



FTAA-2603-1204: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Brick Bay Lodge Project

Date submitted	29 July 2026	Tracking	26-BRF-02104
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	5 August 2026

Actions for Minister's Office staff	Return the signed briefing to the Ministry for Cities, Environment, Regions and Transport - email: FTAreferrals@mfe.govt.nz Send email to Ministers to invite written comments
Number of appendices: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Brick Bay Lodge project 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Written comments received from invited parties 6. Further information received from the applicant 7. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Stephanie McNicholl	Principal Author		
Stephanie Frame	Manager	s 9(2)(a)	✓
Ilana Miller	General Manager	s 9(2)(a)	



Project area



Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on an application from Richard and Christine Didsbury (the applicant) to refer the Brick Bay Lodge Project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-01472) with your initial decisions annotated is in Appendix 3.
3. The project is to construct and operate a luxury visitor accommodation lodge comprising approximately 45 visitor accommodation suites (villas, cottages and treehouses) and associated facilities (including reception, restaurant, recreation and wellness amenities) on approximately 62.5 hectares at 15 Arabella Lane and 52 Kauri Drive, Snells Beach, Auckland Region.
4. The project involves the following additional activities and infrastructure including:
 - a. helicopter movements
 - b. parking, access and manoeuvring areas



- c. earthworks and civil works (for building platforms, roading, landscaping, services and infrastructure)
 - d. vegetation removal and modification
 - e. temporary construction activities including sediment control measures
 - f. wastewater treatment and disposal, taking and use of water, and diversion and discharge of stormwater
 - g. subdivision
 - h. conversion of the existing dwelling and construction of a new dwelling.
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991 (RMA)
 - b. wildlife permits under the Wildlife Act 1953
 - c. archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 of the Act and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation, any proposed directions to the applicant and expert panel, and the notification of your decisions.

Assessment against statutory framework

8. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the project, you must consider the application in Appendix 2, the section 18 Treaty settlements report in Appendix 4, the written comments from invited parties in Appendix 5, further information received from the applicant in Appendix 6, and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16.
10. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

11. The section 18 report in Appendix 4 identifies thirty-five groups as the relevant Māori groups under section 18(2) of the Act (including twenty-two applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011) (MACA)). No groups invited to comment on the application provided a response.
12. There are four Treaty settlements and arrangements that are relevant to the project area, these are: Ngāti Manuhiri Claims Settlement Act 2012, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, and Ngāti Pāoa Claims Settlement Act 2025.
13. The Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki settlements provide for coastal statutory acknowledgements that adjoin the project area. The Ngāti Manuhiri settlement provides



for a statutory acknowledgement over the Matakana River, which incorporates the northern margins of the project area.

14. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder. We consider the process of inviting comment (including providing information about the application) from these groups under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
15. The Ngāi Tai ki Tāmaki, Ngāti Pāoa, Te Kawerau ā Maki, and Ngāti Manuhiri deeds of settlement, and the Ngā Mana Whenua o Tāmaki Makaurau collective redress deed, provide for conservation relationships agreements or a conservation protocol setting out consultation requirements for Department of Conservation (DOC) statutory authorisations.
16. Based on the above, in accordance with section 7 and section 16 of the Act, we recommend that in considering this application, you have particular regard to the identified documents, and to the procedural requirements that are discussed further in the following section.
17. We consider the section 18 report does not raise any matters that would make it more appropriate to authorise the proposed approvals under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

18. Based on the above section, we consider there are relevant documents and procedural requirements under section 16 that apply to your consideration of the application.
19. Should you decide to accept this referral application, under section 16(2)(c) of the Act we propose you direct any panel considering a substantive application for the project that includes Wildlife Act 1953 approvals sought, to consider:
 - a. how to comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Ngāi Tai ki
 - b. whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with the relevant iwi members of the Tāmaki Collective; and
 - c. how to apply the consultation procedures in the Ngāti Manuhiri conservation protocol to inform its engagement with that iwi.

