



FTAA-2603-1183: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Waiheke Onsen

Date submitted:	18 June 2026	Tracking #: 26-BRF-01653	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	25 June 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz Approve the attached notice of decisions letter.
Number of appendices: 6	Appendices: <ol style="list-style-type: none">1. Statutory framework for making decisions2. Application documents for Waiheke Onsen and further information received3. Stage 1 Briefing Note and decisions4. Section 18 Report on Treaty settlements and other obligations5. Comments received from all parties the Minister sought comments from6. Further information received post-consultation from the applicant7. Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Antonia Croft		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Waiheke Mon E Limited (the applicant) to refer the Waiheke Onsen (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 (26-BRF-00829) with your initial decisions annotated is in Appendix 3.
3. The project is to develop and operate a hotel tourism facility, located at 32 Tiri Road, Oneroa, Waiheke Island.
4. The project comprises:
 - a. a hotel (approximately 180 rooms)
 - b. Japanese inspired Ryokan villas (approximately 10 villas)
 - c. a Japanese geothermal onsen, comprising communal hot pools (capacity up to 150 guests), private day pools (16 approximately), private saunas (4 approximately), a café/restaurant, spa with treatment rooms and pool, and a yoga and meditation pavilion
 - d. conference and wedding venue that can accommodate approximately 200 guests
 - e. associated facilities including carparking, staff accommodation, reception, changing rooms and service kitchen.
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991
 - b. approval under the Wildlife Act 1953.

6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation and on the proposed directions to the applicants, the expert panel, and 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) any comments from invited parties (in Appendix 5), any further information requested from the applicant, the relevant local authorities, or the relevant administering agencies (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 twelve relevant Māori groups for this project area.
12. The Treaty settlements relevant to this application are: Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Tamaoho Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025, and Te Patukirikiri Iwi deed of settlement signed 7 October 2018.
13. Ngāti Pāoa Iwi Trust provided feedback on the application, stating that Ngāti Pāoa objects to the Waiheke Onsen proposal due to the lack of consultation with Ngāti Pāoa, and the lack of supporting archaeological information detailing the impact on an area widely recognised as having historical connections and deposits dating back to the first inhabitants of New Zealand.
14. The Minister for Māori Development and the Minister for Māori Crown Relations supported referral of the application and recommend that the expert panel considering the substantive application give due consideration to the consultation process under the relevant conservation agreements, and to the concerns raised by Ngāti Pāoa Iwi Trust.
15. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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

16. Based on paragraph 15 above, there are documents and procedural requirements under section 16 that apply to your consideration of the application.
17. Under section 16(2)(c) of the Act you must, where relevant, direct any panel considering a substantive application to comply with applicable requirements. Accordingly, should you decide to accept this referral application, we recommend you direct any panel to:

- a. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approvals being sought (unless a modified arrangement can be agreed); and
- b. consider whether, and how, 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 (i.e. Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Pāoa, and Te Patukirikiri).

Written comments received

18. Comments were received from Auckland Council, the Minister of Tourism and Hospitality, the Minister for Economic Growth and the Department of Conservation (DOC) and Ngāti Pāoa Iwi Trust (as noted in paragraph 13). The key points of relevance to your decisions are summarised in Table A.

19. The key points from the comments are:

- a. Auckland Council considered that while there are potential economic benefits, the regional benefits have not been adequately demonstrated, noting the applicant's Economic Impact Assessment focused on construction phase activity only and does not quantify operational impacts nor assess whether costs are proportionate. The council also identifies planning, infrastructure (including three waters servicing and traffic) and information gaps, including the proposal being outside the Rural Urban Boundary and likely non-complying, unresolved wastewater capacity, absence of ecological and key technical assessments, and inadequate mana whenua engagement. Auckland Council considers overall that the case for significant regional or any national benefit is not clearly made, and the case for referral has not been adequately demonstrated.
- b. the Minister of Tourism and Hospitality stated that the project supports tourism growth by providing necessary accommodation infrastructure, delivering employment, increasing visitor numbers and spend. While adding to existing infrastructure pressures and overtourism risks, the projects overall benefits are considered to outweigh localised impacts subject to appropriate conditions and management
- c. the Minister for Economic Growth noted that the quantified benefits are mainly in construction, with non-monetised benefits including tourism recovery, higher-value wellness tourism, increased visitor spend and length of stay, spillover demand, and ongoing employment, and considers the project likely to deliver significant regional benefits driven by capital investment and construction, with longer-term value from supporting tourism activity and visitor expenditure in Auckland
- d. DOC commented that the project may have significant adverse effects on any ecological values that are present, however with appropriate, enforceable conditions, best management practice, and ecological management plans, may achieve a project that does not have significant adverse effects on the environment.

