

Referral application form to use for the fast-track process

Under the Fast-track Approvals Act 2024

About this referral application

This referral application form has been approved by the Secretary for the Environment in accordance with the fast-track approvals process of the Fast-track Approvals Act 2024 (the Act). All referral applications under the Act must be submitted using this form.

We recommend you discuss your referral application and the information requirements with us before you lodge the referral application. Please contact the Fast-track support team on 0800 327 875 or email info@fasttrack.govt.nz

Please provide a general level of detail in your application; sufficient to inform the Minister's decision on the referral application.

You must use this form to apply for referral applications and complete all relevant fields, even where you provide supporting attachments that are more detailed. Include attachment or appendix numbers in the relevant fields and list the attachments in section 5 of this form.

If the required information and relevant supporting material is not provided, the application will be returned to you as incomplete.

If your application is determined to be complete, and the Ministry for the Environment (MfE) considers that your project may be capable of satisfying the assessment criteria and does not appear to involve an ineligible activity, and you have paid all related fees, charges and/or levies, then we will provide it to the Minister for Infrastructure (the Minister).

Unless the Minister decides to decline the application before doing so, the Minister will invite comments on the application from relevant local authorities, Ministers, administering agencies, identified Māori groups, owners of Māori land in the project area and any other person the Minister decides is appropriate. The Minister may also request further information from you, the relevant local authorities, or relevant administering agencies before making a decision on the referral application.

If the Minister accepts your referral application, then you may lodge a substantive application with the EPA and the substantive application may be considered by a decision-making panel.

Application fees and Cost recovery

Under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations), applicants lodging a referral application are required to pay a fee (deposit) of \$12,000 (plus GST), and a levy of \$6,700 (plus GST) to the Environmental Protection Authority (EPA). The fees are set in

Schedule 1 of the Regulations. These fees must be paid before lodgement of your referral application. If the required amount is not paid the application will be returned as incomplete.

Please note the final costs payable at the referral stage may exceed the referral application fee (deposit) paid. More information about cost recovery under the Fast-track Approvals Act 2024 is available from [Fast-track approvals cost recovery process](#).

Submitting your application

You will need to submit this form through our digital Fast-track portal. You will need to receive a link to register/access the portal.

If you need any help with the form, you can call or email us:

- 0800 327 875 (0800 FASTRK) (from within New Zealand)
- email: info@fasttrack.govt.nz

How to send your completed form to us

Use the application portal – you will need to receive a link to register/access: [Fast-track website](#)

Your personal information

The Ministry for the Environment (MfE) is collecting your personal information for the purpose of administering your referral application under the Fast-track Approvals Act 2024. We will only use the information for the purposes of contacting you in relation to this application.

MfE may provide your application, or details from your application to other agencies or local authorities for the purpose of administering your referral application. If your application is accepted as complete and progresses through the referral process, the Minister may consult with other agencies and groups on your application. This will require the Minister to share the details of your application with the EPA, the Panel Convener, and those groups.

We will store your personal information securely. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would like to access your personal information, or have it corrected, please contact us at referrals@fasttrack.govt.nz

Official information

All information you provide with this application is subject to the Official Information Act 1982 and may be released in accordance with that Act.

Publishing your application

We intend to publish your referral application on the Fast-track Approvals website.

Any personal contact details in application documents will not be made publicly available. Please provide a copy of the application with all personal contact details redacted.

MfE may also redact certain information from publication in accordance with the Official Information Act 1992. If you think your application contains information which should be withheld, please clearly identify it and provide an explanation as to why it should be withheld.

Section 1: Applicant details

A person or persons may apply to use the fast-track process for a project. Where there is more than one person, the referral application must be lodged jointly by all of the persons who are proposed to be authorised persons for the project.

If the referral application is accepted and referred by the Minister, the person or persons who lodged the referral application will be specified as the person who is, or the persons who are, authorised to lodge a substantive application for the project.

1.1 Applicant(s) – repeat for all applicants

1.1.1 Organisation name: Te Kowhai East Limited Partnership

1.1.2 NZBN (optional):

1.1.3 Contact name: GD Jones

1.1.4 Phone: s 9(2)(a)

1.1.5 Email address: s 9(2)(a)

1.1.6 Postal address (if preferred method of contact):

1.2 Agent acting on behalf of applicant (if applicable)

1.2.1 Organisation name:

1.2.2 Contact name:

1.2.3 Phone:

1.2.4 Email address:

1.2.5 Postal address (if preferred method of contact):

1.3 Finance – Agent acting on behalf of applicant (if applicable)

1.3.1 Organisation name:

1.3.2 Contact name:

1.3.3 Phone:

1.3.4 Email address:

1.3.5 Postal address (if preferred method of contact):

If you are making this application on behalf of the applicant, please attach evidence that you are authorised to make this application.

1.3.6 Please direct all correspondence relating to this application (including correspondence from MfE) to:

☒ Applicant(s) GD Jones

If selecting Applicant and there is more than 1 person who lodged the referral application, please identify 1 person to receive all correspondence on behalf of all applicants.

☐ Agent for applicant

1.4.1 Compliance and enforcement history – repeat for all applicants

1.4.1 Have there been any compliance or enforcement actions taken against the applicant (or if the referral application is lodged by more than one person, any of those persons) under a specified Act definition for either ‘compliance’ or ‘enforcement’?