Written comments received

20. Written comments were received from Auckland Council (AC), three Ministers, the Department of Conservation (DOC) and Heritage New Zealand Pouhere Taonga (HNZPT).
21. The key points of relevance to your decisions are included in Table A, with the full comments attached in Appendix 5.
22. A summary of the key points is below:
 - a. AC does not support overall referral of the project, specifically because there are Parks and Community Facilities concerns regarding the potential impacts on adjoining public open space,



and that the Council's Chief Economist considers the project has not demonstrated significant regional or national economic benefits.

- b. The Minister for Māori Crown Relations: Te Arawhiti and the Minister for Māori Development support the application progressing and encourages the applicant and the panel to have due regard to relevant Treaty settlement legislation and instruments and any feedback received from relevant Māori groups as set out in the Section 18 Treaty settlements and other obligations report.
- c. The Minister for Arts, Culture and Heritage confirms no comment.
- d. The Minister for Tourism and Hospitality considers the project has the potential to support regional tourism activity on the Matakana Coast, support ongoing operational roles, and generate annual economic contributions of \$4.5 million to \$16.2 million in net present value. The project may generate wider benefits in international luxury standards, goods and services supply chains, broader cultural and branding effects, increased visitation to Auckland region and aligns with Government priorities to grow tourism exports and employment in tourism and hospitality.
- e. DOC considers there is insufficient information to determine the level of any actual and potential environmental effects but also identifies a likelihood that any effects can be managed through design and conditions. DOC seeks further investigation regarding bat habitat, ecological values of the pond and wetland, and Kororā/little penguin that nest in the area.
- f. HNZPT identified one site (the Pā site) that the applicant has committed to avoid, as well as seven recorded sites, with works proposed to modify or destroy three sites. HNZPT must have regard to the Matakana River statutory acknowledgement, and considers that a cultural impact assessment should support the application, and anticipates ongoing engagement.

Further information provided by the applicant

23. You requested further information from the applicant under section 20 of the Act on the significance of economic benefits of the proposed ongoing operation, including the anticipated scale, geographic extent, and duration of any such benefits. We have taken the information provided into account in Table A and provide our analysis under the Section 22 assessment criteria.

Reasons to decline

24. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
25. We do not consider you must decline this application. We note the applicant identified that a full wetland delineation is yet to be undertaken, which may trigger a prohibited activity under the National Environmental Standards for Freshwater. This is a potential reason you may decline a referral application however section 21(7) of the Act states the presence of a prohibited activity does not prevent you from accepting a referral application, and these are matters that a panel is able to consider when presented with a substantive application, if referred to the fast-track process.
26. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Table A.



27. We have considered the matters in section 21(4) of the Act, and these are discussed in Table A. We do not consider you should decline the project for any of these reasons.

Reasons to accept

28. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.

29. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:

- a. it is a development project that would have significant regional or national benefits because it would deliver significant economic benefits by providing:
 - i. an estimated 20,042–25,700 additional visitor nights per annum (of which 12,426–20,560 are international visitors)
 - ii. approximately \$19 million retained annual operational expenditure, \$177 million value added from operational expenditure (\$67 million direct)
 - iii. approximately \$148–227 million annual on-site international visitor expenditure when estimated at full capacity and \$104–364 million annual ancillary spending by international visitors
 - iv. approximately 185–190 direct jobs per year over the construction period and 243 total jobs per year of operation (of which 138 are direct on-site jobs)
 - v. a greenfield equity foreign direct investment of approximately \$390–million (including \$25 million land costs) to attract international capital and high-spending international visitors to New Zealand.
- b. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because it precludes public and limited notification in an RMA context and enables multiple approval types under specific Acts to be considered under a singular process, and appeals under the Act are to the High Court and limited to points of law.
- c. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess where multiple approval types are sought under the fast-track approvals process.

Conclusions

30. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process.

Next steps

31. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant and anyone invited to comment under section 17 and publish the notice on the Fast-track website.

32. If you decide to accept and refer the project, the Secretary must also give notice of your decision to:



- a. the panel convener
 - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies.
33. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
- a. the referral application
 - b. any written comments received under section 17
 - c. the Treaty report obtained under section 18.
34. We will undertake this action on your behalf.
35. We have attached a draft notice of decisions letter to the applicant based on our recommendations in Appendix 7, that we will provide as required (on behalf of the Secretary for the Environment) to all relevant parties. We will provide you with an amended letter if required.
36. Our recommendations for your decisions follow.