Further information provided by the applicant

20. At the same time as inviting comments, you requested the applicant provide further information, under section 20 of the Act, to substantiate and quantify the 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 those benefits.

21. In response, the applicant stated that the ongoing economic benefits of the project would include:
- a. supporting approximately 170–280 FTE jobs on an ongoing basis, noting that a high-end luxury offering would typically generate higher staffing intensity than a conventional hotel
 - b. providing enduring direct employment benefits to the Waiheke local labour market
 - c. contributing to the wider Auckland regional tourism economy through increased demand for accommodation services, hospitality supply chains, wellness services, visitor experiences, maintenance contractors, and other supporting businesses
 - d. noting that quantifying wider operational benefits at this stage is difficult, as it will depend on the final operator rating, operating model, and the extent and level of services and amenities
22. You must consider all the information that was received within the specified timeframe. We have taken this information into account in our analysis and advice, and it is presented in Table A.

Reasons to decline

23. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
24. The applicant has identified, on a precautionary basis, that earthworks in or near potential natural inland wetlands may be required at a later stage, which could trigger a prohibited activity under the National Environmental Standards for Freshwater (NES-F). While this is a potential reason for declining a referral application under section 21(5) of the Act, section 21(7) clarifies that the presence of a prohibited activity does not, in itself, preclude referral.
25. Comments from invited parties did not raise concerns about the ability to appropriately manage or mitigate effects on natural inland wetlands. While the activity is prohibited and may give rise to significant effects, the available information indicates these effects could be addressed through detailed design and assessment, during the expert panel process. On that basis, there is insufficient evidence at this stage to support declining the referral application under section 21(5)(c).
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 Appendix 1. We have considered the matters above and this is discussed in Table A, and we do not consider you should decline the project for any of these reasons.

Reasons to accept

27. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral
28. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as it:

- a. Is an infrastructure or development project because it is a project to develop and operate a tourism hotel and events facility
- b. It would have significant regional benefits because it will deliver significant economic benefits
- c. 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:
 - i. the project involves a prohibited activity under the relevant regional plans, which would preclude it from progressing through the standard RMA processes without a private plan change, which could be costly and time-consuming – prohibited activities may be considered through the fast-track approvals process
 - ii. appeals under the Act are only to the High Court and are limited to points of law
 - iii. the Act precludes public and limited notification
- d. Is unlikely to materially affect the efficient operation of the fast-track approvals process, as the project is not novel in the New Zealand context and is consistent with the types of tourism and hotel developments that expert panel members are experienced in assessing under the RMA.

29. If you agree, you must decline the referral application under section 21(3)(a) of the Act.

Other matters

- 30. We have identified one issue further to the matters identified above and our analysis of these is in Table A
- 31. Three waters servicing for the Waiheke Onsen project remains unresolved, with the Owthanake Wastewater Treatment Plant at capacity and no confirmed servicing solution identified. This creates uncertainty regarding the timing, feasibility and integration of wastewater servicing, and raises questions about the ability of existing island infrastructure to accommodate the scale and intensity of the proposed development.
- 32. Traffic and transport effects for the Waiheke Onsen project are not well developed at the referral stage. Auckland Council notes the absence of a detailed assessment of construction and operational traffic impacts, and no confirmed mitigation measures or capacity upgrades. The proposal does not rely on increased ferry capacity or service frequency, and construction transport arrangements are not specified, resulting in uncertainty as to how additional demand on the ferry network and local road infrastructure would be managed. This raises questions about the ability of existing transport infrastructure on Waiheke Island to accommodate the scale and intensity of the proposed development.
- 33. We do not consider these matters to be a basis to decline the referral application but recommend you direct the applicant to provide further detailed assessments at the substantive stage to address the infrastructure concerns.