☐ Yes – see below ☒ No – proceed next

1.4.2 If you answered yes above, please provide a summary of the relevant legislation and provisions, and any compliance or enforcement actions, and the outcome of those actions taken under the specified Act against the applicant or applicants, if the referral is being lodged jointly.

Section 2: Referral application summary

2.1 Project name

This is the name by which the project will be known publicly. For example - avoid using street addresses, place names, company names.

2.2 Project description and location

2.2.1 Provide a description of the project and the activities it involves

The project description helps us with inviting comments from relevant parties on the application, and publishing information about the application.

Te Kowhai East is a 186HA proposed Industrial Precinct adjacent to the Te Kowhai Interchange on the Hamilton City boundary. It is currently located within Waikato District Council. Comprising a net area of 137ha of industrial land for light industrial activities, Te Kowhai East is adjacent to and anticipated to be an extension of the existing Te Rapa industrial area. Land use, subdivision, earthworks, discharge, water take and other ancillary consents to be applied for to enable the delivery of the project.

2.2.2 Provide a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application.

For example, site address(es), certificate of title(s), shape files

The site is 186HA in multiple titles, located at 248 Te Kowhai Road, 270 Te Kowhai Road and 30 Mathers Road. Certificates of title are provided in Appendix 3. Masterplan in Appendix 4. Ownership Plan in Appendix 6.

2.3 Ineligible activity

Your referral application must demonstrate that the project does not involve any ineligible activities as defined in Section 5 of the Act. Please consider each ineligible activity below and where relevant, provide the requested details.

*When providing your response below, where possible, **provide details of any parties involved, the extent of their holding and the activity relevant to their area.***

Where a project involves an activity that may be the subject of a determination under sections 23 or 24, and you are intending to seek a Ministerial determination for that activity under either section, you must still complete this section in full. Determinations under, and information required in respect of, sections 23 and 24 are covered further under 2.5 Ministerial determinations under sections 23 and 24.

If your application relates to certain mining activities below the surface of the land and meets the other relevant criteria under section 5(2) of the Act then an agreement under section 5(1)(a), (b), (j) or (k) may not be required. This should be identified under the relevant questions below, and you must provide the additional information required in respect of section 5(2) under 2.3 Ineligible activity.

2.3.1 Does the project include an activity that would occur on identified Māori land as defined in section 4 of the Act?

☐ Yes – see below ☒ No – proceed to next

a. If yes, please address the following:

i. identify the land involved and the owner(s) of the land.

ii. Confirm that the activity on the land has been agreed with the owners of

the land and provide evidence of the written agreement; or

- A. advise whether it is proposed to seek a determination under section 23 and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below; or
- B. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

2.3.2 Does the project involve an activity that would occur in a customary marine title area?

☐ Yes – see below ☒ No – proceed next

a. Address the following:

- i. Identify the relevant customary marine title area, who the customary marine title group is;
- ii. Provide evidence that written agreement has been obtained from the customary marine title group and provide a copy of the same; **or**
 - A. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

2.3.3 Does the project involve an activity that would occur in a protected customary rights area?

☐ Yes – see below ☒ No – proceed next

a. Address the following:

- i. Identify the protected customary rights area, the group who holds these rights and the nature of the protected customary right(s)
- ii. Explain your proposed activity and identify whether you consider that it would have a less than minor adverse effect on the exercise of the protected customary right(s), and briefly explain why; **or**
- iii. Advise whether you consider that your proposed activity would have a more than minor effect on the exercise of the protected customary right(s), and if so, confirm that the activity has been agreed to in writing by the protected customary rights group and provide a copy of that agreement.

2.3.4 Does the project involve an activity that would occur on:
Māori customary land; OR land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Māori Act 1993.

☐ Yes – see below ☒ No – proceed next

- 2.3.5** Does the project involve an aquaculture activity or an activity that is incompatible with aquaculture activities that would occur within an aquaculture settlement area (under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004); or an area reserved under another Treaty settlement for the aquaculture activities of a particular group?

☐ Yes – see below ☒ No – proceed next

- 2.3.6** Provide details of the aquaculture activity or the activity that is incompatible with aquaculture and the location.

- 2.3.7** Provide details of the relevant aquaculture settlement area or Treaty settlement legislation reserving space for aquaculture and include details of the impacted parties or particular group.

- 2.3.8** Provide details on whether or not the applicant is authorised to apply for a coastal permit within the aquaculture settlement area, or area reserved under another Treaty settlement for aquaculture activities, including a copy of any such authorisation.

- 2.3.9** Does the project include an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991?

☐ Yes – see below ☒ No – proceed next

- a. Provide the following information:

- i. what is the activity that would require the access arrangement; and
- ii. does the project include an activity that would occur on Crown owned land or internal waters and land of the common marine and coastal area described in Schedule 4 of that Act and provide details of the same.
- iii. If so describe how the activity meets the criteria in section 61(1A)(a-e) of the Crown Minerals Act 1991; **or**
- iv. Confirm and provide evidence that the project would not occur in an area for which a permit cannot be granted under that Act:

- 2.3.10** Does the project include an activity that would be prevented under any of sections 165J, 165M, 165Q, 165ZC, or 165ZDB (regarding the management of occupation in common marine and coastal area) of the Resource Management Act 1991?

☐ Yes – see below ☒ No – proceed next

2.3.11 Provide details about which section the project does not comply with and, if relevant, the provisions of the regional coastal plan that are applicable.

2.3.12 Does the project include an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that would occur on land that is listed in Schedule 4 of this Act?