Recommendations

37. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Richard and Christine Didsbury (the applicant) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Brick Bay Project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered the:

- i. application in Appendix 2
- ii. report obtained under section 18 in Appendix 4
- iii. written comments sought under section 17 in Appendix 5 and further information sought under section 20 in Appendix 6 provided within the required timeframe.

Yes / No

- c. **Note** that in considering this application, and any directions to a panel, under sections 7 and 16 of the Act, you have considered:

- i. Ngāti Manuhiri Claims Settlement Act 2012
- ii. Te Kawerau ā Maki Claims Settlement Act 2015
- iii. Ngāi Tai ki Tāmaki Claims Settlement Act 2018
- iv. Ngāti Pāoa Claims Settlement Act 2025.

Noted

- d. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:

- i. it is a development project that would have significant regional benefits and because it would deliver significant economic benefits by providing:
 - (1) an estimated 20,042–25,700 additional visitor nights per annum (of which 12,426–20,560 are international visitors)
 - (2) approximately \$19 million retained annual operational expenditure, \$177 million value added from operational expenditure (\$67 million direct)
 - (3) approximately \$148–227 million annual on-site international visitor expenditure when estimated at full capacity and \$104–364 million annual ancillary spending by international visitors
 - (4) approximately 185–190 direct jobs per year over the construction period and 243 total jobs per year of operation (of which 138 are direct on-site jobs)



- (5) a greenfield equity foreign direct investment of approximately \$390–million (including \$25 million land costs) to attract international capital and high–spending international visitors to New Zealand.
- ii. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because it precludes public and limited notification in an RMA context and enables multiple approval types under specific Acts to be considered under a singular process, and appeals under the Act are to the High Court and limited to points of law
- iii. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess where multiple approvals are sought under the fast–track process.
- Yes / No
- e. **Agree** there is no reason the project must be declined under section 21(3) of the Act.
- Yes / No
- f. **Agree** to accept the referral application under section 21(1)(c) and refer the whole project to the fast-track approvals process under section 26(2)(a) of the Act.
- Yes / No
- g. **Agree** to specify Richard and Christine Didsbury as the persons who are authorised to lodge a substantive application for the project.
- Yes / No
- h. **Agree** to specify under section 27(3)(b)(i) of the Act the deadline for lodging the substantive application is two years from the date of the referral notice of decisions letter to the applicant.
- Yes / No
- i. **Agree** under section 16(2)(c) to direct any panel considering a substantive application for the project (in a notice of your decisions) to comply with the applicable requirements identified in the section 18 Treaty settlements and obligations report when assessing and deciding the Wildlife Act 1953 approvals, to consider:
- i. how to comply with the consultation process in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to its engagement with Ngāi Tai ki Tāmaki; and
- ii. whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to its engagement with other relevant Treaty settlement entities who are party to the Ngā Mana Whenua o Tāmaki Makaurau collective redress deed; and



- iii. how to apply the procedures in the Ngāti Manuhiri conservation protocol to inform its engagement with that iwi.

Yes / No

- j. **Agree** that the Secretary for the Environment will provide your notice of decisions to:

- i. anyone invited to comment on the application including local authorities and relevant Māori groups
- ii. the panel convener
- iii. the Environmental Protection Authority (EPA)
- iv. the Department of Conservation and Heritage New Zealand Pouhere Taonga as relevant administering agencies.

Yes / No

- k. **Note** that under section 21 you **must** decline a referral application if:

- i. the application **may not** be accepted under section 21(1) (which relates to the criteria for assessing a referral application in section 22); or
- ii. you are **satisfied** that the project involves an ineligible activity; or
- iii. you are **satisfied** that you do not have adequate information to inform your referral decision.

Noted

- l. **Note** that you **may** decline a referral application for any other reason, whether or not the project meets the criteria in section 22, including (but not limited to) the reasons for decline set out at section 21(5) of the Act.

Noted



m. **Approve** the draft notice of decisions letter to the applicant in Appendix 7.