Conclusions

- 34. We consider the project meets the section 22 criteria and you may accept the application under section 21 of the Act and refer the whole project to the fast-track approvals process with the specifications outlined below.

35. No comments from invited parties raised concerns about significant effects on natural inland wetlands that could not be appropriately managed or mitigated.
36. Given the precautionary nature of the identified prohibited activity, and the potential for it to be avoided or addressed through detailed design and assessment, we do not consider it a sufficient basis to decline the referral application.
37. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that the applicant must submit with any substantive application for the project:
 - a. a wastewater and water infrastructure assessment
 - b. an integrated traffic assessment
38. We consider the above information requirements are necessary to ensure an expert panel has sufficient, robust and integrated information on:
 - a. wastewater and water servicing, to enable proper assessment of capacity, servicing feasibility, funding arrangements, and long-term ownership and maintenance responsibilities; and
 - b. transport and traffic effects, including the scale of demand, network capacity, and any mitigation or infrastructure upgrades required.

Next steps

39. The Ministry for the Environment (the Ministry) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
40. In your notice of decisions you must direct a panel to comply with any requirements identified in section 16 as outlined in paragraph 17.
41. If you decide to refer the project, the Ministry 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.
42. 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 comments received under section 17
 - c. the report obtained under section 18.
43. We will undertake this action on your behalf.
44. We have attached a notice of decisions letter to the applicant based on our recommendations (refer Appendix 7) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
45. Our recommendations for your decisions follow.

Recommendations

46. 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 Waiheke Mon E Limited (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 Waiheke Onsen 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:
- i. the application in Appendix 2
 - ii. the report obtained under section 18 in Appendix 4
 - iii. any comments and further information sought under sections 17 and 20 and provided within the required timeframe if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion)

Yes / No

- c. **Agree** to exercise your discretion under section 17(7)(b) to consider the late comments received from the Minister for Tourism and Hospitality after the time frame specified under Section 17(6) of the Act in Appendix 6

Yes / No

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

- i. it is a development/infrastructure project that would have significant regional or national benefits because it is a project to develop and operate a hotel tourism facility that would have significant benefits because it:

(1) will deliver significant regional economic benefits by:

- (a) a total direct capital expenditure (excluding land) of approximately \$483.9 million
- (b) direct employment during construction of approximately 793 Full Time Equivalent years (FTE-years)
- (c) total indirect or induced employment of approximately 884 FTE-years.
- (d) supporting approximately 170–280 ongoing FTE roles, providing local employment and contributing to wider tourism demand,
- (e) ongoing operational benefits are estimated (subject to final design) over a 10-year period (in present value terms) at approximately:
 - (i) \$81 million in retained operational expenditure,
 - (ii) \$16 million in visitor expenditure, and

(iii) \$12 million in indirect and induced activity, reflecting additional visitor demand, retained expenditure within Auckland, increased visitor spending, and associated flow-on effects through supply chains and employee spending.

Yes / No

e. **Agree** there is no reason the project must be declined under section 21(3)

Yes / No

f. **Agree** to accept the referral application under section 21(1) and refer all stages of the project to a panel under section 26(2)

Yes / No

g. **Agree** to specify Waiheke Mon E Limited as the person who is authorised to lodge a substantive application for the project

Yes / No

h. **Agree** pursuant to section 16(2)(c), to direct any panel considering a substantive application for the project to comply with the applicable requirements identified in the section 18 report to:

- i. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approvals being sought (unless a modified arrangement can be agreed); and
- ii. consider whether, and how, 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 i.e. Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Pāoa, and Te Patukirikiri

Yes / No

i. **Agree** to specify under section 27(3)(b) of the Act:

