that the agency or local authority does hold the information but cannot provide it in the time specified by the EPA; or
 - (c) advise the EPA that the agency or local authority does not hold the information and, if the agency or local authority knows where the information is held, advise the EPA accordingly.
- (4) The EPA must provide information that it receives under this section to the panel convener.

Compare: 2020 No 35 Schedule 6 cl 7; 2023 No 46 Schedule 10 cl 30

91 Information held by relevant administering agencies and local authorities that is sensitive to iwi or hapū

Despite section 90, if information sensitive to an iwi or a hapū is held by a relevant administering agency or local authority under an agreement of confidentiality, the agency or local authority must—

- (a) maintain that confidentiality; and
- (b) before the information is disclosed under section 90, discuss with the iwi or hapū whether that information or any part of it may be disclosed and, if so, how it may be disclosed and to whom.

92 EPA powers to make certain decisions

- (1) The EPA—

- (a) may make administrative decisions that are incidental or ancillary to the conduct of a panel; but
 - (b) must not make administrative decisions that would be inconsistent with, or preclude compliance with, clause 5 of Schedule 3.
- (2) In performing and exercising its functions, duties, and powers under this Act, the EPA must, as far as is reasonably practicable, minimise costs and avoid delay.

Compare: 2020 No 35 Schedule 6 cl 8(1), (3); 2023 No 46 Schedule 10 cl 43

93 EPA must publish notices and other documents

- (1) This section applies to every written notice or other document that this Act requires to be—
- (a) received by the EPA or a panel from any person; or
 - (b) sent by the EPA or a panel to any person.
- (2) The EPA must publish the written notice or other document on an internet site that is administered by or on behalf of the EPA and is publicly available as far as practicable and free of charge.
- (3) In complying with subsection (1), the EPA may withhold information if the EPA is satisfied that there would be good reason to withhold the information under the Official Information Act 1982 if the information were requested under that Act.

Compare: 2020 No 35 Schedule 6 cl 8(2); 2023 No 46 Schedule 10 cl 44

Section 93 compare note: editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(l)(iii) of the Legislation Act 2019 (2019 No 58).

93A Directions to EPA

- (1) The Minister may give a general direction to the EPA in relation to the EPA's performance and exercise of its functions, duties, and powers under this Act.
- (2) Subsection (1) does not authorise the Minister to give a direction—
- (a) in relation to a statutorily independent function of the EPA under this Act; or
 - (b) that requires the performance or exercise, or prevents the performance or exercise, of a particular function, duty, or power in relation to a particular person or substantive application.
- (3) The Minister must—
- (a) notify the direction in the *Gazette*; and
 - (b) make the direction available on an internet site administered by or on behalf of the EPA; and
 - (c) present a copy of the direction to the House of Representatives.

- (4) Before giving a direction under subsection (1), the Minister must comply with section 115(1) of the Crown Entities Act 2004.
- (5) In this section, **statutorily independent function** means—
- (a) any function that this Act provides must be carried out independently; or
 - (b) any matter in respect of which this Act provides that Ministers of the Crown may not give directions.

Section 93A: inserted, on 17 December 2025, by section 43 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Subpart 4—Other provisions relating to approvals

94 Use of specified Act to apply for approval

- (1) This Act does not prevent any person from applying for an approval under a specified Act in relation to a listed project or a referred project.
- (2) However, a person must withdraw an application for an approval under a specified Act if they—
 - (a) lodge a substantive application that seeks a corresponding approval under this Act for the same, or substantially the same, activity; and
 - (b) are notified by the EPA that the substantive application complies with section 46(2).
- (3) The person must withdraw the application within 5 working days after receiving the notice referred to in subsection (2).

Compare: 2020 No 35 Schedule 6 cl 28

95 Exercise of existing approval under specified Act while applying for approval under this Act

- (1) This section applies if an authorised person who holds an existing approval lodges a substantive application that—
 - (a) seeks an approval under this Act that—
 - (i) corresponds to, and is for the activity to which, the existing approval applies; or
 - (ii) in the case of an approval described in section 42(4)(n) (mining permit), complies with section 42(11); and
 - (b) is lodged more than 3 months before the existing approval is due to expire (unless the existing approval is a right under section 124(3) or 165ZH(2)(c) of the Resource Management Act 1991 to continue operating under a resource consent).
- (2) The existing approval is treated as remaining in force until the later of the following:

- (a) the date on which any rights of appeal under section 99 that relate to the approval referred to in subsection (1)(a) have been exhausted or have expired:
 - (b) the date on which the existing approval expires or is surrendered in accordance with this Act or the relevant specified Act.
- (3) If the substantive application referred to in subsection (1) is lodged by more than 1 authorised person, subsection (2) applies only if the authorised person who holds the existing approval is proposed to hold the approval under this Act that is referred to in subsection (1)(a).
- (4) In this section, **existing approval** means any of the following:
- (a) an approval under a specified Act:
 - (b) a right under section 124(3) or 165ZH(2)(c) of the Resource Management Act 1991 to continue operating under a resource consent:
 - (c) an exploration permit or existing privilege referred to in section 42(11).

96 Status of approval when granted

- (1) Subject to subsection (2), an approval granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were granted, issued, or entered into under the relevant specified Act.
- (2) For the purposes of subsection (1), the following apply:
- (a) for an approval described in section 42(4)(a), (b), (c), or (d) (resource consent, change or cancellation of resource consent condition, certificate of compliance, or designation), clauses 31 to 36 of Schedule 5:
 - (b) for an approval described in section 42(4)(e) (concession), clauses 14 to 20 of Schedule 6:
 - (c) for an approval described in section 42(4)(f) (land exchange), clauses 36 to 40 of Schedule 6:
 - (d) for an approval described in section 42(4)(h) (wildlife approval), clauses 7 and 8 of Schedule 7:
 - (e) for an approval described in section 42(4)(i) (archaeological authority), clause 9 of Schedule 8:
 - (f) for an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), clause 7 of Schedule 9:
 - (g) for an approval described in section 42(4)(k) (marine consent), clauses 8 and 9 of Schedule 10:
 - (h) for an approval described in section 42(4)(l) or (m) (access arrangement), clause 13 of Schedule 11:
 - (i) for an approval described in section 42(4)(n) (mining permit), clause 25 of Schedule 11.

Compare: 2020 No 35 Schedule 6 cl 42(2)(b), (3)(b)

97 Commencement of approval

- (1) Subject to subsection (2), an approval granted under this Act commences—
 - (a) on the date on which the panel’s decision document for the approval is issued under section 88; or
 - (b) on any later date specified by the panel in the decision document.
- (2) For the purposes of subsection (1), the following apply:
 - (a) for an approval described in section 42(4)(a) or (b) that is a coastal permit for which an aquaculture decision is required under section 80 and the aquaculture decision includes a reservation, clauses 22 and 35 of Schedule 5:
 - (b) for an approval described in section 42(4)(d) (designation), clause 30 of Schedule 5:
 - (c) for an approval described in section 42(4)(e) (concession), clause 12 of Schedule 6:
 - (d) for an approval described in section 42(4)(f) (land exchange), clause 35 of Schedule 6:
 - (e) for an approval described in section 42(4)(g) (conservation covenant), clause 48 of Schedule 6:
 - (f) for an approval described in section 42(4)(i) (archaeological authority), clause 6 of Schedule 8:
 - (g) for an approval described in section 42(4)(l) or (m) (access arrangement), clause 12 of Schedule 11:
 - (h) for an approval described in section 42(4)(n) (mining permit), clause 24 of Schedule 11.

Compare: 2020 No 35 Schedule 6 cl 37(9); 2023 No 46 Schedule 10 cl 36(9)

98 Disapplication of matters if approval is for electricity infrastructure on certain Schedule 4 land or in national reserve

- (1) This section applies to an approval granted under this Act in relation to an activity for which a determination was made under section 24.
- (2) Section 5 of the National Parks Act 1980 does not apply to the extent that the approval authorises, permits, or requires any activity referred to in section 5(1) or (2) of that Act in a national park.
- (3) Nothing in paragraph 2 of the notes to either schedule of the Otahu Dedicated Area Notice 1976 (*Gazette* 1976, p 654) applies to the extent that the approval authorises, permits, or requires the felling or removal of timber, native plants or wildlife, or disturbance of the soil in the area to which that notice applies.
- (4) Nothing in paragraph 2 of the notes to the Parakawai Geological Area Notice 1980 (*Gazette* 1980, p 2408) applies to the extent that the approval authorises,

permits, or requires the felling or removal of timber, forest produce, native plants, or disturbance of the soil in the area to which that notice applies.

Subpart 5—Miscellaneous provisions

Appeals and judicial review

99 Appeal against decisions only on question of law

- (1) Any of the following persons may appeal to the High Court against the whole or a part of the decision of a panel to grant or decline to grant an approval under this Act, but only on a question of law:
 - (a) the applicant (or, if the substantive application was lodged by more than 1 authorised person, the person who was proposed to hold the approval):
 - (b) any relevant local authority:
 - (c) the Attorney-General:
 - (d) any person or group that provided comments in response to an invitation given under section 17(1) or 53(2) or any of section 35(1)(a) to (d).
- (2) No appeal may be made to the Court of Appeal against a determination of the High Court under this section.
- (3) However, a party may apply to the Supreme Court for leave to bring an appeal to that court against a determination of the High Court and, for this purpose, sections 73 to 76 of the Senior Courts Act 2016 apply with any necessary modifications.
- (4) If the Supreme Court refuses to give leave for an appeal (on the grounds that exceptional circumstances have not been established under section 75 of the Senior Courts Act 2016) but considers that a further appeal from the determination of the High Court is justified, the court may remit the proposed appeal to the Court of Appeal.
- (5) No appeal may be made against any appeal determined by the Court of Appeal in accordance with subsection (4).
- (6) Despite any legislation to the contrary,—
 - (a) an application for leave for the purposes of subsection (3) must be filed no later than 10 working days after the determination of the High Court; and
 - (b) the Supreme Court or the Court of Appeal, as the case may be, must determine an application for leave, or an appeal, to which this section applies, as a matter of priority and urgency.
- (7) For the purposes of subsection (1),—
 - (a) a decision under section 81 on an approval described in section 42(4)(f) (land exchange) is a decision to grant or decline to grant an approval

regardless of whether the decision is treated as conditional under section 86:

- (b) the following are part of a decision to grant or decline to grant an approval:
 - (i) an aquaculture decision made by a panel in relation to the approval;
 - (ii) a decision made by a panel on an application under clause 7 of Schedule 8 (application for approval of person to carry out activity).

Compare: 1991 No 69 s 149V; 2023 No 46 Schedule 10 cl 42

Section 99(1)(d): replaced, on 17 December 2025, by section 45 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

100 Procedural matters

Notice of appeal

- (1) A person entitled, and intending, to appeal against a decision of a panel (the **appellant**) must file a notice of appeal no later than 20 working days after the date on which the decision document that relates to the approval is published under section 88(3).
- (2) The notice of appeal must specify—
 - (a) the decision or the part of the decision appealed against; and
 - (b) the error of law alleged by the appellant; and
 - (c) the grounds of appeal, with sufficient particularity for the court and other parties to understand them; and
 - (d) the relief sought.

Service of notice of appeal

- (3) No later than the time specified for filing a notice of appeal under subsection (1), the appellant must serve a copy of the notice of appeal on the panel whose decision is subject to the appeal.
- (4) No later than 5 working days after the notice of appeal is filed in the High Court, the appellant must serve a copy of the notice of appeal on—
 - (a) the authorised person who is the proposed holder of the relevant approval (if that person is not the appellant); and
 - (b) the relevant administering agencies; and
 - (c) for an appeal against a decision on an approval described in section 42(4)(a) or (b) that relates to a coastal permit for which an aquaculture decision is required under section 80, the relevant chief executive; and
 - (d) every person or group invited to provide comments to the panel.

Copy of decision appealed against

- (5) The appellant must provide a copy of the whole decision appealed against to the Registrar of the High Court immediately after it becomes available.

Notice of intention to appear

- (6) If a person served with a notice of appeal under subsection (4) wishes to appear at the appeal, the person must serve a notice of intention to appear on—
- (a) the appellant; and
 - (b) the Registrar of the High Court; and
 - (c) the responsible agency.
- (7) A notice of intention to appear must be served no later than 10 working days after the day on which the person was served with the notice of appeal under subsection (4).

Parties to appeal

- (8) The parties to an appeal under this section are—
- (a) the appellant; and
 - (b) any person who gives a notice of intention to appear.
- (9) The High Court Rules 2016 apply if a procedural matter is not provided for by this section.

Compare: 2020 No 35 Schedule 6 cl 45

101 Judicial review

- (1) An application for review under the Judicial Review Procedure Act 2016 (or any proceeding required by that Act to be treated and disposed of as if it were an application for judicial review) (a **judicial review**) that relates to a decision on a referral application or an approval sought in a substantive application must be filed with the High Court—
- (a) no later than 20 working days after,—
 - (i) in the case of an application for judicial review that relates to a decision on a referral application, notice of the decision on the referral application is published under section 28(1)(b):
 - (ii) in the case of an application for judicial review that relates to a decision on an approval, the decision document for the approval is published under section 88(3); or
 - (b) within any further time allowed by the High Court on application filed before the expiry of that 20-working-day period.
- (2) If a person wishes to appeal under section 99 in relation to a decision on an approval and to also apply for judicial review in relation to the same decision, the person must file the applications for appeal and judicial review together,

unless the High Court grants leave for the person to file the applications separately.

- (3) If an appeal and an application for judicial review are filed together, the High Court must try to hear the proceedings together, but need not if the court considers it impracticable to do so in the circumstances of the particular case.
- (4) Except as provided in this section, nothing in this Act limits or affects any right of judicial review a person may have in respect of any matter to which this Act applies.

Compare: 2010 No 37 s 159; 2017 No 52 s 23; 2020 No 35 s 13

102 Right of appeal, review, or reconsideration under specified Act

To avoid doubt, no right of appeal, review, or reconsideration under a specified Act applies to a decision under this Act.

Cost recovery

103 Interpretation

In subpart 2 and sections 104 to 112, unless the context otherwise requires,—

administering agency has the meaning given in section 4(1), and also includes the Ministry for the Environment, the Ministry for Culture and Heritage, the Ministry for Primary Industries, the Office for Māori Crown Relations—Te Arawhiti, and the Ministry of Māori Development—Te Puni Kōkiri in relation to their functions, duties, and powers under this Act

agency means the EPA, the responsible agency, an administering agency, or a relevant local authority

application means a referral application, a land exchange application, or a substantive application

functions, duties, and powers under this Act, in relation to the recovery of costs, includes—

- (a) commissioning advice or other services required to process an application; and
- (b) undertaking consultation, negotiating with affected parties, or responding to an invitation to comment in relation to an application; and
- (c) undertaking the activities described in paragraph (a) or (b) to enable other persons to perform or exercise their functions, duties, and powers under this Act; and
- (d) preparing advice in preparation for—
- (i) performing or exercising functions, duties, and powers; or
- (ii) other persons to exercise their functions, duties, and powers under this Act; and

- (e) appearing at a hearing held by a panel, including preparing for the hearing; and
- (f) provision of secretarial and support services by the EPA or the responsible agency; and
- (g) for approvals described in section 42(4)(f) (land exchanges) that are subject to conditions, actions taken by the relevant administering agency to ensure that the conditions continue to be complied with

third party means—

- (a) a person (other than an applicant, an agency, the Minister, or a panel) who—
 - (i) responds to an invitation from an applicant, an agency, the Minister, or a panel to comment on an application; or
 - (ii) appears at a panel hearing; or
 - (iii) provides information to a panel in response to a request to do so; and
- (b) any other class of persons specified as a third party by regulations.

Section 103 **administering agency**: amended, on 17 December 2025, by section 46 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

104 Cost recovery

- (1) An agency may recover from a person who intends to lodge an application the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred by the agency in consulting and providing assistance to the person before the application is lodged (whether or not the application is subsequently lodged).
- (2) If a person lodges an application,—
 - (a) the EPA may recover from the person the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred by the EPA and any other agency in performing or exercising their functions, duties, or powers under this Act in relation to the application; and
 - (b) the Minister may recover from the person the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred in relation to a panel and a panel convener in performing or exercising their functions, powers, and duties under this Act in relation to the application.
- (3) The following applies in relation to the recovery of costs incurred in respect of the preliminary steps set out in sections 29 to 31 and 37 to 39:
 - (a) if a substantive application is not lodged,—
 - (i) an agency may recover from the authorised person the actual and reasonable costs (determined in accordance with regulations made

- under section 108, if any) incurred by the agency in performing or exercising its functions, duties, or powers; and
- (ii) the Minister may recover from the authorised person the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred by the Minister in performing or exercising their functions, duties, or powers; and
- (b) if a substantive application is lodged,—
- (i) the EPA may recover from the applicant the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred by the EPA and any other agency in performing or exercising their functions, duties, or powers; and
 - (ii) the Minister may recover from the applicant the actual and reasonable costs (determined in accordance with regulations made under section 108, if any) incurred in relation to a panel and a panel convener in performing or exercising their functions, powers, and duties.
- (4) The EPA may recover from the applicant the costs of contributions made under section 110 to the costs of relevant third parties.
- (5) The EPA must—
- (a) recover costs recoverable under this section on behalf of the Minister or another agency if requested to do so by that Minister or agency; and
 - (b) subject to any power or duty under regulations to refund a fee or levy, reimburse the Minister or agency when the costs have been recovered.
- (6) This section does not affect a power in a specified Act to recover costs under that Act.

Section 104(1): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(2)(a): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(2)(b): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(3)(a)(i): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(3)(a)(ii): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(3)(b)(i): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 104(3)(b)(ii): amended, on 17 December 2025, by section 47 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

105 Delegation of cost-recovery function by Minister

- (1) The Minister may, in writing, delegate to the EPA the Minister's power under section 104(2)(b).

- (2) A delegation under this section—
- (a) is revocable at will, but the revocation does not take effect until it is communicated in writing to the EPA; and
 - (b) does not prevent the Minister from performing or exercising the functions, duties, or powers concerned.

Compare: 2020 No 35 Schedule 5 cl 15

106 Methods of cost recovery

- (1) The methods by which costs may be recovered are any 1 of, or any combination of 1 or more of, the following:
- (a) fixed fees or charges:
 - (b) estimated fees or charges, or fees or charges based on estimated costs, paid before the performance of the function, duty, or power, followed by reconciliation and 1 or more further payments or refunds:
 - (c) levies.
- (2) Interest accruing from the fees, charges, and levies described in subsection (1) in the period after payment is retained by the EPA and applied to any 1 or more of the costs that may be—
- (a) recovered under section 104:
 - (b) met under section 109(1)(a) by the imposition of a levy.

Section 106(2): replaced, on 17 December 2025, by section 48 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

107 Liability to pay costs constitutes debt due

- (1) Subsection (2) applies when—
- (a) an agency has required a person to pay costs recoverable under section 104(1); and
 - (b) the costs to be recovered (by any 1 or combination of the methods described in section 106) are payable.
- (2) The costs are a debt due to the agency that is recoverable by the agency in any court of competent jurisdiction.
- (3) Subsection (4) applies when—
- (a) the EPA or the Minister has required a person to pay costs recoverable under section 104(2) or (3); and
 - (b) the costs to be recovered (by any 1 or combination of the methods described in section 106) are payable.
- (4) The costs are a debt due to the EPA or the Crown that is recoverable by the EPA, or the EPA on behalf of the Crown, in any court of competent jurisdiction.

108 Regulations may set fees, charges, and contributions

- (1) Regulations may do any of the following:
 - (aaa) provide for the costs that may be recovered under section 104(1), (2), or (3), including by—
 - (i) setting upper limits:
 - (ii) setting out criteria for the quantification of costs:
 - (iii) including or excluding certain categories of costs in or from the costs that may be recovered:
 - (a) set the amounts of fees and charges, estimated fees or charges, or fees or charges based on estimated costs (the **fees or charges**) for any matters for which costs may be recovered under section 104:
 - (b) in the case of estimated fees or charges, set out a reconciliation process, which may be based on charging rates set by an agency, to establish any further payment or refund that may be required in respect of an application:
 - (c) set the method by which the amount of any fee or charge is to be calculated:
 - (d) provide for exemptions from, or waivers or refunds of, a fee or charge, in whole or in part, in any class of case:
 - (e) authorise the EPA to grant an exemption, waiver, or refund in any particular case or class of case:
 - (f) determine 1 or more classes of third party (a **relevant third party**) that may claim a contribution to their costs:
 - (g) set—
 - (i) the method by which the amount of the contribution that may be claimed by a relevant third party is to be calculated; or
 - (ii) the amount of that contribution:
 - (h) set out the process required to be followed, or require a process publicly notified by the EPA to be followed, for a relevant third party to claim a contribution to their costs:
 - (i) provide for, or set out, a dispute resolution process in relation to costs sought to be recovered under section 104.
- (2) If regulations made in relation to subsection (1)(e) authorise the EPA to grant an exemption, waiver, or refund,—
 - (a) an instrument granting an exemption, waiver, or refund is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only in a particular case; and
 - (b) the regulations must contain a statement to that effect.

Legislation Act 2019 requirements for secondary legislation referred to in subsection (2)(a)		
Publication	The maker must publish it in accordance with the Legislation (Publication) Regulations 2021	LA19 74(1)(aa)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 108(1)(aaa): inserted, on 17 December 2025, by section 49(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Section 108(1)(i): inserted, on 17 December 2025, by section 49(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

109 Regulations may impose levies

- (1) Regulations may do any of the following:
 - (a) impose a levy payable to the EPA to meet the following:
 - (i) the costs of the EPA in performing and exercising its functions, powers, and duties under this Act where those costs are not otherwise recovered by fees or charges under regulations:
 - (ii) the costs of a panel and a panel convener in performing and exercising their functions, powers, and duties under this Act where those costs are not otherwise recovered by fees or charges under regulations:
 - (iii) the costs of the Minister, the EPA, the responsible agency, a panel, a panel convener, or an administering agency in relation to appeals and other legal proceedings related to this Act:
 - (iv) the costs of collecting the levy:
 - (v) the costs of financing any shortfall in recovery of costs under this subsection:
 - (vi) the costs of recovering fees or charges under section 107:
 - (vii) any fees or charges payable that are not recovered under section 107:
 - (b) provide for exemptions from, or waivers or refunds of, a levy, in whole or in part, in any class of case:
 - (c) authorise the EPA to grant an exemption, waiver, or refund in any particular case or class of case.
- (2) Regulations made for a purpose described in subsection (1) must—
 - (a) specify the persons primarily responsible for paying the levy; and
 - (b) specify the amount of the levy or a method of calculating or ascertaining the amount of the levy; and

- (c) specify whether the levy is payable at the time of lodging a referral application, substantive application, both applications, or at some other time.
- (3) Regulations made for a purpose described in subsection (1) may,—
- (a) in setting the amount of the levy or the method of calculating or ascertaining the amount of the levy, provide for any shortfall in recovery, or over-recovery, of the costs specified in subsection (1)(a) from the previous 5 financial years (including system set-up costs incurred before the commencement of this Act):
- (b) provide for different levies for different classes of levy payers:
- (c) require payment of a levy for a financial year or part financial year, irrespective of the fact that the regulations may be made after that financial year has commenced:
- (d) provide for the payment and collection of levies.
- (4) The EPA must ensure that each levy payment received is separately accounted for.
- (5) The Minister must, before recommending any change to a levy imposed by regulations (but not before recommending the initial levy regulations),—
- (a) consult prospective levy payers that the Minister considers are affected by the changes; and
- (b) have regard to—
- (i) the anticipated value of the spending that would be funded by the levy during the 5 years following the change; and
- (ii) the anticipated number of levy payers during the 5 years following the change; and
- (iii) the appropriate contribution level for each class of levy payer.
- (6) If regulations made in relation to subsection (1)(c) authorise the EPA to grant an exemption, waiver, or refund,—
- (a) an instrument granting an exemption, waiver, or refund is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only in a particular case; and
- (b) the regulations must contain a statement to that effect.

Legislation Act 2019 requirements for secondary legislation referred to in subsection (6)(a)

Publication	The maker must publish it in accordance with the Legislation (Publication) Regulations 2021	LA19 74(1)(aa)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 109(2)(b): editorial change made by the PCO, on 12 May 2025, under sections 86(1) and 87(1)(ii) of the Legislation Act 2019 (2019 No 58).

110 Contribution to costs of relevant third parties

- (1) The EPA must pay a contribution to the costs of a third party in accordance with regulations.
- (2) The Minister must, before recommending any change to regulations made in relation to subsection (1) (but not before recommending the initial contribution regulations), consult the persons that the Minister considers appropriate.

111 Land exchange cost recovery by third parties

- (1) This section applies in respect of a substantive application for an approval described in section 42(4)(f) (land exchange).
- (2) If an applicant is required to negotiate with the holder of an interest in land (an **interest holder**), the interest holder may recover the actual and reasonable costs that they incur in relation to negotiating the land exchange from the applicant (whether or not the negotiation results in a land exchange).
- (3) Actual and reasonable costs payable under subsection (2) are a debt due to the interest holder that is recoverable by them in any court of competent jurisdiction.

112 Liability for costs if application lodged, or to be lodged, by more than 1 person

- (1) This section applies if an application is lodged, or is intended to be lodged, by more than 1 person.
- (2) Those persons are jointly and severally liable for the costs that may be recovered in relation to the application under section 104 or 111.

