

To: Listed Projects Team – Ministry for the Environment
From: Rebecca Sanders/Nick Roberts – Barker & Associates Limited
Date: 18 March 2026
Re: Planning Memorandum for Waiheke Onsen

1.0 Introduction

1.1 Waiheke Onsen

Waiheke Mon E Limited (**WME**) engaged Barker & Associates (**B&A**) to provide planning services for the consenting of **Waiheke Onsen** located at 32 Tiri Road, Oneroa, Waiheke Island (the site). Waiheke Island is approximately 35-40min Ferry Ride to Auckland CBD and the site is located approximately 700m from Matiatia (Waiheke Ferry Terminal). **Waiheke Onsen** is a proposed regional facility that will encourage visitation to the island. The **Waiheke Onsen** will consist of the following:

- 1) Approximately 180 room hotel;
- 2) Japanese inspired Ryokan villas (Approximately 10);
- 3) A luxury Japanese geothermal retreat (Onsen) including hot pools that can accommodate approximately 150 guests, private day pools (10), private saunas (4) and a café/restaurant;
- 4) A spa facility with treatment room and a pool;
- 5) A wedding conference venue that can accommodate 200 guests;
- 6) A yoga and meditation pavilion; and
- 7) Associated facilities including carparking, reception, changing rooms and service kitchen.

The Masterplan is shown below in Figure 1.

The masterplan involves an extensive landscaping through the site with native planting.



Figure 1: Waiheke Onsen Masterplan. Source: Fearon Hay

1.1.1 Three Waters

The proposed three-waters strategy for the Site is set out in the Preliminary Civil Infrastructure Report (**Attachment 8**). By way of summary, the follow strategies are proposed.

Stormwater

There is currently no stormwater infrastructure within the Site. The Preliminary Civil Infrastructure Report prepared by Maven proposes a new privately owned stormwater network to be constructed as part of the development that is designed to have capacity for the ten-year rainfall event. The proposed stormwater infrastructure will provide a means of disposal for all impervious areas (carparks, accessways, buildings and other ancillary impervious areas). Roof caught water will be piped into underground tanks, to provide, alongside bore water, the primary means of potable and non-potable water supply for the development. The private accessways and parking areas will feature (where the contour allows) swale drains and in some steeper areas, a piped network will need to be constructed to convey flows via catchpits.

Water supply

Waiheke Island is not currently served by any water supply infrastructure networks and therefore the water supply for the development will be privately sourced. The Preliminary Civil Infrastructure Report prepared by Maven, the preliminary Groundwater Assessment by WGA and the preliminary Water Reuse assessment by Watersmart collectively confirm that the proposed development can be serviced through a combination of roof rainwater capture, groundwater abstraction from the greywacke bedrock, and water treatment and reuse:

- **Bore Water:** The supply of warm mineralised groundwater for the onsen facility is a key component of the proposed development and a water supply bore has been installed at the northern end of

the Site to a depth of 450 m for this purpose. WGA has confirmed that 16.3 m³/day or 95,940 m³/year can be drawn from the bore, without impacting water availability at nearby bores. This will provide a source of the onsen facility and other potable uses in the drier months.

- **Roof Caught Water:** Maven and Watersmart have confirmed that roof caught water will be a primary piece of the potable water supply for the development and all roof areas will be used for rainfall capture. To ensure the total rainfall is captured, the cleanwater networks will be oversized, which will include gutters, down-pipes and associated networks. These sealed, cleanwater networks will feed roof water into storage tanks via gravity. Clean roof water networks will be separated from surface water networks.
- **Water Treatment:** There will be two reservoirs at the top of the site. The first reservoir will support the Onsen demand (which will be untreated artisan bore water only). The second and largest reservoir will contain a mixture of roof-caught and bore-fed water, which will be treated before being used within the site.
- **Water Recycling and Reuse:** To ensure reduced non potable water demand, the development will recycle and reuse grey water for all non potable demands, which will also include irrigation and the use of the water for decorative water features throughout the site.

Wastewater

There is currently not public wastewater connection available at the Site however, there is an existing public wastewater network and treatment plant Owhanake Wastewater Treatment Plant 'WWTP' located close to the site. The Preliminary Civil Infrastructure Report prepared by Maven has confirmed that a private wastewater network will be constructed designed to convey all wastewater from the site. As greywater is proposed to be treated and reused within the development this has reduced the overall wastewater generated from the proposal.

Consultation has been undertaken with Watercare regarding the capacity of the Owhanake WWTP to service the development *refer Attachment 4*. Watercare has confirmed that there is a need for an upgrade to the WWTP with a renewal consent required before 2028 (which has to happen irrespective of this development). Although upgrades are required to meet current demand, Watercare has advised that there is no funding in place to enable this upgrade. Subject to an upgrade to the WWTP, additional capacity can be provided which can support the discharge from the intended development. This would be in part funded by the Applicant, of which would be formalised in a Development Agreement if the referral process is successful.

