

**UNDER**

the Fast-track Approvals Act 2024

**AND**

**IN THE MATTER OF**

an application by CCKV Maitai Dev Co LP for  
resource consents for the Maitahi Village  
Project – FTAA-2502 1009

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**MEMORANDUM OF COUNSEL FOR SAVE THE MAITAI INC**

**9 September 2025**

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**SALLY GEPP KC**  
BARRISTER

**MAY IT PLEASE THE PANEL**

1. Counsel refer to the Panel's Minute 14, titled "Application by Save the Maitai Inc for Panel to create record of online meetings".
2. Counsel's Memorandum dated 28 August 2025 has been misconstrued. At the time of filing the Memorandum, counsel were unaware that the Panel did not have minutes or a recording of its two online meetings with PDP. That was not apparent from the EPA's communications, which stated only that no report had been received from PDP. It does not follow that there would be no contemporaneous recording or minutes.
3. The Memorandum requested that "a record of the Panel's meetings with PDP be made available". The inference that counsel were seeking to have the Panel create an *ex post facto* record is not properly drawn.
4. Counsel record for completeness that they maintain that the duty in cl 10(5) of Schedule 2 FTAA to keep a full record of the Panel's proceedings:
  - a. applies to online meetings with technical advisors, such as PDP, that have been appointed to assist the Panel (Minute 9 refers); and
  - b. is not limited to aspects of the proceeding that involve a decision;
  - c. is not overridden by the Panel's power to regulate its own procedure as it thinks appropriate (cl 10(1)) or the s 10 duty to take all practicable steps to use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions, duties, or powers being performed or exercised.



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Sally Gepp KC / Shoshona Galbreath  
Counsel for Save the Maitai Inc