Service of documents

113 Service of documents

- (1) If a notice or other document is to be served on a person for the purposes of this Act,—
 - (a) if the person has specified an electronic address as an address for service for the matter to which the document relates and has not requested a method of service listed in paragraph (b), the document must be served by sending it to the electronic address:
 - (b) if the person has not specified an electronic or other address as an address for service or if the person has requested any of the following methods of service, the document may be served by the requested method or any of the following methods:
 - (i) delivering it to the person:

- (ii) leaving it at the person's usual or last known place of residence or business or at the address specified by the person in any notice, application, or other document given under this Act:
 - (iii) sending it by post to the person's usual or last known place of residence or business or to the address specified by the person in any notice, application, or other document given under this Act:
 - (iv) complying with a means of service prescribed in regulations.
- (2) However, if the document is to be served on a person to commence, or in the course of, court proceedings, subsection (1) does not apply if the court, whether expressly or in its rules or practices, requires a different method of service.
- (3) Nothing in subsection (1) overrides the provisions of the Electronic Courts and Tribunals Act 2016.
- (4) If a notice or other document is to be served on a Minister of the Crown for the purposes of this Act, service on the chief executive of the appropriate department in accordance with subsection (1) is to be treated as service on the Minister.
- (5) If a notice or other document is to be served on a body (whether incorporated or not) for the purposes of this Act, service on an officer of the body, or on the registered office of the body, in accordance with subsection (1) is to be treated as service on the body.
- (6) If a notice or other document is to be served on a partnership for the purposes of this Act, service on any one of the partners in accordance with subsections (1) and (5) is to be treated as service on the partnership.
- (7) However, in relation to any partnership that is a firm under the Partnership Law Act 2019, section 30 of that Act applies in relation to service of notices under this section.
- (8) Despite subsection (1), if a notice or other document is to be served on a Crown organisation for the purposes of this Act, it may be served—
 - (a) by delivering it at the organisation's head office or principal place of business; or
 - (b) by sending it to the electronic address that the organisation has specified for its head office or principal place of business; or
 - (c) by a method agreed between the organisation and the person serving the notice or document.
- (9) If a notice or other document is sent by post to a person in accordance with this section, it is to be treated, in the absence of proof to the contrary, as having been received by the person at the time when the letter would have been delivered in the ordinary course of the post.

Compare: 1986 No 5 s 102(1); 1991 No 69 s 352

114 Notices in relation to Māori land

Part 10 of Te Ture Whenua Maori Act 1993 applies to the service of notices under this Act on the owners of Māori land, except that if the notice is an invitation to comment, the period fixed for the owners to provide comments may not be extended by more than 40 working days under section 181(4) of that Act, unless otherwise provided by the Minister or panel, as the case may be.

Compare: 1991 No 69 s 353

Provisions relating to particular approvals

115 Schedules 5 to 12 have effect

Schedules 5 to 12 have effect according to their terms.

Secondary legislation

116 Regulations

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations for 1 or more of the following purposes:
 - (a) providing for procedural and administrative matters for the purposes of this Act:
 - (b) specifying requirements for a referral application or a substantive application, including—
 - (i) the form or manner in which the application must be made:
 - (ii) information that must be included in the application:
 - (c) providing for anything this Act says may or must be provided for by regulations:
 - (d) providing for anything incidental that is necessary for carrying out, or giving full effect to, this Act.
- (2) Regulations may not be made under subsection (1)(a) in relation to the procedure or administration of a court.
- (3) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

117 Order in Council to amend authorised person in Schedule 2

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend Schedule 2 to change the authorised person for a listed project.
- (2) The Minister may make the recommendation on application if the Minister is satisfied, after considering the application, that—
 - (a) the proposed authorised person (the **person**) is capable of undertaking the project; and
 - (b) it is appropriate for the person to do so based on their compliance history under the specified Acts.
- (3) An application must set out—
 - (a) the person’s interest in the listed project; and
 - (b) the person’s legal interest (if any) in the land that comprises the project area; and
 - (c) a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the person under a specified Act (together with confirmation of that summary from the relevant authorities); and
 - (d) evidence that—
 - (i) the person would be eligible to apply for every approval under a specified Act that corresponds to an approval that is to be applied for under this Act for the project; and
 - (ii) if the approvals that are to be applied for under this Act include an approval described in section 42(4)(n) (mining permit), the conditions in section 42(11) would be met.
- (4) For the purposes of subsection (2), if there is, or there is proposed to be, more than 1 authorised person for a listed project, the Minister must be satisfied that, considered together, the persons who would be the authorised person or persons for the project after the Order in Council comes into force meet paragraphs (a) and (b) of that subsection.
- (5) If an application under this section is lodged by more than 1 person,—
 - (a) the application must set out the information required by subsection (3)(a) to (c) for each person; and
 - (b) for the purposes of subsection (3)(d)(i), the application must set out evidence that each person would be eligible to apply for each approval under a specified Act that corresponds to an approval that the person is proposed to hold for the project under this Act.
- (6) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

117A Order in Council to amend description in Schedule 2

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend Schedule 2 to amend—
 - (a) the project description of a listed project;
 - (b) the description of the approximate geographical location of a listed project.
- (2) The Minister must not make the recommendation unless the Minister is satisfied that the scope of the listed project will not be substantially different as a result of the amendment, taking into account—
 - (a) the significant regional or national benefits of the project; and
 - (b) the purpose of the project; and
 - (c) the location, scale, and nature of the works involved in the project.
- (3) To avoid doubt, no new projects may be added to the list in Schedule 2 by an Order in Council made under this section.
- (4) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 117A: inserted, on 17 December 2025, by section 50 of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

118 Order in Council to amend Schedule 4

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, amend Schedule 4.
- (2) Before making a recommendation, the Minister of Conservation must consult to the extent that is reasonably practicable, having regard to all the circumstances of the particular case, those persons the Minister has reason to believe are representative of interests likely to be substantially affected by the Order in Council or representative of some aspect of the public interest.

- (3) No Order in Council may be made under this section that results in land within a category of land described in Schedule 4 being excluded from that schedule.
- (4) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Amendments

119 Amendment to Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023

Section 120 amends the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023.

120 Schedule 1 amended

In Schedule 1, repeal clauses 4 to 9 and the cross-heading above clause 4.

121 Amendments to other legislation

Amend the legislation specified in Schedule 13 as set out in that schedule.

Schedule 1 Transitional, savings, and related provisions

s 6

Part 1 Provisions relating to this Act as enacted

1 Interpretation

In this Part,—

commencement means the day on which this Act comes into force

Interim Fast-track Consenting Act means the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023.

Existing applications

2 Existing fast-track applications

- (1) This clause applies to an application made under the fast-track consenting process continued by clause 8 of Schedule 1 of the Interim Fast-track Consenting Act that was made or lodged, but not finally determined, before commencement.
- (2) If the application has not been withdrawn before that date, the application must continue to be processed and determined under the Interim Fast-track Consenting Act as if that Act had not been amended by this Act.
- (3) The provisions of the Interim Fast-track Consenting Act that are repealed by this Act remain in force for the purpose of completing any matter commenced under the Interim Fast-track Consenting Act before the repeal of those provisions.
- (4) The matters referred to in subclause (3) include, without limitation,—
 - (a) the functions, duties, and powers of the Minister for the Environment, the Minister of Conservation (for a referral application (to which the Interim Fast-track Consenting Act applies) that relates to an activity within the coastal marine area), the EPA, expert consenting panels, the Chief Environment Court Judge, and courts that relate to the application:
 - (b) rights of appeal against decisions made in respect of the application under the Interim Fast-track Consenting Act:
 - (c) court proceedings (including judicial review proceedings) that relate to a decision made in respect of the application under the Interim Fast-track Consenting Act, whether pending or filed after commencement:
 - (d) the recovery of costs of the processes under Part 2 of Schedule 10 of the Natural and Built Environment Act 2023, as provided for in clause 94 of

that schedule, and as applied by clause 8 of Schedule 1 of the Interim Fast-track Consenting Act.

- (5) The obligation in clause 4 of Schedule 1 of the Interim Fast-track Consenting Act to uphold Treaty settlements, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, and other arrangements remains in force in relation to the application.

3 Withdrawal of applications

- (1) An applicant may withdraw their application continued by clause 8 of Schedule 1 of the Interim Fast-track Consenting Act by giving notice in writing to the EPA.
- (2) The EPA must return an application if no information or responses are received from the applicant within 12 months after commencement.
- (3) An application returned under subclause (2) must be treated as having been withdrawn.

New applications

4 New applications and related matters may not be lodged before 7 February 2025

The following may not be lodged before 7 February 2025:

- (a) a referral application:
- (b) a pre-request aquaculture agreement that would be lodged under section 31:
- (c) a land exchange application:
- (d) information relating to an approval described in section 42(4)(n) (mining permit) that would be lodged under section 37:
- (e) a substantive application.

Part 2

Provisions relating to Fast-track Approvals Amendment Act 2025

Schedule 1 Part 2: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

5 Interpretation

In this Part,—

amendment Act means the Fast-track Approvals Amendment Act 2025

application means any of the following:

- (a) a land exchange application:
- (b) a referral application:

(c) a substantive application

first commencement date means the date on which the amendment Act comes into force under section 2(1) of that Act (the day after the amendment Act receives Royal assent)

new clause means the specified clause as amended, replaced, or inserted by the amendment Act

new section means the specified section as amended, replaced, or inserted by the amendment Act

old section means the specified section as in force immediately before being amended, replaced, or inserted by the amendment Act

second commencement date means the date on which the amendment Act comes into force under section 2(2) of that Act (31 March 2026).

Schedule 1 clause 5: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Transitional provisions relating to applications

Heading: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

6 Application of amendments to applications lodged before first commencement date

- (1) This Act, as in force immediately before the first commencement date, continues to apply in respect of an application lodged before the first commencement date.
- (2) However,—
 - (a) if the application is a referral application and it is not decided under section 21 before the first commencement date, new section 22 applies in respect of that application on and after the first commencement date:
 - (b) if the application is a substantive application and the approvals sought in the application have not been decided under section 81 before the first commencement date, the following provisions apply in respect of that application on and after the first commencement date:
 - (i) new section 60:
 - (ii) new sections 62 to 66:
 - (iii) new section 81:
 - (iv) new section 84A:
 - (v) new clause 20 of Schedule 11:
 - (c) if the application is a substantive application and the approvals sought in the application have not been decided under section 81 before the second commencement date, the following provisions apply in respect of that application on and after the second commencement date:

- (i) new sections 68A and 68B:
- (ii) new section 88.

Schedule 1 clause 6: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

7 Application of amendments to applications lodged between first commencement date and second commencement date

- (1) This Act, as in force on the first commencement date, continues to apply in respect of an application that is lodged—
 - (a) on or after the first commencement date; but
 - (b) before the second commencement date.
- (2) However, if the application is a substantive application and the approvals sought in the application have not been decided under section 81 before the second commencement date, the following provisions apply in respect of that application on and after the second commencement date:
 - (a) new sections 68A and 68B:
 - (b) new section 88.

Schedule 1 clause 7: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

8 Application of amendments to applications lodged after second commencement date

This Act, as in force on the second commencement date, applies in respect of an application that is lodged on or after the second commencement date.

Schedule 1 clause 8: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

9 Application of clauses 10 to 14

Clauses 10 to 14 apply despite clause 7 or 8 (whichever applies).

Schedule 1 clause 9: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

10 Notification under section 11 if consultation undertaken before second commencement date

- (1) This clause applies if an applicant has, as at the second commencement date, consulted or started consulting under old section 11.
- (2) The applicant is not required to notify any person or group referred to in section 11(1)(b) that the applicant consulted or started consulting before the second commencement date.
- (3) The applicant must notify any person or group referred to in section 11(1)(b) that the applicant has not consulted or started consulting before the second commencement date.

- (4) The applicant must finish their pre-commencement consultation.
- (5) Section 13(4)(k)(i) applies, in respect of pre-commencement consultation, as if the reference to consultation undertaken for the purposes of section 11(1)(a) were a reference to consultation undertaken for the purposes of old section 11.
- (6) In this clause, **pre-commencement consultation** means consultation that was completed or started under old section 11 before the second commencement date.

Schedule 1 clause 10: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

11 Notification under section 29 if consultation undertaken before second commencement date

- (1) This clause applies if an authorised person has, as at the second commencement date, consulted or started consulting under old section 29.
- (2) The authorised person is not required to notify any person or group referred to in section 29(1)(aa) that the authorised person consulted or started consulting before the second commencement date.
- (3) The authorised person must notify any person or group referred to in section 29(1)(aa) that the authorised person has not consulted or started consulting before the second commencement date.
- (4) The authorised person must finish their pre-commencement consultation.
- (5) Section 43(2)(a)(i) applies, in respect of pre-commencement consultation, as if the reference to section 29 were a reference to old section 29.
- (6) In this clause, **pre-commencement consultation** means consultation that was completed or started under old section 29 before the second commencement date.

Schedule 1 clause 11: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

12 Identification of existing resource consent if notification provided before first commencement

- (1) This clause applies if an authorised person has, as at the first commencement date, notified 1 or more consent authorities under old section 30(2).
- (2) Old section 30 continues to apply in respect of the substantive application.

Schedule 1 clause 12: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

13 Appeal by person or group that received invitation to comment before first commencement date

Old section 99 continues to apply in respect of any person or group that, before the first commencement date, received an invitation to comment under this Act.

Schedule 1 clause 13: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

14 Interest on fees, charges, and levies paid before first commencement date

Section 106(2) applies in respect of any fees, charges, and levies described in section 106(1) that are paid before the first commencement date.

Schedule 1 clause 14: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Transitional provision relating to consultation on Government policy statement

Heading: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

15 Consultation on Government policy statement undertaken before first commencement date

Any consultation undertaken before the first commencement date that is of the kind referred to in new section 10A(3) must be treated as consultation required for the purposes of that section.

Schedule 1 clause 15: inserted, on 17 December 2025, by section 51(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Listed projects with significant regional or national benefits

ss 4, 117, 117A

Authorised person	Project name	Project description	Approximate geographical location
Schedule 2 heading: amended, on 17 December 2025, by section 52(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78). Schedule 2 heading: amended, on 17 December 2025, by section 52(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).			
Amuri Irrigation Company Limited	Balmoral Water Storage Facility and Fish Screen	Construct and operate a ring dam providing approximately 10 million cubic metres of water storage for Amuri Irrigation Company Limited's irrigation scheme Install a fish screen structure Divert approximately 1.5 cubic metres per second of water from Hurunui River	Amuri Basin of the Hurunui River, within Balmoral Forest adjacent to Tekoa Road, 20 kilometres west of Culverden, Canterbury
Andrew William Simpson, Karen Frances Simpson	Balmoral Station Solar Array	Construct and operate a solar farm of approximately 135,000 solar panels and connect and supply electricity to the national grid	100 hectares at 397 Braemar Road, Balmoral Station, Lake Tekapo
Ashburton District Council	Ashburton Second Urban Bridge	Construct a second urban bridge over the Ashburton River/Hakarete connecting Ashburton and Tinwald, including— <ul style="list-style-type: none"> • providing for vehicles, pedestrians, and cyclists • a new roundabout at the South Street and Chalmers Avenue intersection, Ashburton • a new intersection in Tinwald 	Chalmers Avenue, Ashburton to Grahams Road, Tinwald, Canterbury
Auckland Transport	Airport to Botany Bus Rapid Transit	Construct and operate a Bus Rapid Transit facility, and walking and cycling facilities, connecting the Auckland International	Botany Town Centre to Auckland International Airport via Te Irirangi Drive, Great South Road, Ronwood Avenue, Osterley Way, Manukau Station

Authorised person	Project name	Project description	Approximate geographical location
Auckland Transport	Auckland Level Crossings Removals	Airport Precinct to Botany Town Centre through Manukau Central In stages, remove and grade separate approximately 42 level crossings	Road, Lambie Drive, Puhinui Road, and State Highway 20B ending at Orrs Road Auckland
Auckland Transport	Papakura to Pukekohe Route Protection—Fourtracking and Active Corridor	In stages, remove 6 level crossings and associated crossing interventions, and establish an active mode corridor from Pukekohe to Drury Railway Station	North Island Main Trunk railway line between Papakura and Pukekohe, Auckland
Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited, Buller Coal Limited	Buller Plateaux Continuation	Expand existing coking coal mining activities, and extend the life of the mine, to enable the extraction of, approximately, an additional 20 million tonnes over 25 years, including— <ul style="list-style-type: none"> • water diversion, and water control and treatment facilities • historic acid mine drainage rehabilitation 	Within the Buller Coal Plateaux: <ul style="list-style-type: none"> • Stockton Plateau: Stockton Mine (including the aerial ropeway and Ngakawau Rail loadout area), and Upper Waimangaroa mine permit area (includes Mt Fred South) • Denniston Plateau (near Westport): Escarpment Mine permit area and Whareatea West mine permit application area (Escarpment Extension), and Sullivan Coal Mining Licence area
Beachlands South Limited Partnership	Beachlands South	Develop approximately 2,700 residential dwellings, including community and commercial spaces, approximately 88 hectares of protected ecological restoration area, walking and cycling networks, and community facilities, and enable the potential development of 2 schools	110 Jack Lachlan Drive, Beachlands, Auckland
Bell Road Limited Partnership	Wairakei South	Develop rural land for residential, commercial, and industrial use, including up to approximately 2,000 to 3,000 residential allotments, approximately 60 to 80 hectares of new industrial land,	300 to 350 hectares (approximately) at Bell Road, Papamoa

Authorised person	Project name	Project description	Approximate geographical location
Ben Dormer	West Rangiora Residential Development	stormwater corridors and management areas, and a State Highway Buffer Reserve Subdivide land and develop (in stages) approximately 700 to 780 residential dwellings (400 to 480 in Stage 1 and 300 in Stage 2)	40 hectares, between Oxford Road, Lehmans Road, Johns Road, and Acacia Avenue, Rangiora
Birchs Village Limited	Birchs Village	Develop approximately 530 residential allotments and a commercial precinct, including green corridors and pedestrian and cycle links	36.58 hectares at Birchs Road, opposite Kakaha Park, south of Prebbleton Township and west of Birchs Road, Canterbury
Black Point Solar Limited	Black Point Solar Farm	Construct and operate a solar farm of approximately 380,000 solar panels and connect and supply electricity to the national grid	240 hectares at 636 Smillies Road, Oamaru
Blackmans Creek Holdings Limited No.1 Limited Partnership	Cardrona Valley Ski Gondola and Ski Area Development	Develop visitors' and workers' accommodation and establish and operate a high-speed electric passenger lift system to provide an access link from the Cardrona Valley to the Cardrona and Soho ski areas	Crown Range Road–Cardrona Valley Road, Cardrona
BT Mining Limited	Rotowaro Mine Continuation	Continue existing mining operations at Rotowaro Coal Mine, and expand coal mining activities into the surrounding area	Rotowaro, Waikato (West of Huntly)
Carter Group Limited	Ōhoka Residential Subdivision	Subdivide land and develop approximately 850 residential dwellings, a commercial or mixed-use centre, and a polo field, and enable the potential development of a school or retirement village (or both)	152 hectares at 511, 531, 535, and 547 Mill Road and 290 and 344 Bradleys Road, Ohoka, Waimakariri
Carter Group Limited	Rolleston West Residential Development	Subdivide land and develop approximately 4,200 residential dwellings and 4 commercial centres, and upgrade the intersection at Dunns Crossing Road and State Highway 1	West of Dunns Crossing Road, Rolleston, Canterbury, between State Highway 1 and Selwyn Road

Authorised person	Project name	Project description	Approximate geographical location
112 Carter Group Limited	Ryans Road Industrial Development	Subdivide and develop land for industrial use	55.5 hectares at 104 Ryans Road, Harewood, Christchurch
CCKV Maitai Dev Co Limited Partnership	Maitahi Village	Develop approximately 180 residential dwellings (50 to be Ngāti Koata iwi-led housing), a commercial centre, and a retirement village (approximately 194 townhouses, 36 in-care facility units, a clubhouse, and a pavilion)	7 Ralphine Way, Maitai Valley, Nelson 43.7 hectares within Record of Title NL11A/1012 and 103 hectares within pending Record of Title 1039028 (part)
CDL Land New Zealand Limited	Arataki	Subdivide land and develop approximately 150 to 200 residential allotments	11 hectares at 86, 108, and 122 Arataki Road, Havelock North, Hastings, Hawke's Bay
CDL Land New Zealand Limited	Ruakura 2 (R2) Growth Cell	Subdivide land and develop approximately 132 hectares for residential allotments (approximately 1,350 dwellings), approximately 35 hectares for industrial use, and a neighbourhood retail centre	211 hectares at 286, 272, 264, 258, 202, 186, and 100 Gordonton Road, 37B, 57A, 71, 42A, and 42B Puketaha Road, and 59 Pukeroa Road, Puketaha, Waikato
Christchurch City Council	Implementation of the Ōtākaro Avon River Corridor Regeneration Plan	Install infrastructure and facilities to regenerate the Avon River/Ōtākaro, including approximately 22 kilometres of stop bank and 18 pumping stations	Avon River/Ōtākaro Corridor and surrounds including Bexley Park, eastern Christchurch
CKSV Māpua Limited Partnership	The Māpua Development	Develop approximately 320 residential allotments (mixed-density), a recreation reserve (including sports fields and courts), a community amenities building and parking, and a wetland, and restore the Seaton Valley stream	49 Stafford Drive, Māpua, Nelson
Clifford Bay Marine Farms Limited	Clifford Bay Marine Farm—Innovation and Productivity	Realign the Clifford Bay mussel farm away from the coast, including— <ul style="list-style-type: none"> installing submerged longline farm structures (up to approximately 250 longlines) and screw anchors 	424.571 hectares of the coastal marine area at Clifford Bay, South Marlborough

Authorised person	Project name	Project description	Approximate geographical location
Coronet Village Limited	Coronet Village	<ul style="list-style-type: none"> installing and maintaining structures to seed, grow, and harvest marine farming product discharging coastal seawater and biodegradable and organic waste matter <p>Develop a new alpine village and ski area, including—</p> <ul style="list-style-type: none"> approximately 780 residential dwellings supporting infrastructure, including a transport hub, a mountain bike facility, and a restaurant, and enable the potential development of 2 schools a new gondola at the existing Coronet Peak Ski Area a depot and education facilities for Te Tapu o Tāne 	Coronet Peak (Coronet Peak Station, Soho Station, Coronet Peak Ski Area), Queenstown
Department of Corrections	Auckland Prison Capacity Increase	Alter the designation conditions and undertake works to enable the increase in prisoner numbers to approximately 1,200	530 Paremoremo Road, Paremoremo, Auckland
Eastland Generation Limited	Waihi Hydroelectric Power Scheme Reconsenting	Continue to use, operate, and maintain the Lake Ruapapa, the Waihi Stream, and the Waiau River hydro scheme, and connect and supply electricity to the national grid	Ruapapa Road, 26 kilometres northwest of Wairoa, Hawke's Bay
Energy Farms Limited	Wellsford Solar Farm	Construct and operate a solar farm of approximately 149,000 solar panels (over approximately 120 hectares), and connect and supply electricity to the national grid	219 hectares at 176 Prictor Road, 246 Prictor Road, and 10 Clague Road, Wellsford

Authorised person	Project name	Project description	Approximate geographical location
Far North District Council	The Kaikohe Wastewater Treatment Plant Renewal	Wastewater infrastructure works to improve treatment process at Kaikohe Wastewater Treatment Plant	Cumber Road, Kaikohe
Far North Solar Farm Limited	The Point Solar Farm	Construct and operate a solar farm across approximately 670 hectares, and connect and supply electricity to the national grid	670 hectares at the northern shore of Lake Benmore between the Pukaki River and the Ohau C hydro canal
Foresta (NZ) Limited	Foresta Kaverau Stage 1—Pine Chemicals and Wood Pellet Plant	Construct and operate a pine chemical and wood pellet plant	10 hectares on State Highway 34, Kawerau
Fulton Hogan Land Development Limited	Milldale—Stages 4C and 10 to 13	Earthworks and site work for approximately 1,100 residential allotments	Wainui Road, Argent Lane, Lysnar Road, and Cemetery Road, Wainui, Auckland
Genesis Energy Limited	Tekapo Power Scheme—Applications for Replacement Resource Consents	Continue to use, operate, and maintain the power scheme comprising Tekapo A Power Station and substation, Tekapo B Power Station and substation, and the canal system, and connect and supply electricity to the national grid	Between Lake Tekapo (higher elevation), to the northeast near Tekapo, and Lake Pukaki (lower elevation) to the southwest near Twizel
Gibbston Valley Station, High Definition Development, LLC	Gibbston Village	Develop approximately 900 residential dwellings, an approximately 2.4 hectare commercial area, and enable the potential development of a school	1976 Gibbston Highway (State Highway 6) and 16 Resta Road, Gibbston, Queenstown
Gisborne District Council	Tokomaru Bay Legacy Landfill Contaminated Land Remediation	Remove and remediate the historic contaminated landfill and site to return the site to its original floodplain state	Refuse Transfer Station site at the end of Paikea St, 31 Paikea Street, Tokomaru Bay, and abutting the true left bank of a meander in the Mangahauimi River
Golden Ridge Farm Limited, Golden Ridge Park Limited, Induistre Property Rua Limited, Southpark Agri Development Limited, Theodor Bongers Limited, Hamilton City Council	Southern Links 1	Subdivide land and develop approximately 1035 residential allotments across approximately 48 hectares, and land for industrial activity across approximately 66 hectares	3 to 4 kilometres southwest of Hamilton City Centre, Waipa District, partially bound by State Highway 3 to the southeast, the North Island Main Trunk Rail to the northeast, and the Hamilton Southern Links designation to the west

Authorised person	Project name	Project description	Approximate geographical location
Grassmere Estates Limited	Grassmere Residential Development	Develop approximately 528 residential dwellings	17 hectares at 45, 57, 59, 63, and 69 Grassmere Street, Papanui, Christchurch
Harmony Energy NZ #5 Limited	Bunynthorpe Solar Farm	Construct, operate, and maintain a solar farm and battery energy storage facility with an installed capacity of approximately 400 MW DC, and connect and supply electricity to the national grid	433 hectares at Bunynthorpe, Manawatū-Whanganui
Harmony Energy NZ #6 Limited	Hinuera Solar Farm	Construct, operate, and maintain a solar farm and battery energy storage facility with an installed capacity of approximately 100 MW DC, and connect and supply electricity to the national grid	152 hectares at Hinuera, Waikato
Harmony Energy NZ #8 Limited	Huirangi Solar Farm	Construct, operate, and maintain a solar farm and battery energy storage facility with an installed capacity of approximately 100 MW DC, and connect and supply electricity to the national grid	150 hectares near Huirangi, Taranaki
ImpactMarine (Bluff) Limited	Impact Marine—Sustainable and Climate Resilient Aquaculture on Land in Southland	<p>Construct and operate an on-land salmon farm and processing facility, including—</p> <ul style="list-style-type: none"> a land-based recirculatory aquaculture system salmon farm hatchery, smolt and grow-out facilities, and a processing plant and buildings 	250 Ocean Beach Road and 68 Nicol Road, Bluff, Southland
Invercargill City Council	Alternate Water Supply Project	Develop a secondary water source for Invercargill from groundwater bores, including a treatment facility, additional water storage, and pumping infrastructure	1276 Bluff Highway, Awarua, Southland
K B Contracting & Quarries Limited	Miners Road Northern Expansion	Expand existing aggregate extraction activities over a 25-to-30-year period	405, 431, 441, and 455 Old West Coast Road, Christchurch

