



FTAA-2508-1092: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 1 decisions

Project Name: Te Kowhai East

Date submitted:	20 August 2025	Tracking #: BRF-6699	
Security level:	In-Confidence	MfE priority:	Urgent

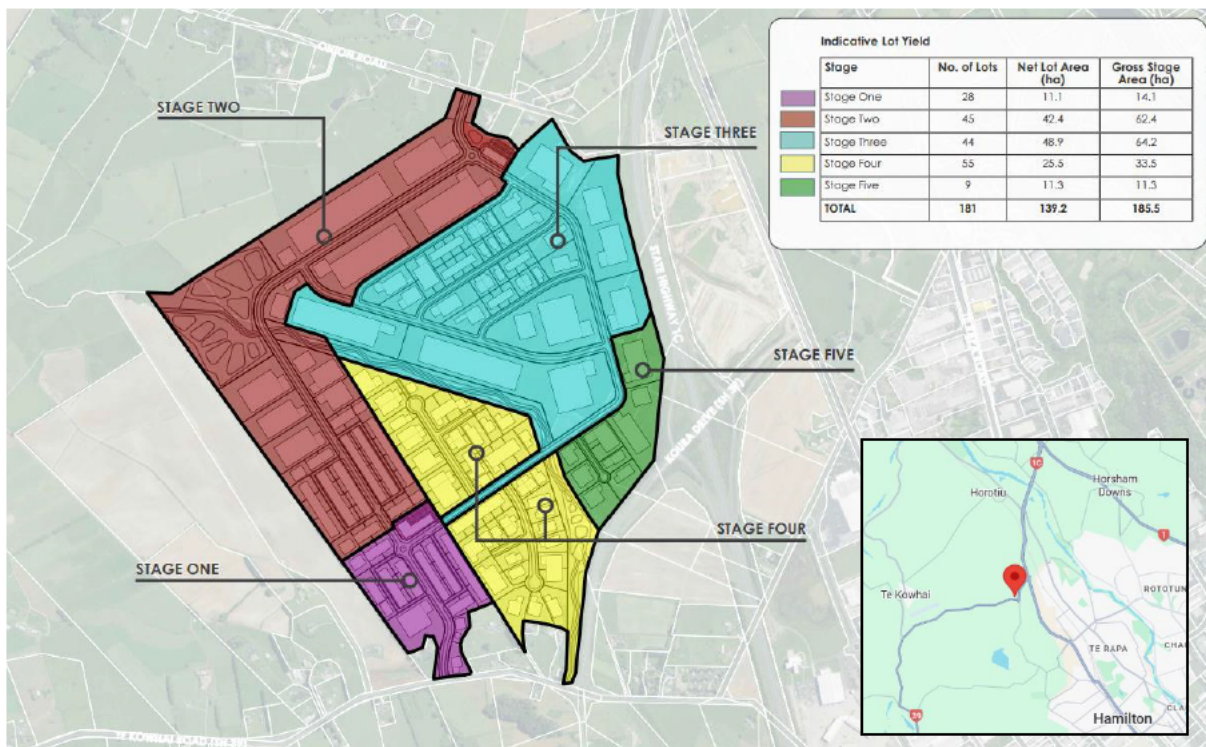
	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decisions on recommendations in Table A	28 August 2025

Actions for Minister's Office staff	Return the signed briefing to MfE – email to: FTAreferrals@mfe.govt.nz Send email to Ministers to invite written comments
Number of appendices: 3	Appendices: 1. Statutory framework summary 2. Application documents for the Te Kowhai East project (in File Exchange) 3. List of the Māori groups referred to in section 18(2)

Ministry for the Environment contacts:

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

Project location



Key messages

1. This briefing seeks your initial decisions on an application from Te Kowhai East Limited Partnership (the applicant) to refer the Te Kowhai East 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 the referral application.
2. The project involves the development of approximately 186 hectares of rural land into a large-scale industrial and commercial precinct near Hamilton, Waikato. The project includes associated infrastructure, land modification, and environmental management works to support the establishment of industrial and commercial activities.
3. The project comprises:
 - a. industrial land use activities across 128 hectares
 - b. commercial land use activities over 2 hectares
 - c. subdivision of approximately 174 hectares of land over three construction stages
 - d. earthworks including cut-to-fill and cleanfill operations
 - e. stormwater discharge into the Mangaheka Stream and associated infrastructure
 - f. surface and groundwater abstraction for potable supply and construction activities

