

FTAA-2511-1132: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Matakana Country Club

Date submitted:	26 February 2026	Tracking #: 26-BRF-00355	
Security level:	In-Confidence	MfE priority:	Urgent

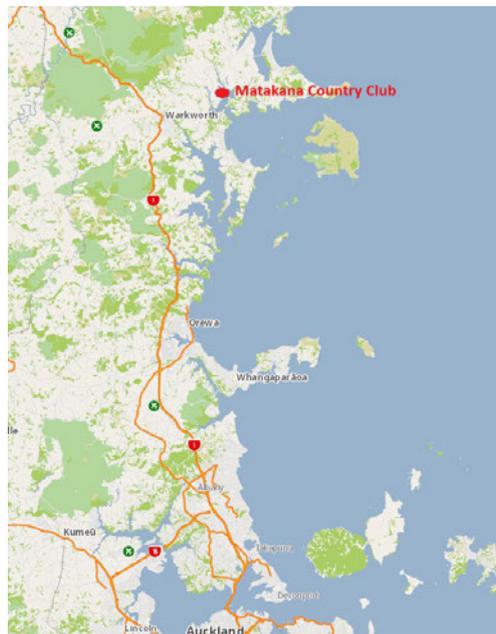
	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	9 March 2026

Actions for Minister's Office staff	<p>Return the signed briefing to: FTAreferrals@mfe.govt.nz</p> <p>Approve the attached notice of decisions letter.</p>
Number of appendices: 7	<p>Appendices:</p> <ol style="list-style-type: none"> 1. Statutory framework for making decisions 2. Application documents for Matakana Country Club 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Comments received from invited parties 6. Further information received from the applicant 7. Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Antonia Croft		
Acting Manager	Max Gander-Cooper	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 Matakana Country Club Limited (the applicant) to refer the Matakana Country Club (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-7230) with your initial decisions annotated is in Appendix 3.

3. The project is to develop and operate a retirement village over 73 hectares of rural land at 120 Tongue Farm Road, Matakana, approximately 1 kilometer from Matakana Village, in the Auckland region.
4. The project comprises:
 - a. 208 independent living units
 - b. a 30-bed care facility
 - c. communal and recreational amenities, including a clubhouse, café/restaurant, health spa, art centre, workshop, and open space network
 - d. approximately 25 hectares of native wetland, and riparian planting.
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991 (RMA)
 - b. an 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 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation 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 and other obligations report (in Appendix 4), and any comments from invited parties (in Appendix 5) and the further information from the applicant (in Appendix 6) received within the specified time frame. 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 you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

10. The Section 18 report identifies 35 relevant Māori groups for this project area, which are listed as Attachment 3 of the report. These include relevant iwi authorities and Treaty settlement entities. Auckland has a complex Treaty settlement landscape with many overlapping interests. Some groups have settled while others are still in settlement negotiations with the Crown for both individual group and collective redress. The project area also borders the marine and coastal area therefore Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) groups have been included in this consultation.
11. The relevant iwi authorities for the project area are Te Rūnanga o Ngāti Whātua, Ngāti Manuhiri Settlement Trust, Te Kawerau Iwi Trust, Ngāi Tai ki Tāmaki Trust, Ngāti Pāoa Iwi Trust, Ngāti Maru Rūnanga Trust, Ngāti Tamaterā Settlement Trust, Ngaati Whanaunga Incorporated Society, Ngāti Te Ata Claims Support Whānau Trust, Hako Tūpuna Trust, and Ngātiwai Trust

12. The relevant Treaty settlement entities are Ngāti Manuhiri Settlement Trust, Te Kawerau Iwi Trust, Ngāi Tai ki Tāmaki Trust, and Ngāti Pāoa Iwi Trust. Additional post-settlement governance entities established ahead of final settlement are also relevant, including Te Rūnanga o Ngāti Whātua, Taonga o Marutūāhu Trustee Limited / Marutūāhu Rōpū Limited Partnership, Ngaati Whanaunga Ruunanga Trust, Ngāti Maru Rūnanga Trust, and Ngāti Tamaterā Settlement Trust.
13. The Treaty settlements relevant to the project area are the 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.
14. The project area does not include the common marine and coastal area, and accordingly there are no relevant applicant groups under MACA, and no court orders or agreements that recognise protected customary rights or customary marine title within the project area.
15. The Treaty settlements and other arrangements relevant to the project area are the 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.
16. The Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki settlements provide for coastal statutory acknowledgements that adjoin the project area. In addition, the Ngāti Manuhiri settlement provides for a statutory acknowledgement over the Matakana River, which incorporates the estuarine area surrounding the project area
17. 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.
18. No comments were received from any of the invited Māori groups under s17(1)(d) and (e).
19. The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti support this application for referral.
20. 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