☐ Yes – see below ☒ No – proceed next

a. Provide the following:

- i. identify the activity and which clause under Schedule 4 is applicable; and
- ii. confirm whether you are seeking that the Minister make a determination under section 24, and if so, whether the determination sought relates to existing electricity infrastructure or new electricity lines and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below.

2.3.13 Does the project involve an activity that would occur on a national reserve held under the Reserves Act 1977 and requires approval under that Act?

☐ Yes – see below ☒ No – proceed next

a. Address the following:

- i. identify the activity and type of national reserve under the Reserves Act
- ii. identify what approval(s) would be required under the Reserves Act.
- iii. Confirm whether you are seeking that the Minister make a determination under section 24 and if so whether the determination sought relates to existing electricity infrastructure or new electricity lines.? If so, provide the information under 2.5 Ministerial determinations under sections 23 and 24 below

2.3.14 Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority?

☐ Yes – see below ☒ No – proceed next

a. Address the following:

- i. identify the activity, the reserve type under the Reserves Act, and the person in whom it is vested.
- ii. provide evidence that written agreement has been obtained from the person in whom the reserve is vested and provide a copy of the same; or
- iii. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

2.3.15 Does the project involve an activity that 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?

☐ Yes – see below ☒ No – proceed next

a. Address the following:

- i. identify the activity, the reserve type under the Reserves Act, and the person or body who manages the reserve.
- ii. Provide evidence that written agreement has been obtained from the person or body responsible for managing the reserve and provide a copy of the same; **or**
- iii. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below; **or**
- iv. advise whether you consider the activity falls within the scope of section 5(5) of the Act, and provide the information under 2.3 Ineligible activity below.

2.3.16 Does the project involve an activity that is:

a. a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act?

☐ Yes – please explain ☒ No – proceed next

b. described in section 15B (Discharge of harmful substances from ships or offshore installations) of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it;

☐ Yes – please explain ☒ No – proceed next

c. prohibited by section 15C (Prohibitions in relation to radioactive waste or other radioactive matter and other waste in coastal marine area) of the Resource Management Act 1991

☐ Yes – please explain ☒ No – proceed next

2.3.17 Does the project involve a decommissioning-related activity as described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012:

☐ Yes – please explain ☒ No – proceed next

2.3.18 Does the project involve an activity undertaken for the purposes of an offshore renewable energy project?

☐ Yes – please explain ☒ No – proceed next

2.4 Exemptions from requirement to provide agreement

2.4.1 Mining activities under section 5(2)

The agreement of the relevant groups referred to under 3.5 Persons affected is not required for certain mining activities under section 5(2). If you think this might apply to your application, answer the questions below.

2.4.1.2 Is your application for an activity that is prospecting, exploration, mining or mining operations of Crown-owned minerals undertaken below the surface of any land or area?

☐ Yes –see below ☒ No – proceed next

2.4.1.3 Provide details of the activity and identify the owner and occupier of the land and any relevant details concerning the land or area (such as whether it is identified Māori land)

2.4.1.4 Explain the extent, if any to which your activity may be likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land.

2.4.1.5 Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land.

2.4.1.6 Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of any possible future use of the surface of the land, and if no such effects are anticipated, please explain why.

2.4.2 Activities on land proposed to be the subject of a land exchange

The agreement of relevant groups referred to in (subsection 5(1)(a) of the Act) is not required if section 5(5) applies. If you consider this section may be relevant to your application, complete the below.

2.4.2.1 Is the reserve on which the activity is to occur proposed to be the subject of a land exchange?

☐ Yes ☒ No

2.4.2.2 Is the reserve a Crown-owned reserve?

☐ Yes ☒ No

2.4.2.3 Are the person or persons responsible for managing the reserve in place because of a Treaty settlement?

☐ Yes ☒ No

2.4.2.4 Provide any supporting details which may be relevant for your responses to the above questions.

2.5 Ministerial determinations under sections 23 and 24

Complete this section if you wish to seek a ministerial determination under section 23 or section 24 that your project is not an ineligible activity.

2.5.1 Determination in relation to linear infrastructure on Māori land under section 23

2.5.1.1 Is your application seeking a determination under section 23 (linear infrastructure on certain identified Māori land)

☐ Yes – see below ☒ No – proceed next

Provide the following information:

2.5.1.2 Confirmation that the activity is the construction of electricity lines or land transport infrastructure (and identify which it is)

2.5.1.3 Confirmation that the above construction (or operation of) will be undertaken by a network utility operator that is a requiring authority, and that that same party is the applicant for the necessary approvals, providing details of the same.

2.5.1.4 Confirmation that the activity would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land (and identify that land)

2.5.1.5 Provide information on the rights and interests of Māori in that land

- 2.5.1.6** Provide an assessment of the effects of the activity on those Māori rights and interests and on the relevant land.

2.5.2 Determination in relation to existing electricity infrastructure under section 24(2)

- 2.5.2.1** Is your application seeking a Ministerial determination under section 24(2) (in relation to maintenance, upgrading, or continued operation of existing electricity infrastructure on certain Schedule 4 land or in a national reserve)

☐ Yes – see below ☒ No – proceed next

Provide the following information:

- 2.5.2.2** Confirmation that the activity is the maintenance, upgrading, or continued operation of existing electricity infrastructure.

- 2.5.2.3** Confirmation that the activity would occur on eligible land, as defined in section 24(3).

- 2.5.2.4** Advise whether the activity would materially increase the scale or adverse effects of the existing electricity infrastructure and provide an explanation of the same.

