MINUTE 2 OF THE PANEL CONVENER
Convener Conference

Te Kowhai East [FTAA-2608-1286]

11 November 2026

[1] Te Kowhai East Limited Partnership seeks approvals in respect of the subdivision and development of approximately 186 hectares of rural land located at 248 Te Kowhai Road, 270 Te Kowhai Road, and 30 Mathers Road in the Waikato District, to establish a large-scale industrial and commercial precinct. The project includes associated infrastructure, land modification, and works to support the establishment of industrial and commercial activities.

[2] A conference will be held on **23 November 2026 at 10:30am**. A MS Teams invite will shortly be sent.

[3] The purpose of this conference is to gather participant views on matters arising in relation to the application filed under the Fast-track Approvals Act 2024. Your views will inform two decisions that I must make as panel convener regarding:

(a) the appointment of panel members;[1]
(b) the timing of the panel decision.[2]

Participants at the panel convener's conference

[4] The following persons[3] are invited to attend the conference:

(a) The authorised person or applicant – Te Kowhai East Limited Partnership;
(b) The relevant iwi authorities and relevant Treaty settlement entity (see

[1] FTAA, schedule 3
[2] FTAA, section 79
[3] These people are referred to as 'statutory participants' in the Guidance Note.

Schedule 2).[4]

(c) Relevant local authorities – Waikato Regional Council and Waikato District Council.

(d) Hamilton City Council – an adjacent local authority with responsibility for infrastructure on which the Application relies.

(e) The relevant administering agency – the Department of Conservation.

Timeframe for a decision

[5] The Panel Convener decides the appropriate timeframe for release of the decision on the application, having had regard to the scale, nature, and complexity of the approvals sought (among other matters).[5] Complexity is in part a function of the issues that arise on this application.

Matters relevant to timeframe

[6] At the conference participants are invited to:

(a) Identify any significant gaps in information provided with the Application;

(b) Comment on the extent of engagement by the Applicant both before and following lodgement of the Application;

(c) Describe the complexity of the Application;

(d) Identify the principal environmental effects and the principal issues likely to be in contention or other disputed matters relevant to the Application and the panel's decision;

(e) Propose, or record where agreed, efficient processes to enable the panel to understand, resolve or narrow/reduce the scope of any such issues and indicate how these processes may be accounted for in the decision timeframe;

(f) State whether the drafting of proposed conditions for the approvals sought (including any draft management plan filed) is accepted and, to

---

[4] FTAA, ss 18(2)(a). Section 7 states, relevantly, all persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—
the obligations arising under existing Treaty settlements. The panel must invite iwi authorities and the Treaty settlement entities and adjacent landowners and occupiers to comment on the application. The panel may also invite other Māori groups with a relevant interest to comment.

[5] FTAA, section 79.

the extent that it is not accepted, indicate the areas of dispute and the likely effort and time needed to resolve those matters;

(g) Identify any changes made since lodgement or in the process of being made to the Application since lodgement, including any new or supplementary reports and draft conditions;

(h) Indicate the number of working days, following receipt of comments, that the participant considers should be allowed for the panel to make its decision.

[7] It is anticipated that the local authorities will obtain input from planning and technical advisors to identify the likely issues. However, an assessment of merits is not required at this stage. For information about cost recovery, please refer to the EPA's cost-recovery policy (details below).

Composition of the Panel

[8] I will be seeking the participants' views on the skills, knowledge, and expertise required for persons to be appointed to the panel.

[9] However, participants should note that, by virtue of clause 5, Schedule 3 of the FTAA and the Joint Management Agreement in place between Waikato-Tainui and the relevant local authorities under the Waikato River settlement legislation[6], the Waikato River Authority and the Waikato Regional Council have equal panel appointment rights in respect of this Application. They must also jointly appoint a chair to the panel in addition to their own appointees.

[10] In light of these arrangements, the panel convener has no ability to appoint additional panel members. I will, however, be facilitating the appointment process and offering some observations on the expertise required. Following the conference, I will make a formal request to both the WRA and WRC for their nominations/appointees.

Preparation

[11] I ask that participants take the time to consider the range of matters set out in

---

[6] Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

Schedule 1 and come prepared to discuss them.

[12] Participants may find useful the Guidance Note to the practices and processes under the FTAA. It is found here.

Accessibility and recording of the panel convener's conference

[13] The conference will be held remotely, with access provided to participants. The conference will be recorded, and a copy of the recording will be made available on the fast-track website.

[14] The application documents can be viewed on the fast-track website Substantive application.