Yes / No

Signatures

Stephanie Frame
Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis – FTAA–2603–1204 Brick Bay Lodge

Recommendation	Accept the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Location
	Brick Bay Lodge Project (the project)	Richard and Christine Disbury (the applicant)	The project is located across 15 Arabella Lane and 52 Kauri Drive, Snells Beach, Auckland Region, with a combined area of approximately 62.5 hectares.
Project description	The project is to construct and operate a luxury visitor accommodation lodge comprising approximately 45 visitor accommodation suites (villas, cottages and treehouses) and associated facilities (including reception, restaurant, recreation and wellness amenities) on a project area of approximately 62.5 hectares, located at 15 Arabella Lane and 52 Kauri Drive, Snells Beach, Auckland Region. The project involves the following additional activities and infrastructure including: - helicopter movements - parking, access and manoeuvring areas - earthworks and civil works (for building platforms, roading, landscaping, services and infrastructure) - vegetation removal and modification - temporary construction activities including sediment control measures - wastewater treatment and disposal, taking and use of water, and diversion and discharge of stormwater - subdivision - conversion of the existing dwelling and construction of a new dwelling. The project will require the proposed approvals under the fast-track approvals process: - resource consents under the Resource Management Act 1991 (RMA) - wildlife permits under the Wildlife Act 1953 - archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.		
Minister invites comments / requests information	Written comments from invited parties		
	Local authorities <i>Auckland Council including Auckland Transport and Watercare Services Limited (AC) – commented:</i> - overall, does not support referral of the project. Most of the feedback is neutral exception for Parks and Community Facilities concerns regarding the potential impacts on adjoining public open space, and the Council Chief Economist considers the project has not demonstrated significant regional or national economic benefits - the development must carefully manage the scale and intensity of the proposed accommodation and respond to the site’s constraints, including natural hazards and significant natural and cultural features, to ensure the proposal does not detract from the rural and coastal character of the zone or its ecological, cultural and amenity values. The development must also demonstrate that natural hazards and associated risks will not be increased - visitor accommodation is a discretionary activity in the Rural Coastal Zone - there are three existing resource consents identified within the site but not within the project area subject to the referral application - Auckland Transport, Watercare Service Limited and Healthy Waters Unit are all neutral subject to further investigatory work to support a substantive application, if referred - Parks and Community Facilities opposes the referral application as the project lacks adequate assessment to understand the adverse effects on the adjoining open space and whether it is consistent with the relevant local and regional planning documents - The Council’s Chief Economist opposes the referral application as the project would have a 0.003% impact of Auckland’s total GDP, represents 0.015% of Auckland’s employment and the addition of 45 luxury rooms would increase the luxury capacity in Auckland by 3.5% and overall room capacity by 0.3% (<i>We note the review is of the economic report lodged with the application. The applicant has provided additional information in response to your request to substantiate and quantify the significant economic benefits. The review comments and additional information are addressed below</i>) - Rodney Local Board are generally supportive of contribution to job opportunities and direct export revenues - no competing applications lodged for the project. No consents identified that are subject to section 124C(1)(c) of the Resource Management Act 1991. No ineligible activities identified as defined in section 5 of the Act - no reasons to decline under section 21(5), preliminary assessment is not deemed to be a prohibited activity under section 21(5)(f) of the Act. We do not recommend the need to specify any requirements in your decisions because the applicant seeks wildlife permits as a proposed approval under the fast-track approvals process. The information requirements are specified under Schedule 8 of the Act. We also note that, if required, the applicant can seek further related approvals outside of the fast-track process. Ministers <i>Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development – commented:</i> - with support for the application progressing subject to the applicant and the panel having regard to relevant Treaty settlement legislation and instruments; and any feedback received from relevant Māori groups, as set out in the Treaty settlements and other obligations (Section 18) report prepared by the Ministry (on behalf of the Secretary for the Environment).		

Minister for Arts, Culture and Heritage – confirms no comment.

Māori Groups – no comments received.