2.5.3 Determination in relation to new electricity lines under section 24(4)

- 2.5.3.1** Is your application seeking a determination under section 24 (the construction and operation of new electricity lines on eligible land (as defined in schedule 4 excluding land classified as a national park or listed in subsections 2, 4, 5(a), 7 or 8 of that schedule)?

☐ Yes – see below ☒ No – proceed next

Provide the following information:

- 2.5.3.2** Is the activity the construction and operation of new electricity lines? (provide any necessary details)

Would the activity occur on eligible land (and identify which category of eligible land);

- 2.5.3.3** Provide the requested information for each alternative site considered for the construction and operation of the new electricity lines:

2.5.3.4 A description of the alternative site.

2.5.3.5 A statement of the anticipated and known financial cost of undertaking the activity on the alternative site.

2.5.3.6 A description of the anticipated and known adverse effects of undertaking the activity on the alternative site.

2.5.3.7 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 on the alternative site.

2.5.3.8 A description of any issues (including financial cost) that would make it impractical to undertake the activity on the alternative site.

2.5.3.9 An assessment of whether it would be reasonable and practical to undertake the activity on the alternative site, considering the matters referred to above.

2.6 Appropriateness for fast-track approvals process

Here you must explain how the project meets the referral application criteria ([section 22](#)). Please consider and respond where relevant, to each question.

If the project is planned to proceed in stages, you must explain how each stage meets the referral application criteria.

If a part of the project is proposed as an alternative project, you must explain how each stage meets the referral application criteria,

2.6.1 The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria:

The project is regionally significant for the following reasons:

- The project will also help to address significant medium and long term industrial land supply insufficiency identified in the 2024 Housing and Business Capacity Assessment undertaken by Future Proof.
- The project is strategically located and will contribute to a well-functioning urban environment due to creating jobs in close proximity to large residential growth nodes, with multi modal access.
- Economic Impact Assessment estimates 5,115 FTE and \$619m GDP impact in the construction phase.
- Economic Impact Assessment estimates 4,1160 FTE per annum and \$10.0 billion GDP in the ongoing operations phase.
- The project will have a positive impact on the health of the Waipa River catchment. Enhancing of the natural environment by retiring farmland and rehabilitating natural watercourses that traverse the site, combined with a

design outcome that appropriately manages stormwater to address natural hazard matters as identified in the Mangaheka Integrated Catchment Management Plan.

- 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.
- Integration of mana whenua values through ongoing engagement with protection of taonga species, cultural design, cultural protocols and partnerships.

2.6.2 Explain how referring the project to the fast-track approvals process:

2.6.2.1 Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and

The Fast Track Approvals process will significantly speed up the start time for development, compared to a private plan change process under the current Resource Management Act 1991 (RMA). Plan changes to consent development on rural zoned land can typically take 4-5 years. As the project sits within Waikato District Council but proposes to use infrastructure from bordering Hamilton City Council, this process could take longer under the current RMA.

- The cost to undertake a Substantive Fast Track Application can be significantly less than collectively a potential boundary transfer, plan change, and development & subdivision consents under the current RMA processes.

2.6.2.2 Is unlikely to materially affect the efficient operation of the fast-track approvals process

The application has been developed with the engagement of technical experts, and in collaboration with relevant territorial authorities. There is no reason to expect that the Fast Track Approvals process will not be efficient.

2.6.2.3 Has the project 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?

For example – a sector plan that specifically identifies the project including details such as location.

- ☒ Yes – see below ☐ No – proceed next

a. Identify the plan, strategy or list (or any other relevant document).

The subject site is identified within the Hamilton City Council Long Term Metro Spatial Plan. Future Proof Partners have recognised TKE as an area for investigation to satisfy the wider Waikato industrial land shortfall as part of HCC's 'Emerging Area' Process. HCC have provided a letter of engagement with the application. See appendix 21.

2.6.2.4 Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure?

- ☒ Yes – see below ☐ No – proceed next

a. Explain how the project will deliver this.

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.

2.6.2.5 Will the project 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). If yes, explain how the project will achieve this.

In consultation with Future Proof Partners, no housing is proposed for the site.

2.6.2.6 Will the project deliver significant economic benefits, and if so, how?

Economic Impact Assessment estimates 5,115 FTE and \$619m GDP impact in the construction phase.

Economic Impact Assessment estimates 4,1160 FTE per annum and \$10.0 billion GDP in the ongoing operations phase. Full explanation of economic benefits can be found in Appendix 15 - Economic Impact Assessment.

2.6.2.7 Will the project support primary industries, including aquaculture, and if so, how?

By delivering 137 net hectares of business land, the businesses operating from the TKE Site will

support the primary industries in the greater Waikato region. The Project does not involve any aquaculture activity.

2.6.2.8 Will the project support development of natural resources, including minerals and petroleum, and if so, how?

No

2.6.2.9 Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?

The Project will minimise energy and carbon use through compact urban form and multi-modal transportation network. The Project is in proximity and with walking and cycling connections available to existing and proposed employment areas in Te Rapa, Rotokauri, Te Rapa North and Horotiu. This will have a positive effect in reducing carbon emissions in comparison to industrial growth in areas located further away from existing employment and mass housing. The stormwater management system will include climate change factors in its design. See appendix 7 - Urban Design Statement.

2.6.2.10 Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?