21. The Section 18 report does not identify any provisions in the Treaty settlements that would place procedural requirements on you or a panel under section 16 of the Act with regard to this application.

Written comments received

22. Comments were received from Auckland Council (AC), the Minister for Seniors, the Minister for Economic Growth, the Associate Minister of Housing, the Minister for Arts, Culture and Heritage, and Heritage New Zealand Pouhere Taonga (HNZPT). Comments were provided within the specified timeframe. The key points of relevance to your decisions are summarised in Table A.
23. The key points from the comments are:

- a. AC opposes referral because of planning, environmental, infrastructure and strategic concerns and because it considers the scale of the project does not meet the threshold to deliver significant regional or national benefits
- b. the Minister for Seniors supports referral, on the basis that the project materially contributes to meeting seniors' housing needs through the provision of retirement units and care beds
- c. the Minister for Economic Growth supports referral, citing a \$425 million net present value impact, up to 810 jobs, and alignment with the section 22(2)(iii) criterion to increase the supply of housing
- d. the Associate Minister of Housing supports referral, noting strong demand for retirement and care accommodation in Rodney, despite acknowledged planning and infrastructure constraints
- e. the Minister for Arts, Culture and Heritage advised they did not have any comments on this application

HNZPT confirmed that recorded and potential archaeological sites will be affected, noting the applicant has provided an archaeological assessment. If referred, HNZPT anticipate relevant information will be provided with a substantive application.

Further information provided by the applicant

- 24. In response to your request for further information under section 20 of the Act, the applicant provided further information to support their assertion of the regional and economic benefits of the project. This information was provided within the specified timeframe.
- 25. You must consider all information 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

- 26. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
- 27. 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. We do not consider you should decline this project for any other reason.
- 28. We do not consider you must decline this application.

Reasons to accept

- 29. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral
- 30. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
 - a. it is an infrastructure or development project that will have significant regional or national benefits because:
 - i. it will increase the supply of housing and address housing needs
 - ii. it will deliver significant regional economic benefits

- 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 public and limited notification is precluded and appeal rights are limited
- c. it is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not overly complex and is similar to the type of application that panel members are experienced in dealing with under the RMA.

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

Conclusions

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

Next steps

33. 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.

34. 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.

35. 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.

36. We will undertake this action on your behalf.

37. 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.

38. Our recommendations for your decisions follow.

Recommendations

39. 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 Matakana Country Club 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 Matakana Country Club 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

any comments and further information sought under sections 17 and 20 and provided within the required timeframe in Appendices 5 and 6 respectfully.

Yes / No

- c. **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 or national benefits by:

- (1) increasing the supply of housing and address housing needs with approximately 208 residential units and 30 bed-care units
- (2) delivering an estimated regional economic output of \$425–\$509 million Net Present Value
- (3) providing approximately 3,476 Full Time Equivalent (FTE) job-years over six years with 1,320 direct and 2,156 indirect/induced jobs
- (4) providing peak employment of approximately 810 FTEs, with additional operational jobs expected.

- 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 public and limited notification is precluded and appeal rights are limited

- iii. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not overly complex and is similar to the type of application that panel members are experienced in dealing with under the Resource Management Act 1991.

Yes / No

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

Yes / No

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

Yes / No

- f. **Agree** to specify Matakana Country Club Limited as the person who is authorised to lodge a substantive application for the project.

Yes / No

- g. **Agree** to specify under section 27(3)(b)(i) of the Act, a deadline of two years for lodging the substantive application for the project.