- i. The deadline for lodging the application is two years from the date of issue on the notice of decision.
- ii. The following information that the applicant must submit with the substantive application:
 - (1) an assessment of the relevant infrastructure for wastewater and water services that:
 - (a) identifies the existing condition and capacity of that infrastructure; and
 - (b) identifies any upgrades to that infrastructure that are required in connection with the subdivision and development stages; and
 - (c) identifies any funding required to carry out those upgrades (including who will provide that funding); and
 - (d) contains information on any discussions held, and any agreements made, between the authorised person and the relevant infrastructure provider about the relevant infrastructure
 - (2) an integrated transport assessment that:

- (a) assesses construction and operational effects (including events) on the Waiheke transport network, including key corridors between Matiatia and Oneroa; and
- (b) includes modelling of traffic flows, key intersections, peak visitor movements, and ferry-related patterns; and
- (c) identifies any required infrastructure upgrades or interventions; and
- (d) identifies associated funding requirements, including funding responsibility; and
- (e) outlines engagement with, and any agreements between, the applicant and relevant infrastructure providers regarding integrated transport.

Yes / No

- j. **Agree** that the Ministry 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 as a relevant administering agency.

Yes / No

- k. **Approve** the draft notice of decisions letter to the applicant (attached in Appendix 7)

Yes / No

- l. **Note** that should you decide to accept the referral application, our recommendations for appropriate directions to a panel (relating to consultation) and the applicant (relating to information to be supplied with the substantive application) are included in Table A

Signatures



Stephanie Frame
Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	<u>Accept</u> the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Location
	Waiheke Onsen	Waiheke Mon E Limited c/- Barker and Associates Limited (Agent)	Approximately 50,300 m ² at 32 Tiri Road, Oneroa, Waiheke Island, Auckland (Western Waiheke Island, located between Ocean View Road and Tiri Road, approximately 700 m from the Matiatia Ferry Terminal). Record of Title: NA5D/65 Legal description: Lot 8 Deposited Plan 53686
Project description	<p>The project is to develop and operate a hotel tourism facility, located at Oneroa, Waiheke Island. The project comprises:</p> <ul style="list-style-type: none"> • a hotel (approximately 180 rooms) • Japanese inspired Ryokan villas (approximately 10 villas) • a Japanese geothermal onsen, comprising communal hot pools (capacity up to 150 guests), private day pools (16 approximately), private saunas (4 approximately), a café/restaurant, spa with treatment rooms and pool, and a yoga and meditation pavilion • conference and wedding venue that can accommodate approximately 200 guests • associated facilities including carparking, staff accommodation, reception, changing rooms and service kitchen. <p>The project will require the proposed approvals:</p> <ul style="list-style-type: none"> • resource consents under the Resource Management Act 1991 • approval under the Wildlife Act 1953 <p>The applicant described the project as a <i>geothermal onsen</i>; however, preliminary temperature testing of water from the existing bore indicates that the water does not currently meet the statutory threshold to be defined as geothermal water under the Resource Management Act 1991.¹ While some recorded temperatures exceeded 20 degrees Celsius, they remained below the 30 degrees Celsius threshold. The applicant has advised that further investigations, including deeper drilling, are intended to be undertaken to support a substantive application, which may result in water meeting the geothermal temperature threshold. This is noted for transparency regarding the description and scope of the project, the relevant approvals that may be required, and potential effects.</p>		
Minister invites comments / requests information	Comments from invited parties		
	<p>Local authorities Auckland Council (AC) - stated that it does not consider the asserted regional benefits to have been adequately demonstrated and considers there is insufficient information to determine whether the project would deliver benefits of regional significance under section 22(1)(a). In particular:</p> <ul style="list-style-type: none"> • the Economic Impact Assessment quantifies only construction-phase activity and does not assess operational tourism impacts, which are identified as the more significant benefit • the assessment relies on outdated tourism data, does not consider potential transfer effects, and does not provide a conclusion on whether costs are proportionate to regional benefits • while potential benefits are acknowledged, AC considers the case for significant regional benefit is not clearly made, and no national benefit has been identified <p>AC also identified that further information would be required to support substantive decision-making, including:</p> <ul style="list-style-type: none"> • confirmation of wastewater servicing, noting the Owhanake Wastewater Treatment Plant is at capacity and upgrades would require decisions outside the FTAA process • a comprehensive ecological assessment, including confirmation of the presence of wetlands or streams and assessment of effects • Auckland Transport advised that a comprehensive traffic impact assessment is required to address currently unassessed construction and operational traffic effects, including access arrangements, network capacity, event-related demand, heavy vehicle movements, potential infrastructure upgrades, and associated safety, flooding, and stormwater impacts on the surrounding road network • more robust mana whenua engagement, noting that a lack of responses should not be interpreted as support or neutrality <p>The Waiheke Local Board who's comments were attached to the main document of AC, does not support the referral application and considered the referral criteria have not been met, but notes it is "not opposed, in principle, to a high-quality hotel development on Waiheke Island" and identifies "a genuine, long-standing gap in formal hotel accommodation."</p> <p>Overall, AC considered that the case for referral has not yet been adequately demonstrated.</p> <p>Ministers The Minister of Tourism and Hospitality - stated that tourism and hospitality are described as a significant pillar of New Zealand's economy. They note the following on the project:</p> <ul style="list-style-type: none"> • aligns with Tourism Growth Roadmap; accommodation is necessary tourism enabling infrastructure 		