No

2.6.2.11 Will the project address significant environmental issues, and if so, how?

The development responds to the principles of the Mangaheka Integrated Catchment Management Plan, which ultimately focuses on the health of the Waipa River. See appendix 12 - Three Waters Assessment. The project also considers the ecological issues and protection of indigenous habitat, in particular black mudfish. See appendix 16 - Ecological Assessment. A full assessment against the National Environmental Standards is provided in Appendix 18.

2.6.2.12 Is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?

The project area is identified in the Hamilton Metro Spatial plan northern corridor, however it has not been recognised for urbanisation in the Future Proof spatial plan or Waikato District Council Operative District Plan.

Section 3: Project details

Remember: at this stage only a general level of detail is required, enough to inform eligibility to use the fast-track approvals process.

For construction activities, please state the anticipated commencement and completion dates.

January 2027 - 2037

3.1 Approvals required

Applications must specify all of the proposed approvals sought but only need to provide a general level of detail about each proposed approval, sufficient to inform the Minister's decision on the referral application.

For each proposed approval an applicant must be eligible to apply for any corresponding approval under a specified Act. For example, if an approval is for a notice of requirement under the RMA, the applicant for that approval would need to be a requiring authority.

Applications for approvals under a specified Act, as required by in [section 13\(4\)\(y\)](#), are covered below in 3.8 Specific proposed approvals.

3.1.1 Outline the approvals sought under the Resource Management Act 1991.

Appendix 9 - Planning Approvals List outlines the approvals sought and their current activity status. Approvals include:

- Land Use – primarily industrial activity with 2 small commercial nodes
- Subdivision
- Earthworks
- Stormwater discharge
- Water Take Allocation – Waikato River
- Water Take – bore
- Diversion – filling of artificial drains
- Diversion – filling in flood plain.

3.1.2 Outline the approvals sought under the Conservation Act 1987

Not applicable

3.1.3 Outline the approvals sought under the Reserves Act 1977

Not applicable

3.1.4 Outline the approvals sought under the Wildlife Act 1953

Wildlife Act Authority from DOC to salvage lizard populations across the development site may be required should further investigations identify lizard habitat.

3.1.5 Outline the approvals sought under the National Parks Act 1980

Not applicable

3.1.6 Outline the approvals sought under the Heritage New Zealand Pouhere Taonga Act 2014

Not applicable

3.1.7 Outline the approvals sought under the Freshwater Fisheries Regulations 1983

Not applicable

3.1.8 Outline the approvals sought under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Not applicable

3.1.9 Outline the approvals sought under the Crown Minerals Act 1991

Not applicable

3.1.10 Outline the approvals sought under the Public Works Act 1981

Not applicable

3.1.11 *Only applicable if more than one applicant:* Provide a statement of which approvals are proposed to be held by which applicant.

Not applicable

3.1.12 Where there are any particular eligibility requirements to apply for an above approval; identify what they are, who the relevant applicant is, and confirm that the relevant applicant meets those requirements (including providing any necessary supporting information or documentation to evidence this).

Not applicable

3.1.13 Are there any other types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) and you consider are needed to authorise the project (including any that may be needed by someone other than you as the applicant(s)). Provide details on whether these have been obtained.

Not applicable

3.2 Project stages

3.2.1 If the project is planned to proceed in stages, provide:

1. A statement of whether the project is planned to proceed in stages, including:
 - a. an outline of the nature, scale and timing of the stages; and
 - b. a statement of whether you intend to lodge a separate substantive application for each of the stages.
 - i. If a substantive application is intended to be lodged for each stage, address the questions under the section (Appropriateness for fast-track approvals process) for each stage of the project

The project is not expected to be staged in the Fast Track consenting process.

3.3 Alternative project

3.3.1 If the project is proposed as an alternative project, provide:

1. A statement of whether a part of the project is proposed as an alternative project in itself; and
 - a. Describe that part of the project; and
 - b. Explain how that part of the project proposed as an alternative project meets the referral assessment criteria in section 22 of the Act.

Not applicable

3.4 Adverse effects

3.4.1 Describe any anticipated and known adverse effects of the project on the environment.

- The proposal will not generate significant adverse environmental effects, as any adverse effects on the environment will be appropriately avoided, remedied or mitigated to be minor or less than minor in nature.
- The baseline state of the site is a dairy farm of fragmentation and limited productivity that is assessed to not remain economically viable in the long term. Enhancing of the natural environment by retiring the farmland and rehabilitating natural watercourses that traverse the site will be a positive environmental outcome.
- Furthermore, it is considered that any baseline of environmental effects should consider that industrial growth needs to occur somewhere. TKE is located adjacent to the expressway interchange and existing built form or zoned urbanisation areas. Therefore, it is likely to have at least the same, or less adverse environmental affects, than other land areas considered for industrial growth.
- The key potential adverse effects are addressed in general below and should be reviewed in conjunction with the supporting technical expert appendices accompanying this application.
- Visual and Character effects – changing the site from farmland to industrial use will have a significant visual impact, however this impact is consistent with the urbanised form around it. There is urbanisation on 3 sides of the property and the industrial built form of the proposal will appear as a natural extension of the surrounding urban land use. The character effect on the western rural boundary will be mitigated with a landscape buffer strip.
- Emissions effect – changing from dairy use to industrial urbanisation is likely to create increased emissions. However, this must be taken in context of other options for industrial greenfield growth. Hamilton is a compact city, with the site only 8km from the Hamilton CBD. The site is adjacent to Te Rapa which is the primary industrial node in Hamilton. This means there will be agglomeration benefits, and reduced transportation distances compared with other options. Additionally, the site is located next to significant planned residential nodes. An efficient public transport network has been designed to provide opportunity for reduced emissions in employee transport to and from the site.
- Ecological effects – Ecological Assessment concludes that: With thorough assessment of ecological values and the implementation of suitable actions to avoid, remedy, mitigate and if necessary, offset significant adverse effects the TKE Site is suitable for inclusion as a specific future growth cell of Hamilton.
- Ecological mitigations include:
 - o Improving connectivity of stream habitat through the removal of farm culverts.
 - o Improving the connectivity along the highly modified section of stream by undertaking riparian restoration.
 - o Undertaking development in a manner that reduces stormwater erosion effects within the Site and downstream.
 - o Protect and restore, where possible, the highly modified stream section.
 - o Identify and where possible protect and restore key black mudfish habitat.
- Construction effects – sediment and erosion, dust and noise effects will all be mitigated with construction management plans and undertaking earthworks in the summer months to reduce effects.
- Contaminated Land – The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES:CS') sets a nationally consistent set of planning controls and soil contaminant values. In the substantive application a Preliminary Site Investigation and