Authorised person	Project name	Project description	Approximate geographical location
KA Waimanawa Limited Partnership	Warkworth South (Waimanawa)	Develop a new township, including approximately 1,200 residential dwellings, open recreation spaces, and an arterial or collector road (Wider Western Link Road) connecting old State Highway 1	36, 40, 46, and 123 Valerie Close, and 1711 and 1723 State Highway 1, Warkworth
Kaimai Wind Farm Limited	Kaimai Wind Farm	Construct and operate a windfarm comprising approximately 24 wind turbines, and connect and supply electricity to the national grid	1304 hectares at 604 and 771 Rotokohu Road and 6356 State Highway 26, Tirohia, Paeroa
Katikati Quarries (2001) Limited	Katikati Quarry Expansion	Expand existing quarry by approximately 50 hectares within existing property and into adjacent Crown land	End of Wharawhara Road, Katikati, Western Bay of Plenty (within existing property boundaries and into adjacent Crown land)
Kings Quarry Limited	Kings Quarry Expansion—Stages 2 and 3	Expand existing quarrying activities to enable the extraction and processing of up to approximately 500,000 tonnes per annum for up to 100 years (up to 60 years for Stage 2 and up to 40 years for Stage 3)	60 hectares (of 152-hectare total site) at 306 Pebble Brook Road, Wainui, Auckland
Kingsgate Holdings Limited	Kingsgate—Oriana Reserve	Develop approximately 93 to 97 residential dwellings	219 to 235 Tremaine Avenue and 16 to 18 Henley Court, Palmerston North
Kiwi Property Holdings No. 2 Limited	Drury Metropolitan Centre—Consolidated Stages 1 and 2	Develop land for future residential activity and a commercial retail centre (including, approximately, 10,000 square metres commercial, 56,000 square metres retail, and 2,000 square metres community activity)	53.2 hectares within the Drury Centre Precinct, bound by Flanagan Road, Brookfield Road, and Fitzgerald Road, at 61 and 97 Brookfield Road, 133, 139, 155, 173, and 189 Fitzgerald Road, and 68, 108, 120, 124, 128, and 132 Flanagan Road, South Auckland
KiwiRail Holdings Limited	Crosstown (Avondale—Southdown) Corridor	Complete a cross-isthmus rail corridor connecting Avondale and Westfield Junction, via Onehunga, by— <ul style="list-style-type: none"> constructing an approximately 13-kilometre, 2-track railway from Avondale via Wesley, Mt Roskill, 	Between Avondale (PAK'nSAVE New North Road) and Westfield Junction, Auckland

Authorised person	Project name	Project description	Approximate geographical location
Kiwirail Holdings Limited	Four Tracking Westfield to Pukekohe	<p>and Onehunga to KiwiRail's Southdown freight hub</p> <ul style="list-style-type: none"> • constructing up to 6 new railway stations for metro passenger services • connecting the corridor to the existing North Island Main Trunk via a modified grade-separated Westfield Junction <p>Widen the existing rail corridor and expand the North Island Main Trunk between Westfield Junction and Pukekohe (approximately 38 kilometres) from a 2-track to 4-track railway, including—</p> <ul style="list-style-type: none"> • grade-separating Westfield Junction • widening bridges, removing level crossings, and modifying stations, including modifying the configuration of station platforms • new track, signals, and electrified lines 	38 kilometres of the North Island Main Trunk between Westfield and Pukekohe
Kiwirail Holdings Limited	Lower North Island Integrated Rail Mobility and PBC—Stage RS4.3	<p>Upgrade existing rail network, comprising—</p> <ul style="list-style-type: none"> • new or extended passing loops • additional stabling (Wellington and Palmerston North) • a new depot and stabling facility (Masterton) • station upgrades (north of Waikanae and Wairarapa) 	<p>National rail network, comprising—</p> <ul style="list-style-type: none"> • Wairarapa Line (between Wellington and Masterton) • North Island Main Trunk Line (between Wellington and Palmerston North)

Authorised person	Project name	Project description	Approximate geographical location
KiwiRail Holdings Limited	Marsden Point Rail Link	<ul style="list-style-type: none"> the duplication of tracks between Pukerua Bay and Paekākāriki (referred to as North–South Junction) and on approach to Waikanae Station 	From the North Auckland line at Oakleigh via Mata Hill, along the Ruakākā River to Northport, Marsden Point, Northland
KM & MG Holdings Limited	Plimmerton Farm	Develop approximately 2,400 residential dwellings, a commercial area, and a retirement village, and enable the potential development of a school	18 State Highway 59, Plimmerton, Porirua
Lake Ōmāpere Trust	The Lake Ōmāpere Restoration	Dredge and construct wetland and water-level management infrastructure to restore the mauri and water quality of Lake Ōmāpere and provide for the long-term sustainable use of the lake, and a potential irrigation water supply	Lake Ōmāpere, Northland
Lochindorb Wind Limited Partnership	Kaihiku Wind Farm	Construct and operate a wind farm comprising approximately 80 wind turbines, and connect and supply electricity to the national grid	2,000 hectares at the Kaihiku Range in South Otago, 12 kilometres northeast of Clinton and 8 kilometres south of Balclutha (accessible off Glenfalloch Road, Hillfoot Road, and Lochindorb Runs Road)
Lodestone Energy Limited	Haldon Solar	Construct and operate a solar farm across approximately 320 hectares, and connect and supply electricity to the national grid	320 hectares adjacent to Lake Benmore, south of Haldon Arm Road, 14 kilometres southeast of Twizel, Waitaki District
McCallum Bros Limited	Bream Bay Sand Extraction Project	Extract (using a motorised trailing suction dredge) up to approximately 150,000 cubic metres of sand per annum for an initial period of 3 years and up to approximately 250,000 cubic metres per annum thereafter	17 square kilometre area of seabed in the marine and coastal area of Bream Bay, Northland

Authorised person	Project name	Project description	Approximate geographical location
Maia Properties Limited	Maia Properties—Mangorei Road Development	Develop approximately 119 allotments for residential development, including stormwater infrastructure	448 Mangorei Road, between Mangorei Road and Ainslee Street, Merrilands, New Plymouth
Malcolm's Rest Limited, Kathryn Seeney, Lloyd Seeney	Wallace Road—Stages 1A and 1B Subdivision and Land Use Consent With Associated Roading and Infrastructure	Subdivide land and develop approximately 230 residential dwellings of mixed typology	111.5 hectares at 27 Wallace Road and 461 Whatawhata Road, Hamilton
Mana Ahuriri Holdings Limited Partnership	Ahuriri Station	Development comprising— <ul style="list-style-type: none"> • approximately 1,000 residential dwellings • a commercial and industrial business park • ecological parks and recreational spaces • an approximately 30 to 80 hectare solar farm • preserving and enhancing places of cultural significance 	1,300 hectares at Ahuriri Station, 131 Onehunga Road, Napier
Manawa Energy Limited	Huriwaka Wind Farm	Construct and operate a wind farm comprising approximately 60 wind turbines and transformers, and connect and supply electricity to the national grid	Hihitahi Plateau, 12 kilometres north of Taihape and 10 kilometres southeast of Waiouru
Manawa Energy Limited	Kaimai Hydro-Electric Power Scheme Re-Consenting	Reconsent Manawa Energy Limited's existing Kaimai Hydroelectric Power Scheme, including increasing residual river flows, providing fish passage, and implementing a sediment management plan	Within the Kaimai Ranges and the Wairoa River Catchment, 12 kilometres southwest of Tauranga and 25 kilometres northwest of Rotorua
Manawa Energy Limited	Wheao HydroElectric Power Scheme Reconsenting	Reconsent of Manawa Energy Limited's existing Wheao Hydroelectric Power Scheme ahead of expiry in 2026	Within the Rangitaiki River Catchment, approximately 44 kilometres east of Taupō and 21 kilometres southwest of Murupara

Authorised person	Project name	Project description	Approximate geographical location
Matakanui Gold Limited	Bendigo–Ophir Gold Project	Establish, operate, and remediate an open pit and underground gold mine	Bendigo and Ardour Stations, approximately 20 kilometres north of Cromwell, Central Otago
Mercury NZ Limited	Puketoi Wind Farm	Construct and operate a wind farm comprising approximately 53 wind turbines, and connect and supply electricity to the national grid	Puketoi Range, approximately 25 minutes east of Pahiatua, from Towai Road to Pongaroa Road
Mid Canterbury Water Storage Limited	Klondyke Storage	Construct storage for up to approximately 53 million cubic metres of water for irrigation to improve reliability of existing MHV Water Limited and Ashburton Lyndhurst Irrigation Limited community irrigation schemes, including realigning part of the Rangitata Diversion Race to facilitate the diversion and take of water into storage	917 and 986 Shepherds Bush Road, Ruapuna, Canterbury, adjacent to the Rangitata River, approximately 38 kilometres from Ashburton
Ministry of Business, Innovation and Employment	Shipyard and Drydock Facility	Develop and operate a marine maintenance operations facility, including an approximately 250 metre floating drydock and associated dredging and reclamation	Northport, Marsden Point, Whangarei
Ministry of Housing and Urban Development, Marutūāhu Rōpū Tuarua Limited Partnership, Ngāti Whātua Rōpū Limited Partnership, Waiohau-Tāmaki Alliance Limited Partnership	Carrington Residential Development	Develop approximately 4,000 to 4,500 residential dwellings of mixed typologies	40 hectares at 1A to 139 Carrington Road, Mt Albert, Auckland
Ministry of Justice	Papakura District Courthouse (New) Project	Construct and operate a court and tribunal to replace the existing courthouse, including associated land designation	40 Elliot Street, Papakura
Mt Iron Junction Limited	Mt Iron Junction Housing Scheme	Develop approximately 263 high-density residential dwellings, a childcare centre,	237 Wānaka to Luggate Highway, Wānaka

Authorised person	Project name	Project description	Approximate geographical location
Napier City Council	Taradale and Awatoto Borefields/Water Treatment Plants	<p>a retail building, a restaurant, a service station, and parks</p> <p>Increase capacity at existing bore field sites, including drilling new bores (up to 3 at each site), decommissioning existing bores, and water treatment plant improvements</p>	Taradale bore field, 294 Guppy Road, Taradale, Napier, and Awatoto bore field, 94 Awatoto Road, Meeanee, Napier
National Green Steel Limited	Green Steel	<p>Construct and operate a structural steel manufacturing plant, including—</p> <ul style="list-style-type: none"> • a scrap-steel shredding plant • electric furnaces to produce structural steel • a solar farm to provide electricity needed to operate the plant • buildings, access roads, and hardstand areas • screening and planting to attenuate noise 	53 hectares at 61 Hampton Downs Road, Hampton Downs
New Zealand Transport Agency Waka Kotahi	Alternative to the Brynderwyn Hills	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	Between Te Hana and the State Highway 1 and State Highway 15 (Port Marsden Highway) intersection
New Zealand Transport Agency Waka Kotahi	End of Life Bridge Replacement Programme	Replace 8 end-of-life state highway bridges	<p>Bridges on the state highway network throughout New Zealand—</p> <ul style="list-style-type: none"> • State Highway 25 Boundary Creek Bridge, Te Mata, Coromandel • State Highway 3 Manapepeki No 2 Culvert, between Mt Messenger and Tongaporutu, New Plymouth, Taranaki

Authorised person	Project name	Project description	Approximate geographical location
New Zealand Transport Agency Waka Kotahi	Hamilton Southern Links	<p>Develop 1 or more roads and associated infrastructure to support Hamilton's planned southern growth, including by—</p> <ul style="list-style-type: none"> • improving existing roads (including State Highways 1, 1C, and 3) and any associated infrastructure • developing new roads and any associated infrastructure 	<ul style="list-style-type: none"> • State Highway 43 Kururau Stream Water Drive, Aukopae, King Country, Manawatu—Wanganui • State Highway 36 Hauraki Stream Culvert, Hamurana, Bay of Plenty • State Highway 25 Ramarama Stream Bridge, Whiritoa, Waikato • State Highway 82 Waihao North Bridge, Waimate, Waihao Downs, Canterbury • State Highway 27 Ohinekaia Stream Bridge, Tahuna Patetonga Road, Waikato • State Highway 6 Coal Creek Overbridge, Greymouth, West Coast <p>State Highway 1 from Kahikatea Drive to the Waikato Expressway at Tamahere, State Highway 1C between State Highways 23 and 3, and State Highway 3 from Hamilton Airport to central and east Hamilton</p>
New Zealand Transport Agency Waka Kotahi	Hawke's Bay Expressway	Upgrade the existing State highway between the vicinity of Pakipaki and Taradale	State Highway 2 between Pakipaki and Taradale
New Zealand Transport Agency Waka Kotahi	Hope Bypass	Undertake State highway improvements in 1 or more sections of new or existing road between the Salisbury Road extension to south of Hope township, including a new	Richmond Deviation and associated intersections and the new highway section parallel to existing Gladstone Road,

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New Zealand Transport Agency Waka Kotahi	Mill Road	<p>roading section bypassing Richmond and Hope townships</p> <p>Develop works in 1 or more sections of new or existing road between the Redoubt Road interchange on State Highway 1 in Manukau and the proposed Drury South interchange on State Highway 1 in Drury</p>	<p>State Highway 6, Richmond and Hope townships, Tasman</p> <p>Redoubt Road interchange on State Highway 1 in Manukau to the proposed Drury South interchange on State Highway 1 in Drury, Auckland</p>
New Zealand Transport Agency Waka Kotahi	North West Rapid Transit	<p>Develop a rapid transit link and associated infrastructure and connections between Brigham Creek and Auckland City centre, which may be progressed in 1 or more sections of new or existing road between those 2 points</p>	Alongside State Highway 16 Northwest Auckland to Auckland central
New Zealand Transport Agency Waka Kotahi	State Highway 1 Cambridge to Piarere to Piarere Long Term Improvements Project	<p>Construct a 4-lane, approximately 16 kilometre highway from the southern end of the Waikato Expressway at Cambridge to the intersection of State Highway 1 and State Highway 29 at Piarere</p>	State Highway 1 Cambridge to Piarere
New Zealand Transport Agency Waka Kotahi	State Highway 1 North Canterbury—Woodend Bypass Project (Belfast to Pegasus)	<p>Extend the State Highway 1 Christchurch Northern Corridor between Belfast and Pegasus</p>	State Highway 1 North Canterbury
New Zealand Transport Agency Waka Kotahi	State Highway 1 Wellington Improvements	<p>Improve State Highway 1 between north of the Terrace Tunnel and Kilbirnie, including associated infrastructure and connections</p>	North of Terrace Tunnel to Kilbirnie, Wellington City
New Zealand Transport Agency Waka Kotahi	State Highway 1 Whangārei to Port Marsden Highway	<p>Develop a road and associated infrastructure between Whangārei and State Highway 15 (Port Marsden Highway) or 1 or more sections of road between those 2 points</p>	State Highway 1, Whangārei to State Highway 1 and State Highway 15 (Port Marsden Highway) intersection
New Zealand Transport Agency Waka Kotahi	State Highway 16 North West Alternative State Highway	<p>Develop a road and associated infrastructure connecting Redhills North and State Highway 16 west of Kumeū-Huapai, which may be progressed in 1</p>	State Highway 16 Auckland (west)

Authorised person	Project name	Project description	Approximate geographical location
New Zealand Transport Agency Waka Kotahi	State Highway 25 Pepe Stream Bridge Replacement	or more sections of new corridor between those 2 points Replace the existing one-way bridge and footpath bridge with a new 2-lane bridge with a shared path	Pepe Stream Bridge, Tairua
New Zealand Transport Agency Waka Kotahi	State Highway 29 Tauriko Network Connections (including Omanawa Bridge replacement)	Upgrade existing, and construct new, roading corridor between the vicinity of the Omanawa Road/State Highway 29 intersection and the Takitimu Northern Link interchange, together with upgrades to connections between State Highway 29 and State Highway 36 at the intersection with Taurikura Drive and State Highway 29A, through to the Oropi Road–State Highway 29A roundabout, including associated infrastructure and connections or 1 or more sections of new or existing road between the points	State Highway 29 and State Highway 29A area
New Zealand Transport Agency Waka Kotahi	Takitimu North Link—Stage 2	Construct a 4-lane, median divided highway to replace existing State Highway 2 corridor between Te Puna and Ōmokoroa, including altering the existing designation	Between Te Puna and Ōmokoroa, Bay of Plenty
Ngā Pōtiki a Tamapahore Trust	Tara Road Development	Develop approximately 605 residential allotments, including constructing approximately 400 dwellings (no less than 30% quality affordable housing) and an approximately 2.5-hectare commercial precinct	Tara Road, Papamoa, bounded by Tara Road to the north and the Tauranga Eastern Link (State Highway 2) to the south
Ngāi Tahu Property Development Holdings (registered as NTP Development Holdings Limited)	Pound Road Industrial Development	Subdivide land and develop industrial lots (approximately 50 lots ranging between 2,000 square metres and 1.5 hectares and comprising approximately 84 lots across the full site)	61.4 hectares northwest of Pound Road, east of Barbers Road, Christchurch

Authorised person	Project name	Project description	Approximate geographical location
Ngāi Tahu Seafood Resources Limited	Hananui Aquaculture Project	Develop a finfish marine farm, including— <ul style="list-style-type: none"> 4 separate marine farms each consisting of 2 blocks of approximately 10 circular net pens installing approximately 5 anchored barges as operational bases 	2,500 hectares within the coastal marine area, 2 to 6 kilometres north of the Stewart Island/Rakiura coastline, 13 kilometres northwest of Oban, Southland
North Eastern Investments Limited	NEIL Fairview Heights Development	Develop approximately 1,800 residential dwellings and an approximately 3,100 square metre multilevel commercial precinct	56 Fairview Avenue and 129 Otaha Valley Road, Albany, Auckland
Northport Limited	Northport Container Terminal Expansion	Expand the existing port facility, including reclaiming approximately 11.7 hectares of coastal marine area for a new berth and container terminal, wharf extension, approximately 1.72 million cubic metres of capital dredging, and associated maintenance dredging	Immediately adjacent to the existing Northport site at Marsden Point, Northland Whangārei Harbour
NZSki Limited	Remarkables Ski Area Upgrade and Doolans Expansion	Upgrade existing infrastructure at The Remarkables Ski Area, including a new passenger transport lift, carparking areas, and expanding the ski field into the adjacent Doolans Basin	Rastus Burn Recreation Reserve, Remarkables Mountain Range, Queenstown
Oceana Gold (New Zealand) Limited	Macraes Phase Four (MP4)	In stages, expand the existing open pit and underground gold mining operations to enable output of approximately 130,000 ounces per annum to 2036	13,500 hectares at Golden Point Road, Macraes Flat, East Otago
Oceana Gold (New Zealand) Limited	Waihi North	In stages, expand the existing gold and silver mining operations, including establishing new open pit and underground mines, and extending the life of the mine from expiry in 2030 to 2040, including—	43 Moresby Avenue, Waihi, Waikato, and across 7 areas described as Wharekairauponga Underground Mine (Area 1), Willows Road Farm (Area 2), Wharekairauponga Access Tunnel Corridor (Area 3), Services Trench Corridor (Area

Authorised person	Project name	Project description	Approximate geographical location
		<ul style="list-style-type: none"> exploration drill sites within Department of Conservation land, including 4 ventilation shafts and 4 new geotechnical drilling sites a new underground mine at Wharekirauponga with associated twin decline access to explore and mine including 4 ventilation or escapeway shafts capped at surface a new open pit on Oceana Gold (New Zealand) Limited's private land at Gladstone Hill (with capacity to co-dispose waste and tailings) a third tailings storage facility plus a new rock storage facility (with capacity to co-dispose waste and encapsulated filtered tailings) 	4), Gladstone Open Pit and Waahi Surface Facilities Area (Area 5), Northern Rock Stack (Area 6), and Tailings Storage Facility 3 (Area 7)
Port of Auckland Limited	Bledisloe North Wharf and Fergusson North Berth Extension	Construct a new reinforced concrete-piled wharf structure at the Bledisloe Terminal, a reinforced concrete-piled extension to the existing Fergusson North Berth, a cruise passenger terminal, and fendering	Land and coastal marine area at the Port of Auckland, 1 to 9 Quay Street, Auckland
Port of Tauranga Limited	Capital and Maintenance Dredging Reconsenting	Expand and maintain the navigation channels at the Port of Tauranga by removing dredging material from the coastal marine area and depositing the material at offshore sites	Coastal marine area (being adjacent to the Port of Tauranga) within and outside Tauranga Harbour (being the shipping channels and associated disposal grounds for dredged sediment)
Port of Tauranga Limited	Stella Passage Development	In stages, extend the Sulphur Point wharf and Mount Maunganui wharves, including associated reclamation and dredging of the seabed	Coastal marine area within Tauranga Harbour at Sulphur Point and Mount Maunganui

Authorised person	Project name	Project description	Approximate geographical location
Precinct Properties New Zealand Limited	The Downtown Carpark Redevelopment—Te Pūmanawa o Tāmaki	Demolish the existing Downtown Carpark Building and develop an approximately 170,000-square-metre gross building area mixed-use commercial and residential precinct comprising 2 towers (approximately 55 levels and approximately 45 levels, respectively), 3 podium buildings, and a laneway network, for— <ul style="list-style-type: none"> • commercial office space • residential space (providing apartments and a hotel) • retail and hospitality • a new civic space • a 4-level basement for carparks 	2 Lower Hobson Street, 29 Customs Street (Aon House), 188 Quay Street (HSBC Tower), and 204 Quay Street, Auckland Central
Rangitōopuni Developments Limited Partnership	Rangitōopuni	Subdivide land and develop approximately 210 residential allotments and an approximately 350-unit retirement village	Old North Road, Huapai, and Forestry Road, Riverhead
RCL Homestead Bay Limited	Homestead Bay	Develop approximately 2,800 residential allotments, an approximately 11,000 square metre commercial retail precinct, and associated features such as parks, trails, and native revegetation	Near Homestead Bay Road, Homestead Bay, Queenstown
Sanford Limited	Makarewa Hatchery	Construct and operate a land-based recirculating water salmon hatchery, including storing hazardous substances, disturbing contaminated soil, and taking and using water from and to the Makarewa River	24 hectares at 226 Branxholme—Makarewa Road, Invercargill
Sanford Limited	Project East	Establish and operate 2 open-ocean salmon farms, comprising up to approximately	40 hectares (in total) across 2 sites in the coastal marine area approximately 15 kilometres north of Otago Harbour

Authorised person	Project name	Project description	Approximate geographical location
Sanford Limited	Sanford Second Greenshell Mussel Spat Hatchery	20 circular floating pen structures and a centralised barge for every 10 pens Construct and operate a land-based Greenshell mussel spat hatchery, comprising— <ul style="list-style-type: none"> primary buildings and plant, including structures on land and in the coastal marine area a water intake structure within the coastal marine area 	Near Waipapa Bay, State Highway 1, Clarence, Kaikoura District, Canterbury Region
Silver Creek Limited	Silver Creek	Develop approximately 1,050 residential dwellings	32 hectares at 4 Tree Tops Rise, Queenstown
Genesis Energy Limited	Foxton Solar Farm	Construct and operate a solar farm across approximately 400 hectares, and connect and supply electricity to the national grid	400 hectares at 304, 352, 364, and 508 Walls Road, Foxton and 191, 229, 231, and 447 Motuiti Road, Foxton
South Island Resource Recovery Limited	Project Kea	Develop and operate a waste incineration plant	14.85 hectares on Moven-Glenavy Road, Waimate
Southern Screenworks Limited	Southern Screenworks Quarry Extension and Managed Fill	Expand the extraction of aggregate from the existing quarry, and establish and operate a managed fill facility	50 Bealey Road, Aylesbury, Christchurch
Stevenson Aggregates Limited	Drury Quarry Expansion—Sutton Block	In stages, develop a quarry with a maximum pit depth of 60 metres over a 50-year period, to be serviced using existing infrastructure and facilities	100 hectares adjacent to the existing Drury Quarry (southeast of Drury) at 121 MacWhinney Drive, Drury, 1189 Ponga Road, Drury, and Ponga Road, Papakura
Stratford Park Limited	Stratford Park	Develop a multi-use complex for the purposes of hosting agricultural and pastoral shows, motorsports, and equestrian events, including community and education facilities, parks, and walkways	Stratford Agricultural and Pastoral, 19 Flint Road, Stratford, Taranaki, and Taranaki Motorsport Facility Trust, Monmouth Road, Stratford, Taranaki