¹ Geothermal water is defined under section 2(1) of the Resource Management Act 1991 as water heated by geothermal energy and having a temperature of 30 degrees Celsius or greater.

- delivers employment, long-term roles, increased visitors, longer stays and higher spend
- supports local employment and more stable revenue through less pronounced seasonality
- adds to existing high visitor intensity and pressure on infrastructure
- risks pressure on social licence, overtourism and reduced visitor experience if unmanaged
- that Fast-track limits public participation, requiring strong conditions, transparency and monitoring
- that the benefits outweigh localised impacts, subject to appropriate conditions and protection of natural and cultural assets

The Minister for Economic Growth - notes that the projects quantified economic benefits are primarily concentrated during the development and construction phase. They identified a range of non-monetised benefits, including facilitation of Auckland's tourism recovery, diversification of the regional tourism offering toward higher-value wellness tourism, increased visitor spending and length of stay, spillover demand for transport and local services, and ongoing operational employment once the development is established. They commented that the project appears likely to deliver significant regional economic benefits, driven primarily by the scale of capital investment and construction-phase employment effects and that the longer-term economic value arises from supporting tourism activity and visitor expenditure in the Auckland region, contributing to broader economic growth outcomes.

Māori groups

Ngāti Paoa Iwi – stated it does not support the application due to the lack of:

- consultation with Ngāti Paoa as the tangata whenua
- supporting archaeological information detailing the impact of the proposed development in an area widely recognised as having historical connections and deposits dating back to the first inhabitants of New Zealand

Administering agencies

The Department of Conservation (DOC) noted no ecology assessment is provided and that, given the scale of the project, there is potential for significant adverse effects on ecological values. However, DOC considers that with appropriate design, enforceable conditions, best management practice, and the implementation of ecological management plans, effects could be managed to avoid significant adverse effects on the environment.

DOC further noted no ineligible activities have been identified, there are no issues with the applicant's compliance history, and no competing applications have been identified. It also advised that while a Wildlife Act approval would typically take approximately three to four months to process, there may be efficiencies in combining this with Resource Management Act approvals under the fast-track process.

DOC stated that the project is not expected to address significant environmental issues and did not identify any inconsistency with relevant Treaty settlements or other statutory obligations.

DOC recommend any substantive application include a comprehensive ecological assessment with robust baseline monitoring, addressing lizard and skink species, wetlands and stream loss, ecological values, and proposed mitigation, offsetting, and compensation measures. It also notes the importance of conserving threatened and at-risk species, protecting and restoring indigenous ecosystems, and maintaining habitat connectivity and water quality, with assessment against the National Environmental Standards for Freshwater and any required freshwater fisheries approvals.

Further information from the applicant

You (Minister for Infrastructure) agreed to request further information and supporting evidence from the applicant, to substantiate and quantify the 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 those benefits.