Detailed Site Investigation ('PSI/DSI') will be undertaken for the site. Its likely that consent for a Controlled activity under Regulation 9(3) or Restricted Discretionary activity under Regulation 10(2) of the Operative Waikato District Plan, depending on final tests of soil contamination levels created from the previous normal farming practices undertaken on the Site.

- Transportation effects – the Integrated Transport Assessment has identified that an intersection upgrade will be required on SH39 to service stages 2-4 of the project. This upgrade is likely to create adverse effects during the construction period. This will be managed via a Construction Transport Management Plan.
- A full assessment against the National Environment Standards is provided in Appendix 18.

3.4.2 Provide a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991, and identify the relevant prohibited activity provision.

Subdivision of land resulting in more than 2 additional allotments containing high quality soils from any allotment with a Certificate of Title prior to 6 December 1997 is a prohibited activity under Rule 25.5(d) of the Operative Waikato District Plan.

3.5 Persons affected

3.5.1 Provide a list of the persons, groups and/or entities who you consider are likely to be affected by the project.

The list should include, as relevant, local authorities, relevant Māori groups (as set out at section 13(4)(j)(ii)-(vii) of the Fast-track Approvals Act 2024), persons with a registered interest in land that may need to be acquired under the Public Works Act 198; and if the project includes a land exchange, the holder of an interest in the land that is to be exchanged by the Crown (see Consultation requirements for referral application).

Relevant local authorities:

- Waikato District Council (WDC)
- Waikato Regional Council (WRC)
- Hamilton City Council (HCC)
- Waka Kotahi (NZTA)

Iwi authorities:

- Ngaati Tamaiunapo
- Ngaati Wairere
- Ngaati Reko - Waikeri Marae
- Ngaa Uri o Maahanga
- Waikato-Tainui

National Administering Agencies:

Ministry for Environment

Department of Conservation

3.5.2 Provide a summary of any consultation undertaken with the above persons and/or groups who you consider are likely to be affected by the project, and any other groups required to be consulted with under section 11 of the Act, and how the consultation has informed the project.

- Consultation with relevant territorial authorities HCC, WDC, WRC, NZTA has been ongoing for the past 3 years through various forums including: Hamilton Urban Growth Strategy Update, Future Proof Strategy, HCC Emerging Areas Process, and HCC/ WDC CCO/waters investigations, WRC Water Take Consent.
- Working Group has been established for Tangata and Mana Whenua consultation, and various hui have commenced and/or are scheduled.
- Following extensive engagement with HCC, a focus only on industrial land use, has been agreed by the parties.
- Engagement with HCC and WDC on the development of water and wastewater servicing options.
- Project design to incorporate cultural elements in conjunction with ongoing consultation with Tangata and Mana Whenua.
- TKE has undertaken pre-application consultation with DoC, MfE and Heritage New Zealand Pouhere Taonga. The outcome of these consultations has been:
 - Ecological protocols and Wildlife Permit have been refined through consultation with DoC.
 - Assessment of Environmental Standards have been refined through consultation with MfE.
 - Confirmation that Archaeological Authority not required through consultation with Heritage New Zealand Pouhere Taonga.
- More detailed consultation descriptions are provided in Appendix 10 - Consultation.

3.5.3 List any Treaty settlements that apply to the project area and provide a summary of the relevant principles and provisions in those settlements.

- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and arising from this is Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy

3.5.4 If relevant, detail any principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that would be invoked by the project and identify which aspects of the application trigger or otherwise invoke these requirements.

Not applicable

3.5.5 Will the project be located on land returned under a Treaty settlement?

☐ Yes – see below ☒ No – proceed next

3.5.6 Provide evidence of written agreement by the owners of the land returned.

3.5.7 Describe any processes already undertaken under the Public Works Act 1981 in relation to the project:

Not applicable

3.5.8 Provide information identifying any parcels of Māori land, marae, or identified wāhi tapu within the project area:

Not applicable

3.6 Legal interests

3.6.1 Provide a description of any legal interests you or any others applying, have in the

land on which the project will occur, including a statement of how that affects your ability to undertake the work.

- Te Kowhai East LP is the sole applicant.
- Te Kowhai East LP owns 136ha of the 186ha TKE site.
- Thelma Murray owns 35ha of the site and this application is lodged with support of the landowner. Te Kowhai East LP holds an unconditional agreement to purchase the Murray land with the intention to develop it in the future.
- Empire Corporation Limited, an affiliate of Porter Group, owns 14ha of the site and this application is lodged with support of the landowner.

