



FTAA–2505–1063: Application received for referral of the Brymer project under the Fast-track Approvals Act 2024 – Stage 1 decisions

Project Name: Brymer

Date submitted:	13 June 2025	Tracking #: BRF–6339	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decisions on recommendations in Table A	18 June 2025

Actions for Minister's Office staff	Return the signed briefing to MfE FTAreferrals@mfe.govt.nz Send email to Ministers to invite comment
Number of attachments: 3	Attachments: 1. Statutory framework summary 2. Application documents for Brymer (in File Exchange) 3. Parties to invite comments from (including the list of Māori groups referred to in section 18(2))

Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author(s)	Stephanie McNicholl; Stephen Church		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Key messages

1. This briefing seeks your initial decisions on an application from Brymer Farms Limited to refer the Brymer project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process. At this stage you can either decline an application for the reasons set out section 21, or provide the application to, and invite comments from, the parties identified in section 17. If you do not decline the application, you will receive a further briefing following receipt of comments, to support your final decision on whether to refer the project.
2. The project is a master-planned residential and mixed-use development bounded by Brymer and Whatawhata Roads, on the western edge of Hamilton City.
3. The project involves the construction and operation of:
 - a. 1,650 residential units (including a 250-unit retirement village) and a 0.3-hectare mixed-use neighbourhood centre with commercial properties (a café and superette)
 - b. open spaces including ecological restoration, retention of natural wetlands and riparian revegetation
 - c. transport infrastructure including local roads, cycle connections and pedestrian pathways

- d. services infrastructure including a pump station, water discharge and treatment area, stormwater ponds and use of existing water bores.
- 4. The project will require the proposed approvals:
 - a. Resource consents under the specified Act – Resource Management Act 1991
 - b. Wildlife approval under the specified Act – Wildlife Act 1953.
- 5. We have undertaken initial analysis of the referral application, and this is presented along with our considerations and recommendations in Table A.
- 6. We have decided the application is complete and complies with section 14 of the Act, as the application complies with section 13 requirements, may be capable of satisfying the criteria in section 22 and does not appear to involve an ineligible activity. The applicable fee and levy have been paid.
- 7. We recommend you progress consideration of the referral application to the next stage of analysis (Stage 2) and invite written comments from the parties prescribed in section 17(1) of the Act being: Waikato District Council and Waikato Regional Council as the local authorities, the Minister for the Environment and the Associate Minister for Housing as relevant portfolio Ministers, the Department of Conservation and the Ministry for the Environment as relevant administering agencies, the owners of Māori land within the project area and identified Māori groups from section 18(2) of the Act. The parties are listed in Attachment 3.
- 8. We recommend that you also invite written comments from Hamilton City Council, Waka Kotahi (New Zealand Transport Agency) and Future Proof Committee as additional parties under section 17(5) of the Act, for the reasons detailed in Table A.

Action sought

- 9. Please indicate your decisions on the recommendations in Table A.

Signature



Ilana Miller
General Manager – Delivery and Operations

Table A: Stage 1 analysis

	Project Name		Applicant		Project Location	
Project details	Brymer		Brymer Farms Limited c/- Barker & Associates The applicant is a legal person and is eligible to apply for approvals		Brymer Road, Whatawhata Road, Waikato District The land parcels are: Lot 3 Deposited Plan 385271; Lot 1 Deposited Plan South Auckland 87291; Lot 22 DPS 79526; Part Lot 2 DP 18355; and Allotment 365 Parish of Pukete.	
Project description	The project is a master-planned residential and mixed-use development and involves the construction and operation of: a. 1,650 residential units, including a 250-unit retirement village and a 0.3-hectare mixed-use neighbourhood centre with commercial properties (a café and superette) b. open spaces including ecological restoration, retention of natural wetlands and riparian revegetation c. transport infrastructure including local roads, cycle connections and pedestrian pathways d. services infrastructure including a pump station, wastewater discharge and treatment area, stormwater ponds and use of existing water bores. The project will require the proposed approvals: - Resource consents under the specified Act – Resource Management Act 1991 - Wildlife approval under the specified Act – Wildlife Act 1953.					
Consultation undertaken	As required by s11, the applicant has consulted with:					
	Relevant local authorities	Relevant iwi authorities, hapu and Treaty settlement entities:	Relevant MACA groups	Ngā hapū o Ngāti Porou]	Relevant administering agencies	Holder of land to be exchanged
	- Waikato District Council - Waikato Regional Council	- Te Whakakitenga o Waikato-Tainui - Ngaati Maahanga	Not applicable	Not applicable	- Department of Conservation - Ministry for the Environment	Not applicable
Section 22 assessment criteria						
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	The Minister may consider any of the following matters, or any other matters the Minister considers relevant. <i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]</i> The applicant considers the development of 1,650 residential dwellings to be a significant increase in development capacity for the purposes of the National Policy Statement on Urban Design 2020 (NPS-UD) and therefore the project contributes to a well-functioning urban environment. In addition, the applicant considers that the inclusion of housing specifically for the ageing population (through provision of approximately 250 retirement living units) will additionally 'free up' the housing market for others, which directly responds to the regional and national housing shortfall. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant considers the project will support employment levels in the region, particularly for the construction industry over the next fifteen years. The applicant considers that through consenting and design, the project will generate jobs requiring expertise beyond the immediate locality of Hamilton, including from the Bay of Plenty, Waikato and Auckland. The applicant considers the number of jobs to then increase over the construction period, with approximately 4,730 full-time equivalent jobs being created. The applicant considers that once operational, the project will generate long-term employment though the retirement village's ancillary services and the commercial node of the development. The applicant considers this to provide diversity in employment opportunities, from aged care workers to hospitality workers. The applicant considers that the project will accommodate a range of affordable housing options which will create new business, increased employment opportunities and increased spending within the Waikato region. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant considers the project consistent with local or regional planning documents due to Brymer's broader alignment with the overall growth within the Waikato. The applicant notes this is due to the project proximity to the Hamilton City jurisdiction and the opportunity for contiguous integration, which is being developed further through ongoing consultation with Future Proof Partners. The planning memorandum provided with the application documents notes that Waikato District Council have advised that the Waikato District Plan does not support growth or provide for the urban development of the site. For this reason and given the proximity of the project site to Hamilton City Council's territorial boundary, Waikato District Council has recommended that the land be transferred to Hamilton City Council's jurisdiction. We recommend you seek comment from both Hamilton City Council and the Future Proof Committee as additional parties under section 17(5) of the Act, to ensure there are no barriers to project delivery. <i>Any other matters that may be relevant [s22(b)]</i>					