Cost recovery

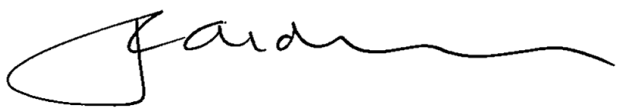
[15] Cost recovery for participation in fast-track processes is determined by the FTAA and the Fast-track Approvals (Cost Recovery) Regulations 2025.

[16] Costs for preparing and attending this conference are described in the policy. For information on costs recovery, the link to the policy is found here.

Directions

[17] I make the following directions:

(a) The participants are to file a written response to the matters set out in this Minute, including Schedule 1 (attached)
(b) Written responses and confirmation of attendance are to be filed by Tuesday 17 November 2026.



Jennifer Caldwell
Panel convener for the purpose of the Fast-track Approvals Act 2024

Schedule 1 – Matters to consider when preparing for conference

Approvals

[1] The number and range of approvals sought.

Complexity

[2] The level of complexity will have a bearing on the appropriate frame for decision making and may include:

(a) Legal Complexity: novel or difficult legal issues -
  (i) involve untested law or interpretation of statute;
  (ii) involve application for multiple approvals;
  (iii) interface with two or more statutes; and
  (iv) engage constitutional law and public law.

(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence -
  (i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and
  (ii) often involve technical or scientific analysis.

(c) Factual Complexity: arises from the volume and nature of evidence -
  (i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and
  (ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.

Issues

[3] In addition to the matters noted in the Minute, describe:

(a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.

(b) if the application concerns an activity the same or similar to one previously lodged with a consent authority, state how requests for

information pursuant to section 92 of the RMA have been addressed in this application.

(c) any statutory process that coincides with the 30-working day period (if proposed).[7]

Mātauranga and tikanga

[5] Iwi authorities and Treaty settlement entities are invited to discuss:

(a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur;

(b) seek guidance on any requirement to protect sensitive information.

Panel membership

[4] Consider:

(a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3.[8]

(b) whether there are factors that warrant the appointment of more than four panel members, such as:

(i) the circumstances unique to a particular district or region; or

(ii) the number of applications that have to be considered in that particular district or region; or

(iii) the nature and scale of the application under consideration; or

(iv) matters unique to any relevant iwi participation legislation.

Procedural requirements

[6] Consider and prepare to indicate:

---

[7] The 30-working day period under s 79(1)(b) includes the 5 working day period for an applicant to respond to comments (s 55); the unspecified period for participants to comment on proposed conditions (s 70); a 10 working day period for government ministers to comment on a decision (s 72).

[8] FTAA, schedule 3, cl 3(7).

(a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).
(b) the timing of expert conferencing or wānanga;
(c) the referral of two or more participants or topics to mediation;
(d) the requirement for any form of hearing process including:
    (i) disputed facts or opinions;
    (ii) proposed conditions; or
    (iii) legal issues.

Anything else?

[7] Is there any other information needed to decide time frames or panel composition?

Schedule 2: Persons invited to attend the conference

The following relevant iwi authorities and relevant Treaty settlement entities[9] invited to attend the conference:

- Te Whakakitenga o Waikato, representing Waikato-Tainui
- Ngāti Hauā Iwi Trust, representing Ngāti Hauā.
- Te Whakakitenga o Waikato, representing Waikato-Tainui, as PSGE for the Waikato Raupatu Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010;
- Waikato Raupatu River Trust, as recognised in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, and party to co-management arrangements in that settlement;
- Waikato River Authority, a statutory body established under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010; and
- Ngāti Hauā Iwi Trust, representing Ngāti Hauā, as PSGE for the Ngāti Hauā Claims Settlement Act 2014.

Copy to: Other Māori groups with relevant interests[10] (not invited to the conference)

- Ngaati Maahanga/Ngaa Uri o Maahanga (hapū of Waikato-Tainui);
- Ngaati Hourua (hapū of Waikato-Tainui);
- Ngāti Reko (hapū of Waikato-Tainui);
- Ngāti Wairere (hapū of Waikato-Tainui);
- Ngāti Tamainupō (hapū of Waikato-Tainui);
- Te Haa o te Whenua o Kirikiriroa (collective representing Ngaati Maahanga, Ngāti Tamainupō, Ngāti Korokī Kahukura, and Ngāti Hauā).

---

[9] FTAA, ss 18(2)(a). Section 7 states, relevantly, all persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—
the obligations arising under existing Treaty settlements. The panel must invite iwi authorities and the Treaty settlement entities and adjacent landowners and occupiers to comment on the application. The panel may also invite other Māori groups with a relevant interest to comment.

[10] FTAA, s 18(2)(k)