- g. watercourse diversions, including infilling of artificial channels and floodplain areas
 - h. construction of culverts and realignment of stream
 - i. bed disturbance associated with watercourse enhancement
 - j. land use changes and soil disturbance on contaminated land
 - k. an intersection upgrade between State Highway 39 and Onion Road.
4. The project will require the proposed approvals under specified Acts:
 - a. resource consents under the Resource Management Act 1991
 - b. wildlife authority under the Wildlife Act 1953.
 5. The project involves a prohibited activity under both the *Operative* and *Operative in Part* versions of the Waikato District Plan – specifically, the subdivision of land resulting in additional allotments containing high-quality soils, where the parent allotment held a Certificate of Title prior to 6 December 1997.
 6. The Integrated Transport Assessment provided in Appendix 11 of the application has identified that intersection upgrades between State Highway 39 and Onion Road are required to service the project. As a result, we recommend inviting the Chief Executive of NZ Transport Agency Waka Kotahi and the Associate Minister of Transport to comment under section 17.
 7. The project area identified in the application is located adjacent to, but outside, the boundary of Hamilton City Council (HCC). The applicant states engagement is underway with HCC’s Strategic Growth and District Planning Committee to assess potential engineering servicing options that would enable connection to the broader HCC municipal water network. Water and wastewater connections to external infrastructure remain subject to final agreement with HCC. The Three Waters Assessment in Appendix 12 of the application identifies multiple options for both supply and discharge. As HCC is not a relevant local authority under the Act, we recommend inviting the Chief Executive of HCC to comment on the project under section 17(5).
 8. We have undertaken initial analysis of the referral application, and this is presented along with our considerations and recommendations in Table A.
 9. 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.
 10. 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: relevant local authorities, the Minister for the Environment and relevant portfolio Ministers, 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 Table A.
 11. We recommend that you invite written comments from the Chief Executive of Hamilton City Council, the Chief Executive of NZ Transport Agency Waka Kotahi, the Minister for Regional Development, and the Minister for Economic Growth as additional persons under section 17(5) of the Act.

12. We recommend that under section 20 you request further information from the applicant, the relevant local authorities, and the Department of Conservation in their capacity as a relevant administering agency, as detailed in Table A.

Action sought

13. Please indicate your decisions on the recommendations in Table A.

Signature

A handwritten signature in black ink, consisting of a large, stylized 'I' followed by a horizontal line that tapers to the right.

Ilana Miller
General Manager – Delivery and Operations

Table A: Stage 1 analysis

Project details	Project Name	Applicant	Project Location			
	Te Kowhai East	Te Kowhai East Limited Partnership The applicant is a registered limited partnership and is eligible to apply for the proposed approvals.	Approximately 184 hectares of land at 248 Te Kowhai Road, 270 Te Kowhai Road and 30 Mathers Road, Waikato Region			
Project description	<p>The project involves the development of approximately 186 hectares of rural land into a large-scale industrial and commercial precinct. The project includes associated infrastructure, land modification, and environmental management works to support the establishment of industrial and commercial activities.</p> <p>The project comprises:</p> <ol style="list-style-type: none"> industrial activities across 128 hectares commercial activities over 2 hectares subdivision of approximately 174 hectares of land over three construction stages earthworks including cut-to-fill and cleanfill operations stormwater discharge into the Mangaheka Stream and associated infrastructure surface and groundwater abstraction for potable supply and construction activities watercourse diversions, including infilling of artificial channels and floodplain areas construction of culverts and realignment of stream bed disturbance associated with watercourse enhancement land use changes and soil disturbance on contaminated land an intersection upgrade on State Highway 39. 					
Consultation undertaken	As required by s11, the applicant has consulted with:					
	<i>Relevant local authorities</i>	<i>Relevant iwi authorities, hapu and Treaty settlement entities</i>	<i>Relevant MACA groups</i>	<i>Ngā hapū o Ngāti Porou</i>	<i>Relevant administering agencies</i>	<i>Holder of land to be exchanged</i>
	<ul style="list-style-type: none"> Waikato District Council Waikato Regional Council 	<ul style="list-style-type: none"> Ngaati Tamaiunapo Ngaati Wairere Ngaati Reko – Waikeri Marae Ngaa Uri o Maahanga Waikato-Tainui 	N/A	N/A	<ul style="list-style-type: none"> Ministry for the Environment Department of Conservation 	N/A
Section 22 assessment criteria						
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<p>You may consider any of the following matters, or any other matters the Minister considers relevant.</p> <p>The applicant considers that the project, being a 186-hectare large-scale industrial and commercial precinct, is a development project that would have significant regional benefits under section 22(1)(a) of the Act, for the reasons outlined below.</p> <p><i>The project has been identified as a priority project in a central or local government, or sector plan or strategy or a central government infrastructure priority list [s22(2)(a)(i)]</i> The applicant states that the project area is identified within the Hamilton City Council's Long Term Metro Spatial Plan. Future Proof Partners have recognised Te Kowhai East as an area for investigation to satisfy the wider Waikato industrial land shortfall as part of Hamilton City Council's 'Emerging Area' Process. The application includes a letter of engagement from Hamilton City Council.</p> <p><i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant considers that the spine road through the site provides resiliency to the regional transport network by enabling an alternate arterial route between the primary transport interchanges of Horotiu and Te Kowhai (SH39), which will reduce reliance on SH1.</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant anticipates the project will generate significant economic benefits, as outlined Economic Impact Assessment (EIA) provided with the application, which estimates the construction phase will support approximately 5,115 full-time equivalent (FTE) jobs and contribute \$619 million to GDP. The EIA also considers the 'ongoing operation' of the industrial and retail aspect of the development will contribute \$10.0 billion in GDP and support approximately 4,160 FTE jobs per annum, resulting in a net addition of approximately \$619.6 million to GDP and support approximately 4,155 FTE jobs per annum, when compared to the base case. The EIA further considers this will have a net present value of approximately \$10.0 billion (estimated over a 30-year period with a discount rate applied at 5% per annum).</p> <p><i>Will support primary industries, including aquaculture [s22(2)(a)(v)]</i> While the project does not involve aquaculture activities, the applicant considers that by delivering 137 net hectares of business-zoned land, the project will enable the establishment of businesses that support and strengthen the primary industries across the greater Waikato Region.</p>					