Authorised person	Project name	Project description	Approximate geographical location
Suburban Estates Limited, Anne Lois Stokes, Brian James Stokes	Gressons Road Development	Subdivide land and develop approximately 1,500 residential dwellings and a retail and community hub, including— <ul style="list-style-type: none"> • preserving existing wāhi tapu • open space, public reserves, establishing new wetlands, and an ecological restoration area 	81 Gressons and 1375 Main North Road, Waikuku
Summerset Villages (Mosgiel) Limited	Summerset Retirement Village, Mosgiel	Construct and operate a retirement village, comprising— <ul style="list-style-type: none"> • approximately 260 independent living units (cottages, villas, and townhouses) • a central main building with approximately 20 assisted living suites, 20 memory care suites, 10 care suite beds, and 20 serviced apartments 	Bounded by 47 and 51 Wingatui Road, 21 Owhiro Drive, 67 Gladstone Road North, Pt Sec 2 Blk II East Taieri SD, and Pt Sec 3 Blk II East Taieri SD, between Mosgiel and Wingatui
Taharoa Ironsands Limited	Central and Southern Block Mining	Continue existing mineral sand extraction, including land preparation works, constructing a water supply reservoir, extracting ironsand material using dry and wet-mining techniques, processing extracted material, and transporting raw and processed material	911 hectares at Taharoa Road, Taharoa, approximately 8 kilometres south of Kāwhia and 45 kilometres northwest of Te Kūiti
Taharoa Ironsands Limited	Northern Block Mining	Extract approximately 21 to 29 million tonnes of mineral sand, including relocating an existing 33 KV electricity line, pumping ironsand via temporary pipelines, tailings disposal, and rehabilitating mined areas	1,397 hectares at Taharoa Road, Taharoa, approximately 8 kilometres south of Kāwhia and 45 kilometres northwest of Te Kūiti
Taharoa Ironsands Limited	Pit 1 Mining Project	In stages, establish and operate a mine site for mineral sand extraction activities	23 hectares at Taharoa Road, Taharoa, approximately 8 kilometres south of

Authorised person	Project name	Project description	Approximate geographical location
Tainui Group Holdings Limited	Ruakura Tuumata Residential and Commercial	Develop approximately 1,100 to 1,300 residential dwellings, a neighbourhood centre, and a retail centre	Kāwhia and 45 kilometres northwest of Te Kūiti
Taranua Wind Power Limited	Mahinerangi Wind Farm	Construct and operate approximately 44 additional wind turbines, and connect and supply electricity to the national grid	68 hectares at Wairere Drive, Hamilton
Taranua Wind Power Limited	Waikokowai Wind Farm	Construct and operate a wind farm comprising approximately 51 wind turbines, and connect and supply electricity to the national grid	Near Eldorado Track (connecting to Mahinerangi Road), 50 kilometres west of Dunedin and 5 kilometres north of Lake Mahinerangi
Taranua Wind Power Limited	Taranua Wind Farm Repowering	Disestablish and remove approximately 134 existing wind turbines, construct and operate approximately 43 new turbines, including works to connect and supply electricity to the national grid, and works to widen existing local roads approaching the site from the state highway	Rotowaro Road, near Glen Afton and Pukemiro, 10 kilometres west of Huntly
Tauhara North No.2 Trust	Rotokawa Solar Farm	Construct and operate a solar farm across approximately 362 hectares, and connect and supply electricity to the national grid	Foothills of the Taranua Range, south of the Manawatu Gorge and north of the Pahiatua Track, 5.5 kilometres west of Woodville
Pukerua Property Group Limited Partnership	Mt Welcome, Pukerua Bay, Porirua	In stages, develop approximately 950 residential allotments, an allotment and preparatory works to enable a future commercial centre, and associated infrastructure, including roading and improved pedestrian and cycle trails	362 hectares at 162 Rapids Road, Rotokawa, Taupō Lot 1 DP 608433, Lot 1000 DP 608433 (34 Muri Road), Lot 1 DP 534864 (422 State Highway 59), Lot 2 DP 534864 (422A State Highway 59), Part Lot 1 DP 89102 (422A State Highway 59), Lot 2 DP 89102 (422B State Highway 59), and the State Highway 59 corridor legally described as Road Reserve

Authorised person	Project name	Project description	Approximate geographical location
Tauriko Property Group Limited Partnership	Tauriko West by Tauriko Property Group	Develop approximately 1,250 residential dwellings	132 hectares at Redwood Lane and State Highway 29, east of the Waitroa River, Tauriko, Tauranga
Te Ārai South Joint Venture (Ngāti Manuhiri Settlement Trust and Te Ārai South Holdings Limited)	Integrated Development Plan for Te Ārai South Precinct and Regional Park	<p>In stages, develop Te Ārai South Precinct and Regional Park, comprising—</p> <ul style="list-style-type: none"> expanding the existing land-based sand mining operations to enable the extraction of up to approximately 300,000 cubic metres of sand per annum developing the Te Ārai Regional Park and establishing a Ngāti Manuhiri Te Ārai Regional Park “gateway village” visitor development, including approximately 180 accommodation units developing approximately 420 residential, papakāinga, retirement, and worker accommodation units (in stages) land-based aquaculture development operations 	Te Ārai South Precinct, Te Ārai, Auckland
Te Aupouri Fisheries Management Limited	Muriwhenua Aquaculture	In stages, develop 9 shellfish farms for commercial and research purposes, including constructing and operating seabed, subsurface, and surface marine-farming infrastructure and associated marine safety and navigation infrastructure	25,000 hectares (total) across 9 sites in the Northland coastal marine area: Cape Reinga / Te Rerenga Wairua, Motuopao, Murimotu, Ōtaipango / Henderson Bay, Te Kowhai Bay, Houhora Bay, Karikari Peninsula, Kaimaumu East Beach, and Te Oneroa-a-Tōhe / Ninety Mile Beach
Te Awa Lakes Unincorporated Joint Venture between Perry	Te Awa Lakes	Develop approximately 2,500 residential dwellings (including affordable housing),	21 Hutchinson Road, Horotiu, Waikato Region

Authorised person	Project name	Project description	Approximate geographical location
Group Limited and Schick Group Limited	Bisset Road	a town centre, a business precinct, and a recreational precinct	Hongi Street and 10 Rimu Place, Kaikohe, Northland
Te Hau Ora O Ngapuhi Limited	Te Rāhui Land Fill	Develop papakāinga and affordable housing of approximately 100 residential dwellings	1 Kope Drain Road, Awakeri, and 44 Keepa Road, Whakatāne (Site 1), 304 Tahuna Road, Te Teko (Site 2), and 1257 State Highway 2, Wairimana (Site 3)
Te Rāhui Herenga Waka Limited Partnership (Te Rāhui Lands Trust, Whakatāne District Council, Ngāti Awa Group Holdings, the Crown via Kānoa – Regional Economic Development and Investment Unit)	Ngāti Takoto Fast Track	Establish disposal sites for the deposit of excavated material from Te Rāhui Herenga Waka Whakatāne—Whakatāne Boat Harbour project site	126 State Highway 1, Awanui, 258 Sandhills Road, Awanui, and Hukatere Road, Northland
Te Rūnanga o Ngāti Takoto		Develop— <ul style="list-style-type: none"> 2 residential housing developments (approximately 140 and 30 allotments each) a water storage project for approximately 3 million cubic litres a historic campsite 	
Te Rūnanga o Ngāti Waewae	Arahura Papakāinga Housing	Papakāinga development enabled by land exchange between Te Rūnanga o Ngāti Waewae and the Department of Conservation	Near 33 Old Christchurch Road, Arahura, Hokitika Ngāi Tahu Forestry: Part of Lot 8 DP301 (105 hectares) Public Conservation Land: Pt Sec 2 SO12035 (74.5 hectares)
The Eden Park Trust	Eden Park 2.1	Redevelop the existing Eden Park facility to provide an approximately 50,000-person-capacity stadium with a retractable roof, including—	42 Reimers Avenue, Kingsland, Auckland

Authorised person	Project name	Project description	Approximate geographical location
		<ul style="list-style-type: none"> developing the North and West Stands constructing an approximately 20,000-seat rectangular playing field and pedestrian bridge function and entertainment facilities, a boutique hotel, and student accommodation 	
The Guildford Timber Company Limited	Silverstream Forest Development	Develop approximately 1,500 to 2,040 residential dwellings across 5 district neighbourhood areas	330 hectares at Southern Upper Hutt, from Silverstream to Pinehaven
The Hills Holdings Limited, The Hills Residences Limited	The Hills Resort Development	Construct and operate a golf resort and related facilities, an 18-hole championship course, and visitor, worker, and residential accommodation (including approximately 66 residential dwellings)	180 hectares between Arrowtown—Lake Hayes, McDonnell, and Hogans Gully Roads, comprising 167 McDonnell Road, 37 Hogans Gully Road, 77 Hogans Gully Road, 37 Arrowtown Lake Hayes Road, 424 Arrowtown Lake Hayes Road, and 428 Arrowtown Lake Hayes Road, Wakatipu Basin, near Arrowtown (adjacent to The Hills private golf course)
The Wellington Company Limited	New Central Park	Extend the Paraparaumu Town Centre, including— <ul style="list-style-type: none"> approximately 1,800 residential allotments retail and tourism activities aged-care residential facilities realigning the Wharemauku Stream and wetland development 	77 and 109 Kapiti Road, Paraparaumu
The Wellington Company Limited	Ōtaki Māori Racing Club Development	Develop— <ul style="list-style-type: none"> approximately 550 residential dwellings of mixed typology, a childcare centre and a café 	20.3 hectares (total site 59.8 hectares) at 47 Te Roto Road, Ōtaki

Authorised person	Project name	Project description	Approximate geographical location
Tāiko Critical Minerals Limited	Barrytown Minerals Project	<ul style="list-style-type: none"> a housing assembly and distribution centre existing racing activities over the remaining site area Establish and operate mine sites, processing facilities, and ancillary activities for mineral sand extraction activities, processing, and transporting product at Barrytown, West Coast Mining may be undertaken in stages Resource blocks include— <ul style="list-style-type: none"> Southern Block (between Fagan Creek and Canoe Creek) Central Block (north of Canoe Creek to the northern extent of Canoe Creek Lagoon) Northern Block (south of Burke Road and north of Burke Road to Maher Swamp) 	Approximately 700 hectares between Fagan Creek and Maher Swamp and between the coast and State Highway 6 at Barrytown Flats, Greymouth
Tory Hill Trust	Flint's Park Urban Intensification	Develop approximately 500 residential dwellings, a neighbourhood mixed-use centre, and an automated cable way to access the residential development on the lower slopes of Slope Hill	429 State Highway 6, Lake Hayes, Queenstown
Transpower New Zealand Limited	Central Park Resilience	Develop a secondary indoor substation with line connections to the existing substation and line	92 and 96 Nairn Street, 67 Brooklyn Road, Wellington
Transpower New Zealand Limited	High Voltage Direct Current Cable Replacement and Capacity Project	Upgrade the HVDC inter-island transmission link and replace undersea cables connecting the North Island and the South Island, including—	In the Cook Strait, generally in the area subject to the Cook Strait Cable Protection Zone, Oteranga Bay, Ōraumoa / Fighting Bay, and land under the BEN-HAY A line

Authorised person	Project name	Project description	Approximate geographical location
Trans-Tasman Resources Limited	Taranaki VTM	<ul style="list-style-type: none"> replacing, recovering, and disposing of 3 existing HVDC undersea cables, and installing a fourth cable constructing new or extended cable termination stations at the Oteranga Bay and Ōraunua / Fighting Bay sites, and relocating existing transmission lines to connect to the termination stations 	65.76 square kilometres located between 22 kilometres and 36 kilometres from the coastline of South Taranaki
Tukituki Water Security Limited, Water Holdings Hawkes Bay Limited	Tukituki Water Security	<p>Extract up to approximately 50 million tonnes of seabed material per year, over 20 years, recover up to approximately 5 million tonnes of vanadium-rich titanomagnetite concentrate, return the de-oxidised material to the seabed, and monitor environmental recovery for up to 5 years post-extraction</p> <p>Dam the Makaroro River and create a water storage reservoir to enable regional water security and sustainability, including—</p> <ul style="list-style-type: none"> constructing an approximately 83-metre-high dam in the Makaroro River creating a reservoir (of approximately 93 million cubic metres, approximately 7 kilometres long, and with a surface area of approximately 372 hectares) releasing up to approximately 20 million cubic metres to ensure the provision of minimum flows in the Tukituki River 	Makaroro River and Waipawa, Tukituki, and Papanui Stream catchments, Hawke's Bay

Authorised person	Project name	Project description	Approximate geographical location
Vineway Limited	Delmore	<ul style="list-style-type: none"> an irrigation footprint of approximately 20,000 to 30,000 hectares land exchanges with the Department of Conservation 	109 hectares at 88, 130, and 132 Upper Orewa Road, and 53A, 53B, and 55 Russell Road, Orewa
Waikanae North Developments Limited	Waikanae North Development	<p>Subdivide land and develop approximately 1,250 residential dwellings and associated features such as parks, including delivery of the State Highway 1 Grand Drive interchange and Wainui area connection</p> <p>Development comprising—</p> <ul style="list-style-type: none"> approximately 1,000 residential dwellings a commercial centre parks, playing fields, walkways, and cycleways ecological restoration, including a wetland sanctuary, an amenity open space (approximately 19 hectares), dune restoration and enhancement planting (approximately 17.5 hectares), and restoration and re-naturalisation of an existing watercourse 	169 to 171 Peka Peka Road, Kapiti
Waikato District Council	Huntly Wastewater Treatment Plant Upgrade	Upgrade the Huntly Wastewater Treatment Plant, comprising upgrading the oxidation pond, installing a new membrane bioreactor plant and solids processing facility, and associated discharge into the Waikato River	McVie Road, Huntly

Authorised person	Project name	Project description	Approximate geographical location
Wellington International Airport Limited	Wellington International Airport International Airport Southern Seawall Renewal	Replace and upgrade the existing seawall at the southern end of the runway at Wellington Airport, and carry out activities to support reconstruction, including a new or upgraded supply wharf and construction yards	Southern Seawall landward portion: Wellington City Council (Record of Title WN45A/75) Southern Seawall seaward portion: Coastal Marine Area
Westpower Limited	Waitaha Hydro	Develop a hydro scheme in the Waitaha River to provide renewable energy, including— <ul style="list-style-type: none"> • constructing, operating, and maintaining a weir to divert a portion of the Waitaha River into an approximately 1.5 kilometre tunnel to convey water to a powerhouse • constructing and maintaining an access road • a 66 kV transmission route, conveying power from the scheme to the distribution connection point on State Highway 6 	Miramar Golf Club and Airport site: 28 Stewart Duff Drive and 18 George Bolt Street, Rongotai, Wellington Supply wharf: within coastal marine area of Evans Bay Within the true right bank of the Waitaha River, between the lower end of Kiwi Flat and Macgregor Creek within Waitaha Valley, 38 kilometres south of Hokitika
Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)	Belmont Quarry Development	Establish a new overburden disposal area adjacent to the existing quarry to enable the extraction of approximately 20 million cubic metres of aggregate, including land exchange with the Department of Conservation, earthworks, and establishing new access roads	541 Hebden Crescent, Belmont, Lower Hutt

Authorised person	Project name	Project description	Approximate geographical location
Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)	Flat Top Quarry Development	Expand the existing quarry to enable the extraction of approximately 9.2 million cubic metres of rock resource	560 Haruru Road, Kaukapakapa, Auckland
Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)	Hunua Quarry Development	Expand the existing quarry to increase annual quarry production to approximately 5.4 million tonnes of aggregate, and to enable the extraction of aggregate for a further 80 years	489 Hunua Road, Hunua, 5 kilometres southeast of Papakura, South Auckland
Winton Land Limited	Sunfield	Develop approximately 3,400 residential dwellings, an approximately 7.6 hectare town centre, retail and healthcare buildings, 3 retirement villages (with approximately 600 independent living units and care beds), approximately 27.7 hectares of open spaces, green links, recreation parks and reserves, and enable the potential development of a school	244.5 hectares at Old Wairoa Road, Cosgrave Road, and Airfield Road, between Takamini and Papakura, Auckland
			Schedule 2 Alternative to the Brynderwyn Hills: amended, on 17 December 2025, by section 52(9) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Alternative to the Brynderwyn Hills: amended, on 17 December 2025, by section 52(10) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Barrytown Mineral Sands Project: repealed, on 17 December 2025, by section 52(27) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Barrytown Minerals Project: inserted, on 17 December 2025, by section 52(27) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Bunnythorpe Solar Farm: amended, on 17 December 2025, by section 52(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Carrington Residential Development: amended, on 30 May 2025, by clause 4(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78) and Others) Order 2025 (SL 2025/118).
			Schedule 2 Crosstown (Avondale–Southdown) Corridor: amended, on 17 December 2025, by section 52(6) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
			Schedule 2 Four Tracking Westfield to Pukekohe: amended, on 17 December 2025, by section 52(7)(a)(i) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Four Tracking Westfield to Pukekohe: amended, on 17 December 2025, by section 52(7)(a)(ii) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Four Tracking Westfield to Pukekohe: amended, on 17 December 2025, by section 52(7)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Foxton Solar Farm: amended, on 21 November 2025, by clause 4 of the Fast-track Approvals (Genesis Energy Limited) Order 2025 (SL 2025/255).

Schedule 2 Hamilton Southern Links: amended, on 17 December 2025, by section 52(11) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Hamilton Southern Links: amended, on 17 December 2025, by section 52(12) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Hawke's Bay Expressway: amended, on 17 December 2025, by section 52(13) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Hawke's Bay Expressway: amended, on 17 December 2025, by section 52(14) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Hinuera Solar Farm: amended, on 17 December 2025, by section 52(4) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Huirangi Solar Farm: amended, on 17 December 2025, by section 52(5)(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Huirangi Solar Farm: amended, on 17 December 2025, by section 52(5)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Homestead Bay: amended, on 13 March 2026, by clause 4(2) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).

Schedule 2 Hope Bypass: amended, on 17 December 2025, by section 52(15) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Hope Bypass: amended, on 17 December 2025, by section 52(16) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Lower North Island Integrated Rail Mobility and PBC—Stage RS4.3: amended, on 17 December 2025, by section 52(8) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Mill Road: amended, on 17 December 2025, by section 52(17) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Mt Welcome, Pukerua Bay, Porirua: amended, on 13 March 2026, by clause 4(3)(a) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).

Schedule 2 Mt Welcome, Pukerua Bay, Porirua: amended, on 13 March 2026, by clause 4(3)(b) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).

Schedule 2 Mt Welcome, Pukerua Bay, Porirua: amended, on 4 April 2025, by clause 4 of the Fast-track Approvals (Pukerua Property Group Limited Partnership) Order 2025 (SL 2025/56).

Schedule 2 North West Rapid Transit: amended, on 17 December 2025, by section 52(18) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 2 Southern Links 1: amended, on 30 May 2025, by clause 4(1) of the Fast-track Approvals (Southpark Agri Development Limited and Others) Order 2025 (SL 2025/118).

- Schedule 2 State Highway 1 North Canterbury—Woodend Bypass Project (Belfast to Pegasus): amended, on 17 December 2025, by section 52(19) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 State Highway 1 Wellington Improvements: amended, on 17 December 2025, by section 52(20) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 State Highway 1 Whangārei to Port Marsden Highway: amended, on 17 December 2025, by section 52(21) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 State Highway 1 Whangārei to Port Marsden Highway: amended, on 17 December 2025, by section 52(22) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 State Highway 16 North West Alternative State Highway: amended, on 17 December 2025, by section 52(23) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 State Highway 29 Tauriko Network Connections (including Omanawa Bridge replacement): amended, on 17 December 2025, by section 52(24) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 Stella Passage Development: amended, on 17 December 2025, by section 52(25)(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 Stella Passage Development: amended, on 17 December 2025, by section 52(25)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 The Downtown Carpark Redevelopment—Te Pūmanawa o Tāmaki: amended, on 17 December 2025, by section 52(26) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).
- Schedule 2 Tukituki Water Security: amended, on 13 March 2026, by clause 4(4)(a) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).
- Schedule 2 Tukituki Water Security: amended, on 13 March 2026, by clause 4(4)(b) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).
- Schedule 2 Wairakei South: amended, on 13 March 2026, by clause 4(1) of the Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43).

Schedule 3 Expert panel

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Appointment, etc, of panel convener and panel members

1 Appointment of panel convener

- (1) The Minister may, after consulting the other relevant portfolio Ministers, appoint any of the following to be the panel convener for the purposes of this Act:
 - (a) a former (including retired) Environment Judge:
 - (b) a former (including retired) High Court Judge:
 - (c) a senior lawyer with expertise in resource management.
- (2) The panel convener is appointed for a term determined by the Minister.
- (3) The Minister may at any time remove the panel convener for just cause (within the meaning of clause 9(3)), and clause 9(2) applies with any necessary modifications.
- (4) The panel convener may resign their office at any time by notice in writing to the Minister.

- (5) The panel convener, unless they earlier resign or are removed from office under subclause (3), continues in office until their successor is appointed by the Minister.

Compare: 2020 No 35 Schedule 5 cl 2

2 Associate panel conveners

Appointment of associate panel conveners

- (1) The Minister may, after consulting the other relevant portfolio Ministers, appoint any of the following to be an associate panel convener for the purposes of this Act:
- (a) a former (including retired) Environment Judge:
 - (b) a former (including retired) High Court Judge:
 - (c) a senior lawyer with expertise in resource management.
- (2) An associate panel convener is appointed for a term determined by the Minister.
- (3) The Minister may at any time remove an associate panel convener for just cause (within the meaning of clause 9(3)), and clause 9(2) applies with any necessary modifications.
- (4) An associate panel convener may resign their office at any time by notice in writing to the Minister.

Delegations to associate panel conveners

- (5) The panel convener may, in consultation with the Minister,—
- (a) delegate to an associate panel convener any of the panel convener's functions, duties, or powers under this Act (other than the power under this subclause):
 - (b) at any time, revoke a delegation.
- (6) A revocation under subclause (5)(b) does not take effect until it is communicated in writing to the associate panel convener.
- (7) A delegation under subclause (5) does not prevent the panel convener from performing or exercising the functions, duties, or powers concerned.

3 Membership of panels

- (1) The panel convener may appoint up to 4 persons to be members of a panel set up to consider, and make decisions on the approvals sought in, 1 or more substantive applications.
- (2) Before appointing the members of a panel, the panel convener may, but need not, consult—
- (a) the Minister:
 - (b) if the panel is set up for a substantive application that seeks an approval described in section 42(4)(k) (marine consent), the EPA.

- (3) The membership of a panel must include 1 person nominated by the relevant local authorities.
- (4) The person nominated by the relevant local authorities may, but need not, be an elected member of any of the local authorities.
- (5) If the relevant local authorities nominate more than 1 person for appointment as a panel member, the panel convener must decide which one of those nominees is to be appointed as a panel member.
- (6) If the relevant local authorities do not make a nomination under subclause (3), the panel convener must appoint a person with the appropriate skills and experience to be a member of the panel (*see* clause 7(1)).
- (7) Despite the limit specified on the membership by subclause (1), that number may be exceeded (including by the appointment of more than 1 person nominated under subclause (3)), at the discretion of the panel convener, if warranted by, or required to accommodate,—
 - (a) the circumstances unique to a particular district or region; or
 - (b) the number of applications that have to be considered in that particular district or region; or
 - (c) the nature and scale of the application under consideration; or
 - (d) matters unique to any relevant iwi participation legislation; or
 - (e) the collective knowledge and experience needed under clause 7(1).
- (8) If a substantive application seeks an approval described in section 42(4)(k) (marine consent), the relevant local authorities for the purposes of this clause are,—
 - (a) if the approval is for a cross-boundary activity as defined in section 88 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, the local authority for each region or district in which part of the activity is or is intended to be undertaken:
 - (b) in any other case, each local authority whose region or district is likely to be affected by the activity for which the approval is sought.
- (9) The members of a panel are appointed to perform and exercise the functions, duties, or powers of a panel in relation to the substantive application for which they have been appointed (including any appeals in relation to any approvals sought in the application).
- (10) This clause is subject to clause 7 (which imposes requirements regarding the qualifications of individual panel members and the collective knowledge and experience of the panel).

Compare: 2020 No 35 Schedule 5 cl 3; 2023 No 46 Schedule 10 cl 46

4 Chairperson of panel

- (1) The panel convener must appoint, as one of the members appointed under clause 3, a suitably qualified lawyer or planner with experience in relevant law to be the chairperson of a panel.
- (2) However, the panel convener may act as the chairperson of a panel instead of appointing another person as chairperson of the panel.
- (3) Despite subclauses (1) and (2), the panel convener may, if the circumstances require it, appoint a person who is accredited under section 39A of the Resource Management Act 1991 to be the chairperson of a panel.
- (4) In the event of an equality of votes, the chairperson of the panel has a casting vote.
- (5) A panel has a quorum of 3 members.
- (6) The panel may modify the requirements in subclauses (4) and (5) to provide for—
 - (a) different requirements under relevant iwi participation legislation:
 - (b) any increase in the number of panel members.
- (7) The panel convener may, but need not, consult the Minister before performing a duty or exercising a power referred to in subclause (1), (2), (3), or (6).

Compare: 2020 No 35 Schedule 5 cl 4; 2023 No 46 Schedule 10 cl 47

5 Conduct of hearings and other procedural matters in context of Treaty settlements and other arrangements

- (1) This clause applies if any Treaty settlement Act, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, or any other iwi participation legislation, or any Mana Whakahono a Rohe or joint management agreement, includes procedural arrangements relating to the appointment of a decision-making body for hearings and other procedural matters, such as the following:
 - (a) a requirement for iwi or hapū to participate in the appointment of hearing commissioners to determine resource consent applications or notice of requirement lodged under the Resource Management Act 1991:
 - (b) a requirement that notice be given to any person or specified class of person of any steps in a resource management process:
 - (c) any consultation requirements with iwi or hapū:
 - (d) any other matter of procedure for determining a matter granted under a specified Act that corresponds to an approval under this Act.
- (2) The panel convener or panel must—
 - (a) comply with the arrangements in the legislation, arrangement, or agreement referred to in subclause (1) as if they were a relevant decision maker (such as a local authority, department, Crown entity, or board of inquiry); or

- (b) obtain the agreement of the relevant party under the legislation, arrangement, or agreement to adopt a modified arrangement that is consistent with achieving the purpose of this Act and the other legislation, arrangement, or agreement referred to in subclause (1).
- (3) The party referred to in subclause (2)(b) may not unreasonably withhold their agreement to a modified arrangement (as described in that subclause).
- (4) If the panel convener or panel are unable to obtain agreement under subclause (2)(b) (in circumstances where that agreement is not unreasonably withheld) they must stop processing the substantive application and must direct the EPA to return the application to the applicant immediately.
- (5) The panel must also direct the EPA to give written notice to the following that processing of the substantive application has stopped:
 - (a) the relevant local authorities; and
 - (b) if advice or a report has been requested from a person under section 51 and is yet to be provided to the EPA, that person; and
 - (c) if a recommendation has been requested from the relevant chief executive under section 48 and is yet to be made, the relevant chief executive; and
 - (d) if persons or groups have been invited to provide comments under section 35 or 53, those persons or groups.
- (6) The panel and a person referred to in subclause (5)(b) or (c) must stop processing the substantive application if they receive notice of the stoppage.