Administering agencies

Department of Conservation (DOC) – commented:

- a. there is insufficient information to determine the level of any actual and potential environmental effects, however it is likely that with the appropriate design and conditions, effects can be managed to appropriate levels
- b. there are records of threatened (inanga) and at-risk (longfin eel, giant bully, banded kōkopu) species directly adjacent to the project area, which may also be present in the wetlands
- c. no competing applications identified
- d. the relevant statutory documents include the Conservation General Policy 2005 and the Auckland Conservation Management Strategy. The application is not inconsistent with the relevant provisions
- e. further investigation should be undertaken with regard to:
 - i. bat habitat and the potential effects resulting from the removal of habitat. A bat management plan, tree felling protocol and lighting controls may be necessary
 - ii. ecological values of the identified pond and wetland on the site and whether the proposal will result in adverse effects on these values
 - iii. kororā/little penguin that are known to nest in the general vicinity of the project area. It is recommended that further investigations be undertaken to determine if any nest sites are present near the proposed building works and whether works will interfere with nest sites.
- f. If referred, the substantive application should be supported by a comprehensive ecological assessment that specifically addresses the potential effects on these species and other wildlife.

We do not recommend the need to specify any requirements in your decisions because the applicant seeks wildlife permits as a proposed approval under the fast-track approvals process. The information requirements are specified under Schedule 8 of the Act. We also note that, if required, the applicant can seek further related approvals outside of the fast-track process.

Heritage New Zealand Pouhere Taonga (NZHPT) – commented:

- a. one site (the Pā site) has been identified that the applicant has committed to avoid. A preliminary assessment identifies seven recorded archaeological sites within the project area, with works proposed to modify or destroy three of the sites.
- b. the application falls within the Matakana River statutory acknowledgement area under the Ngāti Manuhiri Claims Settlement Act 2012, which HNZPT is required to have regard to.
- c. supports that the MOU being developed with Ngāti Manuhiri establishes a solid foundation for the applicants to work in close collaboration with Ngāti Manuhiri as the project develops, to ensure that the cultural values of Ngāti Manuhiri are properly understood and incorporated
- d. that no Cultural Impact Assessment has been provided with this application
- e. anticipates ongoing engagement to ensure that if referred, the substantive application is supported by a fulsome archaeological assessment, appropriate methodologies and strategies proposed, appropriate draft management plan and research strategy, evidence of appropriate consultation with tangata whenua; and appropriate proposed conditions.

We note the referral application seeks an archaeological authority as a proposed approval under the fast-track approvals process. The information requirements are specified under Schedule 8 of the Act.

Any other persons or groups

Minister of Tourism and Hospitality – has commented:

- a. the project has the potential to support regional tourism activity on the Matakana Coast through the provision of 45 high-end accommodation units and associated amenities (eg wellness offering). It is expected to support around 140 ongoing operational roles and generate annual economic contributions of \$4.5 million to \$16.2 million in net present value (derived from international visitor expenditure, GST, and local government rates)
- b. the development may generate other benefits, including enabling staff members to upskill to international luxury standards, strengthening supply chains for premium local goods and services, and broader cultural and branding effects – such as showcasing New Zealand artists’ work to a wider international audience
- c. the proposal broadly aligns with identified regional needs for increased accommodation capacity greater diversity, and higher- quality offerings, Its integration with existing attractions, such as Brick Bay Wines and the Sculpture Trail may further enhance the visitor experience and support increased visitation in the Auckland region
- d. the project appears to support higher-quality accommodation supply and aligns with Government priorities to grow tourism exports and employment in tourism and hospitality.

Further information

You requested further information from the applicant to substantiate and quantify the significant economic benefits of the proposed ongoing operation, including the underlying metrics, assumptions, and methodology used, as well as the anticipated scale, geographic extent, and duration of any such benefits.

In summary, the applicant updated the economic report to specify significant economic benefits as:

- a. an estimated 20,042–25,700 additional visitor nights per annum (of which 12,426–20,560 are international visitors)
- b. approximately \$19 million retained annual operational expenditure, \$177 million value added from operational expenditure (\$67 million direct)
- c. approximately \$148–227 million annual on-site international visitor expenditure, when estimated at full capacity and \$104–364 million annual ancillary spending by international visitors
- d. approximately 185–190 direct jobs per year over the construction period and 243 total jobs per year of operation (of which 138 are direct on-site jobs)
- e. a greenfield equity foreign direct investment of approximately \$390–million (including \$25 million land costs) to attract international capital and high–spending international visitors to New Zealand.