	<p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i> The applicant considers that the project will minimise energy consumption and carbon emissions through a compact urban form and an integrated multi-modal transport network. The project area's proximity to existing and planned employment hubs in Te Rapa, Rotokauri, Te Rapa North, and Horotiu – along with accessible walking and cycling connections – will encourage sustainable commuting patterns. The applicant considers this locational advantage is expected to significantly reduce carbon emissions compared to industrial development in more remote areas. Additionally, the applicant considers the stormwater management system has been designed with climate change resilience in mind.</p> <p><i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant considers the development responds to the principles of the Mangaheka Integrated Catchment Management Plan, which focuses on the health of the Waipa River. The applicant also considers the project will address ecological issues and protection of indigenous habitat, in particular black mudfish.</p> <p><i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> While the applicant considers the project area is identified as a Priority Development Area in the Northern Corridor of the Hamilton-Waikato Metro Spatial Plan, they note it has not been recognised for urbanisation in the Spatial Plan or the Waikato District Plan.</p>		
<p>Referring the project to the fast-track approvals process [section 22(1)(b)]</p>	<p><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 states that the fast-track approvals process is expected to significantly accelerate the commencement of development, particularly when compared to the alternative option of lodging a private plan change under the RMA. According to the applicant, plan changes required to enable development on rural-zoned land typically take between four to five years to progress through the standard RMA process. The applicant further notes that, because the project is located within the Waikato District Council but intends to rely on infrastructure managed by the adjacent Hamilton City Council, the conventional RMA pathway could result in even longer delays. Additionally, the applicant considers that the cost of preparing and lodging a substantive fast-track application is likely to be considerably lower than the combined expenses associated with a boundary adjustment, plan change, and the subsequent development and subdivision consents required under the current RMA framework.</p> <p>The fast-track approvals process would likely facilitate the project, including in a more timely and cost-effective way than under the normal processes for this project which requires multiple resource consents approvals under the RMA and Wildlife Authority approval under the Wildlife Act 1953.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> Based on the information provided by the applicant, the project is unlikely to materially affect the efficient operation of the fast-track approvals process. The applicant considers that the application has been developed with the engagement of technical experts and in collaboration with relevant territorial authorities.</p>		
<p>Minister invites comments</p>	<p><i>You must copy the application to, and invite written comments from [s17(1)]:</i></p> <p>a. Relevant local authorities:</p> <ul style="list-style-type: none"> • Waikato District Council • Waikato Regional Council <p>b. The Minister for the Environment</p> <p>c. Other relevant portfolio Ministers (and their relevance to the project):</p> <ul style="list-style-type: none"> • The Associate Minister of Transport, as delegated by the Minister of Housing – as the project involves changes to the state highway network, specifically intersection upgrades between State Highway 39 and Onion Road • The Minister of Climate Change – as the project claims it will support climate change mitigation, including the reduction of greenhouse gas emissions <p>d. Relevant administering agencies:</p> <ul style="list-style-type: none"> • Ministry for the Environment • Department of Conservation <p>e. The Māori groups identified in Appendix 3</p>	<p><i>You may copy the application to, and invite written comments from, any other person [s17(5)]:</i></p> <p>We recommend you invite comments from the following additional persons/entities (with their relevance to the project):</p> <ul style="list-style-type: none"> • The Chief Executive of Hamilton City Council – as the applicant proposes to utilise HCC's public infrastructure to service the project. Note: HCC is not a relevant local authority under the Act, as the project area lies adjacent to the HCC boundary and not within it. • The Chief Executive of NZ Transport Agency Waka Kotahi – as the project involves changes to the state highway network, specifically intersection upgrades between State Highway 39 and Onion Road. • The Minister for Regional Development • The Minister for Economic Growth 	<p><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></p> <p><i>We recommend a specified timeframe of 20 working days, as the further information requests are relatively straightforward. This time frame also aligns with the comment period under section 17, ensuring consistency and efficiency in the process.</i></p> <p>We recommend you request the following further information from:</p> <ul style="list-style-type: none"> • The applicant - whether there are any interests/instruments on the Records of Title for the project area that would affect the applicant's ability to undertake the works, including the details of the Consent Notice registered on Lot 1 DP 546273 • Waikato District Council and Waikato Regional Council in their capacity as relevant local authorities - whether they consider the project would have significant regional or national benefits, and in that context, whether they have any high-level comments on alignment with their relevant plans, policies, and/or strategies • The Department of Conservation in their capacity as a relevant administering agency – whether the interest "Subject to Part IVA of the Conservation Act 1987" recorded on multiple Record of Titles for the project area would affect the applicant's ability to undertake the works, or whether this interest triggers any additional approvals or requirements that have not been identified in the application.
<p>Recommendations</p>		<p>Minister's decision</p>	
<p>a. Note that section 25 of the Act permits you to decline the referral application without inviting comments from the relevant local authorities, the Minister for the Environment, any relevant portfolio Ministers, any relevant administering agencies, and the Māori groups identified in the list in Appendix 3.</p>		<p>Noted</p>	
<p>b. Note that you have not yet provided the application to, nor sought any written 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.</p>		<p>Noted</p>	