1.1.2 Power and Telecommunication

Telecommunications in the area are managed by Chorus, Power supply in the area is managed by Vector. The Infrastructure Memorandum outlines that with upgrades in place, services will be available to service the development. The applicant will continue to work with Vector and Chorus prior to the lodgement of a substantive application.

2.0 Site Context

2.1 The Site

The site is an unoccupied site (approximately 50,300m²) located at 32 Tiri Road, Oneroa, Waiheke Island as shown in Figure 2. The subject site is irregular in shape and is bound by Ocen View Road to the south, Tiri Road to the northeast, holiday accommodation to the east, a private rural property to the Northwest, and a parking lot and tramping track to the west. The existing vehicle access-ways are via Ocean View Road.



Figure 2: Site Locality Plan. Source: Emaps.

The Site is well connected being located 700m to the Matiatia Ferry Terminal and 500m to Oneroa Village. There is an existing bus stop on Ocean View Road approximately 50m from the site which is serviced by buses connecting the site to the Ferry, Oneroa and wider attractions on the Island.

In terms of existing infrastructure, the subject Site is an unoccupied rural site and is not currently served by any primary wastewater or water infrastructure networks. A water supply bore has been installed at the northern end of the Site to a depth of 450 m.

The Site slopes moderately towards the northeast and Tiri Road. The Site currently consists of unkept pasture with established vegetation along Ocean View Road and the site boundaries. The current vegetation largely consists of exotic species.

2.2 Hauraki Gulf Islands District Plan – Zoning, Overlays, Controls and Designations

The subject Site is zoned Rural 1 (landscape amenity). Most of the northern site boundary is identified as a 'significant ridgeline', and a 'development control' applies within the 'significant ridgeline area' 100m to either side with implications for consent requirements depending on building height above the ridgeline.



Figure 3: Auckland Council District Plan – Hauraki Gulf Islands Section Sheet 1

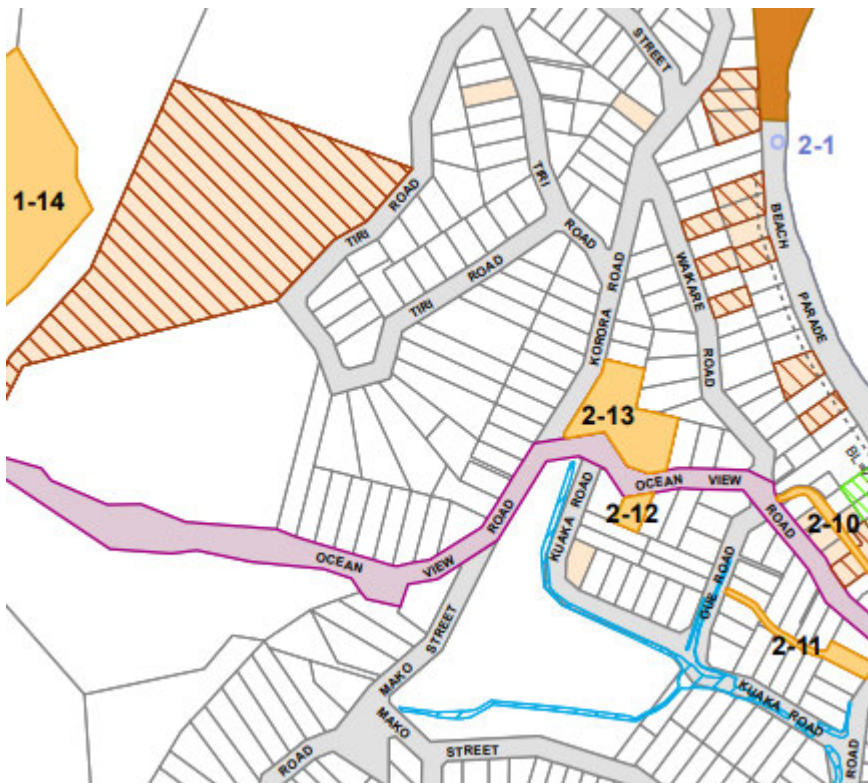


Figure 4: Auckland Council District Plan – Hauraki Gulf Islands Section Sheet 2

2.3 Regional Significance of the Project

The Fast-track Approvals Act 2024 has established a framework that differs from the Resource Management Act 1991. The matters outlined in Sections 22(1)(a) and 22(2)(a) of the Fast Track Approvals Act direct the considerations available to the Minister when assessing a project's eligibility for referral.

