**BEFORE THE EXPERT PANEL UNDER THE FAST-TRACK APPROVALS ACT 2024**

**IN THE MATTER** of a substantive application by Te Awamutu Developments Limited for resource consent for the Harlow Lifestyle Village project, being a project referred under section 26(2)(a) of the Fast-track Approvals Act 2024

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# MEMORANDUM ON BEHALF OF THE APPLICANT
# [FTAA-2507-1084]
# 30 OCTOBER 2026

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## Introduction

1. Te Awamutu Developments Limited (**TADL**) is seeking resource consents (the **Application**) under the Fast-track Approvals Act 2024 (the **FTAA**) for a retirement village and senior living project (the **Project**). The Project was referred by the Minister for Infrastructure under s 26(2)(a) of the FTAA.

2. This Memorandum supports the lodgement of the Application, and is intended to assist the Panel Convener to undertake her statutory functions, and assist the Panel in its consideration of the Application. It outlines the relevant statutory framework and the key matters the Panel will need to consider.[1]

3. The Memorandum accompanies the Project's Substantive Application Report for Approvals and Assessment of Environmental Effects (the **SAR**), prepared by Bloxam Burnett & Olliver (**BBO**), which provides the complete assessment of the Project and its effects against the requirements in the FTAA, supported by 14 technical reports addressing the effects of the Project in detail.

4. Our overarching submission is that the Panel has before it the information required to grant the Application, and that the Project meets the purpose of the FTAA and satisfies the relevant statutory tests. The benefits of the Project are substantial and enduring for the Waikato region, addressing its critical need for aged care and housing capacity. The Project provides substantial economic benefits, will deliver significant social benefits by enabling those who want or need to live in a retirement village or aged care facility to remain close to their existing community, and will result in environmental benefits in the form of improvements to the biodiversity values at the site.

5. The Memorandum provides:

   (a) A short overview of the Project and the approvals sought;

[1] Consistent with the Fast-Track Approvals Act 2024: Panel Conveners' Practice and Procedure Guidance, paragraph 4.1(b).

(b) An overview of the legal framework for decision-making; and

(c) Other matters relevant to the Panel Convener and Expert Panel.

**Overview of the Project**

6. The Project involves the development of a community for senior living in Te Awamutu, providing approximately 414 dwellings or units (including single-storey houses, duplex units, and apartments), and a 100-bed care facility. The development will also feature communal facilities and a neighbourhood centre, riparian planting, wetland restoration, three waters services infrastructure, and transport infrastructure with multimodal connections. The Project is designed to cater specifically to an ageing population, addressing a critical need for retirement housing and care capacity.

7. The Project will occur on a 25.78 hectare site at 2025 Ohaupo Road, Te Awamutu, Waikato (the **Site**), and include works within the Ohaupo Road (State Highway 3) road reserve to construct a new intersection. The Site is located at the edge of the Te Awamutu urban area, within the Rural Zone as identified in the Waipā District Plan.

8. The Project will also involve bulk earthworks, construction of three waters infrastructure, physical construction of the built form outcomes, and ecological restoration.

9. The Project was recognised by the Fast-track Projects Advisory Group in 2024 as a 'high priority' project within the housing and land development sector.[2] In our submission, the 'priority' that should be attributed to this Project has only increased since 2024, with the release of the Ministerial Advisory Group Report on Aged Care in New Zealand highlighting that New Zealand's aged care system

[2] Fast-Track Projects Advisory Group, Report to Ministers (17 August 2025).

is “already under strain”, and that “the gaps are already starting to show, and we cannot afford to watch them widen before we take action”.[3] That report noted that a key part of the necessary response is to “support older people to stay at home for longer”.[4] This Project addresses that requirement directly.

*Approvals sought*

10. The Application seeks approvals which would otherwise be resource consents applied for under the Resource Management Act 1991 (the **RMA**).[5] These are identified as the following:

Waipā District Council consents:

(a) Subdivision consents – for the staged fee simple and unit title subdivision to facilitate the retirement village, including lots for residential units, community and care facilities, roads, pump stations, infrastructure, and reserves.

(b) Land-use consents – for activities proposed across the site to establish and operate the retirement village and other associated land-use activities that are not anticipated within the rural zone.

Waikato Regional Council consents:

(c) Water permit – for a temporary groundwater take associated with construction dewatering for the proposed stormwater ponds, wastewater infrastructure, and earthworks; and a temporary groundwater take for dust suppression from an existing bore.