Compare: 2020 No 35 Schedule 5 cl 5

6 Appointment of replacement panel member

The panel convener may, at any time and in consultation with the Minister, appoint a new member to replace a member who is removed under clause 9 or who resigns or dies.

Compare: 2020 No 35 Schedule 5 cl 6

7 Skills and experience of members of panel

- (1) The members of a panel—
 - (a) must, collectively, have—
 - (i) knowledge, skills, and expertise relevant to the approvals sought in the substantive application; and
 - (ii) expertise in environmental matters; and
 - (b) must include at least 1 member who has an understanding of te ao Māori and Māori development.
- (2) A person is not ineligible for appointment as a panel member by reason only that the person is a member of a particular iwi or hapū (including an iwi or a

hapū that is represented by an iwi authority that must be invited by the panel to comment on the application).

Compare: 2020 No 35 Schedule 5 cl 7; 2023 No 46 Schedule 10 cl 48

8 Remuneration of panel convener and panel members

- (1) The panel convener and members of the panel are entitled—
 - (a) to receive remuneration not within paragraph (b) for services as the panel convener or a member at a rate and of a kind determined by the Minister in accordance with the fees framework; and
 - (b) in accordance with the fees framework, to be reimbursed for actual and reasonable travelling and other expenses incurred in carrying out their office as the panel convener or as a panel member as if the convener and members were members of a statutory board for the purposes of the Fees and Travelling Allowances Act 1951.
- (2) For the purposes of subclause (1), **fees framework** means the framework determined by the Government from time to time for the classification and remuneration of statutory and other bodies in which the Crown has an interest.

Compare: 2020 No 35 Schedule 5 cl 8; 2023 No 46 Schedule 10 cl 49

9 Removal and resignation of panel members

- (1) The panel convener may remove any person appointed to a panel under this schedule for just cause.
- (2) The person may be removed with as little formality and technicality, and as much expedition, as is permitted by—
 - (a) the principles of natural justice; and
 - (b) a proper consideration of the matter.
- (3) In this clause, **just cause** includes misconduct, inability to perform the functions of office, neglect of duty, and breach of duty (depending on the seriousness of the breach).
- (4) A member of the panel may resign at any time as a member by notice in writing to the panel convener.

Compare: 2004 No 115 ss 40, 41; 2020 No 35 Schedule 5 cl 9; 2023 No 46 Schedule 10 cl 52

Procedural and administrative matters

10 Procedures of panel

- (1) A panel must regulate its own procedure as it thinks appropriate, without procedural formality, and in a manner that best promotes the just and timely determination of the approvals sought in a substantive application.
- (2) A panel may appoint a special adviser to assist the panel with a substantive application in relation to any matters the panel may determine.

- (3) A panel may, at any time, appoint technical advisers, including from a department, Crown entity, or relevant local authority, as it thinks appropriate.
- (4) A panel may use or allow any remote access facility that will assist in the determination of the approvals sought in a substantive application.
- (5) A panel must keep a full record of its proceedings.
- (6) This clause is subject to section 57 and any other provisions of this Act that are relevant to the procedure of a panel.

Compare: 2020 No 35 Schedule 5 cl 10

11 Protection of sensitive information

When a panel is assessing a proposed approval under the Resource Management Act 1991, section 42 of that Act applies with any necessary modifications, as if the panel were a board of inquiry given authority to conduct a hearing under section 149J of that Act.

12 Support and advice available to panels

- (1) The EPA must provide advice and secretariat support to—
 - (a) the person convening the panel and appointing the panel chair; and
 - (b) members of the panel when carrying out their functions and duties under this Act; and
 - (c) the panel in its role of deciding any matters before it.
- (2) A relevant local authority must assist the panel by providing advice within the knowledge of the authority, if requested by the panel.

Compare: 2020 No 35 Schedule 5 cl 11; 2023 No 46 Schedule 10 cl 50

13 Liability of panel convener, associate panel convener, and members

- (1) The panel convener or an associate panel convener is not liable for anything that they do or omit to do in good faith in performing or exercising their functions, duties, or powers under this Act.
- (2) The members appointed to a panel are not liable for anything that a member does or omits to do in good faith in performing or exercising the functions, duties, or powers of the panel.

Compare: 2020 No 35 Schedule 5 cl 12; 2023 No 46 Schedule 10 cl 51

Schedule 3 clause 13: replaced, on 17 December 2025, by section 53(4) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 4

Land on which non-mining activities are ineligible

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- 1 Any national park (within the meaning of section 2 of the National Parks Act 1980).
- 2 Any reserve classified as a nature reserve under section 20 of the Reserves Act 1977.
- 3 Any reserve classified as a scientific reserve under section 21 of the Reserves Act 1977.
- 4 Any part of a reserve set apart as a wilderness area under section 47(1) of the Reserves Act 1977.
- 5 Any conservation area declared under section 18AA or 18(1) of the Conservation Act 1987 as—
 - (a) a wilderness area; or
 - (b) a sanctuary area.
- 6 Any area declared a wildlife sanctuary under section 9(1) of the Wildlife Act 1953.
- 7 Any area declared a marine reserve under section 4(1) of the Marine Reserves Act 1971.
- 8 Any land within a wetland and notified to the Ramsar Secretariat by the Minister for the time being responsible for the Ramsar Administrative Authority (as the terms Ramsar Secretariat and Ramsar Administrative Authority are defined in section 2(1) of the Conservation Act 1987).
- 9 The area described in the Otahu Dedicated Area Notice 1976 (*Gazette* 1976, p 654).
- 10 The area described in the Parakawai Geological Area Notice 1980 (*Gazette* 1980, p 2408).
- 11 All land—
 - (a) held, managed, or administered under the Conservation Act 1987, or under any enactment set out in Schedule 1 of that Act, as at 1 October 1991; and
 - (b) situated on any island in the area bounded by latitude 35°50'S and latitude 37°10'S, and longitude 177°E and longitude 174°35'E, other than the following islands in the Mercury Islands group:
 - (i) Red Mercury Island (Whakau):
 - (ii) Ātiu or Middle Island:
 - (iii) Green Island:
 - (iv) Korapuki Island.

- 12 The following scenic reserves:
- (a) Kaikoura Island Scenic Reserve in Auckland City (*Gazette* 2004, p 3688):
 - (b) Rakitu Island Scenic Reserve (*Gazette* 1995, p 4265).

Schedule 5

Approvals relating to Resource Management Act 1991

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1 Interpretation

In this schedule,—

application for the change or cancellation of a condition means an application for an approval described in section 42(4)(b)

certificate of compliance means an approval of the kind described in section 42(4)(c)

coastal permit means a resource consent to do something in a coastal marine area that otherwise would contravene any of sections 12, 14, 15, 15A, and 15B of the Resource Management Act 1991

consent application means an application for an approval described in section 42(4)(a)

designation means a designation for which an application is lodged under section 42(4)(d)

notice of requirement means an application for an approval described in section 42(4)(d)

resource consent or **consent** means an approval of the kind described in section 42(4)(a).

*Information required in referral application***2 Information about resource consent or notice of requirement required in referral application**

- (1) The information required to be provided under section 13(4)(y)(i) is—
- (a) an assessment of the project against—
 - (i) any relevant national policy statement; and
 - (ii) any relevant national environmental standards; and
 - (iii) if relevant, the New Zealand Coastal Policy Statement; and
 - (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).
- (2) If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) must be read as a reference to the person who is to be identified in the application as the proposed holder of the resource consent.

3 Information about change or cancellation of condition required in referral application

The information to be provided under section 13(4)(y)(ii) is information about whether the change or cancellation of the condition is material to the implementation or delivery of the project.

4 Information about certificate of compliance required in referral application

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.

*Application requirements, etc, for substantive application***5 Information required in consent application**

- (1) For the purposes of section 43(3)(a), a consent application must include the following information:
- (a) a description of the proposed activity; and
 - (b) a description and map of the site at which the activity is to occur, including whether the site is within or adjacent to—
 - (i) a statutory area (as defined in the relevant Treaty settlement Act); or
 - (ii) ngā rohe moana o ngā hapū o Ngāti Porou; or

- (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011; and
 - (c) confirmation that the consent application complies with section 46(2)(a), (b), and (d); and
 - (d) the full name and address of—
 - (i) each owner of the site and of land adjacent to the site; and
 - (ii) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry; and
 - (e) a description of any other activities that are part of the proposal to which the consent application relates; and
 - (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; and
 - (g) an assessment of the activity against sections 5, 6, and 7 of the Resource Management Act 1991; and
 - (h) an assessment of the activity against any relevant provisions in any of the documents listed in subclause (2); and
 - (i) information about any Treaty settlements that apply in the area covered by the consent application, including—
 - (i) identification of the relevant provisions in those Treaty settlements; and
 - (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area; and
 - (j) a list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011; and
 - (k) the conditions that the applicant proposes for the resource consent; and
 - (l) if a notice under section 30(3)(b) or (5) has been received,—
 - (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and
 - (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.
- (2) The documents referred to in subclause (1)(h) are the following:
- (a) a national environmental standard:
 - (b) other regulations made under the Resource Management Act 1991:

- (c) a national policy statement:
 - (d) a New Zealand coastal policy statement:
 - (e) a regional policy statement or proposed regional policy statement:
 - (f) a plan or proposed plan:
 - (g) a planning document recognised by a relevant iwi authority and lodged with a local authority.
- (3) An assessment under subclause (1)(h) must include an assessment of the activity against—
- (a) any relevant objectives, policies, or rules in a document listed in subclause (2); and
 - (b) any requirement, condition, or permission in any rules in any of those documents; and
 - (c) any other requirements in any of those documents.
- (4) A consent application must include an assessment of the activity's effects on the environment that—
- (a) includes the information required by clause 6; and
 - (b) covers the matters specified in clause 7.
- (5) A consent application must also include the following information:
- (a) if a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991); and
 - (b) if the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document; and
 - (c) if the activity is to occur in an area that is a 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.
- (6) 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.
- (7) If the substantive application is to be lodged by more than 1 authorised person, the references to the applicant in subclauses (1)(d), (k), (l) and (6) must be read

as references to the authorised person who is to be identified in the application as the proposed holder of the resource consent.

Compare: 2020 No 35 Schedule 6 cl 9

Schedule 5 clause 5(1)(d)(ii): editorial change made by the PCO, on 17 July 2025, under sections 86(1) and 87(1)(i) of the Legislation Act 2019 (2019 No 58).

6 Information required to assess environmental effects

- (1) The assessment of an activity's effects on the environment under clause 5(4) 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
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
 - (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity:
 - (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal:
 - (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:
 - (h) an assessment of any effects of the activity on the exercise of a protected customary right.
- (2) A consent application need not include any additional information specified in a relevant policy statement or plan that would be required in an assessment of environmental effects under clause 6(2) or 7(2) of Schedule 4 of the Resource Management Act 1991.

Compare: 2020 No 35 Schedule 6 cl 10

7 Matters to be covered in assessment of environmental effects

The assessment of an activity's effects on the environment under clause 5(4) must cover the following matters:

- (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:
- (b) any physical effect on the locality, including landscape and visual effects:
- (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:
- (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
- (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:
- (f) any unreasonable emission of noise:
- (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

Compare: 2020 No 35 Schedule 6 cl 11

8 Information required in application for subdivision or reclamation

Information required for subdivision consent

- (1) In addition to the information required under clause 5, a consent application for a subdivision must include information that adequately defines the following:
 - (a) the position of all new boundaries; and
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan; and
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
 - (d) the locations and areas of existing esplanade reserves, esplanade strips, and access strips; and
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the Resource Management Act 1991; and
 - (f) the locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991; and
 - (g) the locations and areas of land to be set aside as new roads.

Information required for reclamation consents

- (2) In addition to the information required by clause 5, a consent application for a reclamation must include information to show the area to be reclaimed, including the following:
 - (a) the location of the area to be reclaimed:

- (b) if practicable, the position of all new boundaries:
- (c) any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip.

Compare: 2020 No 35 Schedule 6 cl 12

9 Information required in application including standard freshwater fisheries activity

For the purposes of section 43(3)(a), a consent application for a project that includes a standard freshwater fisheries activity must include the information set out in clause 3 of Schedule 9.

10 Information required in application for change or cancellation of condition

For the purposes of section 43(3)(b) an application for the change or cancellation of a condition must include the same information as required by clauses 5 to 9, and those clauses apply as if references to—

- (a) a resource consent were references to the change or cancellation of a condition; and
- (b) an activity were references to the effects of the change or cancellation of the condition.

11 Information required in application for certificate of compliance

- (1) For the purposes of section 43(3)(c), an application for a certificate of compliance must include the following information:
 - (a) a description of the proposed activity; and
 - (b) confirmation that the application for the certificate of compliance complies with section 46(2)(a), (b), and (d); and
 - (c) a description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the application for the certificate of compliance relates; and
 - (d) an explanation of how the activity meets the relevant provisions of the district or regional plan, and any relevant national environmental standard.
- (2) If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, the application must include an assessment of the activity against any resource management matters set out in that document.

12 Information required in notice of requirement

- (1) For the purposes of section 43(3)(d), a notice of requirement must include the following information:
 - (a) a description 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); and
 - (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; and
 - (c) confirmation that the notice of requirement complies with section 46(2)(a), (b), and (d); and
 - (d) an assessment of the project or work against—
 - (i) sections 5, 6, and 7 of the Resource Management Act 1991; and
 - (ii) any relevant provisions in any of the documents listed in subclause (2); and
 - (e) information about any Treaty settlements that apply in the area to which the substantive application relates, including—
 - (i) identification of the relevant provisions in those Treaty settlements; and
 - (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the area to which the substantive application relates; and
 - (f) the full name and address of—
 - (i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land; and
 - (ii) each person who, after reasonable inquiry, is known by the requiring authority to be an occupier of the land to which the notice relates and of the land adjacent to that land; and
 - (g) an assessment of whether the project or work and the designation sought are reasonably necessary for achieving the objectives of the requiring authority; and
 - (h) any consideration of alternative sites, routes, or methods of undertaking the project or work; and
 - (i) a list of the resource consents needed for the project or work and whether they have been applied for; and
 - (j) a description of any consultation undertaken with parties likely to be affected by the project or work and the designation; and
 - (k) any conditions that the requiring authority proposes for the designation.
- (2) The documents referred to in subclause (1)(d)(ii) are the following:

- (a) a national policy statement:
 - (b) a New Zealand coastal policy statement:
 - (c) a regional policy statement or proposed regional policy statement:
 - (d) a plan or proposed plan:
 - (e) a planning document recognised by a relevant iwi authority and lodged with a local authority.
- (3) 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.
- (4) If the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (3) must be read as a reference to the authorised person who is to be identified in the application as the proposed holder of the notice of requirement.

Compare: 2020 No 35 Schedule 6 cl 13

13 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(i), the persons or groups are—

- (a) the Director-General of Conservation:
- (b) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements.

*Recommendation by relevant chief executive on aquaculture decision
requested under section 48*

14 Chief executive may seek information or consult certain persons

- (1) For the purpose of making a recommendation on an aquaculture decision requested under section 48, the relevant chief executive may seek information relevant to the application for the resource consent from—
- (a) the applicant:
 - (b) any fisher whose interests may be affected:
 - (c) persons and organisations that the relevant chief executive considers represent the classes of persons who have customary, commercial, or recreational fishing interests that may be affected by the granting of the coastal permit or change to, or cancellation of, the conditions of the coastal permit.
- (2) Before making a recommendation on an aquaculture decision, the relevant chief executive may consult any of the persons or organisations specified in subclause (1).
- (3) If the relevant chief executive seeks information or consults persons or organisations under this clause,—

- (a) the relevant chief executive must do so at the same time as the panel seeks written comments on the application for the resource consent; and
 - (b) the persons or organisations must provide the information or submissions to the relevant chief executive within 20 working days after the chief executive's request.
- (4) The relevant chief executive must provide any information or submissions received under subclause (3)(b) to the EPA no later than 5 working days after the date by which information or submissions must be received under that subclause.
- (5) The EPA must provide the information received under subclause (4) to the panel.
- (6) If the substantive application is lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(a) must be read as a reference to the authorised person who is identified in the application as the proposed holder of the coastal permit.

15 Relevant chief executive to make recommendation to panel on aquaculture decision

- (1) The relevant chief executive must, within 5 working days after receiving from the panel under section 71 draft consent conditions relating to the application for the resource consent, provide the EPA with a recommendation on an aquaculture decision consisting of—
- (a) a determination; or
 - (b) a reservation; or
 - (c) 1 or more determinations or reservations, or both, in relation to different parts of the area to which the request relates.
- (2) After having regard to the following, the relevant chief executive must make a recommendation under subclause (3):
- (a) information held by the Ministry that is, with the authority of the Prime Minister, for the time being responsible for the administration of the Fisheries Act 1996; and
 - (b) information supplied, or submissions made, to the relevant chief executive under clause 14(3)(b); and
 - (c) information that is forwarded by the panel; and
 - (d) any other information that the relevant chief executive has requested and obtained.
- (3) In making a recommendation on an aquaculture decision, the relevant chief executive must take into account sections 8 to 10 and 186GB(1) and (2) of the Fisheries Act 1996.
- (4) A recommendation on an aquaculture decision must—

- (a) be in writing; and
 - (b) define the areas that are subject to the recommendation; and
 - (c) provide reasons for the recommendation; and
 - (d) include the information described in subclause (2)(a), (b), and (d).
- (5) If the relevant chief executive recommends a determination, the recommended determination may—
- (a) specify any condition of the coastal permit that is material to the recommendation and that relates to the character, intensity, or scale of the aquaculture activities; and
 - (b) state that the condition may not be changed or cancelled until the relevant chief executive makes a further aquaculture decision in relation to the area affected by the change or cancellation under the Fisheries Act 1996.
- (6) If the relevant chief executive recommends a reservation, the recommended reservation must also include—
- (a) whether the reservation relates to customary, recreational, or commercial fishing, or a combination of them; and
 - (b) if the reservation relates to commercial fishing, the stocks and areas concerned, specifying any stocks subject to the quota management system and any other stock not subject to the quota management system; and
 - (c) any other matters required to be included by regulations made under the Fisheries Act 1996, as if the recommended reservation were an aquaculture decision made under that Act.
- (7) The EPA must provide the recommendation on the aquaculture decision to the panel.

16 Order in which recommendation requests to panel on aquaculture decision to be processed

- (1) The relevant chief executive must make recommendations on aquaculture decisions in the same order in which the requests for the decisions are received.
- (2) For the purposes of subclause (1), the order in which recommendations must be made in relation to requests received on the same day is determined by the time when the requests are received.
- (3) If 2 or more requests for recommendations are received at the same time, the relevant chief executive must make recommendations in the order specified by the EPA.
- (4) The relevant chief executive must give higher priority to processing a request made by a panel under section 48 than a request made as a consequence of coastal permits granted under the Resource Management Act 1991.

*Panel decision***17 Criteria and other matters for assessment of consent application**

- (1) For the purposes of section 81, when considering a consent application, including conditions in accordance with clauses 18 and 19, the panel must take into account, giving the greatest weight to paragraph (a),—
 - (a) the purpose of this Act; and
 - (b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and
 - (c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.
- (2) For the purpose of applying any provisions in subclause (1),—
 - (a) a reference in the Resource Management Act 1991 to Part 2 of that Act must be read as a reference to sections 5, 6, and 7 of that Act; and
 - (b) if the consent application relates to an activity that is the subject of a determination under section 23 of this Act, the panel must treat the effects of the activity on the relevant land and on the rights or interests of Māori as a relevant matter under section 6(e) of the Resource Management Act 1991; and
 - (c) to avoid doubt, for the purposes of subclause (1)(b), when taking into account section 104(1)(c) of the Resource Management Act 1991, any Mana Whakahono ā Rohe or joint management agreement that is relevant to the approval is a relevant matter.
- (3) Subclause (4) applies to any provision of the Resource Management Act 1991 (including, for example, section 87A(6)) or any other Act referred to in subclause (1)(c) that would require a decision maker to decline an application for a resource consent.
- (4) For the purposes of subclause (1), the panel must take into account that the provision referred to in subclause (3) would normally require an application to be declined, but must not treat the provision as requiring the panel to decline the application the panel is considering.
- (5) In the case of an application for a coastal permit for aquaculture activities, if the panel makes a reservation under clause 20 in relation to recreational fishing or customary fishing or commercial fishing in relation to stocks or species not subject to the quota management system, the panel must not grant the coastal permit in respect of the areas covered by the reservation.
- (6) For the purposes of subclause (1), the provisions referred to in that subclause must be read with all necessary modifications, including that a reference to a consent authority must be read as a reference to a panel.

- (7) Sections 123 and 123A of the Resource Management Act 1991 apply to a decision of the panel on the consent.

18 Conditions on resource consent

When setting conditions on a consent, the provisions of Parts 6, 9, and 10 of the Resource Management Act 1991 that are relevant to setting conditions on a resource consent apply to the panel, subject to all necessary modifications, including the following:

- (a) a reference to a consent authority must be read as a reference to a panel; and
- (b) a reference to services or works must be read as a reference to any activities that are the subject of the consent application.

19 Conditions on resource consent may deal with standard freshwater fisheries activity

- (1) A panel may set conditions on a consent in respect of a standard freshwater fisheries activity for which approval, dispensation, or authorisation is required, or for which a requirement may be imposed, under the following provisions:
- (a) regulation 42 of the Freshwater Fisheries Regulations 1983;
 - (b) regulation 43 of the Freshwater Fisheries Regulations 1983;
 - (c) regulation 65(2) of the Freshwater Fisheries Regulations 1983;
 - (d) section 26ZM(2)(a) or (3)(b) of the Conservation Act 1987.
- (2) If the panel sets conditions under subclause (1), they must be the conditions the panel considers necessary to manage the effects of the activity on freshwater fish species, taking into account—
- (a) best practice standards; and
 - (b) the New Zealand Fish Passage Guidelines.
- (3) The provisions referred to in subclause (1)(a) to (d) do not apply to the holder of a resource consent issued under this Act who complies with the relevant conditions imposed under this clause.

Guidance note

The New Zealand Fish Passage Guidelines are available at <https://niwa.co.nz/freshwater/new-zealand-fish-passage-guidelines>

20 Panel to make aquaculture decision

- (1) For the purposes of section 80, an aquaculture decision may consist of—
- (a) a determination; or
 - (b) a reservation; or
 - (c) 1 or more determinations or reservations or both in relation to different parts of the area to which the request relates.

- (2) The panel must have regard to the information described in clause 15(2).
- (3) In making an aquaculture decision, the panel must—
 - (a) take into account, giving the greatest weight to subparagraph (i),—
 - (i) the purpose of this Act; and
 - (ii) sections 8 to 10 and 186GB(1) and (2) of the Fisheries Act 1996; and
 - (b) have regard to the recommendation of the relevant chief executive made under clause 15.
- (4) An aquaculture decision may differ from the recommendation made by the relevant chief executive.
- (5) If the panel makes a determination, the determination may—
 - (a) specify any condition of the coastal permit that is material to the decision and that relates to the character, intensity, or scale of the aquaculture activities; and
 - (b) state that the condition may not be changed or cancelled until the relevant chief executive makes a further aquaculture decision under the Fisheries Act 1996 in relation to the area affected by the change or cancellation.
- (6) If the panel makes a reservation, the reservation must also include—
 - (a) whether the reservation relates to customary, recreational, or commercial fishing, or a combination of them; and
 - (b) if the reservation relates to commercial fishing, the stocks and areas concerned, specifying any stocks subject to the quota management system and any other stock not subject to the quota management system; and
 - (c) any other matters required to be included by regulations made under the Fisheries Act 1996, as if the reservation were an aquaculture decision made under that Act.
- (7) An aquaculture decision must—
 - (a) be in writing; and
 - (b) define the areas that are subject to the decision; and
 - (c) provide reasons for the decision.

21 Conditions to be included in coastal permit relating to reservation

If the panel makes a reservation under section 80 in relation to commercial fishing in relation to stocks or species subject to the quota management system, the panel must include consent conditions on the coastal permit noting the areas affected by the reservation.

22 Content of decision document for coastal permit

- (1) If the panel makes a determination under section 80, the panel must note any conditions on the coastal permit that may not be changed or cancelled until a further aquaculture decision is made under the Fisheries Act 1996.
- (2) If the panel makes a reservation in relation to commercial fishing of stocks or species subject to the quota management system, the panel must notify the applicant that the permit will not commence in the area affected by the reservation unless—
 - (a) an aquaculture agreement is registered in accordance with section 186ZH of the Fisheries Act 1996; or
 - (b) a compensation declaration is registered under section 186ZHA of the Fisheries Act 1996.
- (3) If the substantive application was lodged by more than 1 authorised person, the reference to the applicant in subclause (2) must be read as a reference to the authorised person who was identified in the application as the proposed holder of the coastal permit.

23 Criteria for assessment of application for change or cancellation of condition

For the purposes of section 81, when considering an application for the change or cancellation of a condition,—

- (a) the panel must apply section 127(1) and (3) of the Resource Management Act 1991 as if—
 - (i) in section 127(3) of the Resource Management Act 1991, the reference to sections 88 to 121 of that Act were to the provisions of Part 6 of that Act that relate to decision making on a resource consent; and
 - (ii) the provisions of Part 6 of that Act were read with all necessary modifications, including that a reference to a consent authority must be read as a reference to a panel; and
- (b) the panel must consider any Mana Whakahono ā Rohe or joint management agreement that is relevant to the approval; and
- (c) to avoid doubt, section 127(4) of the Resource Management Act 1991 does not apply.