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 Te Kowhai East project to our Stage 2 analysis (invite written comments and request section 18 Treaty report).	Yes / No
g. Agree to provide the application to, and invite written comments under section 17(1) from: <ul style="list-style-type: none"> i. Waikato District Council and Waikato Regional Council as the relevant local authorities under section 17(1)(a) ii. The Minister for the Environment under section 17(1)(b) iii. The other relevant portfolio Ministers under section 17(1)(b), specifically: <ul style="list-style-type: none"> – The Associate Minister of Transport – The Minister of Climate Change iv. Ministry for the Environment and the Department of Conservation (DOC) as the relevant administering agencies under section 17(1)(c) v. Māori groups identified in Appendix 3 under section 17(1)(d) vi. Any parties you are required to invite comments from under section 17(1)(d) and (e) who may be subsequently identified 	Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No
h. Agree to provide the application to and invite written comments from the following additional entities/persons under section 17(5): <ul style="list-style-type: none"> i. The Chief Executive of Hamilton City Council ii. The Chief Executive of NZ Transport Agency Waka Kotahi iii. The Minister for Regional Development iv. The Minister for Economic Growth 	Yes / No Yes / No Yes / No Yes / No
i. Agree to seek further information from the applicant, the relevant local authorities, and DOC in their capacity as a relevant administering agency: <ul style="list-style-type: none"> i. The applicant – whether there are any interests/instruments on the Records of Title for the project area that would affect the applicant's ability to undertake the works ii. Waikato District Council & Waikato Regional Council in their capacity as relevant local authorities – comments on whether they consider the project would have significant regional or national benefits, and in that context, whether they have any high-level comments on the project's alignment with their respective plans, policies, and/or strategies iii. DOC in their capacity as a relevant administering agency – whether the interest "<i>Subject to Part IVA of the Conservation Act 1987</i>" recorded on multiple Record of Titles for the project area would affect the applicant's ability to undertake the works, or whether this interest triggers any additional approvals. 	Yes / No Yes / No 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. Agree to send the email to Ministers inviting them to provide written comments	Yes / No

Signed:

Hon Chris Bishop
Minister for Infrastructure

Date:

Appendix 1: 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 Mana 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 s17(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.

Appendix 2: Application documents for Te Kowhai East project: (in File Exchange)

Appendix 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)); iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements (s18(2)(j))
Waikato River Authority	Treaty settlement entity – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a))
Ngaati Maahanga/Nгаа Uri o Maahanga	Any other Māori groups with relevant interests (s18(2)(k))
Ngaati Hourua	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Reko	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Wairere	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Tamainupō	Any other Māori groups with relevant interests (s18(2)(k))
Te Haa o te Whenua o Kirikiriroa (THaWK)	Any other Māori groups with relevant interests (s18(2)(k))