3 ‘A Place to Grow Old: Securing the future of aged care” The Ministerial Advisory Group Report on Aged Care in New Zealand, 17 August 2026, page 4.

4 Ibid.

5 FTAA, s 42(4)(a).

(d) Water permit - for a temporary surface water take associated with construction dewatering for the proposed stormwater ponds, existing farm ponds, wastewater infrastructure, and earthworks.

(e) Water permit – to divert groundwater around permanent building platforms and retaining walls.

(f) Water permit - for temporary and permanent damming and diversion of water associated with interception with the proposed stormwater ponds, wastewater infrastructure, earthworks, permanent retaining walls and the proposed building platforms across the site.

(g) Discharge permit – for the discharge of stormwater to surface water associated with the Project's operational stormwater management system.

(h) Structure consent – for culverting and placement of stormwater discharge structures in the bed of an unnamed tributary of the Mangapiko Stream.

(i) Land-use consent – for soil disturbance, roading, tracking, vegetation clearance and riparian vegetation clearance within High-Risk Erosion Areas.

(j) Land-use consent – for the placement of cleanfill in areas outside the identified high risk erosion areas.

(k) Land-use consent - for the placement of cleanfill located within high-risk erosion areas.

(l) Consent under the National Environmental Standards for Freshwater 2020 – for restoration and maintenance of natural inland wetlands, vegetation clearance and earthworks within 10 m of a natural inland

wetland and earthworks within a natural inland wetland that result in drainage of the wetland.[6]

**Legal framework for decision-making**

11. The Project was referred by the Minister under s 26(2)(a) of the FTAA on 29 October 2025 in the Notice of Decisions on application for referral (the **Referral Notice**).[7] The FTAA sets out the legal framework applying to approvals for referred projects such as this one,[8] and the required information that must be included in the Application.[9] Addressing the second matter first, counsel confirms that all necessary information required by the FTAA has been included in the Application. This is addressed by the Application Form and checklists uploaded to the Fast-track Application Portal as part of this Application, confirming which sections of the SAR address which information requirement.

12. Under the FTAA decision-making framework, the Panel has two key tasks to undertake:

    (a) It must decide whether or not it should approve the Application; and

    (b) If it decides that the Application should be approved, it must determine what conditions should be applied to each approval.

*Deciding whether to approve the Project*

13. The FTAA is not the RMA. It adopts a different weighting exercise, and as discussed below it directs that the greatest weight must be given to the

6 We note that this includes consent for earthworks within a natural inland wetland that results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland which is a prohibited activity in accordance with Regulation 53 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

7 SAR, Appendix 3.

8 In particular, FTAA, ss 81, 82, 83, and 85, and cls 17 and 18 of Schedule 5.

9 In particular, FTAA, ss 42, 43, and cls 5 and 8 of Schedule 5.

purpose of the FTAA.

14. The Panel's scope to decline the Application is limited under the FTAA.[10] It is clear in relation to this Application that none of the mandatory grounds requiring the Panel to decline the Application are engaged. Specifically:

(a) The Project is not an ineligible activity.[11]

(b) The Project is consistent with relevant Treaty settlement obligations.[12] The SAR sets out the provisions of the treaty settlements that are relevant to the Application.[13] One Cultural Values Assessment has been received and it does not raise concerns regarding inconsistency with Treaty Settlement obligations. Our view is that the Project and its proposed condition set is consistent with the Vision and Strategy / Te Ture Whaimana for the Waikato River in that it will improve both groundwater and surface water quality in the watercourses adjacent to the Project site,[14] which will in turn improve water quality in the Waipā and Waikato Rivers.[15]

15. Turning to the discretionary grounds for decline of an Application, there are no residual adverse impacts weighing against the grant of approval for this Project that would require a proportionality assessment to be undertaken in accordance with s 85(3). As is set out in detail in the SAR, the technical effects of the Project are well understood, localised, and are assessed as appropriately managed and acceptable.[16] Accordingly, in our submission the identified

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10 A panel may only decline an approval in accordance with s 85 of the FTAA. Sections 85(1) and 85(2) identify circumstances in which a panel must decline an approval; Section 85(3) identifies when the Panel may decline an approval.

11 SAR, section 1.5.2 and Appendix 5.

12 FTAA, s 85(1)(b): The panel must decline an approval if it considers that granting the approval would breach s 7 FTAA. Section 7 requires that all persons performing and exercising functions, powers, and duties under the FTAA must act in a manner that is consistent with obligations arising under existing Treaty settlements.