	We note that there are some unexplained mortgages on the records of title in favour of Brymer Ridge Limited. It is not clear from the application documents how Brymer Ridge Limited is related to Brymer Farms Limited (the applicant) and we recommend you seek further comment from the applicant on this matter to ensure there are no barriers to project delivery.		
referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers this satisfied for the following reasons: - Under the Fast-track Approvals Act 2024 (the Act), expert panels will consider required approvals as a single application package rather than several applications for differing activities and territorial authorities, as would be required under normal processes - Under the Act, public and limited notification is precluded and expert panels are only permitted to invite comments specified persons within a specified timeframe - Under the Act, timeframes are shorter and stricter than under normal processes - There is resourcing in place to process the application efficiently and with certainty around timeframes, ensuring the project remains 'shovel ready'. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant considers this satisfied because there is a fully engaged project team who are already progressing towards a full resource consent package, and referral of the project could enable lodgement of a substantive application within a few months to ensure the continued efficient operation of the Act.		
Minister invites comments	<i>You must copy the application to, and invite written comments from [s17(1)]:</i> a. Waikato District Council, Waikato Regional Council b. Minister for the Environment c. Relevant portfolio Ministers: The Associate Minister for Housing d. Relevant administering agencies: The Department of Conservation and the Ministry for the Environment e. The Māori groups identified in Attachment 3	<i>The Minister may also copy the application to, and invite written comments from, any other person [s17(5)].</i> a. Hamilton City Council (HCC), because the project is in close proximity to HCC's territorial boundary and Waikato District Council has recommended that the project land be transferred to HCC's jurisdiction, and HCC can advise on whether this is a matter which may affect project delivery b. Waka Kotahi (NZTA) because the project proposes a new transport network including intersections and an upgrade to State Highway 23 (which connects to the project site), and NZTA can advise on whether there are any matters which may adversely affect project delivery c. Future Proof Committee (FPC) because of ongoing discussions regarding the revised Brymer masterplan, and FPC can advise on whether there are any matters affecting project delivery.	<i>The Minister may request further information about a referral application from the applicant, the relevant local authorities, or the relevant administering agencies to be provided within the time frame specified in the request.</i> Applicant: further information on whether any interests shown on the records of title for the project site could adversely affect the ability to undertake the proposed works. In particular, the registered mortgages to Brymer Ridge Limited.
Recommendations			Minister's decision
a. Note that section 25 of the Act permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.			Noted
b. Note that you have not yet provided the application to, nor sought any comments on it from, the parties listed in section 17(1) but that you are required to do so if you do not decline the application under section 21 of the Act.			Noted
c. Note that section 17(5) of the Act permits you to forward an application to, and invite written comments from, any other person.			Noted
d. Note that if comments have been sought and provided within the required time frame you are required to consider it, along with the referral application, before deciding to decline the application.			Noted
e. Note that section 20 of the Act permits you to request further information from the applicant or relevant local authorities or relevant administering agencies at any time before you decide whether to accept or decline an application.			Noted
f. Agree to progress the Brymer Project to our Stage 2 analysis (invitation to comment and s 18 report stage).			Yes / No
g. Agree to provide the application to, and invite comments from: a. Waikato District Council, Waikato Regional Council as relevant local authorities b. The Minister for the Environment and the Associate Minister for Housing as relevant portfolio Ministers: c. The Department of Conservation and the Ministry for the Environment as relevant administering agencies d. The Māori groups identified in Attachment 3			Yes / No
h. Agree to provide the application to and invite comments from the following additional entities/persons under section 17(5): Hamilton City Council, NZTA, Future Proof Committee			Yes / No
i. Agree to seek further information from the applicant on whether any interests on the records of title may adversely affect project delivery			Yes / No

j. Note that you have agreed to delegate to the Secretary for the Environment your responsibility to send all correspondence other than to Ministers	Noted
k. Sign and send the attached letters to Ministers.	

Signed:

Hon Chris Bishop
Minister for Infrastructure

Date:

Attachment 1: Statutory framework summary

Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Man Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. Give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. Comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at this initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area:
 - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.

Attachment 2: Application documents for Brymer Project (see File Exchange)

Attachment 3: List of the Māori groups referred to in section 18(2)

Name of group	Type of group (section of Act)
Te Whakakitenga o Waikato	Iwi authority (s18(2)(a)); Treaty settlement entity – Waikato Raupatu Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngāti Hauā Iwi Trust	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāti Hauā Claims Settlement Act 2014 (s18(2)(a))
Waikato Raupatu River Trust	Treaty settlement entity – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a))
Waikato River Authority	Treaty settlement entity – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a))
Ngaati Maahanga	Any other Māori groups with relevant interests (s18(2)(k))
Ngaati Hourua	Any other Māori groups with relevant interests (s18(2)(k))