In response, the applicant stated that the project's ongoing economic benefits would include:

- supporting approximately 170–280 FTE roles, reflecting higher staffing intensity for a luxury offering
- providing enduring direct employment for the Waiheke local labour market
- contributing to the wider Auckland regional tourism economy through increased demand for accommodation, hospitality supply chains, and related services

Estimated operational benefits include approximately 7,000 additional visitor nights annually, \$12 million per annum in retained operational expenditure, \$2.4 million per annum in additional visitor expenditure, and further indirect and induced economic activity. Over a 10-year period, these are estimated (in present value terms) at approximately \$81 million in retained operational expenditure, \$16 million in additional visitor expenditure, and \$12 million in indirect and induced activity.

The applicant noted these estimates are indicative and based on high-level assumptions, with outcomes dependent on the final operator, design, and level of service. A more detailed economic assessment is proposed at the substantive stage, including consideration of opportunities to maximise local economic benefits.

The 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:

- would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title and consultation with iwi authorities
- would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area
- 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 because it will not occur in the CMA
- would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement, would not occur on Schedule 4 land
- would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA
- would not occur on Schedule 4 land as confirmed by the records of title
- would not occur on a national reserve as confirmed by the records of title
- 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 as confirmed by the record of title
- is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA
- is not for the purpose of an offshore renewable energy project. because it will not occur offshore or involve renewable energy production

	No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.
The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	<p>While both the applicant and agencies; the Department of Conservation (DOC) and Auckland Council, identify that further information will be required at the substantive stage, the information currently available is sufficient to inform a referral decision. In particular, DOC considers the information adequate for this purpose, notwithstanding the need for further ecological assessment at the next stage.</p> <p>Accordingly, while there are acknowledged information gaps relevant to detailed design and effects assessment, these do not prevent the Minister from forming a view on whether the referral criteria are met. Section 21(3)(c) is therefore not engaged.</p> <p>We consider there is sufficient information to inform your referral decision</p>
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]	<p>Under section 16(2)(c) of the Act you must, where relevant, direct any panel considering a substantive application to comply with applicable requirements. Accordingly, should you decide to accept this referral application, we recommend you direct any panel to:</p> <ul style="list-style-type: none"> comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approvals being sought (unless a modified arrangement can be agreed); consider whether, and how, 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 i.e. Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Pāoa, and Te Patukirikiri
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<p><i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> The only current relevant GPS is the Government Policy Statement on Grocery Competition. The project does not include a supermarket development or activities that will support grocery competition; therefore we consider the Government Policy Statement on Grocery Competition is not relevant to your decision.</p> <p>The Minister <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant:</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicants Economic Assessment outlined that Waiheke Onsen project will deliver substantial economic benefits through its construction/development phase at a regional scale, including:</p> <ul style="list-style-type: none"> total direct capital expenditure (excluding land) of \$483.9 million direct employment of 793 Full Time Equivalent years (FTE-years) total indirect or induced employment of 884 FTE-years <p>The applicant's further information indicated ongoing economic benefits from operation of the 180-room hotel, including:</p> <ul style="list-style-type: none"> supporting approximately 170–280 FTE roles, noting higher staffing intensity for a luxury offering providing enduring direct employment for the Waiheke local labour market contributing to the wider Auckland economy through increased demand for accommodation, hospitality supply chains, and related services <p>Estimated operational benefits include approximately 7,000 additional visitor nights annually, \$12 million per annum in retained operational expenditure, \$2.4 million per annum in additional visitor expenditure, and further indirect and induced economic activity. Over a 10-year period, these are estimated (in present value terms) at approximately \$81 million in retained operational expenditure, \$16 million in additional visitor expenditure, and \$12 million in indirect and induced activity.</p> <p>The applicant considers the project will support Auckland's tourism recovery and long-term economic performance through a differentiated visitor offering, with qualitative benefits including increased visitor spend, spillover demand for local businesses, and reduced seasonality supporting more stable employment and revenue outcomes across Waiheke Island and the wider region. The applicant noted these estimates are indicative and based on high-level assumptions, with operational benefits dependent on the final operator, design, and service offering. A more detailed economic assessment is proposed at the substantive stage.</p> <p>The Minister for Tourism and Hospitality supported the project as contributing to tourism growth, employment, increased visitor numbers, longer stays, and higher visitor spending.</p> <p>The Minister for Economic Growth considered the project likely to deliver significant regional economic benefits, primarily driven by capital investment and construction activity, with longer-term value from tourism.</p> <p>Auckland Council considered the case for significant regional benefit has not yet been adequately demonstrated, noting the Economic Impact Assessment focuses on construction-phase impacts, does not quantify operational tourism effects, and does not assess whether costs are proportionate to benefits.</p> <p>We consider, on balance, that the project will deliver significant regional economic benefits, although these are weighted toward construction activity, with the longer term operational economic benefits will requiring further verification at the substantive stage.</p> <p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i></p>