13 SAR, section 8 and Appendix 27.

14 SAR, sections 6.5, 7.1, 7.7, and 8.2.

15 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (**River Settlement Act**), Schedule 2.

16 SAR, section 6.14.

landscape effect does not meet the threshold of an adverse impact weighing against approval of the Project for the purposes of s 85(3).

16. All effects are addressed through the draft consent conditions accompanying the Application.[17] In light of the conclusions reached in the Application and supporting expert reports, our submission is that there are no residual adverse impacts of the Project. This conclusion is supported by the prohibition on expert panels making a finding that the proportionality threshold is met solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a plan or proposed plan.[18]

17. Put another way, inconsistency with planning provisions in itself cannot result in a decline of approval. This is an important distinction. Parliament has intentionally separated the FTAA from conventional RMA decision-making. While planning provisions remain relevant considerations, the FTAA requires a broader assessment focused on the delivery of projects with significant regional or national benefits. The existence of planning tension does not, of itself, establish that adverse impacts are out of proportion to a project's benefits.

18. However, in the event that the Panel were to find that there is a residual adverse impact, any such impact would be **significantly** outweighed by the extent of the benefits associated with the Project. These benefits are discussed in more detail below,[19] but we note that the net quantified economic benefits alone of the Project equate to approximately $160 million of GDP.[20] Put another way, there is no matter here that is sufficiently significant to outweigh the Project's regional benefits.

19. In making its decision, the Panel is required to take a number of matters into account, including ss 5, 6, and 7 of the RMA. The Panel is required to give the

17 SAR, section 6.
18 FTAA, s 85(4).
19 At paragraphs 22(a) – (g).
20 SAR, sections 1.7.1 and 6.2.1.

greatest weight to the purpose of the FTAA, being to "facilitate the delivery of infrastructure and development projects with significant regional or national benefits".[21]

20. When considering how the Panel should go about giving the 'greatest weight' to the purpose of the FTAA, the decision by the expert panel in the Bledisloe North Wharf decision provided useful guidance, with reference to the *Enterprise Miramar* decision.[22] That decision was in the context of the Housing Accords and Special Housing Areas Act 2013, which contains similar language to the FTAA. The Bledisloe North Wharf decision states that:[23]

> *While the greatest weight is to be placed on the purpose of the FTAA, we must be careful not to rely solely on that purpose at the expense of due consideration of the other matters listed in (b) to (c) / (d): Enterprise Miramar [41].*
>
> *The clauses require us to consider the matters listed in sub-clauses (a) to (c) / (d) on an individual basis, prior to standing back and conducting an overall weighting in accordance with the specified direction: Enterprise Miramar [52] – [53]. c. The purpose of the FTAA is not logically relevant to the assessments otherwise required under the RMA, WA53 or HNZPTA. For example, assessments of environmental effects (RMA), or matters relating to protected wildlife (WA53), or historical and archaeological value (HNZPTA).*
>
> *None of those matters become irrelevant, insignificant, or less than minor simply because of the purpose of the FTAA. What changes is the weight to be placed on them - they may be outweighed by the purpose of facilitating the delivery of infrastructure and development projects*

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21 FTAA, s 3.

22 *Enterprise Miramar Peninsula Inc v Wellington City Council* [2018] NZCA 541.

23 Record of Decision of the Bledisloe North Wharf and Fergusson North Berth Extension Expert Panel [FTAA-2503-1028] (21 August 2025) at paragraphs 121(a) – (c).

*with significant regional or national benefit, or they may not: Enterprise Miramar [55].*

21. To summarise, the Panel must take into account the purpose of the FTAA and the various matters in the RMA, then weigh those factors in a way which gives the greatest weight to the purpose of the Act. In our submission, that exercise does not require the Panel to consider whether the Project achieves perfect alignment with all planning provisions, but whether, having regard to the matters identified in Schedule 5 of the FTAA and giving greatest weight to the purpose of the FTAA, the Project should be approved. This approach is supported by the draft decision of the Expert Panel in the Mt Iron Junction Fast-track matter, which stated that "it is not appropriate to conclude that an adverse effect will inherently arise just because a proposal might differ substantially from what a planning document seeks".[24]

22. The Project meets the purpose of the FTAA.[25] The Project:

(a) Is a development referred by the Minister under s 26(2)(a) of the FTAA, which strongly supports that this **is** a project that will deliver significant regional or national benefits.[26]

(b) Provides much needed residential care capacity within Te Awamutu that responds to an existing and future shortfall, in the context of New Zealand's rapidly ageing population.[27]

(c) Is estimated to contribute, over 30 years, a net quantified impact of approximately $160 million to GDP (including $95 million in wages) and 2,830 FTE-years of employment.[28] These are significant economic

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24 Record of Decision of the Mt Iron Junction Housing Scheme Expert Panel [FTAA-2602-1173] (28 September 2026) at paragraph 129.