3.7 Other matters

- 3.7.1** Have any activities included in the project, or any that are substantially the same as those involved in the project, previously been the subject of an application or a decision under a specified Act?

Please note the term 'application' includes a notice of requirement and any other means by which a decision may be sought under a specified Act.

☒ Yes – see below ☐ No – proceed next

3.7.2 If an application has been made, provide details of the application.

Application to Schedule 2B in original Fast Track Approvals Bill in 2024.

3.7.3 If a decision has been made, also provide the outcome of the decision and the reasons for it.

The project was accepted on 2B High Priority List, however schedule 2B was subsequently removed from the Fast Track Approvals Bill.

3.7.4 Provide a description of whether and how the project would be affected by climate change and natural hazards:

A small area of the site of around 5HA is shown as a Flood Plain in the Council Maps. This will be addressed through design in the stormwater management plan.

Provide the additional details requested below as relevant to your application.

3.8 Specific proposed approvals

3.8.1 Approvals under the Resource Management Act 1991

3.8.1.1 Resource consents

If your application is seeking a consent for an activity that would otherwise be applied for under the Resource Management Act 1991, including an activity that is prohibited under the Act, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.

Refer to appendix 18 - National Policy and National Environmental Standards Assessment

- Information on whether, to the best of your knowledge, there are any existing resource consents relevant to the project site to which RMA section 124C(1)(c) (existing consent would need to expire to enable the approval to be exercised) or RMA section 165Z1 (space already occupied by the holder of an aquaculture permit) would apply if the approval were to be applied for as a resource consent under that Act

Not applicable

3.8.1.2 Resource consents where the project includes standard freshwater fisheries activities

If your application is seeking a resource consent and your project includes a standard freshwater fisheries activity, provide the information requested below:

COMMERCIAL

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.

Not applicable

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

Not applicable

3.8.1.3 Designations

If your application is seeking 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, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards, or, if relevant, the New Zealand Coastal Policy Statement.

Not applicable

3.8.1.4 Designations where the project includes a standard freshwater fisheries activity

If your application is seeking a designation or an alteration to an existing designation and your project includes a standard freshwater fisheries activity, provide the information requested below:

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.

Not applicable

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

Not applicable

3.8.1.5 Change or cancellation of conditions

If your application is seeking a change or cancellation of resource consent condition that would otherwise be applied for under the Resource Management Act 1991, provide:

- Information about whether the change or cancellation of the condition is material to the implementation or delivery of the project.

Not applicable

3.8.1.6 Certificates of compliance

If your application is seeking a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991, provide:

information that demonstrates the activity that the certificate of compliance is intended to cover can be done lawfully in the location without a resource consent.

Not applicable

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

3.8.2.1 Concessions

For applications seeking a concession that include a lease, answer the following:

- Will the lease be for a term (including any renewals that will, or is likely to, be more than 50 years?)
☐ Yes – see below ☐ No – proceed next
- Will the granting of the lease trigger a right of first refusal or a right of offer or return?
☐ Yes – see below ☐ No – proceed next
 - If you answered yes to both a. and b. above, provide evidence that the applicant has written agreement from the holder(s) of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.

Not applicable - application does not include a lease

3.8.2.2 Land exchanges

For applications seeking an approval for a land exchange involving conservation land, provide the details below:

- A description of both land areas proposed for exchange (for example, maps showing areas and location, addresses and legal descriptions where possible)
Not applicable
- The financial value of the land proposed to be acquired by the Crown
Not applicable
- A brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate.
Not applicable
- If the land exchange would trigger a right of first refusal or a right of offer or return, provide evidence 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
Not applicable
- Provide sufficient detail in respect of both land areas to confirm that no part of any land to be exchanged by the Crown is land listed in Schedule 4 or a reserve declared to be a national reserve under section 13 of the Reserves Act 1977.
Not applicable

3.8.3 Approvals relating to complex Freshwater Fisheries activities

If your application is seeking an approval or 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 provide the information requested below:

- Whether an in-stream structure is proposed (including formal notification of any dam or diversion structure), and a description of the extent to which this may impede fish passage.

Not applicable

- Whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

Not applicable

3.8.4 Approvals relating to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

If your application is seeking a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf Act 2012, provide the information requested below:

- Any information relating to whether the Minister for Conservation is an affected person.

Not applicable

- If the applicant or the proposed holder of the marine consent has already applied for a consent under the EEZ Act in relation to the project, provide:

- Details of any application made;
- An explanation of any decisions made on that application; and
- Any information that Minister may consider under section 22(6) (comparison of activity against current or likely use of the area).

Not applicable

- Additional information (in a summary form) about compliance or enforcement action taken against the applicant or the person who is identified in the application as the proposed holder of the marine consent by the EPA under the EEZ Act.