	We provide our analysis under the Section 22 assessment criteria below.
Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: a. <i>would not occur on identified Māori land, Māori customary land or a Māori reservation</i> – as confirmed by the relevant records of title and consultation with iwi authorities. b. <i>would not occur in a customary marine title area or protected customary rights area</i> – and is land-based. c. <i>is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit</i> – because it will not occur in the CMA and will not occur in an aquaculture settlement area d. <i>would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A))</i> – because it does not include an access arrangement and would not occur on Schedule 4 land e. <i>would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA</i> – because it will not occur in the CMA f. <i>would not occur on Schedule 4 land</i> – as confirmed by the records of title referred to in the application g. <i>would not occur on a national reserve</i> – as confirmed by the records of title referred to in the application h. <i>would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing</i> – as confirmed by the records of title and applicant’s evidence of consultation i. <i>is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA</i> – and as no such activities are proposed j. <i>is not for the purpose of an offshore renewable energy project</i> – and as no such activities are proposed. No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.
Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider you have adequate information to inform your decisions on the referral application.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	We have not identified any matters under section 16 of the Act that apply to your consideration of the referral application.
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	You <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)] The only current GPS is the Government Policy Statement on Grocery Competition. As this project does not involve a supermarket development or grocery-related activities, there is no GPS relevant to your decision. You <u>may</u> consider any of the following matters, or any other matters you consider relevant: <i>Has been identified as a priority project in a central government, local government, or sector plan or strategy [s22(2)(a)(i)]</i> The applicant considers the project is consistent with the objectives of the Government’s Going for Housing Growth Agenda, Tourism New Zealand’s Statement of Intent 2024-2028, the Government’s Tourism Strategy 2019, and the Ministry for Business, Innovation and Employment’s 2025 Tourism Growth Roadmap. The Minister of Tourism and Hospitality commented that the proposal promotes benefits related to increased tourism, appears to support higher-quality accommodation supply and aligns with Government priorities to grow tourism exports and employment in tourism and hospitality. We note that none of the documents identify the project as a priority project, and although the Minister of Tourism and Hospitality comments that the project aligns with Government priorities to grow the sector, we consider the project does not satisfy the criterion and do not recommend that you refer the project under this criterion. We note the applicant retains the ability to provide further analysis on this with a substantive application to assist the expert panel in understanding the extent of the project’s significant regional or national benefits. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant relies on an Economic Assessment to demonstrate the project will deliver significant economic benefits at a national and regional scale, and states these benefits include approximately 185-190 direct jobs per year over the construction period, approximately \$390 million in greenfield equity (brand new venture/foreign direct investment).