	<p>The applicant stated that Waiheke Onsen will support climate change mitigation by reducing reliance on private vehicles and encouraging more sustainable transport modes. The Planning Memorandum highlights the site's proximity to the Matiatia Ferry Terminal and Ōneroa Village, and access to multiple bus routes connecting key destinations on the island. The applicant considers this accessibility will help reduce transport-related greenhouse gas emissions.</p> <p>Auckland Council acknowledges that proximity to ferry and bus services may assist in managing transport effects. However, it notes that increased demand will still place pressure on infrastructure and does not consider that the proposal demonstrates clear emissions reductions or supports climate change mitigation outcomes. We do not recommend referral on this criterion.</p> <p><i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant considered that the proposal is generally consistent with relevant local and regional planning documents, including the Auckland Regional Policy Statement, noting its proximity to Ōneroa Village and the ferry terminal, accessibility by public transport, and role as an integrated visitor development. However, the applicant acknowledges the proposal would be a non-complying activity under the Hauraki Gulf Islands District Plan within the Rural 1 (Landscape Amenity) land unit.</p> <p>Auckland Council raises concerns that the proposal is largely outside the Rural Urban Boundary, is not within an existing urban environment, and that reliance on the NPS-UD is potentially misplaced. It considers the scale and intensity of the development would need to meet a high threshold to justify the rural location.</p> <p>Overall, Auckland Council's comments indicate concerns regarding consistency with planning frameworks and spatial strategy intent.</p> <p>We do not recommend referral on this criterion.</p> <p><i>Any other matters that may be relevant [s22(b)]</i> The applicant acknowledged that Waiheke Onsen is not identified as a priority project in any central or local government, or sector strategy (in terms of s22(2)(a)(i)), but considers the proposal aligns with the strategic intent to attract business and investment in the Auckland region. The Planning Memorandum refers to a letter of support from Auckland Council's Economic Development Office, which identifies the project's role in enhancing the visitor experience, providing accommodation and conference facilities of scale, delivering employment, and representing a substantial regional investment.</p>
<p>Referring the project to the fast-track approvals process [section 22(1)(b)]</p>	<p><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 stated "the fast-track process will enable the project to be processed in a more timely and cost-efficient manner than under the normal process, for the following reasons:</p> <ul style="list-style-type: none"> • Under the Fast-track Approvals Act 2024, expert panels will consider required approvals as a single application package, as opposed to the normal process where several applications would be required for the different activities and to different authorities; • Under the Fast-track Approvals Act 2024, public and limited notification is precluded, expert panels are only permitted to invite comments from specified persons who have a short timeframe to provide comment. Given the scale of this development, it would likely be a fully notified application under the Resource Management Act 1991 which would significantly slow down the consenting process and add to cost, taking into account the appeal rights enabled under the standard RMA process; • Under the Fast-track Approvals Act 2024, timeframes are shorter and stricter than that of the normal process resulting in significant less time for obtaining resource consent and efficiencies for the project; and • There is resourcing in place to process the application efficiently and certainty around timeframes for the applicant to ensure the project remains 'shovel ready'". <p>Noting that DOC commented that any Wildlife Act approval would generally take approximately three–four months, with benefits for the Applicant in combined consideration with RMA approvals under the Act</p> <p>We agree with the applicant's statement that the use of the fast-track process would facilitate the project in a more timely and cost-effective manner than under the conventional RMA consenting pathways, noting that that the project may involve a prohibited activity under the relevant regional plans, which would preclude it from progressing through standard RMA processes without a private plan change, and can instead be considered through the fast-track approvals process.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states that project is unlikely to materially affect the efficient operation of the fast-track approvals process. The applicant states that their assessment of the proposal is considered to be relatively straightforward and unlikely to require additional resourcing given it does not raise novel issues, and the effects are known and easily quantifiable.</p> <p>We agree that referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process.</p>
<p>Reasons to decline</p>	
<p>Minister <u>must</u> decline [section 21(3)]</p>	<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i> We consider the project meets the referral criteria.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i> We have not identified any ineligible activities included in the project.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i> We consider you have sufficient information to inform your referral decision.</p> <p>We do not consider that you must decline the application under this section.</p>