25 SAR, section 1.8.

26 SAR, Appendix 3.

27 SAR, section 1.6.

28 SAR, at section 6.2 and Appendix 10.

benefits at a regional level which will be distributed across a wide range of industries, services, and employment opportunities.

(d) Significantly benefits the ageing population of Te Awamutu, the Waikato region, and New Zealand by offering a variety of housing options and a non-traditional mixed tenure approach that allows residents to remain within their existing community, rather than being required to relocate within the wider region.

(e) Provides not only additional housing, but critical social infrastructure that will enable older persons to continue living within their community while accessing appropriate levels of care as their needs change over time.

(f) Responds to the local, regional and national housing shortage, addressing the current and future demand for retirement living in Te Awamutu and releasing established dwellings to the wider housing market through downsizing effects, improving affordability and housing availability for families and first home buyers.[29]

(g) Will deliver net positive environmental outcomes associated with restoration and enhancement including 10,000 $m^2$ of wetland restoration, 6,000 $m^2$ of terrestrial habitat restoration and infill planting at the remnant kahikatea forest on site, which is a significant natural area.[30]

23. Other than the purpose of the FTAA, the Panel must also take into account when considering the Application parts 2, 3, 6 and 8 to 10 of the RMA that direct decision-making on an application (excluding s 104D).[31]

29 SAR, sections 1.6, 7.2, 7.6, 7.9, and Appendix 8.
30 SAR, sections 3.3, 6.8.2, 7.3, and Appendix 15.
31 FTAA, cl 17(1)(b) of Schedule 5.

24. As part of the Panel taking into account these provisions of the RMA, it must consider the relevant national policy direction.[32] However, the FTAA does make it explicit that inconsistency with national policy direction cannot be the sole basis for concluding that adverse impacts are out of proportion to benefits and declining an approval.[33] The principal national policy statements relevant to the Project are:

(a) The National Policy Statement for Urban Development (**NPS-UD**);
(b) The National Policy Statement for Freshwater Management (**NPS-FM**);
(c) The National Policy Statement for Highly Productive Land (**NPS-HPL**);
(d) The National Policy Statement for Indigenous Biodiversity (**NPS-IB**);
(e) The National Policy Statement for Natural Hazards (**NPS-NH**).

25. The SAR contains a detailed assessment of each relevant national policy statement in the context of the Project.[34] The SAR demonstrates that the Project advances many of the underlying outcomes sought by the national policy direction listed above.

26. In particular, the Project responds directly to the housing and urban development challenges that the NPS-UD was introduced to address. By increasing housing supply, broadening housing choice, and contributing to a well-functioning urban environment, the Project gives effect to Objective 1 of the NPS-UD, enabling people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, both now and in the future.[35] The Project further supports the NPS-UD's direction that planning decisions should enable a diverse range of homes that meet the needs of different households in terms of type, affordability, and location.[36]

32 FTAA, cl 17(1)(b) of Schedule 5 and RMA, Part 6.
33 FTAA, s 85(4).
34 SAR, section 7.
35 NPS-UD, Objective 1.
36 NPS-UD, Policy 1.

27. The Project meets the requirements of the exception in Clause 3.10 of the NPS-HPL[37] and responds to the NPS-FM by enhancing freshwater values through the proposed management and restoration measures, particularly in relation to wetlands.[38]

28. To summarise, the Project passes the necessary statutory tests contained in the FTAA and does not meet any of the circumstances set out in s 85 that would either require or prompt the Panel to decline the Application. As such, it is our submission that the Application must be granted.

*Resource management reform*

29. For completeness, Counsel confirms that the Application is lodged under the FTAA as amended by Parts 1 and 3 of Schedule 12 of the Planning Act 2026 (the **PA**). Clause 20 of Schedule 1 of the FTAA provides that an application seeking an approval for resource consent under s 42(4)(a) of the FTAA must be processed and determined under the RMA as in force at the time the application was made. At the time the Application is made, the RMA has been amended by Parts 1 and 2 of Schedule 12 of the PA (the **Transitional RMA**).