	Auckland Council’s Chief Economist commented (<i>based on the economic report lodged with the application, prior to the applicant providing additional information on significant economic benefits</i>) that the project would generate positive economic benefits that are unlikely to be significant at a regional or national scale as the project would have a 0.003% impact of Auckland’s total GDP, represents 0.015% of Auckland’s employment and the addition of 45 luxury rooms would increase the luxury capacity in Auckland by 3.5% and overall room capacity by 0.3%. The Minister for Tourism and Hospitality commented that the project has the potential to support regional tourism activity on the Matakana Coast, to support around 140 ongoing operational roles and generate annual economic contributions of \$4.5 million to \$16.2 million in net present value (derived from international visitor expenditure, GST, and local government rates), as well as wider benefits in international luxury standards, goods and services supply chains, broader cultural and branding effects, increased visitation to Auckland region and aligns with Government priorities to grow tourism exports and employment in tourism and hospitality. The applicant provided further information to substantiate and quantify the significant economic benefits (particularly direct economic benefits) of the proposed ongoing operation beyond the construction phase, including the underlying metrics, assumptions, and methodology used, as well as the anticipated scale, geographic extent, and duration of any such benefits. The response states: - The Economic Assessment Report has been updated to reflect the operating forecast to begin at \$11.9m per year (2026 prices) when the lodge opens in 2029 and rise to \$18.8m once construction of all the accommodation is complete and the lodge is fully open in 2032 - Employment is sustained by the spending on both construction and operations. Construction is estimated to average 626–688 jobs per year over the construction period. Operations are estimated to sustain 138 direct on-site jobs per year, and when including indirect and induced effects, total employment is expected to be 243 jobs per year over the 30-year appraisal period - The gross economic activity estimate is that the construction stage will generate value added of \$317m – \$376m at an 8% discount rate (\$380m – \$422m at 2%), and operations a further \$177m (\$397m at 2%), giving a combined impact of \$494m – \$553m at 8% (\$777m – \$819m at 2%). This is a contribution measure, directly relevant to the significance test under the FTAA - The Market Economics Report maintains the conclusions that the project will deliver significant and sustained economic benefits to the Auckland region and to New Zealand during construction and across the 30-year appraisal period. Based on the applicant’s assessment and further information response and the invited comments, we recommend that the project satisfies the criterion and that you can refer the project on this basis. We note these are also matters that a panel is able to consider when presented with a substantive application, if referred to the fast-track process. Conclusion Overall, we consider the project is a development project that would have significant regional benefits aligned with the criteria for accepting a referral application under section 22(1)(a) of the Act. If you agree with this recommendation and are satisfied that the whole project satisfies the criteria in section 22, you may accept the referral application and refer the whole project to the fast-track approvals process in accordance with section 26 of the Act.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers the complex interrelated approvals to be assessed and issued by multiple agencies would facilitate the project enabling processing in a more timely and cost-effective way than under normal approval processes. We consider that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because it precludes public and limited notification in an RMA context and enables multiple approval types under specific Acts to be considered under a singular process, and appeals to under the Act are only to the High Court and limited to points of law. We recommend that the project satisfies the criterion and that you can refer the project on this basis. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant considers the provision of all the information required for the approvals and providing a full suite of consent conditions for each approval to assist the expert panel is unlikely to materially affect the efficient operation of the fast-track process. We consider that referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process. We consider projects of this scale and nature are consistent with the types of regionally significant developments the fast-track approvals process was established for, noting the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess where multiple approval types are sought under the fast-track approvals process. We recommend that the project satisfies the criterion and that you can refer the project on this basis.
Reasons to decline	
Minister must decline [section 21(3)]	You must decline a referral application if: - the application may not be accepted under subsection 1 (meets referral criteria) – We consider the project meets the referral criteria. - the Minister is satisfied the project involves an ineligible activity – We have not identified any ineligible activities included in the project scope. - the Minister considers that they do not have adequate information to inform the decision under this section – We consider you have adequate information to inform your referral decisions. Overall, we do not consider that you must decline the application under this section.
Minister may decline [section 21(4) and 21(5)(a-h)]	You may decline a referral application for any other reason, whether or not it meets the criteria in section 22. Reasons to decline a referral application under subsection 4 include, without limitation: the project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement – No inconsistencies have been identified, including within the section 18 Treaty report or from Māori groups invited to comment.

- b. *it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts* – No reports or comments received have indicated this is the case.
- c. *the project may have significant adverse effects on the environment* – The applicant preliminary summary of adverse effects concludes no adverse effects that cannot be properly avoided, remedied or mitigated as informed by the next stage of detailed investigation and design and conditions offered with the substantive application for the approvals sought. Auckland Council commented that the project is not considered to have significant adverse effects on the environment.

We do not consider the adverse effects significant enough to decline to refer the project and note these are matters that a panel is able to consider when presented with a comprehensive substantive application, if referred to the fast-track process.
- d. *the applicant has a poor compliance history under a specified Act that relates to any of the proposed approvals* – No such history has been noted.
- e. *the project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes* – No such land has been identified.
- f. *the project includes an activity that is a prohibited activity under the Resource Management Act 1991* – The project does not include any such activity but is subject to a full wetland delineation survey that is yet to be undertaken, so the project may trigger a prohibited activity under the National Environmental Standards for Freshwater. Auckland Council commented that the preliminary assessment of the project is not deemed to be a prohibited activity under this section of the Act.

We note this is a potential reason you may decline a referral application however section 21(7) of the Act states that the presence of a prohibited activity does not prevent you from accepting a referral application, and these are matters that a panel is able to consider when presented with a comprehensive substantive application, if referred to the fast-track process.
- g. *a substantive application for the project would have one or more competing applications* – No competing applications have been identified at this stage. We note the EPA is required to check prior to providing a substantive application to the panel convener.
- h. *in relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)* – No such resource consents have been identified, including by the applicant and relevant local authorities.

Overall, we do not recommend that you decline the application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.