24 Criteria and other matters for assessment of notice of requirement

- (1) For the purposes of section 81, when considering a notice of requirement, including conditions in accordance with clause 25, the panel must, giving the greatest weight to paragraph (a)(i),—
 - (a) take into account—
 - (i) the purpose of this Act; and

- (ii) the provisions of Part 8 of the Resource Management Act 1991 that direct decision making on an application for a designation (except section 170); and
 - (iii) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991; and
 - (b) consider any Mana Whakahono ā Rohe or joint management agreement that is relevant to the approval.
- (2) For the purpose of applying any provisions in subclause (1),—
- (a) a reference in the Resource Management Act 1991 to Part 2 of that Act must be read as a reference to sections 5, 6, and 7 of that Act; and
 - (b) if the notice of requirement relates to an activity that is the subject of a determination under section 23 of this Act, the panel must treat the effects of the activity on the relevant land and on the rights or interests of Māori as a relevant matter under section 6(e) of the Resource Management Act 1991.
- (3) For the purposes of subclause (1), the provisions referred to in that subclause must be read with all necessary modifications, including (where appropriate) that a reference to a consent authority must be read as a reference to a panel.

25 Conditions on designation

When setting conditions on a designation, the provisions of Part 8 of the Resource Management Act 1991 relevant to setting conditions on a designation apply to the panel, subject to all necessary modifications, as if references to a consent authority were references to a panel.

26 Content of decision document for resource consent or designation

- (1) A decision document for a resource consent or designation may specify the date on which the approval lapses unless it is given effect to by the specified date.
- (2) A date specified under subclause (1) must be no less than 2 years after the approval commences.
- (3) If no date is specified under subclause (1), the approval lapses after it commences.

27 Criteria and other matters for assessment of applications for certificate of compliance

- (1) For the purposes of section 81, the panel must grant the certificate of compliance if the activity that the certificate is intended to cover can be done lawfully in the particular location without a resource consent.
- (2) The panel must not grant the certificate of compliance if—
 - (a) the application under this Act for the certificate is made after a proposed plan is notified; and

- (b) the activity could not be done lawfully in the particular location without a resource consent under the proposed plan.
- (3) The panel must not grant a certificate of compliance if a notice for the activity is in force under section 87BA(1)(c) or 87BB(1)(d) of the Resource Management Act 1991.

28 Content of decision document for certificate of compliance

Section 139(7) of the Resource Management Act 1991 applies to a certificate of compliance issued under this Act.

Provisions applying to approvals once granted

29 Panel may waive requirement for outline plan for designation

If a panel grants a designation,—

- (a) it may waive the requirement for an outline plan as required by section 176A of the Resource Management Act 1991; but
- (b) if it does not waive the requirement under that section, the outline plan must be submitted to the territorial authority in accordance with that section.

Compare: 2020 No 35 Schedule 6 cl 33(7)

30 Designations to be included in district plans

- (1) This clause applies after a panel issues a decision document under section 88 confirming or modifying a designation (with or without modification).
- (2) The territorial authority must, without using Schedule 1 of the Resource Management Act 1991,—
 - (a) include the designation in its district plan and any proposed district plan, as if it were a rule in the plan or proposed plan; and
 - (b) state in the plan and any proposed plan the name of the requiring authority that has the benefit of the designation.
- (3) The designation commences when it is included in a district plan.

Compare: 2020 No 35 Schedule 6 cl 41

31 Status of resource consents or certificates of compliance granted, or designations confirmed or modified, under this Act and role of local authority

- (1) This clause applies to—
 - (a) a resource consent that is granted under this Act; and
 - (b) a resource consent for which a condition of the consent is changed or cancelled under this Act; and
 - (c) a certificate of compliance that is granted under this Act; and

- (d) a designation that is confirmed or modified and included in a district plan.
- (2) The local authority that, but for this Act, would have had responsibility—
 - (a) for granting a resource consent or certificate of compliance under the Resource Management Act 1991 has all the functions, powers, and duties in relation to a resource consent or certificate of compliance granted under this Act, or a resource consent with a condition changed or cancelled under this Act, as if it had granted the resource consent or certificate of compliance itself; and
 - (b) for recommending, under the Resource Management Act 1991, that a designation be confirmed or modified, has all the functions, powers, and duties in relation to the designation as if it had dealt with the matter itself.
- (3) Unless otherwise specified in this Act,—
 - (a) a resource consent or certificate of compliance granted, or a designation confirmed or modified and included in a district plan, or a resource consent with a condition changed or cancelled, under this Act has full force and effect for its duration, and according to its terms and conditions, as if it were granted under the Resource Management Act 1991; and
 - (b) any provision of an enactment that refers to a resource consent or certificate of compliance granted, or a designation confirmed or modified and included in a district plan, under the Resource Management Act 1991 (including any such provision in that Act) must be read, with any necessary modifications, as including a resource consent or certificate of compliance granted, or a designation confirmed and included in a district plan, or a resource consent with a condition changed or cancelled, under this Act.
- (4) Despite subclause (3)(a), section 116A of the Resource Management Act 1991 does not apply in respect of the commencement of coastal permits for aquaculture activities granted under this Act.
- (5) To avoid doubt, the functions, powers, and duties referred to in subclause (2) include—
 - (a) determining any application to extend the period for which a consent may lapse under section 125(1A) or 184 of the Resource Management Act 1991; and
 - (b) determining any application for a change or cancellation of a condition of a resource consent under section 127 of the Resource Management Act 1991.

Compare: 2020 No 35 Schedule 6 cl 42

32 Interim effect of designations

Section 178(2) to (6) of the Resource Management Act 1991 applies, with the necessary modifications, to an application for an approval described in section 42(4)(d).

Compare: 2020 No 35 Schedule 6 cl 43

33 Application of subpart 4 of Part 9A of Fisheries Act 1996

- (1) Subpart 4 of Part 9A of the Fisheries Act 1996 applies, subject to the modifications in this clause, in respect of—
 - (a) a coastal permit issued under this Act; and
 - (b) a reservation made by the panel under this Act, as if it were a reservation made by the chief executive under the Fisheries Act 1996.
- (2) Section 186ZD must be read as if it included the following definition:
panel means a panel as defined in section 4 of the Fast-track Approvals Act 2024
- (3) Section 186ZN must be read as if subsection (3) were replaced with:
- (3) In subsection (2), **quota owner** means a person who is a registered quota owner as at 5 pm on the date on which the relevant reservation is made by a panel under the Fast-track Approvals Act 2024.

34 Aquaculture decision by panel to be treated as determination for purposes of Fisheries Act 1996

A determination under clause 20(5)(b) must be treated as a determination under section 186H(3)(b) of the Fisheries Act 1996.

35 Notification of aquaculture agreement or compensation declaration

- (1) If clause 22(2) applies and the relevant consent authority has been notified by the relevant chief executive that an aquaculture agreement or a compensation declaration has been registered for those stocks under section 186ZH or 186ZHA of the Fisheries Act 1996 (as the case may require), the consent authority must—
 - (a) amend the permit so that it no longer shows the areas affected by the reservation:
 - (b) provide the applicant with a copy of the amended permit:
 - (c) notify the applicant that the permit (as amended) commences in respect of the area previously shown as subject to the reservation on the date of notification under this paragraph.
- (2) If the substantive application was lodged by more than 1 authorised person, the reference to the applicant in subclause (1) must be read as a reference to the authorised person who was identified in the application as the proposed holder of the coastal permit.

36 Resource Management Act 1991 modified in respect of conditions made under clause 20(5)(b)

In sections 114(6), 127(3A), and 128(3) of the Resource Management Act 1991, the reference to a condition that has been specified under section 186H(3) or 186H(1A) of the Fisheries Act 1996 must be read as a condition imposed under section 81 in accordance with clause 20(5)(b) of this schedule in relation to a coastal permit for aquaculture activities granted under this Act.

Schedule 6
Approvals relating to Conservation Act 1987, Reserves Act 1977,
Wildlife Act 1953, and National Parks Act 1980

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Part 1

Concessions

1 Interpretation

In this Part,—

concession means—

- (a) a concession that would otherwise be applied for under—
 - (i) the Conservation Act 1987; or
 - (ii) section 14AA of the Wildlife Act 1953; or
 - (iii) section 49 of the National Parks Act 1980; or
- (b) a Reserves Act approval

reserve has the meaning given in section 2(1) of the Reserves Act 1977

Reserves Act approval means—

- (a) a concession as defined in section 2(1) of the Reserves Act 1977 that would otherwise be applied for under section 59A of that Act; or
- (b) a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve

right of offer or return means a right specified under legislation or an agreement for a former owner or any other person to have land returned or offered to the person (on terms or conditions or otherwise) on the occurrence of an event or circumstance.

2 Information about concession required in referral application

- (1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and—
 - (a) the lease would be for a term (including any renewals) that will, or is likely to, be more than 50 years; and
 - (b) the granting of the lease would trigger a right of first refusal or a right of offer or return.
- (2) The information is 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.
- (3) If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (2) must be read as a reference to the person who is to be identified in the application as the proposed holder of the concession.

3 Information required in application for concession

- (1) For the purposes of section 43(3)(e), an application for a concession must include—
 - (a) a description of the proposed activity;
 - (b) a description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places);
 - (c) information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less;
 - (d) in the case of an application for an approval within paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, information about the extent to which the project is consistent with—

- (i) the relevant conservation management strategy and conservation management plan:
 - (ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity:
- (e) in the case of an application for an approval within paragraph (b) of the definition of Reserves Act approval, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977:
- (f) information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:
- (g) a description of—
 - (i) the potential effects (positive and negative) of the proposed activity:
 - (ii) any actions that the applicant proposes to take to avoid, remedy, mitigate, offset, or compensate for any adverse effects of the proposed activity:
 - (iii) details of the type of concession for which the applicant is applying:
- (h) a statement of—
 - (i) the proposed duration of the concession; and
 - (ii) the reasons for the proposed duration:
- (i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court):
- (j) if the applicant applies for a lease, a licence granting an interest in land, or an easement,—
 - (i) reasons for the request; and
 - (ii) sufficient information to satisfy the panel that, in terms of clause 7, it is appropriate under section 81 to grant the lease, licence, or easement (as the case may be):
- (k) full details of any consultation undertaken with relevant iwi and with reserve owners and managers:
- (l) information about financial and legal liabilities and obligations associated with the land:
- (m) in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned

or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve:

- (n) confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—
 - (i) the proposed lease would be for a term (including any renewals) that will, or is likely to, be more than 50 years; and
 - (ii) the granting of the lease would trigger the right of first refusal or right of offer or return.
- (2) If the substantive application is to be lodged by more than 1 authorised person, the references to the applicant in subclause (1)(g)(ii), (i), and (n) must be read as references to the authorised person who is to be identified in the application as the proposed holder of the concession.

4 Report by Director-General of Conservation

- (1) The report referred to in section 51(2)(a) must—
 - (a) address the matters in clause 7(1) (except clause 7(1)(a)(i), (vii)(B), and (viii)(B)); and
 - (b) include any conditions that the Director-General of Conservation considers appropriate to be imposed by the panel under clause 8.
- (2) For the purposes of this clause, the provisions referred to in clause 7(1) must be read with all necessary modifications, including that a reference to the Minister of Conservation in section 17U of the Conservation Act 1987 or section 49 of the National Parks Act 1980 must be read as a reference to a panel.

Schedule 6 clause 4: replaced, on 17 December 2025, by section 55(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

5 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(ii), the persons are—

- (a) the New Zealand Conservation Authority; and
- (b) relevant Conservation Boards; and
- (c) the New Zealand Fish and Game Council; and
- (d) the Game Animal Council.

6 Grounds for ministerial call-in of decision

For the purposes of section 74, the appropriate Minister may call in a decision on a concession if the Minister is satisfied that the concession is part of a project to which 1 or more of the following apply:

- (a) the project may have effects or pose risks that are not well understood;
- (b) the project may pose significant risks to public health and safety:

- (c) the project may impose significant liabilities on the Crown.

7 Criteria for assessment of application for concession

- (1) For the purposes of section 81, when considering an application for a concession, including conditions in accordance with clause 8, the panel, giving the greatest weight to paragraph (a)(i),—
 - (a) must take into account—
 - (i) the purpose of this Act; and
 - (ii) Part 3B of the Conservation Act 1987 (except sections 17SB and 17U(3) of that Act) as if the application were an application for a concession under Part 3B; and
 - (iii) any other relevant provisions of Parts 3, 4, 4A, 5, 5B, and 5C of the Conservation Act 1987 that direct decision making in relation to Part 3B of that Act; and
 - (iv) in the case of an approval referred to in paragraph (a)(ii) of the definition of concession, sections 14, 14A, and 14AA of the Wildlife Act 1953; and
 - (v) in the case of an approval referred to in paragraph (a)(iii) of the definition of concession, section 49(2) of the National Parks Act 1980; and
 - (vi) the purpose for which the land is held (in the case of a Reserves Act approval, taking into account Parts 1, 2, and 3 and section 122 of the Reserves Act 1977); and
 - (vii) in the case of an approval referred to in paragraph (a)(i) or (ii) of the definition of concession or paragraph (a) of the definition of Reserves Act approval,—
 - (A) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity; and
 - (B) the views of the entity referred to in subparagraph (A) on the proposed concession; and
 - (viii) in the case of an approval referred to in paragraph (a)(iii) of the definition of concession,—
 - (A) any national park management strategy, conservation management strategy, national park management plan, or conservation management plan that has been co-authored, authored, or approved by a Treaty settlement entity; and
 - (B) the views of the entity referred to in subparagraph (A) on the proposed concession; and

- (ix) in the case of an approval within paragraph (b) of the definition of Reserves Act approval,—
 - (A) any reserve management plans that have been co-authored, authored, or approved by a Treaty settlement entity; and
 - (B) the views of the entity referred to in subsubparagraph (A) on the proposed concession; and
 - (x) the status, ownership, and administration of the land that would be subject to a concession; and
 - (xi) whether the land is subject to any existing arrangements that create obligations in relation to the land; and
 - (xii) the legal and financial liabilities associated with decisions on leases, licences to occupy land, and easements:
- (b) may consider,—
- (i) in the case of an approval referred to in paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, any policy statement or management plan of the Crown (other than a strategy or plan referred to in paragraph (a)(vii):
 - (ii) in the case of an approval within paragraph (b) of the definition of Reserves Act approval, any reserve management plan of the administering body (other than a plan referred to in paragraph (a)(ix).
- (2) For the purposes of subclause (1), the panel must take into account that the following provisions would or may normally require a decision maker to decline an application for a concession, but must not treat the provisions as requiring the panel to consider the documents referred to in subclause (1)(b) or to decline the approval the panel is considering:
- (a) sections 17U(5) and (6) and 17W(1) and (3) of the Conservation Act 1987:
 - (b) section 49(2) of the National Parks Act 1980.
- (3) The panel must decline the approval if,—
- (a) in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned or managed by a local authority, the panel is not satisfied that the local authority has provided written agreement for the activity to be undertaken on the reserve; or
 - (b) giving effect to the approval would result in the conferral of an interest in land that is incompatible with an existing interest in land; or

- (c) the granting of the proposed concession would involve a lease for a term (including any renewals) that will, or is likely to, be more than 50 years; and
 - (i) the granting of the lease would trigger a right of first refusal or a right of offer or return; and
 - (ii) the panel is not satisfied that the holder of the right of first refusal or right of offer or return has provided written agreement to waive that right for the purpose of the granting of the lease.
- (4) The local authority whose agreement is required under subclause (3)(a)—
 - (a) must not unreasonably withhold its agreement; and
 - (b) in deciding whether to give its agreement, must take into account the purpose of this Act and any relevant matters under the Reserves Act 1977.
- (5) For the purposes of subclause (4)(b), if a provision of the Reserves Act 1977 would require the local authority to withhold its agreement, the local authority must take into account that the provision would normally require it to withhold its agreement, but must not treat the provision as requiring it to do so.
- (6) For the purposes of this clause, the provisions referred to in subclause (1) must be read with all necessary modifications, including that a reference to the Minister of Conservation in section 17U of the Conservation Act 1987 or section 49 of the National Parks Act 1980 must be read as a reference to a panel.

8 Conditions

- (1) Section 17X of the Conservation Act 1987 applies with any necessary modifications to conditions for a concession as if the first reference in that section to the Minister were a reference to a panel.
- (2) Subclause (3) applies instead of section 17Y(1) of the Conservation Act 1987.
- (3) A panel may impose a condition that the person or body to whom the concession is granted—
 - (a) must pay any specified rents, fees, or royalties to the Minister of Conservation; and
 - (b) must pay any other levy or charge made on an occupier or owner of land, as a result of the grant of a lease, licence, or easement, either to, or as directed by, the Minister of Conservation.
- (4) Without limiting subclauses (1) and (2), a panel may impose conditions that it thinks fit relating to the use of vehicles or aircraft on the land over which a concession is granted.

9 Relevant conditions specified by appropriate Minister must be imposed by panel

If the panel grants the concession, the panel must impose any conditions that the Director-General of Conservation (in accordance with clause 4(2) or otherwise) indicates are relevant from those specified in accordance with section 78.

10 Section 17ZJ of Conservation Act 1987 disappplied

Section 17ZJ of the Conservation Act 1987 does not apply to a decision of a panel under this Act.

11 Giving effect to decision of panel on concession

If the panel grants a concession, and a period of 30 working days has expired after the decision document for the concession was issued under section 88(1), the Minister, local authority, or other person who, or body that, owns or manages the land (as applicable) must give effect to a decision of the panel including, without limitation, by executing a concession document.

12 Commencement of concession

A concession commences only after it is given effect in accordance with clause 11 and in accordance with the terms of the concession document.

13 Duration of approval

Section 17Z of the Conservation Act 1987 applies to the duration of a concession granted by a panel under this Act as if the references in that section to the Minister were references to a panel.

14 Concessions treated as granted under Conservation Act 1987

- (1) When given effect in accordance with clause 11, an approval referred to in paragraph (a)(i) of the definition of concession that is granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were a concession granted under the Conservation Act 1987, except that section 17A of that Act does not apply.
- (2) An application for a variation to, an extension of, or a transfer of the concession must be determined by the Minister of Conservation in accordance with Part 3B of the Conservation Act 1987 with the following modifications:
 - (a) sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49 of that Act do not apply; and
 - (b) unless section 17ZC(1) or (3) of that Act applies, sections 53 and 54 of this Act apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the Minister of Conservation; and
 - (ii) references in section 54 to the EPA were references to the Minister of Conservation; and

- (c) for the purposes of section 17ZC(2) and (3) of the Conservation Act 1987, clause 7 applies with any necessary modifications as if the references in that clause to the panel were references to the Minister of Conservation.

Schedule 6 clause 14(2): amended, on 17 December 2025, by section 55(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

15 Concessions treated as granted under Wildlife Act 1953

- (1) When given effect in accordance with clause 11, an approval referred to in paragraph (a)(ii) of the definition of concession that is granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were a concession granted under section 14AA of the Wildlife Act 1953, except that sections 9(4), 14B, 14D, and 43 of that Act do not apply.
- (2) An application for a variation to, an extension of, or a transfer of the concession must be determined by the Minister of Conservation in accordance with Part 3B of the Conservation Act 1987 with the following modifications:
 - (a) sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49 of that Act do not apply; and
 - (b) unless section 17ZC(1) or (3) of that Act applies, sections 53 and 54 of this Act apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the Minister of Conservation; and
 - (ii) references in section 54 to the EPA were references to the Minister of Conservation; and
 - (c) for the purposes of section 17ZC(2) and (3) of that Act, clause 7 applies with any necessary modifications as if the references in that clause to the panel were references to the Minister of Conservation.

Schedule 6 clause 15(2): amended, on 17 December 2025, by section 55(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

16 Concessions treated as granted under National Parks Act 1980

- (1) When given effect in accordance with clause 11, an approval referred to in paragraph (a)(iii) of the definition of concession that is granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were a concession granted under section 49 of the National Parks Act 1980, except that—
 - (a) section 43 of the National Parks Act 1980 does not apply to it;
 - (b) no bylaw made under section 56 of the National Parks Act 1980 restricting or prohibiting the use of vehicles or aircraft in any national park applies to the activities of the concessionaire under the concession.

- (2) An application for a variation to, an extension of, or a transfer of the concession must be determined by the Minister of Conservation in accordance with Part 3B of the Conservation Act 1987 with the following modifications:
- (a) sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49 of that Act do not apply; and
 - (b) unless section 17ZC(1) or (3) of that Act applies, sections 53 and 54 of this Act apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the Minister of Conservation; and
 - (ii) references in section 54 to the EPA were references to the Minister of Conservation; and
 - (c) for the purposes of section 17ZC(2) and (3) of that Act, clause 7 applies with any necessary modifications as if the references in that clause to the panel were references to the Minister of Conservation.

Schedule 6 clause 16(2): amended, on 17 December 2025, by section 55(4) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

17 Concessions treated as granted under Reserves Act 1977

- (1) When given effect in accordance with clause 11, a Reserves Act approval that is granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were granted under section 59A of the Reserves Act 1977, except that sections 40A and 40B of that Act do not apply to it.
- (2) An application for a variation to, an extension of, or a transfer of an approval referred to in paragraph (a) of the definition of Reserves Act approval must be determined by the Minister of Conservation in accordance with Part 3B of the Conservation Act 1987 as if it were a variation to, an extension of, or a transfer of a concession within the meaning of the Reserves Act 1977 with the following modifications:
- (a) sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49 of the Conservation Act 1987 do not apply; and
 - (b) unless section 17ZC(1) or (3) of that Act applies, sections 53 and 54 of this Act apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the Minister of Conservation; and
 - (ii) references in section 54 to the EPA were references to the Minister of Conservation; and
 - (c) for the purpose of section 17ZC(2) and (3) of that Act, clause 7 applies with any necessary modifications as if the references in that clause to the panel were references to the Minister of Conservation.

- (3) An application for a variation to, an extension of, or a transfer of an approval referred to in paragraph (b) of the definition of Reserves Act approval must be determined by the administering body in accordance with Part 3B of the Conservation Act 1987 as if it were a variation to, an extension of, or a transfer of a concession within the meaning of the Reserves Act 1977 with the following modifications:
- (a) sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49 of the Conservation Act 1987 do not apply; and
 - (b) sections 53 and 54 of this Act apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the administering body; and
 - (ii) references in section 54 to the EPA were references to the administering body; and
 - (c) for the purpose of section 17ZC(2) of the Conservation Act 1987, clause 7 applies with any necessary modifications as if the references in that clause to the panel were references to the administering body.

Schedule 6 clause 17(2): amended, on 17 December 2025, by section 55(5)(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 6 clause 17(2): amended, on 17 December 2025, by section 55(5)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 6 clause 17(3): amended, on 17 December 2025, by section 55(6)(a) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 6 clause 17(3): amended, on 17 December 2025, by section 55(6)(b) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

18 Section 17ZD Conservation Act 1987

Nothing in clauses 14 to 17 limits or affects section 17ZD of the Conservation Act 1987, which applies with any necessary modifications to a concession granted under this Act.

19 Enforcement of conditions of concession

Section 51(2) of the Conservation Act 1987 applies in relation to any concession granted under this Act with all necessary modifications, including that—

- (a) the first reference to the Minister must be read as a reference to the panel; and
- (b) the reference to a conservation area must be read as a reference to any land over which a concession is granted under this Act.

20 Review of royalties, rents, etc

If a panel has, in accordance with clause 8, imposed any condition on a concession for the payment of rents, fees, royalties, or other charges, the review

provided for by section 17Y(3) of the Conservation Act 1987 must be done by the Minister of Conservation.

21 Compensation must benefit conservation land

- (1) The Director-General of Conservation must ensure that compensation in relation to a concession granted under this Act for land administered by the Department of Conservation is applied to land administered by the Department of Conservation (and not other land) with the objective of achieving positive effects.
- (2) In any case to which subclause (1) does not apply, the owner of land must ensure that compensation in relation to a concession granted under this Act for the land is applied to reserve land administered by that owner (and not other land) with the objective of achieving positive effects.
- (3) In this clause, **compensation** means any measure—
 - (a) proposed or agreed to by the applicant who is the proposed holder of a concession to ensure positive effects on the environment to offset or compensate for any adverse effects that will or may result from allowing an activity; or
 - (b) imposed by a panel in accordance with clause 8.

Part 2 Land exchanges

22 Interpretation

- (1) In this Part,—

conservation area has the meaning given in section 2(1) of the Conservation Act 1987, but excludes land listed in Schedule 4

Crown-owned reserve means land that is—

 - (a) vested in the Crown; and
 - (b) either—
 - (i) classified under the Reserves Act 1977 as a scenic reserve, recreation reserve, historic reserve, government purpose reserve, or local purpose reserve; or
 - (ii) declared under section 14A of the Wildlife Act 1953 to be a wildlife management reserve

land exchange means the exchange of one of the following for other land by the applicant:

- (a) a conservation area or part of a conservation area;
- (b) a Crown-owned reserve or part of a Crown-owned reserve.

- (2) If the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in the definition of land exchange must be read as a reference to the authorised person who is to be identified in the application as the person proposed to exchange land.

23 Information about land exchange required in referral application

- (1) The information required to be provided under section 13(4)(y)(v) is—
- (a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:
 - (b) the financial value of the land proposed to be acquired by the Crown:
 - (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:
 - (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 to waive that right for the purpose of the land exchange:
 - (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.
- (2) If the substantive application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(d) must be read as a reference to the person who is to be identified in the application as the person proposed to exchange land.

24 Information required under section 33

The information provided for the purposes of section 33 must include—

- (a) an assessment of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:
- (b) details of any improvement work to be done to provide a net conservation benefit, including how any money to be provided for improvements to the land could be spent:
- (c) any proposals to address impacts on existing users of the land to be disposed of by the Crown, such as proposed easements where access to private land or a culturally significant site is via the Crown land that will become private land:

- (d) information about financial and legal liabilities and obligations associated with the land to be acquired by the Crown;
- (e) if the land exchange would trigger a right of first refusal or a right of offer or return, a copy of the written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purpose of the land exchange;
- (ea) a summary of—
 - (i) the consultation undertaken for the purposes of section 32A; and
 - (ii) how the consultation has informed the project;
- (f) full details of any consultation undertaken by the applicant with relevant iwi, and any others with rights or interests in the land to be exchanged by the Crown.