30. Relevant provisions of the Transitional RMA include:

> **18B Additional procedural principles**
>
> (1) This section applies to a person exercising a power or performing a function—
>
> (a) during the transition period; and
>
> (b) that relates to a decision on a resource consent or a decision or recommendation on a notice of requirement.
>
> (2) The person must take all practicable steps to—
>
> (a) ensure that all documents are succinct and use plain language that can be readily understood by the public:

37 SAR, section 7.4.

38 SAR, section 7.3.

(b) ensure that they have sufficient and necessary information to understand the implications of their decision (if any), after considering—

(i) the cost and feasibility of obtaining the information; and

(ii) the scale and significance of the matter to which the decision relates:

(c) act in a pragmatic way that supports practical solutions.

(3) This section is additional to, and does not limit, the requirements of section 18A.

(4) In this section, **transition period** has the meaning given in clause 1 of Schedule 1 of the Planning Act 2026.

**104 Consideration of applications**

…

(1A) When considering the effects of a district land use activity, a consent authority must disregard—

(a) any of the following where they relate to residential activities (except in relation to the protection of historic heritage):

(i) the area of glazing:

(ii) the presence or absence of balconies:

(iii) the outdoor living space:

(iv) the internal layout:

(v) the size of a residential unit:

(vi) the size of landscaped areas (except in relation to permeability):

(b) negative effects of development on trade competition, including on competing providers of input goods and services:

(c) effects on retail distribution:

(d) in relation to a project,—

(i) any lack of demand for the project; or

(ii) the fact that the project is not financially viable:

(e) the type of residents to be housed in a new development:

(f) views from private property.

(1B) When considering an application for a district land use consent, the consent authority may disregard a national environmental standard, a plan or proposed plan, a national policy statement, or a regional policy statement to the extent that it regulates or purports to regulate a matter described in subsection (1A).

(1C) A person who exercises a power or performs a function under this Act must not, except as provided in Schedule 1 of the Planning Act 2026, consider elements of or instruments made under that Act or the Natural Environment Act 2026 in the determination of a resource consent application or notice of requirement lodged under this Act during the transition period.

(1D) Despite subsection (1C), the consent authority must consider the extent to which its decision on a resource consent application is consistent with—

(a) any relevant decided regional spatial plan; or

(b) any relevant future development strategy published before the notification of that plan.

31. This Application is made under the Transitional RMA as amended by the relevant provisions of the PA. In particular, amended s 104 requires specified effects to be disregarded when considering a district land-use activity. The SAR has therefore not relied on, or invited assessment of, matters excluded by s 104(1A), including views from private property and the type of residents to be housed in the development.

32. The new 'procedural principles' contained in the RMA and set out above are also relevant to the processing of this Application under the FTAA.

*Deciding on appropriate conditions*

33. The Panel must decide whether to set conditions to be imposed in relation to the approval. The FTAA imports the provisions of the RMA in relation to conditions (ss 108 and 108AA of the RMA in particular), but also directs that conditions must not be more onerous than necessary to address the reason for

which it is set.[39] Panels are also able to set conditions to recognise or protect relevant Treaty settlements.[40]

34. The Applicant has proposed a robust suite of conditions set out in Appendices 28 and 29 of the SAR. Those conditions are supported by the Applicant's technical assessments and are appropriate and proportionate conditions to impose to address the effects identified. They also secure the positive outcomes identified in the SAR, including ecological restoration, landscaping, stormwater management, and long-term environmental monitoring. In some cases, conditions have been included in response to consultation with Waipā District Council and Waikato Regional Council, as has been identified in the SAR.[41]

35. When addressing the Vision and Strategy / Te Ture Whaimana of the Waikato River in the context of the Project, the Applicant has considered the views set out in the Cultural Values Assessment provided by Ngāti Apakura. Their assessment is that the ecological initiatives associated with wetlands and waterways including the stormwater management systems proposed in the Application will have "low adverse effect with opportunities for ecological enhancement and long-term environmental gain".[42] The Project is therefore consistent with the Vision and Strategy / Te Ture Whaimana of the Waikato River.

