WAIRAKEI SOUTH PROJECT
FTAA-2605-1227

UNDER	the Fast-track Approvals Act 2024
IN THE MATTER	of an application by **BELL ROAD LIMITED PARTNERSHIP** for resource consents, a wildlife approval and an archaeological authority for the Wairakei South development in Pāpāmoa, Tauranga
	BELL ROAD LIMITED PARTNERSHIP
	Applicant

MEMORANDUM OF COUNSEL FOR APPLICANT IN RESPONSE TO MINUTE 7 OF THE PANEL CONVENER

DATED 11 NOVEMBER 2026

THE ENVIRONMENTAL LAWYERS

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MAY IT PLEASE THE CONVENER:

Introduction

1. On behalf of Bell Road Limited Partnership ("BRLP"),[1] this memorandum responds to Minute 7 of the Panel Convener ("Convener") dated 6 November 2026 ("Minute"). In the Minute, the Convener:

   (a) Advised that the Panel appointed to determine the applications under the Act will comprise Gerald Lanning (Chair), Greg Hill and Kyle Christensen;

   (b) Proposed a Panel appointment date of 23 November 2026 and that the Panel commence work on 30 November 2026;

   (c) Proposed fixing the timeframe within which the Panel must issue its decision on the applications at 80 working days following the receipt of comments on the application;

   (d) Noted that if the Panel issued invitations to comment by 14 December 2026, that would mean the Panel's decision would be due no later than 28 May 2027; and

   (e) Directed that any comments on the Panel's proposed commencement date be provided to the EPA no later than 5pm on 11 November 2026.

2. As directed, the following provides BRLP's comments on the Panel's proposed commencement date, together with the proposed decision-making timeframe.

Proposed panel commencement date

3. As recorded in the Minute (at [4]):

   (a) BRLP will have completed the further stormwater modelling work required by Bay of Plenty Regional Council ("BOPRC") by the week commencing 14 December 2026;

   (b) BOPRC will have completed its review of the updated water quality data it was provided by BRLP by 16 November 2026; and

   (c) It has been agreed between BRLP and BOPRC that all other outstanding matters raised by BOPRC regarding the application (including BOPRC's assessment of the stormwater and flooding effects following completion of the further stormwater modelling work and work on conditions) can be progressed via BOPRC providing comments on the application (when invited to do so), as necessary.

4. As far as BRLP is aware, there is accordingly nothing preventing the Panel being appointed as of 13 November 2026 and commencing work on 20 November 2026. The timetable from there would then be:

   (a) **4 December 2026**: Invitations to comment must be issued;

   (b) **22 January 2027**: Responses to invitations to comment must be received; and

[1] Being the applicant for various authorisations under the Fast-track Approvals Act 2024 ("Act") for the Wairakei South project ("applications").

(c) **29 January 2027**: BRLP must provide any response to the comments received.

5. This would still leave BOPRC with three working weeks (excluding the Christmas shutdown period) with the outcome of the further modelling work available, in which to prepare its comments on the application. BRLP considers that such a timetable for issuing and responding to invitations to comment is more than reasonable and fair, given:

   (a) The time that has already elapsed since the substantive application was lodged on 19 May 2026; and

   (b) How familiar BOPRC (and all other participants) already are with the application.

6. BRLP accordingly respectfully requests that the Panel be appointed now and required to commence its work by 20 November 2026 at the latest.

Proposed timeframe for decision

7. BRLP also respectfully requests that the timeframe for the Panel to issue a decision on the application under section 53 of the Act be amended to 50 (rather than the proposed 80) working days after the date specified for receiving comments. If comments were due on 22 January 2027 (as per [4(b)] above), this would mean the Panel's decision would be due by 15 April 2027 at the latest.

8. As recorded in the Minute (at [6]), over the last few months, BRLP has worked constructively with BOPRC and other participants to ensure the Panel can progress with its decision making as efficiently as possible. That has included continuing discussions and information exchange between the participants, as well as convening two days of expert conferencing on 19 and 20 October 2026 respectively. While further work is being carried out to finalise the stormwater and flooding-related workstreams, this can (and will) be completed before the end of year break.

9. As a result, BRLP considers that the amount of time the Panel requires to make its decision should have significantly reduced from that anticipated following the initial Convener conference held on 23 July 2026. If a 90 working day timeframe was being considered at that point,[2] the volume of work and progress made since then should appropriately be reflected in much more than a 10-working day reduction from that starting point.

Concluding comments

10. We trust the above is of assistance to the Convener. Both counsel and BRLP are grateful for your consideration of this matter and are available to discuss the above further at short notice, should that be useful. BRLP also specifically notes and records is appreciation for the quality of the Panel that has been engaged to determine the application.

DATED at Auckland this 11st day of November 2026



H C Andrews
Counsel for Bell Road Limited Partnership

[2] As indicated at [26] of the Convener's Minute 3, dated 5 August 2026.