Yes / No

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

- i. anyone invited to comment on the application including the relevant local authorities, the relevant administering agencies, the Minister for the Environment and relevant portfolio Ministers, and relevant Māori groups.
- ii. the panel convener
- iii. the Environmental Protection Authority (EPA)
- iv. the following relevant administering agencies:
(1) Heritage New Zealand Pouhere Taonga

Yes / No

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

Yes / No

Signatures



Ilana Miller
General Manager, Delivery and 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
	Matakana Country Club	<p>Matakana Country Club Limited (The applicant)</p> <p>c/- Bloxam Burnett & Olliver Ltd (BBO) (The agent)</p> <p>The applicant is a registered NZ limited company and is eligible to apply for the approvals sought.</p>	<p>Approximately 73 hectares of rural land at 120 Tongue Farm Road, Matakana, in the Auckland region.</p> <p>The site is legally described as Part Lot 3 DP 13160 and Part Lot 5 DP 13160 (Record of Title NA61D/287).</p>
Project description	<p>The project is for the development and operation of a retirement village over 73 hectares of rural land near Matakana.</p> <p>The project comprises:</p> <ul style="list-style-type: none"> • 208 independent living units • a 30-bed care facility • communal and recreational amenities, including a clubhouse, café/restaurant, health spa, art centre, workshop, and open space network. • approximately 25 hectares of native wetland, and riparian planting. <p>The project will require the proposed approvals:</p> <ul style="list-style-type: none"> • resource consents under the Resource Management Act 1991 • an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 		
Minister invites comments / requests information	Comments from invited parties		
	<p>Local authorities</p> <p><u>Auckland Council (AC)</u></p> <p><u>AC</u> opposes project referral because of planning, environmental, infrastructure and strategic concerns, noting the following:</p> <ul style="list-style-type: none"> • the project conflicts with the relevant zoning provisions of the Auckland Unitary Plan and the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) • the project does not align with the AC Future Development Strategy • the scale of the project does not meet the test for delivering regional or national significant benefits, with the provision of 208 villas representing a negligible fraction of housing delivery within the Auckland region • the proposal is car-centric in a rural setting • Watercare Services Limited (Watercare) do not support the provision of public water or wastewater services to this site as it is outside of identified growth areas. <p>AC note that, should the project be referred, the substantive application should include:</p> <ul style="list-style-type: none"> • private on-site wastewater disposal options • a flood assessment • cycling and pedestrian infrastructure • assessments to delineate wetlands, assess groundwater drawdown effects, and manage risks to the adjacent marine and estuarine receiving environment. <p>We consider the applicant is already required to provide the above information as set out in Schedule 5 of the Act.</p> <p>In response to our section 17(3)(a) competing applications check, AC advised it is not aware of any competing applications in relation to this project. In response to 17(3)(b) regarding existing resource consents, AC advised it is not aware of any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply.</p> <p>Ministers</p> <p><u>Minister for Seniors</u> The Minister for Seniors supports the referral of the project, commenting that the project would help meet housing needs.</p> <p><u>Minister for Economic Growth</u> The Minister for Economic Growth commented that the primary long-term benefit of this proposal is its provision of additional housing, which is critical for a growing economy. The Minister also commented that, given this application would provide a significant boost in the housing supply, it could also be assessed under the criteria “increasing the supply of housing, address housing needs, or contribute to a well-functioning urban environment” noting alignment with (s22(2)(a)(iii) of the Act.</p> <p><u>Associate Minister of Housing</u> The Associate Minister of Housing supports the referral of the project, commenting that demand for retirement accommodation in Rodney is significant, with population growth among older age groups as a key driver. The Minister further commented that it is important to provide for a growing older population by ensuring there are a range of housing choices, demand for care beds is expected to exceed supply within five years, and the provision of retirement units and care beds would help address these shortages, with positive flow-through effects on the wider housing market.</p> <p><u>Minister of Arts, Heritage and Culture</u>- advised that they did not have any comments on this application.</p>		