Schedule 6 clause 24(ea): inserted, on 17 December 2025, by section 55(9) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

25 Persons to be invited to provide written comments

For the purposes of section 35, the persons are—

- (a) the New Zealand Conservation Authority; and
- (b) relevant Conservation Boards; and
- (c) the New Zealand Fish and Game Council; and
- (d) the Game Animal Council; and
- (e) a person with rights or interests in the land to be exchanged by the Crown.

26 Report by Director-General of Conservation

- (1) The report referred to in section 35(3) must include information to address the matters in clause 29(1)(a)(ii) to (vi) and (b), including—
 - (a) the conservation values of the land concerned, including how threatened or abundant they are, and a comparative assessment of the values that relate to each area of land concerned; and
 - (b) the financial implications for the Crown of the land exchange; and
 - (c) whether the consequences of the land exchange would be practical to manage on an ongoing basis, including consideration of whether the land exchange would result in an enclave of private land within a conservation area or a Crown-owned reserve; and
 - (d) the legal and financial liabilities, and health and safety risks, for the Crown associated with the land exchange; and
 - (e) statements of general policy approved under section 17B or 17C of the Conservation Act 1987; and

- (f) any conservation management strategy, conservation management plan, or reserve management plan that has been co-authored, authored, or approved by a Treaty settlement entity; and
 - (g) any conditions that should be imposed in accordance with clause 31 or 32 or section 84.
- (2) The report must specify any conditions of those specified under section 78 that the panel must impose in accordance with clause 33.
- (3) If the land proposed to be exchanged by the Crown is a Crown-owned reserve managed by someone other than the Department of Conservation, in preparing the report, the Director-General of Conservation must consult the manager of the reserve.

27 Information required under section 43 for land exchange application

For the purposes of section 43(3)(f), the application—

- (a) must contain the report provided to the authorised person under section 35; and
- (b) must not contain any further information in relation to the land exchange.

28 Grounds for ministerial call-in of decision

For the purposes of section 74, the appropriate Minister may call in a decision on land exchange if the Minister is satisfied that either or both of the following apply:

- (a) the land exchange could—
 - (i) displace holders of interests in, and other users of, Crown land; and
 - (ii) as a result, pose significant financial, legal, or other risks for the Crown;
- (b) the land exchange could result in the Crown acquiring land that would have significant ongoing management costs.

29 Criteria for panel

- (1) For the purposes of section 81, when considering a land exchange, including conditions in accordance with clause 32, the panel, giving the greatest weight to paragraph (a)(i),—
- (a) must take into account—
 - (i) the purpose of this Act; and
 - (ii) the conservation values of the land concerned, including how threatened or abundant they are, and a comparative assessment of the values that relate to each area of land concerned; and
 - (iii) the financial implications for the Crown of the land exchange; and

- (iv) whether the consequences of the land exchange would be practical to manage on an ongoing basis, including consideration of whether the land exchange would result in an enclave of private land within a conservation area or a Crown-owned reserve; and
 - (v) the legal and financial liabilities, and health and safety risks, for the Crown associated with the land exchange; and
 - (vi) statements of general policy approved under section 17B or 17C of the Conservation Act 1987; and
 - (vii) any conservation management strategy, conservation management plan, or reserve management plan that has been co-authored, authored, or approved by a Treaty settlement entity and the views of the entity on the proposed land exchange; and
 - (b) may consider any conservation management strategy, conservation management plan, or reserve management plan (other than a strategy or plan referred to in paragraph (a)(vii)).
- (2) The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under clause 30 and any conditions that the panel may impose in accordance with clause 32) will enhance the conservation values of conservation areas and Crown-owned reserves considered as a whole.
- (3) The panel must not grant the approval if—
 - (a) the 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; or
 - (b) the land exchange would trigger a right of first refusal or a right of offer or return, and the panel is not satisfied that the holder of the right of first refusal or right of offer or return has agreed in writing to waive that right for the purpose of the land exchange.
- (4) If, in relation to land, a declaration has been made under the Conservation Act 1987,—
 - (a) the declaration does not prevent the land from being subject to a land exchange in accordance with this clause; and
 - (b) a revocation under section 18(7) of that Act is not required to effect that land exchange.
- (5) In subclause (4), **declaration** means—
 - (a) a declaration under section 18 of the Conservation Act 1987; or
 - (b) the classification of land under section 61 or 62 of that Act as land deemed to be held for specified purposes under those sections.

Schedule 6 clause 29(2): amended, on 17 December 2025, by section 55(11) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

30 Panel may authorise receipt of money by the Crown alongside land exchange

Alongside a land exchange under this Act, the panel may authorise the receipt by the Crown of money.

31 Preconditions for land exchange

- (1) For the purposes of sections 81 and 86,—
 - (a) a panel may impose a condition that the applicant—
 - (i) obtain any resource consent or other matter necessary to enable the land exchange to be effected:
 - (ii) obtain any agreement with the holder of an interest in land:
 - (b) if the agreement of the holder of an interest in land is required for the land exchange to be effected, the panel must impose a condition that the applicant obtain that agreement:
 - (c) if the land offered by the applicant is of lower market value than the land to be given by way of exchange by the Crown, the panel must impose a condition that the applicant pay an amount of money to the Crown to offset the inequality.
- (2) No condition may be imposed in accordance with subclause (1) requiring the payment of money by the Crown to offset any inequality between the market value of the land to be acquired by the Crown and the land to be given by way of exchange by the Crown, and nothing in this Act otherwise requires such a payment.
- (3) If the substantive application is lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(a) must be read as a reference to the authorised person who is identified in the application as the person proposing to exchange land.

32 Conditions

- (1) The panel may grant a land exchange subject to a condition that—
 - (a) the land being given by way of exchange by the Crown will be subject to a reservation, classification, interest, or encumbrance specified by the panel:
 - (b) the applicant is required to undertake or bear the cost of any improvements to the land acquired by the Crown that the panel thinks necessary as part of ensuring that the land exchange will enhance the conservation values of conservation areas and Crown-owned reserves considered as a whole.

- (2) The panel may impose any condition to address impacts on any person who has a right to use the land, but the condition must not include the requirement for the applicant to obtain the person's agreement to the land exchange.
- (3) If the substantive application is lodged by more than 1 authorised person, the references to the applicant in subclauses (1) and (2) must be read as references to the authorised person who is identified in the application as the person proposed to exchange land.

Schedule 6 clause 32(1)(b): replaced, on 17 December 2025, by section 55(13) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

33 Certain conditions specified in report must be imposed by panel

If the panel grants the land exchange, the panel must impose any conditions that are specified in accordance with clause 26(2).

34 Giving effect to decision of panel on land exchange

- (1) If a panel grants a land exchange, the Minister of Conservation must give notice in the *Gazette* of the exchange and otherwise, on behalf of the Crown, do anything that may be necessary to effect the land exchange if—
 - (a) the preconditions imposed in accordance with clause 31 have been met; and
 - (b) a period of 30 working days has expired after the decision document for the land exchange was issued under section 88(1).
- (2) All land acquired by the Crown under this clause must be held for any conservation purposes that the Minister of Conservation may specify in respect of that land by notice in the *Gazette*.
- (3) Money received under clause 30 for the purposes of the panel's decision under clause 29(2) must be used on improvements to the land acquired by the Crown that were necessary to satisfy the panel in accordance with clause 29 that the land exchange would enhance the conservation values of conservation areas and Crown-owned reserves considered as a whole.
- (4) The Registrar-General of Land is authorised to make any entry in a register and do all other things that may be necessary to give effect to a land exchange approved under this Act.

Schedule 6 clause 34(3): replaced, on 17 December 2025, by section 55(14) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

35 Commencement of approval for land exchange

An approval granting a land exchange commences only after it is given effect in accordance with clause 34.

36 Effect of land exchange

When the land exchange is effected in accordance with clause 34(1), the land being given by way of exchange by the Crown is no longer subject to

any reservation, classification, interest, or encumbrance unless included as a condition of the exchange under clause 32 and notified in the *Gazette* notice of the exchange.

37 Sections of Reserves Act 1977 disappplied

Nothing in section 15(2) or (6) of the Reserves Act 1977 applies to a land exchange granted under this Act.

38 Sections of Conservation Act 1987 disappplied

The following provisions of the Conservation Act 1987 do not apply to land that is given by the Crown by way of a land exchange granted under this Act:

- (a) section 24:
- (b) section 24E(2) to (4):
- (c) section 24F:
- (d) section 62.

39 Section 40 of Public Works Act 1981 disappplied

Nothing in section 40 of the Public Works Act 1981 applies to land that is subject to a land exchange granted under this Act.

40 Land exchange deemed to be disposal under Conservation Act 1987 for purposes of Treaty settlement Acts

For the purposes of a Treaty settlement Act, a land exchange granted under this Act is deemed for the purposes of section 16A of the Conservation Act 1987 or, as the case may be, section 15 of the Reserves Act 1977 to be a disposal of the land exchanged.

Part 3

Conservation covenants

41 Interpretation

In this Part, **conservation covenant** means a covenant in force under section 27 of the Conservation Act 1987 or section 77 of the Reserves Act 1977.

42 Information required in application for amendment or revocation of conservation covenant

For the purposes of section 43(3)(g), an application for an amendment or revocation of a conservation covenant must include—

- (a) a general assessment of the values protected by the covenant (informed by the covenant purpose and objectives), including the extent of any values of regional, national, or international significance:

- (b) if the application relates only to a portion of the area protected by a conservation covenant, a description of the area affected, and the values contained within it:
- (c) assessment of impacts of the project on those values and any proposed methods of addressing those impacts:
- (d) whether and to what extent the values that will be impacted by the project are found elsewhere in any part of the covenanted area that will remain subject to the covenant protection:
- (e) the contact details of the owner of the burdened land or, if the covenant relates to more than 1 parcel of land, of the owner of each piece of land that will be directly affected by the proposed activity:
- (f) the written consent to the proposed amendment or revocation of each person referred to in paragraph (e):
- (g) if the covenant was granted in favour of a local authority or other body under section 77 of the Reserves Act 1977, the written consent of that local authority or other body:
- (h) details of the covenant, including—
 - (i) the addresses of all land subject to the covenant:
 - (ii) a copy of the covenant deed and any variations.

43 Report by Director-General of Conservation

The report referred to in section 51(2)(b) must include information about—

- (a) the purpose of the conservation covenant and the conservation values of the land concerned; and
- (b) whether the amendment or revocation will compromise values of regional, national, or international significance; and
- (c) any conditions that should be imposed in accordance with clause 46 or section 84.

44 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(iii), the persons are—

- (a) the New Zealand Conservation Authority; and
- (b) relevant Conservation Boards; and
- (c) the New Zealand Fish and Game Council; and
- (d) the Game Animal Council.

45 Criteria for assessment of application for amendment or revocation of conservation covenant

- (1) For the purposes of section 81, when considering an application for an amendment or a revocation of a conservation covenant, including conditions in

accordance with clause 46, the panel must take into account, giving the greatest weight to paragraph (a),—

- (a) the purpose of this Act; and
 - (b) the purpose of the covenant and the conservation values of the land concerned; and
 - (c) whether the amendment or revocation will compromise values of regional, national, or international significance.
- (2) The panel must not grant the approval unless the written consent referred to in clause 42(f) and, as the case may be, clause 42(g) has been obtained.

46 Conditions

- (1) A panel may set conditions relating to the use of land on the amendment or revocation of a conservation covenant, including—
- (a) in the case of the revocation of a covenant, the protection by the applicant of equivalent land outside the area of the covenant;
 - (b) in the case of the variation of a covenant, the carrying out by the applicant of works to enhance conservation values on land remaining within the covenant.
- (2) If the substantive application is lodged by more than 1 authorised person, the reference to the applicant in subclause (1) must be read as a reference to the authorised person who will benefit from the amendment or revocation of the conservation covenant.

47 Giving effect to decision of panel on amendment or revocation of conservation covenant

- (1) If a panel grants an amendment or a revocation of a conservation covenant, the Minister of Conservation (or, if the covenant was granted in favour of a local authority or other body under section 77 of the Reserves Act 1977, that local authority or other body) must, after a period of 30 working days has expired after the decision document for the amendment or revocation was issued under section 88(1), give effect to the amendment or revocation by—
- (a) applying in writing to the Registrar-General of Land to remove any registration or notation of the conservation covenant from the record of title for the land, or to amend the registration or notation; and
 - (b) doing anything else necessary to amend or revoke the conservation covenant.
- (2) Despite anything to the contrary in the covenant deed, the Registrar-General of Land must amend or remove a registration or notation of the conservation covenant in accordance with an application under subclause (1)(a).

48 Commencement of amendment or revocation of covenant

The amendment or revocation of a covenant under this Act commences only after it is given effect in accordance with clause 47.

Schedule 7

Approvals relating to Wildlife Act 1953

s 115

1 Interpretation

In this schedule, **wildlife approval** means a lawful authority for an act or omission that would otherwise be an offence under any of sections 56(1), 58(1), 63(1), 63A, 64, 65(1)(f), 70G(1), 70P, and 70T(2) of the Wildlife Act 1953.

Schedule 7 clause 1: amended, on 17 December 2025, by section 56(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

2 Information required in application for wildlife approval

- (1) For the purposes of section 43(3)(h), an application for a wildlife approval must—
- (a) specify the purpose of the proposed activity:
 - (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):
 - (c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:
 - (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:
 - (e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):
 - (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:
 - (g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:
 - (h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):
 - (i) state whether authorisation is sought to temporarily hold or relocate wildlife:
 - (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:
 - (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):

- (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:
 - (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:
 - (n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:
 - (o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.
- (2) If the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(b) must be read as a reference to the authorised person who is to be identified in the application as the proposed holder of the wildlife approval.

3 Report by Director-General of Conservation

The report referred to in section 51(2)(c) must address—

- (a) the matters in clause 5(b) to (c); and
- (b) any conditions that should be imposed in accordance with clause 6 or section 84.

4 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(iv), the persons are—

- (a) the New Zealand Conservation Authority; and
- (b) relevant Conservation Boards; and
- (c) the New Zealand Fish and Game Council; and
- (d) the Game Animal Council.

5 Criteria for assessment of application for wildlife approval

For the purposes of section 81, when considering an application for a wildlife approval, including conditions under clause 6, the panel must take into account, giving the greatest weight to paragraph (a),—

- (a) the purpose of this Act; and
- (b) the purpose of the Wildlife Act 1953 and the effects of the project on the protected wildlife that is to be covered by the approval; and
- (c) information and requirements relating to the protected wildlife that is to be covered by the approval (including, as the case may be, in the

New Zealand Threat Classification System or any relevant international conservation agreement).

6 Conditions

- (1) A panel may set any conditions on a wildlife approval that the panel considers necessary to manage the effects of the activity on protected wildlife.
- (2) In setting any condition under subclause (1), the panel must—
 - (a) consider whether the condition would avoid, minimise, or remedy any impacts on protected wildlife that is to be covered by the approval; and
 - (b) where more than minor residual impacts on protected wildlife cannot be avoided, minimised, or remedied, ensure that they are offset or compensated for where possible and appropriate; and
 - (c) take into account, as the case may be, the New Zealand Threat Classification System or any relevant international conservation agreement that may apply in respect of the protected wildlife that is to be covered by the approval.

7 Status of wildlife approval and variation, replacement, or transfer of wildlife approval

- (1) A wildlife approval granted under this Act—
 - (a) has force and effect for its duration, and according to its terms and conditions, as a lawful authority for the purposes of Part 5 of the Wildlife Act 1953 for the act or omission for which the approval was granted; and
 - (b) is treated as if it were granted under that Act.
- (2) The Director-General of Conservation may at any time vary, replace, or transfer a wildlife approval referred to in subclause (1) on application by the holder of the approval.
- (3) For the purposes of subclause (2),—
 - (a) the information required to be submitted to the Director-General is the information specified in clause 2(1); and
 - (b) the Director-General must decide the application for the variation or replacement and set any conditions in accordance with clauses 5 and 6 as if the application were for a Wildlife Act approval and as if the references in clauses 5 and 6 to the panel were to the Director-General; and
 - (c) Part 2 of this Act does not apply.
- (4) The Director-General may revoke a wildlife approval granted under this Act.
- (5) Section 53(7) of the Wildlife Act 1953 applies to a wildlife approval as if it were an approval granted under section 53 of that Act.

Schedule 7 clause 7 heading: amended, on 17 December 2025, by section 56(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 7 clause 7(2): amended, on 17 December 2025, by section 56(3) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

8 Requirement in section 71 of Wildlife Act 1953 does not apply

The requirement for joint ministerial consent under section 71 of the Wildlife Act 1953 does not apply if a wildlife approval has been granted under this Act.

Schedule 8

Approvals relating to Heritage New Zealand Pouhere Taonga Act 2014

s 115

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1 Interpretation

In this schedule,—

archaeological authority means an approval described in section 42(4)(i)

HNZPT Act means the Heritage New Zealand Pouhere Taonga Act 2014.

2 Information required in application for archaeological authority

- (1) For the purposes of section 43(3)(i), an application for an archaeological authority must include the following information:
- (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; and
 - (b) the name of the owner of the relevant land, if the applicant is not the owner of the land; and
 - (c) proof of consent, if the owner has consented to the proposed activity; and
 - (d) confirmation that the application complies with section 46(2)(a), (b), and (d); and
 - (e) a description of each archaeological site to which the application relates and the location of each site; and
 - (f) a description of the activity for which the authority is sought; and
 - (g) a description of how the proposed activity will modify or destroy each archaeological site; and

- (h) except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of—
 - (i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and
 - (ii) the effect of the proposed activity on those values; and
- (i) a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected—
 - (i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or
 - (ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).
- (2) If the substantive application includes the information required by subclause (1) for the purposes of an approval described in section 42(4)(a) or (d) (**planning application**), the substantive application may—
 - (a) include the same information for the purposes of this clause; but
 - (b) must ensure that all of the information required by subclause (1) is provided.
- (3) If the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(b) must be read as a reference to the authorised person who is to be identified in the application as the proposed holder of the archaeological authority.

Compare: 2014 No 26 s 46(2), (5)

3 Report of Heritage New Zealand Pouhere Taonga and Māori Heritage Council

A report referred to in section 51(2)(d) may recommend—

- (a) that an archaeological authority be granted with conditions, including any conditions imposed in accordance with clause 5 or section 84; or
- (b) that the approval be declined.

4 Criteria for assessment of application for archaeological authority

- (1) For the purposes of section 81, when considering an application for an archaeological authority, including conditions in accordance with clause 5, the panel must take into account, giving the greatest weight to paragraph (a),—
 - (a) the purpose of this Act; and
 - (b) the matters set out in section 59(1)(a) of the HNZPT Act; and
 - (c) the matters set out in section 47(1)(a)(ii) and (5) of the HNZPT Act; and

- (d) a relevant statement of general policy confirmed or adopted under the HNZPT Act.
- (2) For the purposes of subclause (1), the provisions of the HNZPT Act referred to in that subclause must be read with all necessary modifications, including that a reference to Heritage New Zealand Pouhere Taonga must be read as a reference to the panel.

5 Imposition of conditions on archaeological authorities

- (1) In relation to an archaeological authority, a panel may impose any conditions, including conditions that—
 - (a) the consent of the land owner and the holder of any specified registered interest must be obtained before the holder of an archaeological authority may enter the relevant site or undertake any activity under that authority; and
 - (b) the site must be returned as nearly as possible to its former state (unless otherwise agreed between the owner of the land on which the site is located and the panel); and
 - (c) any activity undertaken at the site under the archaeological authority must conform to accepted archaeological practice; and
 - (d) Heritage New Zealand Pouhere Taonga, or the person approved under this schedule to carry out an activity, must provide a report to—
 - (i) the holder of the authority; and
 - (ii) the owner of the archaeological site concerned, if different from the holder of the authority; and
 - (iii) Heritage New Zealand Pouhere Taonga, unless Heritage New Zealand Pouhere Taonga prepared the report.
- (2) The panel may impose a condition requiring an investigation under the HNZPT Act, but only if the panel is satisfied on reasonable grounds that the investigation is likely to provide significant information in relation to the historical and cultural heritage of New Zealand.

Compare: 2014 No 26 s 52

6 Commencement and duration of archaeological authority

- (1) If an authority is granted before the land owner's consent to a proposed activity has been obtained, the authority does not commence until the consent of the land owner has been obtained and notified to Heritage New Zealand Pouhere Taonga.
- (2) An authority is current—
 - (a) for a period not exceeding 35 years, as specified in the authority; or

- (b) if no period is specified, for a period of 5 years from the date on which the authority commences, which must not be more than 30 years after the authority is granted.
- (3) On the applicable date, the authority expires.
Compare: 2014 No 26 s 54

7 Application for approval of person to carry out activity

- (1) A substantive application that seeks an archaeological authority under this Act may include an application for approval of any person nominated to undertake an activity under the authority.
- (2) An application for approval of a person to undertake an activity under an authority,—
 - (a) if it is made with the application for the authority under this Act, must be considered under this Act; or
 - (b) if it is made after the archaeological authority has been approved (whether under this Act or under the HNZPT Act and despite section 40), must be made and considered under the HNZPT Act.
- (3) In the case of an application under subclause (2)(a), before the panel decides whether to approve an application for approval of a person nominated to undertake an activity under an authority, the panel must seek and have regard to a recommendation from Heritage New Zealand Pouhere Taonga as to whether to approve the application.
- (4) Heritage New Zealand Pouhere Taonga must provide a recommendation sought under subclause (3) no later than 10 working days after receiving the request for the recommendation.
- (5) Heritage New Zealand Pouhere Taonga must not recommend that the panel approve a person to carry out an activity under an authority unless satisfied that the person—
 - (a) has sufficient skill and competency, is fully capable of ensuring that the proposed activity is carried out to the satisfaction of Heritage New Zealand Pouhere Taonga, and has access to appropriate institutional and professional support and resources; and
 - (b) in the case of a site of interest to Māori,—
 - (i) has the requisite competencies for recognising and respecting Māori values; and
 - (ii) has access to appropriate cultural support.
- (6) If it is necessary at any time, and for any reason, to replace the person approved to carry out an activity under an archaeological authority granted under this Act, the holder of the archaeological authority must seek approval under the HNZPT Act for another nominated person to carry out that activity.
Compare: 2014 No 26 s 45(1)–(3)

8 Service and publication of decision

- (1) For the purposes of section 88(1)(c), the persons are—
 - (a) the nearest public museum; or
 - (b) the chief executive of the department that, with the authority of the Prime Minister, is for the time being responsible for the administration of the HNZPT Act.
- (2) In subclause (1), **public museum** has the meaning given in section 2(1) of the Protected Objects Act 1975.

9 Status of archaeological authority

An archaeological authority granted under this Act—

- (a) has the same force and effect as if it were granted under section 48 of the HNZPT Act; and
- (b) for the purposes of the HNZPT Act, must be treated as if it were an authority granted under that Act.

Schedule 9

Approvals relating to complex freshwater fisheries activities

s 115

1 Interpretation

In this schedule, **complex freshwater fisheries activity approval** means an approval described in section 42(4)(j).

2 Information required in referral application including standard or complex freshwater fisheries activity

The information required to be provided under section 13(4)(y)(vi) is the following:

- (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and
- (b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

3 Information required in application for complex freshwater fisheries activity approval

For the purpose of section 43(3)(j), an application for a complex freshwater fisheries activity approval must include the following information:

- (a) in relation to the structure and any fish facility:
 - (i) a description of the type of structure or fish facility:
 - (ii) the dimensions of the structure or fish facility:
 - (iii) the design of the structure or fish facility:
 - (iv) the placement of the structure or fish facility:
 - (v) the water flows:
 - (vi) the operating regime:
- (b) the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System):
- (c) the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream):
- (d) how the passage of fish will be provided for or impeded.

4 Report by Director-General of Conservation

The report referred to in section 51(2)(e) must include information about—

- (a) the alignment of the proposed activity with best practice and the New Zealand Fish Passage Guidelines; and

- (b) the management of risks to freshwater values or habitat, including prevention of access to or spread of invasive species; and
- (c) the availability and quality of the habitat upstream and downstream from the proposed activity; and
- (d) the presence of threatened, data-deficient, or at-risk species under the New Zealand Threat Classification System in the vicinity of the proposed activity; and
- (e) the advantages and disadvantages of providing fish passage upstream or downstream of the proposed activity; and
- (f) any conditions that should be imposed in accordance with clause 6 or section 84.

5 Criteria for assessment of applications for complex freshwater fisheries activity approval

For the purpose of section 81, the panel must take into account, giving the greatest weight to paragraph (a),—

- (a) the purpose of this Act; and
- (b) the alignment of the proposed activity with best practice and the New Zealand Fish Passage Guidelines; and
- (c) how the proposed activity will manage risks to freshwater values or habitat, including prevention of access to or spread of invasive species; and
- (d) the availability and quality of the habitat upstream and downstream of the proposed activity; and
- (e) the presence of threatened, data-deficient, or at-risk species under the New Zealand Threat Classification System in the vicinity of the proposed activity; and
- (f) the advantages and disadvantages of providing fish passage upstream or downstream of the proposed activity.

6 Conditions on complex freshwater fisheries activity approval

A panel may impose conditions on an approval that the panel considers necessary to manage the effects of the activity on freshwater fish species, taking into account—

- (a) best practice standards; and
- (b) the New Zealand Fish Passage Guidelines.

**7 Complex freshwater fisheries activity approval deemed to be issued under
Freshwater Fisheries Regulations 1983**

A complex freshwater fisheries activity approval has the same force and effect for its duration, and according to its terms and conditions, as if it were given under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983.

Schedule 10
Approvals relating to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

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1 Interpretation

In this schedule,—

EEZ Act means the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

marine consent means an approval described in section 42(4)(k).