Minister may decline [section 21(4) and 21(5)(a-h)]

*The Minister 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

There is nothing within the section 18 report, nor any comments from the relevant Māori groups to indicate the project would be inconsistent with any of these matters.

It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts

Waiheke Local Board considers that some matters associated with the proposed approvals are more appropriately addressed under other statutory regimes.

However, we do not consider that this provides a basis to decline the referral application. The matters raised, including infrastructure servicing, detailed ecological assessment, and planning and design considerations, are typical of issues that can be addressed through a substantive fast-track application processes, including through the expert panel's consideration of detailed technical evidence.

The project may have significant adverse effects on the environment

Auckland Council identifies potential environmental risks, noting the absence of an ecology assessment and the need for key technical assessments (including stormwater, earthworks, and geotechnical), creating uncertainty regarding environmental effects. It also notes infrastructure constraints, particularly unresolved wastewater servicing, with the Owhanake Wastewater Treatment Plant at capacity and requiring upgrades, policy decisions, and approvals outside the fast-track process, creating uncertainty about whether the development can be adequately serviced without adverse effects on water quality and the wider environment.

The Department of Conservation advises that, in the absence of an ecology assessment, the project may have significant adverse effects on ecological values, although these could be managed through appropriate conditions, best practice, and ecological management plans.

While a full ecological assessment has not been provided at the referral stage, the information available is sufficient to identify key environmental issues. The absence of detailed technical assessments is consistent with the early stage of the process and does not preclude referral, with these matters more appropriately assessed at the substantive stage.

Accordingly, while there is potential for significant adverse effects, the information provided is sufficient to support referral, noting that effects can be further assessed and managed through the substantive application process. We recommend directing the applicant to provide additional information on infrastructure servicing at the substantive stage.

The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals

No commenting party or the applicants identified a poor compliance history under any specified Act relevant to the proposed approvals.

The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

The project area does not include land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

The project includes an activity that is a prohibited activity under the Resource Management Act 1991

The applicant has indicated that earthworks in or around potential natural inland wetlands may be identified at a later stage, which could trigger a prohibited activity under the National Environmental Standards for Freshwater (NES-F); therefore, for transparency the applicants has included this as a precautionary approach. No commenting party identified that the project includes any additional prohibited activity under the Resource Management Act 1991. We do not consider this for a basis to decline this application.

A substantive application for the project would have one or more competing applications.

No commenting party identified that a substantive application for the project would have one or more competing applications.

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 commenting party identified that there is existing resource consents of the kind referred to in section 30(3)(a) in relation to any proposed resource consent approvals under section 42(4)(a).

Any other matter

The application contains limited information on traffic and the transport effects of the project. Auckland Council identifies no detailed impact assessment, mitigation, or capacity upgrades, and ferry reliance and construction logistics are unclear, creating uncertainty about infrastructure capacity.

While not grounds to decline the application, these matters require further assessment. We recommend directing the applicant to provide additional information at the substantive stage.

We do not recommend you decline the application.

Appendix 1: Statutory framework summary

47. 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.
48. 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.
49. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
50. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
51. You can decline an application before or after inviting comments under s17(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.
52. 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 and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area (if applicable)
 - f. you may provide the application to and invite comments from any other person.
53. 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).
54. 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.