	<p>The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti support this application for referral as noted in the Section 18 report.</p> <p>Māori Groups</p> <p>No comments were received from the relevant Māori groups invited.</p> <p>Administering agencies</p> <p><u>Heritage New Zealand Pouhere Taonga (HNZPT)</u> - confirmed that the applicant has engaged with HNZPT and a pre-application meeting was held on 8 October 2025. An archaeological assessment identifies two recorded archaeological sites within the project area, and the works proposed will modify or destroy those sites. Numerous sites in the vicinity indicate potential to encounter further archaeological material or sites, so an archaeological authority is required prior to those works commencing.</p> <p>To mitigate adverse effects on archaeological values, a suite of conditions will be required, and this has been discussed with the applicant. If referred, HNZPT anticipate relevant information will be provided with a substantive application.</p>
	<p>Further information from the applicant</p>
<p>The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]</p>	<p>Based on the information in the application, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> • 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 • it would not occur in a customary marine title area or protected customary rights area as it is not in the common marine and coastal area • it 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 common marine and coastal area • would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not require an access arrangement • would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the common marine and coastal area • 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 as it does not involve any of the relevant activities • is not for the purpose of an offshore renewable energy project because it will not occur offshore. <p>No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.</p>
<p>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>	<p>We consider you have sufficient information to inform your referral decision.</p>
<p>Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coast Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]</p>	<p>N/A</p>
<p>Section 22 assessment criteria</p>	
<p>The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]</p>	<p>You must consider a relevant Government Policy Statement (GPS) [s22(1A)].</p> <p>The only current relevant GPS is the Government Policy Statement on Grocery Competition. The project does not include commercial activities will include a supermarket development or grocery related activities; therefore we consider the Government Policy Statement on Grocery Competition is not relevant to your decision.</p> <p>You <u>may</u> consider any of the following matters, or any other matters you consider relevant:</p>

	<p><i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]</i> The applicant states that the project will deliver 208 independent living units and a 30-bed care facility, directly increasing the supply of specialist housing for older persons in Rodney and Auckland. This project responds to a documented shortfall, with net latent demand of 755 units in Rodney and 15,499 units across Auckland by 2048, and a significant care-bed gap. The proposal enables ageing in place, diversifies retirement-living options, and frees up existing family homes, contributing to a well-functioning urban environment consistent with the National Policy Statement on Urban Development 2020. It addresses constraints in current planning frameworks and provides a national benefit by meeting critical housing and care needs in New Zealand's largest urban region.</p> <p>Comments from the Minister for Seniors, Associate Minister of Housing and the Minister for Economic Growth note that the project will increase the supply of housing and address housing needed. Comments from the Minister for Economic Growth specifically note alignment with section 22(2)(a)(iii).</p> <p>We accept the project will increase the supply of housing. Therefore, we consider <u>you should refer the project on this criterion.</u></p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant states that the project will deliver substantial economic benefits, including:</p> <ul style="list-style-type: none"> • regional economic output of \$425–\$509 million net present value • approximately 3,476 full-time equivalent (FTE) job-years over six years (1,320 direct; 2,156 indirect/induced) • peak employment is forecast at 810 FTEs, with additional operational jobs expected. <p>These outcomes reflect significant capital investment, local supply-chain engagement, and long-term economic stimulus.</p> <p>Comments from the Minister for Economic Growth acknowledge the applicant's assertion about the economic and employment outcomes the project will deliver.</p> <p>AC commented that the economic assessment provided with the referral application overestimates construction costs, assumes an optimistic build out timeframe, does not distinguish net new activity from displaced activity, and does not include a formal cost–benefit analysis.</p> <p>On balance, we accept the project will deliver significant economic benefits. Therefore, we consider <u>you should refer the project on this criterion.</u></p> <p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i> The applicant states that the project incorporates measures to reduce environmental impact and improve resilience by:</p> <ul style="list-style-type: none"> • designing stormwater systems for the 1% flood event with climate change allowances • using detention and treatment to reduce erosion and improve water quality • maintaining natural features such as wetlands and riparian planting to enhance ecosystem services and carbon sequestration. <p>As these proposed actions are to mitigate the project's own development effects, we do not consider the project will support climate change mitigation to the extent that it is likely to be of a significant regional or national benefit. Therefore, we consider <u>you should not refer the project on this criterion.</u></p> <p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i> The applicant states that the project incorporates climate-resilient design and natural hazard mitigation by:</p> <ul style="list-style-type: none"> • setting platforms above predicted sea-level rise • ensuring the site has low susceptibility to flooding, coastal inundation, liquefaction, or slope instability. <p>As these proposed actions are to mitigate the project's own development effects, we do not consider the project will support climate change adaptation to the extent that it is likely to be of a significant regional or national benefit. Therefore, we consider <u>you should not refer the project on this criterion.</u></p> <p><i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant states the project will address significant environmental issues by delivering measurable ecological enhancement through:</p> <ul style="list-style-type: none"> • restoration planting and wetland creation: establishing constructed wetlands and vegetated swales to filter and treat stormwater before it enters the receiving environment, improving water quality and supporting aquatic ecosystems • riparian restoration: approximately 25 hectares of native planting along drainage lines and tributaries of the Matakana River to stabilise banks, reduce sedimentation, and enhance connectivity between terrestrial and aquatic habitats • habitat enhancement: replacing exotic pasture with locally appropriate native vegetation to provide new habitat for indigenous birds, lizards, and invertebrates, while increasing ecological integrity and carbon-sequestration potential • landscape connectivity: creating continuous green corridors linking restored areas, wetlands, and open-space networks, strengthening ecological resilience across the site. <p>As these proposed actions are to mitigate the project's own development effects, we do not consider the project will address significant environmental issues to the extent that it is likely to be of a significant regional or national benefit. Therefore, we consider <u>you should not refer the project on this criterion.</u></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 application states that conventional processes under the RMA would require a plan change and multiple resource consents, likely delaying delivery by 18–24 months. Referral under the Act would materially improve timeliness and efficiency while maintaining robust environmental and planning scrutiny through an expert panel process.</p> <p>We agree that referring the project would enable it to be processed in a more timely and cost-effective way than under normal processes.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i></p>