2 Information about marine consent required in referral application

- (1) The information required to be provided under section 13(4)(y)(vii) is—
 - (a) information about whether the Minister of Conservation is an affected person;
 - (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):
 - (c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.
- (2) If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) must be read as a reference to the person

who is to be identified in the application as the proposed holder of the marine consent.

3 Combination of applications for marine consent and approval described in section 42(4)(a)

- (1) Subclause (2) applies if the substantive application includes related applications for a marine consent and an application for an approval described in section 42(4)(a) for a cross-boundary activity (within the meaning of section 88 of the EEZ Act).
- (2) The impact assessment under the EEZ Act and the assessment of environmental effects under the Resource Management Act 1991 must be combined.

4 Information required in application for marine consent

For the purposes of section 43(3)(k), an application for a marine consent must include the following information:

- (a) a description of the proposed activity;
- (b) an impact assessment prepared in accordance with section 39 of the EEZ Act and any requirements prescribed in regulations made under that Act;
- (c) if the application relates to an activity referred to in section 20(2)(a), (b), or (c) of the EEZ Act, a description in general terms of how and when it is proposed that the structure, submarine pipeline, or submarine cable will be dealt with at the end of its life.

5 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(v),—

- (a) the persons are those listed in section 46(1)(b)(ii) of the EEZ Act; and
- (b) section 46(1)(b)(ii) of the EEZ Act must be read as if references to the EPA were references to the panel.

6 Criteria for assessment of application for marine consent

- (1) For the purposes of section 81, when considering an application for a marine consent, including conditions in accordance with clause 7, the panel must take into account, giving the greatest weight to paragraph (a),—
 - (a) the purpose of this Act; and
 - (b) sections 10 and 11 of the EEZ Act; and
 - (c) any relevant policy statements issued under the EEZ Act; and
 - (d) sections 59, 60, 61(1)(b) and (c) and (2) to (5), 62(1A) and (2), 63, and 64 to 67 of the EEZ Act.
- (2) For the purposes of subclause (1)(d), the panel must take into account that section 62(1A) of the EEZ Act would normally require an application to be

declined, but must not treat that provision as requiring the panel to decline the approval the panel is considering.

7 Conditions

Sections 63 to 67 of the EEZ Act apply with any necessary modifications as if the references to a marine consent authority in those sections were references to the panel.

8 Marine consents deemed to be issued under EEZ Act

A marine consent that is granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were a marine consent granted under the EEZ Act.

9 Variations to conditions of marine consents

An application for a variation of the conditions of, or a review by the EPA of the conditions of, a marine consent granted under this Act must be conducted in accordance with the EEZ Act, except that when applying any of the provisions of the EEZ Act or policy statements set out in clause 6(1)(b) to (d), the EPA must take into account the purpose of this Act.

Schedule 11

Approvals relating to Crown Minerals Act 1991

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Part 1

Access arrangements and variations to access arrangements

1 Interpretation

In this schedule, unless the context otherwise requires, **access arrangement** means the relevant approval of the kind referred to in section 42(4)(l) or (m).

2 Information about access arrangement required in referral application

- (1) For the purposes of section 13(4)(y)(viii), the information is confirmation that the applicant has complied with section 12(2).
- (2) If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (1) must be read as a reference to the person who is to be identified in the application as the proposed holder of the access arrangement.

3 Information required in application for access arrangement

For the purposes of section 43(3)(l), an application for an access arrangement must include the following:

- (a) a copy of the relevant permit under the Crown Minerals Act 1991 (if a permit has been granted under that Act):
- (b) a clear map or plan of the application area with GPS co-ordinates:
- (c) a document identifying the areas of conservation land located within the application area, its classification, and an assessment against its purpose:
- (d) a description of the proposal, including—
 - (i) the application area, including location and features (for example, water courses, roads, and amenities):
 - (ii) a summary of proposed activities (including type of prospecting, exploration, or mining methods, duration, and scale of activity):
 - (iii) a statement of the objectives of any Act under which the land is administered:
 - (iv) any policy statement, management strategy, or management plan of the Crown that applies in relation to the land:
 - (v) details of any resource consents and concessions held or applied for, or intended applications in relation to the application area:

- (vi) in the case of an application for an approval described in section 42(4)(l), a statement of the direct net economic and other benefits of the proposed activities in relation to which the access arrangement is sought:
- (vii) in the case of an application for an approval described in section 42(4)(m), the interests of the owner of the mineral, or of any person to whom the owner of the mineral has granted any rights in relation to the mineral, in obtaining access to that mineral:
- (e) an assessment of the environment, including—
 - (i) a description of the existing natural environment in and around the application area (including flora, fauna, aquatic life, and landscape):
 - (ii) a description of any historic, cultural, and archaeological sites within the application area (position and significance):
 - (iii) a description of the social environment in and around the application area (including scenic qualities, recreation facilities, and their use):
 - (iv) an assessment of the effects that proposed activities will have on the environment described in subparagraph (i), both while the activities are taking place and after their completion:
 - (v) an outline of consultation undertaken, including full details of consultation with relevant iwi:
 - (vi) a description of the proposed safeguards and mitigation measures to be put in place (for example, proposed rehabilitation, water management, management of flora and fauna and cultural or historic sites, and the way in which risks will be managed):
 - (vii) information about financial and legal liabilities and obligations associated with the land:
- (f) in the case of an application where the land in question is a reserve managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.

4 Report by chief executives of departments that administer land

- (1) The report referred to in section 51(2)(f) must include information to address the matters in clause 7 (except clause 7(1)(a)(i)) or, as the case may be, clause 8 (except clause 8(1)(a)(i)) and information about—
 - (a) any other matters relating to the environmental effects of the application; and
 - (b) any conditions that should be imposed in accordance with clause 9 or section 84.

- (2) The report must specify any conditions of those specified under section 78 that the panel must impose in accordance with clause 10.

5 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(vi), the persons are—

- (a) the New Zealand Conservation Authority; and
- (b) relevant Conservation Boards; and
- (c) the New Zealand Fish and Game Council; and
- (d) the Game Animal Council; and
- (e) the Director-General of Conservation.

6 Grounds for ministerial call-in of decision

For the purposes of section 74, the appropriate Minister may call in a decision on an access arrangement if the Minister is satisfied that the access arrangement is part of a project to which 1 or more of the following apply:

- (a) the project may have effects or pose risks that are not well understood;
- (b) the project may pose significant risks to public health and safety;
- (c) the project may impose significant liabilities on the Crown.

7 Criteria for assessment of application for access arrangement described in section 42(4)(l) (relating to section 61 of Crown Minerals Act 1991)

- (1) For the purposes of section 81, when considering an application for an access arrangement described in section 42(4)(l), including conditions in accordance with clause 9, the panel, giving the greatest weight to paragraph (a)(i),—
- (a) must take into account—
 - (i) the purpose of this Act; and
 - (ii) the objectives of any Act under which the land is administered; and
 - (iii) any purpose for which the land is held by the Crown; and
 - (iv) any policy statement or management plan of the Crown in relation to the land if authored, co-authored, or approved by a Treaty settlement entity; and
 - (v) any safeguards against potential adverse effects of carrying out the proposed programme of work; and
 - (vi) the direct net economic and other benefits of the proposed activity in relation to which the access arrangement is sought; and
 - (vii) any other matters that the panel considers relevant;
 - (b) may consider any policy statement or management plan of the Crown (other than a statement or plan referred to in paragraph (a)(iv)).

- (2) The panel must decline the approval if—
- (a) the land that is the subject of the application is a reserve managed by a local authority and the panel is not satisfied that the local authority has provided written agreement for the activity to be undertaken on the reserve; or
 - (b) giving effect to the access arrangement or variation to the access arrangement would result in the conferral of an interest in land that is incompatible with an existing interest in land; or
 - (c) where the substantive application also included an application for the relevant permit to which the access arrangement would relate, the application for the permit is declined; or
 - (d) had the application been considered under section 61 of the Crown Minerals Act 1991, section 61(1A) of that Act would require the application to not be accepted.
- (3) The local authority whose agreement is required under subclause (2)(a)—
- (a) must not unreasonably withhold its agreement; and
 - (b) in deciding whether to give its agreement, must take into account the purpose of this Act and any relevant matters under the Reserves Act 1977.
- (4) For the purposes of subsection (3)(b), if a provision of the Reserves Act 1977 would require the local authority to withhold its agreement, the local authority must take into account that the provision would normally require it to withhold its agreement, but must not treat the provision as requiring it to do so.
- (5) For the purposes of subclause (2)(d), the reference in section 61(1) of the Crown Minerals Act 1991 to the permit holder—
- (a) must be read as a reference to the applicant; and
 - (b) if the substantive application was lodged by more than 1 authorised person, must be read as a reference to the authorised person who was identified in the application as the proposed holder of the access arrangement.

8 Criteria for assessment of application for access arrangement described in section 42(4)(m) (relating to section 61B of Crown Minerals Act 1991)

- (1) For the purposes of section 81, when considering an application for an access arrangement described in section 42(4)(m), including conditions in accordance with clause 9, the panel, giving the greatest weight to paragraph (a)(i),—
- (a) must take into account—
 - (i) the purpose of this Act; and
 - (ii) the objectives of any Act under which the land is administered; and

- (iii) any purpose for which the land is held by the Crown; and
 - (iv) any policy statement or management plan of the Crown in relation to the land if authored, co-authored, or approved by a Treaty settlement entity; and
 - (v) any safeguards against potential adverse effects of carrying out the proposed programme of work; and
 - (vi) the interests of the owner of the mineral, or of any person to whom the owner of the mineral has granted any rights in relation to the mineral, in obtaining access to that mineral; and
 - (vii) any other matters that the panel considers relevant:
 - (b) may consider any policy statement or management plan of the Crown (other than a statement or plan referred to in paragraph (a)(iv).
- (2) The panel must decline the approval if—
- (a) the land that is the subject of the application is a reserve managed by a local authority and the panel is not satisfied that the local authority has provided written agreement for the activity to be undertaken on the reserve; or
 - (b) giving effect to the access arrangement would result in the conferral of an interest in land that is incompatible with an existing interest in land.
- (3) The local authority whose agreement is required under subclause (2)(a)—
- (a) must not unreasonably withhold its agreement; and
 - (b) in deciding whether to give its agreement, must take into account the purpose of this Act and any relevant matters under the Reserves Act 1977.
- (4) For the purposes of subsection (3)(b), if a provision of the Reserves Act 1977 would require the local authority to withhold its agreement, the local authority must take into account that the provision would normally require it to withhold its agreement, but must not treat the provision as requiring it to do so.

9 Conditions

- (1) On granting an access arrangement described in section 42(4)(l) or (m), the panel may impose conditions as provided in section 60 (other than section 60(1)(h)) of the Crown Minerals Act 1991.
- (2) The panel may impose a condition that the applicant pay to the chief executive of the department that administers the land rent, fees, or other charges of the amount specified by the panel.
- (3) If the substantive application was lodged by more than 1 authorised person, the reference to the applicant in subclause (2) must be read as a reference to the authorised person who was identified in the application as the proposed holder of the access arrangement.

10 Certain conditions specified in report must be imposed by panel

If the panel grants the access arrangement, the panel must impose any conditions that are specified in accordance with clause 4(2).

11 Giving effect to decision of panel on access arrangement or variation of access arrangement

If a panel grants an access arrangement or variation to an access arrangement, and a period of 30 working days has expired after the decision document for the access arrangement or variation of the access arrangement was issued under section 88(1), the Minister, local authority, or other person who, or body that, owns or manages the land (as applicable) must give effect to the access arrangement or variation.

12 Commencement of access arrangement or variation of access arrangement

An access arrangement or variation of an access arrangement commences only after it is given effect under clause 11.

13 Status of access arrangement and variation of access arrangement

- (1) An access arrangement referred to in section 42(4)(l) and granted or varied under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were an access arrangement granted under section 61 of the Crown Minerals Act 1991.
- (2) Section 59(3) of the Crown Minerals Act 1991 applies to an access arrangement or a variation of access arrangements.
- (3) An application for a variation of an access arrangement referred to in subclause (1) must be determined under the Crown Minerals Act 1991, but,—
 - (a) if section 61C of that Act requires the application to be publicly notified, the process for that public notification in section 61C(3) does not apply; and
 - (b) sections 53 and 54 apply with all necessary modifications as if—
 - (i) references in sections 53 and 54 to the panel were references to the appropriate Minister; and
 - (ii) references in section 54 to the EPA were references to the appropriate Minister.
- (4) However, instead of section 61(2) of that Act, clause 7 (and any provisions referred to in that clause) applies with any necessary modifications as if the references in that clause to the panel were references to the appropriate Minister or, as the case may be, the Minister and the appropriate Minister.
- (5) An access arrangement referred to in section 42(4)(m) and granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were an access arrangement granted under section 61B of the Crown Minerals Act 1991.

- (6) An application for a variation of an access arrangement referred to in subclause (5) must be determined under the Crown Minerals Act 1991.
- (7) However, instead of section 61B(2) of that Act, clause 8 (and any provisions referred to in that clause) applies with any necessary modifications as if the references in that clause to the panel were references to the appropriate Minister.
- (8) To avoid doubt, any land to which access is granted by an access arrangement referred to in this clause is, while that arrangement is in force, not subject to any conservation management strategy, conservation management plan, statement of general policy, or freshwater fisheries management plan of the Crown.
- (9) The Minister, local authority or other person or body (as applicable) must give effect to a decision of a panel about an access arrangement or a variation of an access arrangement.
- (10) In this clause,—
appropriate Minister has the meaning given in section 2A of the Crown Minerals Act 1991
Minister has the meaning given in section 2(1) of the Crown Minerals Act 1991.

Part 2 Mining permits

14 Interpretation

In this Part,—

mining permit means an approval of the kind described in section 42(4)(n)

Minister has the meaning given in section 2(1) of the Crown Minerals Act 1991.

15 Information about mining permit required in referral application

- (1) For the purposes of section 13(4)(y)(ix), the information is—
 - (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown-owned mineral;
 - (b) the name and contact details of the proposed permit participants and the proposed permit operator;
 - (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both;
 - (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme;
 - (e) information about the proposed permit holder's history of compliance with mining or similar permits and their conditions;

- (f) the proposed date on which the substantive application is intended to be lodged:
- (g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information:
- (h) the proposed duration of the permit:
- (i) if the proposed approvals include a mining permit for petroleum,—
 - (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:
 - (ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:
 - (iii) a high-level overview of the following:
 - (A) the proposed field development plan:
 - (B) the proposed date for the commencement of petroleum production:
 - (C) the economic model for the project:
 - (D) the proposed duration of the proposed mining permit:
 - (E) decommissioning plans:
- (j) if the proposed approvals include a mining permit for minerals other than petroleum,—
 - (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates:
 - (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted:
 - (iii) whether the application will be for a Tier 1 or Tier 2 permit:
 - (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology):
 - (v) an indicative mine plan:
 - (vi) a high-level overview of the following:
 - (A) the proposed mining method:

- (B) the proposed date for the commencement of mining and estimated annual production:
 - (C) the economic model for the project:
 - (D) the status of or anticipated timing for completing any pre-feasibility or feasibility studies:
 - (E) the proposed methods for processing mined material and handling and treating waste:
 - (F) anticipated plans for mine closure and rehabilitation.
- (2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.

16 Information required in application for mining permit

For the purposes of section 43(3)(m), the information required in an application for a mining permit is—

- (a) the information that would be required to be supplied under the Crown Minerals Act 1991, regulations, or minerals programmes made under that Act if the application for the permit were made under that Act:
- (b) confirmation that the application will comply with section 42(4)(n) and (11):
- (c) if the information referred to in paragraph (a) was provided by the applicant under section 37, details of any differences between the information provided for the purposes of section 37 and the information being provided for the purposes of section 43(3)(m).

17 Report by relevant chief executive

The report referred to in section 51(2)(g) must include—

- (a) information to address the matters in clauses 19 (except clause 19(1)(a)) and 20:
- (b) any conditions that should be imposed in accordance with clause 21.

18 Persons to be invited to provide written comments

For the purposes of section 53(2)(m)(vii), the person is WorkSafe New Zealand.

19 Criteria to be applied by panel in making decisions

- (1) For the purposes of section 81, when deciding whether to grant a mining permit, including conditions in accordance with clause 21, the panel must take into account, giving the greatest weight to paragraph (a),—
- (a) the purpose of this Act; and
 - (b) the purpose of the Crown Minerals Act 1991.

- (2) The panel, before making its decision under section 81,—
 - (a) must have regard to the matters specified in section 29C(2)(a) of the Crown Minerals Act 1991 (if relevant);
 - (b) may have regard to the matters specified in section 29C(2)(b) of the Crown Minerals Act 1991 (if relevant).
- (3) For the purposes of subclause (2), the matters specified in section 29C(2) of the Crown Minerals Act 1991 are relevant as if the application were made under that Act.

20 When mining permit must not be granted

- (1) The panel must not grant a mining permit unless the panel is satisfied—
 - (a) that the deposit for which the mining permit is sought is in the land to which any of the exploration permits or existing privileges referred to in section 42(11) apply; and
 - (b) that the proposed work programme provided by the applicant is consistent with—
 - (i) the purpose of the Crown Minerals Act 1991; and
 - (ii) the purpose of the proposed permit; and
 - (iii) good industry practice in respect of the proposed activities; and
 - (c) that the applicant is highly likely to comply with, and give proper effect to, the proposed work programme, taking into account—
 - (i) the applicant’s technical capability; and
 - (ii) the applicant’s financial capability; and
 - (iii) any relevant and available information on the applicant’s previous compliance record in relation to compliance with permits or rights, and conditions of those permits or rights, authorising prospecting for exploring, or mining of minerals, in New Zealand or internationally; and
 - (d) that, in the case of an application for a petroleum mining permit, the applicant is highly likely to comply with the relevant obligations under the Crown Minerals Act 1991 in respect of decommissioning and post-decommissioning; and
 - (e) that the applicant is highly likely to comply with the relevant obligations under the Crown Minerals Act 1991 in respect of reporting and the payment of fees and royalties; and
 - (f) that in the case of an applicant for a Tier 1 permit to mine, the proposed permit operator has or is highly likely to have, by the time relevant work under a permit is undertaken, the capability and systems that are likely to be required to meet the health and safety requirements of all specified

Acts (as defined in section 2(1) of the Crown Minerals Act 1991) for the types of activities proposed under the permit.

- (2) For the purpose of the panel satisfying itself of the matters in subclause (1)(f), section 29A(3) and (4) of the Crown Minerals Act 1991 apply as if references in those provisions to the Minister were to the panel.
- (3) If the substantive application was lodged by more than 1 authorised person, the references to the applicant in subclause (1)(b) to (e) must be read as references to the applicant who was identified in the application as the proposed holder of the mining permit.

Schedule 11 clause 20(1)(a): replaced, on 17 December 2025, by section 58(1) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

Schedule 11 clause 20(1)(f): amended, on 17 December 2025, by section 58(2) of the Fast-track Approvals Amendment Act 2025 (2025 No 78).

21 Conditions

Section 25(1)(c) of the Crown Minerals Act 1991 applies with any necessary modifications to conditions for a mining permit as if the reference in that provision to the Minister were a reference to a panel.

22 Content of mining permit

- (1) Section 25(3) and (4) of the Crown Minerals Act 1991 applies to a mining permit issued under this Act.
- (2) For the purposes of subclause (1), the reference in section 25(3) of the Crown Minerals Act 1991 to the Minister must be read as if it were a reference to the panel.

23 Giving effect to panel decision on mining permit

- (1) If a panel grants a mining permit, the panel must approve the surrender of the area of the exploration permit or existing privilege that corresponds to the mining permit area.
- (2) After a period of 30 working days has expired after the decision document for the mining permit was issued under section 88(1), the Minister must do anything necessary to give effect to the decision of the panel (including specifying the commencement date to appear on the permit).

24 Commencement of mining permit and effective date of surrender of exploration permit or existing privilege

- (1) A mining permit commences only after it is given effect under clause 23 and in accordance with the terms of the permit.
- (2) The surrender of the area of the exploration permit or existing privilege that corresponds to the mining permit area takes effect on the same date that the permit commences.

25 Status of mining permit

A mining permit granted under this Act has the same force and effect for its duration, and according to its terms and conditions, as if it were granted under section 25 of the Crown Minerals Act 1991.

26 Limits on disclosure of information relating to application or proposed application under this Act

- (1) No specified person or entity may disclose any information that relates to any application or proposed application for a mining permit under this Act unless—
 - (a) the information is publicly available; or
 - (b) the disclosure is with the consent of the person to whom the information relates, or to whom the information is confidential; or
 - (c) the disclosure is in connection with proceedings, or any investigation or inquiry for proceedings, for an offence; or
 - (d) disclosure is required by a court of competent jurisdiction; or
 - (e) the disclosure is done under subclause (2).
- (2) A specified person or entity (the **disclosing person or entity**) may disclose to another specified person or entity (the **receiving person or entity**) any information, or a copy of any document, that the disclosing person or entity—
 - (a) holds in relation to the performance or exercise of their functions, duties, or powers in relation to an application or a proposed application for a mining permit under this Act; and
 - (b) considers may assist the receiving person or entity in the performance or exercise of the receiving person's or entity's functions, duties, or powers under this Act.
- (3) Subclause (4) applies if information about an application or proposed application for a mining permit under this Act may or must be provided to any person (other than a specified person or entity) under any provision of this Act other than this clause or clause 27.
- (4) Despite any other provision of this Act, the person providing the information must withhold any information that the person is satisfied that there would be good reason to withhold under the Official Information Act 1982 if the information were requested under that Act.
- (5) Information that the Minister or relevant chief executive holds in relation to the performance or exercise of his or her functions, duties, or powers under this Act in relation to an application or proposed application for a permit may be treated as held under the Crown Minerals Act 1991 for the purpose of applying section 90E of that Act.
- (6) In this clause and clause 27, **specified person or entity** means—
 - (a) the Minister:

- (b) the Minister for Infrastructure:
- (c) the relevant chief executive:
- (d) the EPA:
- (e) the responsible agency:
- (f) a panel:
- (g) a special or technical adviser appointed by a panel.

27 Disclosure of information held under Crown Minerals Act 1991 for purpose of application or proposed application under this Act

- (1) The relevant chief executive may disclose to any other specified person or entity any information, or a copy of any document, that the chief executive—
 - (a) holds in relation to the performance or exercise of the relevant chief executive’s functions, duties, or powers under the Crown Minerals Act 1991 that relates to an application or proposed application for a mining permit under this Act; and
 - (b) considers may assist the receiving person or entity in the performance or exercise of its functions, duties, or powers under this Act.
- (2) If information is disclosed under subclause (1), the person to whom it is disclosed must not disclose it unless—
 - (a) the disclosure is to another specified person or entity for the purpose of the person’s or entity’s functions, duties, or powers under this Act; or
 - (b) the information is publicly available; or
 - (c) the disclosure is with the consent of the person to whom the information relates, or to whom the information is confidential; or
 - (d) the disclosure is in connection with proceedings, or any investigation or inquiry for proceedings, for an offence against this Act or any other enactment; or
 - (e) disclosure is required by an enactment other than this Act; or
 - (f) disclosure is required by a court of competent jurisdiction.

28 Relationship of clauses 26 and 27 with section 90

If there is any inconsistency between a provision of clause 26 or 27 and section 90, the provision of clause 26 or 27 prevails.

Schedule 12

Modifications to process under Public Works Act 1981 to take or deal with land

s 115

1 Interpretation

In this schedule,—

court means the Environment Court

land has the meaning given to it in section 2 of the Public Works Act 1981.

2 Application of this schedule

This schedule applies if—

- (a) a process is being conducted under the Public Works Act 1981 to acquire land that is part of a project being dealt with using the fast-track approvals process; and
- (b) the project has been referred to a panel; and
- (c) a person has objected to the taking of the land to the court under section 23 of the Public Works Act 1981.

3 Court must accept determination of panel about consideration of alternative sites, etc

- (1) The court must, whether or not the parties consent, accept any determination of a panel that relates to the matters in section 168A(3)(b) or 171(1)(b) of the Resource Management Act 1991 when making the enquiries required under section 24(7)(b) of the Public Works Act 1981.
- (2) Despite subclause (1), the court may consider any material new evidence relating to the matters in section 24(7)(b) of the Public Works Act 1981 that is provided to the court.

Schedule 13

Amendments to other legislation

s 121

Environment Act 1986 (1986 No 127)

In the Schedule, insert in its appropriate alphabetical order:

Fast-track Approvals Act 2024

Environmental Protection Authority Act 2011 (2011 No 14)

In section 5, definition of **environmental Act**, replace paragraph (ca) with:

(ca) the Fast-track Approvals Act 2024:

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26)

In section 23, replace “or the Crown Entities Act 2004” with “, the Crown Entities Act 2004, or the Fast-track Approvals Act 2024”.

Ngāti Rangi Claims Settlement Act 2019 (2019 No 40)

In Schedule 5, after clause 1(b), insert:

(ba) Fast-track Approvals Act 2024:

Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (2010 No 119)

After section 18(4)(b), insert:

(ba) Fast-track Approvals Act 2024:

Official Information Act 1982 (1982 No 156)

In Schedule 1, insert in its appropriate alphabetical order:

Panel convener and panels appointed under the Fast-track Approvals Act 2024

Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (2017 No 7)

In Schedule 2, after clause 1(b), insert:

(ba) Fast-track Approvals Act 2024:

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (2010 No 24)

After section 17(4)(a), insert:

(aa) Fast-track Approvals Act 2024:

Notes

1 *General*

This is a consolidation of the Fast-track Approvals Act 2024 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Fast-track Approvals (Wairakei South and Other Projects) Amendment Order 2026 (SL 2026/43)

Fast-track Approvals Amendment Act 2025 (2025 No 78)

Fast-track Approvals (Genesis Energy Limited) Order 2025 (SL 2025/255)

Fast-track Approvals (Southpark Agri Development Limited and Others) Order 2025 (SL 2025/118)

Fast-track Approvals (Pukerua Property Group Limited Partnership) Order 2025 (SL 2025/56)