36. In summary, our submission is that the conditions proposed by the Applicant meet the requirements of ss 108 and 108AA of the RMA, are appropriate and proportionate, and are no more onerous than necessary to address the reasons why the conditions have been set. The conditions will appropriately manage the effects of the Project, to the extent that there are no adverse impacts that weigh against the grant of consents.

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39 FTAA, s 83.
40 FTAA, s 84.
41 SAR, at sections 4.6 and 4.7.
42 SAR, Appendix 23, page 23.

**Other matters**

*Panel Appointment*

37. The Application includes a stormwater discharge to an unnamed tributary that flows into the Mangapiko Stream, which then flows into the Waipā River and ultimately into the Waikato River. The definition of "Waikato River" in the River Settlement Act includes "all tributaries, streams and watercourses flowing into the part of the Waikato River described in (i), to the extent to which they are within the areas marked "A" and "B" on SO plan 409144". The Project site is within the area marked "A", meaning the Mangapiko Stream falls within the definition of the "Waikato River" for the purposes of the River Settlement Act. This Application therefore includes a point source discharge to the Waikato River, meaning that s 28 of the River Settlement Act is engaged.

38. Section 28 applies in the context of hearings held under the RMA on consent applications, and requires that the committee to hear and make a decision on the relevant application must consist of:

    (a) A number of members appointed by the Council who are Resource Management Act 1991 decision makers;

    (b) The same number of members appointed by the Waikato River Authority who must be persons whose names are recorded in the register; and

    (c) An independent chairperson jointly appointed by the Authority and the Council, who must be a Resource Management Act 1991 decision maker.[43]

[43] River Settlement Act, s 28(2).

39. There is also a requirement that the Authority and the Council discuss the persons to be appointed to the hearing committee with a view to ensuring the committee contains members with an appropriate mix of skills, expertise and experience.[44]

40. We note for completeness that a "Resource Management Act 1991 decision maker" is defined in the River Settlement Act as "a person accredited under a programme approved and notified under s 39A of the Resource Management Act 1991" and the "register" refers to the register established and maintained by the Waikato River Authority under s 25 of the River Settlement Act.

41. The Panel Convener gave effect to these provisions of the River Settlement Act in the Green Steel Fast-Track matter by taking the place of the Council in appointing panel members, and jointly appointing an independent chairperson in consultation with the Authority. We respectfully submit that the same process could be adopted in this matter. We anticipate that the Panel Convener could appoint one panel member as the council representative, the Waikato River Authority could appoint one panel member and the Chair could be appointed jointly between the two.

*Redactions*

42. TADL has provided both an unredacted version of the Application and a redacted version that is appropriate for publication on the Environmental Protection Agency website. Redactions have been carried out in relation to personal contact details.

43. Consent has been received from Apakura Rūnanga Trust to provide its Cultural Values Assessment[45] without redactions.

44 River Settlement Act, s 28(3).

45 SAR, Appendix 23.

**Conclusion**

44. This Project is a strategically significant development that will deliver substantial and enduring benefits for Te Awamutu and the Waikato region. It responds directly to the growing need for retirement living and aged-care accommodation, provides additional housing choice and capacity, and will enable older persons to remain within their community while accessing appropriate levels of care as their needs evolve.

45. The Project will also generate significant economic benefits through investment, employment and economic activity, as well as environmental benefits associated with restoration, enhancement and water quality improvements that will provide long-term positive outcomes for the receiving environment.

46. The Application is supported by a comprehensive suite of technical assessments that demonstrate the Project's effects are well understood and can be appropriately avoided, remedied or mitigated through the proposed conditions. The Applicant has proposed a robust, effects-based and proportionate suite of conditions that will ensure the Project is constructed and operated in a manner that appropriately manages environmental effects while securing the positive outcomes identified in the Application.

47. None of the mandatory grounds for declining approval under s 85 of the FTAA arise in relation to this Application. Nor is there any basis for concluding that there are **any** residual adverse impacts that weigh against the grant of approval.

48. The Project is precisely the type of development Parliament intended to facilitate through the FTAA. It is a project that has already been recognised through the referral process as warranting consideration under the fast-track regime and, on the evidence before the Panel, clearly advances the purpose of

the Act by facilitating development that delivers significant regional or national benefits.

49. For those reasons, and giving greatest weight to the purpose of the FTAA as Parliament has directed, the Applicant respectfully submits that the approvals sought should be granted, subject to the proposed conditions.

**DATED** at Tauranga this 30th day of October 2026



Vanessa Hamm / Laura Murphy
Counsel for Te Awamutu Developments Limited