	<p>The applicant states that referral will not materially affect the efficient operation of the fast-track process because the project is well-defined, technically assessed, contained within a single site, led by an experienced developer, and involves no ineligible activities.</p> <p>We agree with this statement as the project is not overly complex and is similar to the types of application that panel members are experienced in dealing with under the RMA.</p>
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<p><i>You <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>You are satisfied the project involves an ineligible activity</i> We have not identified any ineligible activities included in the project scope.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i> 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)]	<p><i>You <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i> <i>Reasons to decline a referral application under subsection 4 include, without limitation:</i></p> <p><i>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</i> No comments in the section 18 report indicate this would be the case.</p> <p><i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> The section 18 Report on Treaty settlements and other obligations does not state it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.</p> <p><i>The project may have significant adverse effects on the environment</i> No comments provided by parties invited to comment indicate this would be the case.</p> <p><i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> No comments from invited parties identified this as a potential reason why you should decline the application.</p> <p><i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> No such land has been identified.</p> <p><i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> The project does not include any prohibited activities under the RMA.</p> <p><i>A substantive application for the project would have one or more competing applications.</i> No authorities or agencies have identified any competing applications</p> <p><i>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)</i> No relevant authorities have identified this as the case.</p> <p><i>Any other matter</i></p> <p>AC considers the proposal conflicts with the Auckland Unitary Plan and the NPS-HPL, noting the site is zoned Rural Coastal Zone, is located outside the Rural Urban Boundary and involves an urban-scale development on land identified as highly productive. We note that these matters relate to the merits of the proposal and its consistency with planning instruments, which would ordinarily be assessed through the resource consent process. The Act does not preclude consideration of proposals that raise issues of policy consistency, and irrespective of the Act, approvals would otherwise still be required under the RMA. We therefore do not consider you should decline the referral application on the basis that the proposal may conflict with relevant planning instruments or national policy statements.</p> <p>Watercare raised concerns regarding infrastructure provision, servicing arrangements, and the reliance on private stormwater and wastewater systems. We consider these matters relate to the substantive assessment of effects, benefits, and infrastructure impacts of the proposal and can be appropriately considered by a panel through the substantive application.</p> <p>We do not consider you should decline the referral application.</p>

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:
 - give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - you are satisfied the project does not meet the referral criteria in s22
 - you are satisfied the project involves an ineligible activity (s5)
 - 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 s21(5) and even if the application meets the s22 referral criteria.
5. 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.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - the relevant local authorities,
 - the Minister for the Environment and relevant portfolio Ministers
 - the relevant administering agencies
 - the Māori groups identified by the responsible agency
 - the owners of Māori land in the project area (if applicable)
 - 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.