Not applicable

3.8.5 Approvals relating to Crown Minerals Act 1991

3.8.5.1 *Access arrangements*

For an approval for an access arrangement that would otherwise be applied for under section 61 or 61B of the Crown Minerals Act 1991, provide:

- Information that confirms the applicant or the person identified in the application as the proposed holder of the access arrangement complies 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) including;
 - Evidence that the applicant or person has provided each owner and occupier of the relevant land a notice in writing of their intention to obtain an access arrangement; and

- Evidence that the notice complies with the requirements in section 59(2) of the Crown Minerals Act, and any matters required by regulations. =

Not applicable

3.8.5.2 Mining permits

For an approval for a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991, provide the information requested below:

- 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.
Not applicable
- The name and contact details of the proposed permit participants and the proposed permit operator.
Not applicable
- A proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both.
Not applicable
- Evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme.
Not applicable
- Information about the proposed permit holder's history of compliance with mining or similar permits and their conditions.
Not applicable
- The proposed date on which the substantive application is intended to be lodged (if your referral application is accepted) in accordance with section 42(11).
Not applicable
- If the authorised person proposes to provide information under section 37 (to the relevant chief executive), the date on which the person intends to provide that information.
Not applicable
- The proposed duration of the permit.
Not applicable

3.8.5.3 Mining permits for petroleum

If the proposed approvals include a mining permit for petroleum, provide:

- 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.
Not applicable

COMMERCIAL

- The resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System.

Not applicable

- A high-level overview of the following:
 - the proposed field development plan;
 - the proposed date for the commencement of petroleum production;
 - the economic model for the project;
 - the proposed duration of the proposed mining permit and;
 - decommissioning plans.

Not applicable

3.8.5.4 Mining permits for minerals other than petroleum

If the proposed approvals include a mining permit for minerals other than petroleum, provide:

- 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.

Not applicable

- For minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted

Not applicable

- Information on whether the application will be for a Tier 1 or Tier 2 permit.

Not applicable

- 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). 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.

Not applicable

- An indicative mine plan.

Not applicable

- A high-level overview of the following:
 - the proposed mining method;
 - the proposed date for the commencement of mining and estimated annual production;
 - the economic model for the project;
 - the status of or anticipated timing for completing any pre-feasibility or feasibility studies;
 - the proposed methods for processing mined material and handling and treating waste and;
 - anticipated plans for mine closure and rehabilitation.

Not applicable

Section 4: Authorisation

To the best of my knowledge, the information contained in this application is true and correct.

- ☒ I confirm that I am authorised to make this application.
- ☒ I have provided a copy of the application with all contact details redacted.
- ☒ I understand that all actual and reasonable costs incurred in relation to this application by MfE, EPA and other central and local government agencies will be recovered from me in accordance with section 104 of the Act, and the Fast-track Approvals Cost Recovery Regulations 2025.

Signature: **GD Jones** Digitally signed by GD Jones
Date: 2025.08.02 21:33:01
+12'00' **Date: 2/08/2025**

Name: GD Jones

Section 5: Attachments

List any documents submitted with the application.

- Remember: include a copy of your application with all contact details redacted.

Attachment number	Document name	Author	Document version
Appendix 1	Project Introduction	Te Kowhai East LP	1
Appendix 2	Assessment Section 13 clause 4 of Act	Te Kowhai East LP	1
Appendix 3	Certificates of Title	LINZ	1
Appendix 4	Masterplan	Adapt Studio	1
Appendix 5	Sub-staging plan	Adapt Studio	1
Appendix 6	Ownership Plan	Adapt Studio	1
Appendix 7	Urban Design Statement	Adapt Studio	1
Appendix 8	Transport Site and Wider Connections Plan	Te Kowhai East LP	1
Appendix 9	Planning Approvals List	Te Kowhai East LP	1
Appendix 10	Consultation Memo	Te Kowhai East LP	1
Appendix 11	Integrated Transport Assessment	CKL	1
Appendix 12	Three Waters Assessment	Maven Associates	1
Appendix 13	Geo-technical Assessment	CMW	1
Appendix 14	Hydrogeology Assessment	WGA	1
Appendix 15	Economic Impact Assessment	Urban Economics	1
Appendix 16	Ecological Assessment	Ecological Solutions	1
Appendix 17	Black Mudfish Survey	Ecological Solutions	1
Appendix 18	National Policy Statement and National	Te Kowhai East LP	1
Appendix 19	Highly Productive Land Legal Opinion	The Environmental Lawyers	1
Appendix 20	Rural Production HPL Assessment	AgFirst	1
Appendix 21	Hamilton City Council Letter of Engagement	Hamilton City Council	1
Appendix 22	DoC Pre Lodgement Consultation	Department of Conservation	1
Appendix 23	MfE Pre Lodgement Consultation	Ministry for Environment	1
Appendix 24	Heritage New Zealand Pre Lodgement Consultation	Heritage New Zealand	1
Cover Letter	Applicant Cover Letter	Te Kowhai East LP	1
Application	Referral Application	Te Kowhai East LP	1

Referral application checklist

Use this checklist to confirm you have completed all sections of the referral application form.

Section 1: Applicant details	☒
1.2 & 1.3 Agent's evidence of authority to represent the applicant(s) - if applicable	☒
1.4 Compliance and enforcement history	☒
Section 2: Referral application summary	☒
2.1 Project name	☒
2.2 Project description and location	☒
2.3 Ineligible activity	☒
2.4 Exemptions from requirement to provide agreement	☒
2.5 Ministerial determinations under sections 23 and 24	☒
2.6 Appropriateness for fast-track approvals process	☒
Section 3: Project details	☒
3.1 Approvals required	☒
3.2 Project stages	☒
3.3 Alternative project	☒
3.4 Adverse effects	☒
3.5 Persons affected	☒
3.6 Legal interest	☒
3.7 Other matters	☒
3.8 Specific proposed approvals	☒
Section 4: Authorisation	☒
Section 5: Attachments	☒