In summary, Waiheke Onsen is a development project that will create economic benefits and address visitor accommodation needs on Waiheke Island in terms of supply, type, and price at a scale that will provide significant regional benefits. The substantial scale of Waiheke Onsen will enable 180 room hotel with Japanese inspired Ryokan villas (10) and Onsen (hot pool facility) that will support local employment. The site is located strategically as it is walking distance to both Matiatia Ferry Terminal and Oneroa Village, and on the key bus network servicing the island. Furthermore, Waiheke Onsen is generally consistent with the relevant strategic outcomes identified in local and regional planning documents.

Section 22(2)(a)(i) – has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:

While the Waiheke Onsen project is not explicitly listed as a priority in a central government, local government, or sector plan or strategy, it fits well with the strategic intent and lens of the need to attract business and investment in the Auckland Region. This is confirmed through the letter of support for the project provided by the Auckland Council Economic Development Office *refer Attachment 5*. The Auckland Council - Economic Development Unit and their Investment team state within the letter of support that they are well positioned to directly support this project for the following reasons:

- To enhance the visitor experience in the region which will help entice both domestic and international visitors.
- To provide quality accommodation of scale that is lacking on Waiheke.
- To provide a conference facility of scale in the region.
- The provision of a number of quality jobs through its construction and staff to run and support the complex.
- The project cost which is approximately a \$500M investment into the region.
- The Waiheke Onsen would also provide support to all other attractions, businesses and operators in Waiheke.

In this regard, the project aligns with the FTAA (2024) purpose of accelerating projects that deliver significant regional benefits, as set out below.

Section 22(2)(a)(iv) – will deliver economic benefits

The Economic Assessment sets out the economic benefits that will be delivered by Waiheke Onsen. In summary these include:

- Total direct capital expenditure (excluding land) of \$483.9 Million.
- Direct employment for 793 FTE-years.
- Total indirect or induced employment of 884 FTE - years.

- The proposed development represents a strategically important opportunity to accelerate Auckland’s tourism rebound and strengthen its long-term economic performance.
- The creation of a unique and differentiated tourism asset would enhance Auckland’s competitiveness, broaden its appeal in the global market, and contribute meaningfully to rebuilding tourism’s share of the regional GDP.
- The proposed development will expand Waiheke’s and Auckland’s tourism offering by introducing a premium wellness experience that is currently absent from the regional market and represents a distinct visitor segment, separate from the island’s established wine, marine, and urban-based attractions.
- One-off economic impacts through the direct construction activity and supporting services.
- The proposed development will attract higher-spend visitors compared with average day-trip winery visitors resulting in potential uplift in per-visitor spend raises total tourism receipts captured by Waiheke and the wider Auckland region.
- The proposed development will create spillover demand for transport, tours and complementary services. Local businesses that supply food, flower, crafts, and excursion operations would see higher and more consistent demand, increasing turnover across the island and in Auckland’s tourism supply chain.
- Wellness tourism often has less pronounced seasonality than leisure sightseeing helping to smooth visitor flows across months, improving capacity utilisation for local suppliers and stabilising revenue streams for island businesses.
- Local employment opportunities once operational.

Section 22(2)(a)(vii) – will support climate change mitigation, including the reduction or removal of greenhouse gas emissions:

Waiheke Onsen will support the minimisation of greenhouse gas emissions as it is designed to reduce dependency on private motor vehicles and encourage more sustainable modes of transport, thereby reducing greenhouse gas emissions, to ensure the project supports climate change mitigation. In particular, the site is strategically located within walking distance to both the Matiatia Ferry Terminal and Oneroa Village. The site is serviced by seven bus routes, connecting the site to all the key areas and attractions on the Island.

Section 22(2)(a)(x) – is consistent with local or regional planning documents, including spatial strategies:

Overall, Waiheke Onsen is consistent with the relevant local and regional planning documents, as set out in section 5.5 and 5.6 below.

2.4 Benefit of the Fast-Track Approvals Act (2024) for Waiheke Onsen

As outlined in Section 22(1)(b)(i) and (ii), part of the determination for accepting a referral application includes outlining whether the FTAA (2024) process would facilitate a more efficient and timely delivery of the project;

(b) referring the project to the fast-track approvals process—

- i. *would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and*
- ii. *is unlikely to materially affect the efficient operation of the fast-track approvals process.*

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:

- 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'.

3.0 Reasons for Consent

3.1 Auckland Unitary Plan (Operative in Part)

At this stage, we understand that resource consent will be required under the AUP rules listed below. This list is not exhaustive and is based upon the information available to date. Further consent triggers may be identified as the proposal develops.

Taking, Using and Diversion of Water and Drilling

- Temporary diversion of surface water for urban development purposes not otherwise listed is a **discretionary activity** pursuant to E7.4.1(A13).
- The diversion of groundwater caused by excavation that does not meet the permitted activity standards is a **restricted discretionary activity** pursuant to E7.4.1(A28).
- The take and use of geothermal water for bathing use not otherwise provided for is a **discretionary activity** pursuant to E7.4.1(A24).

On-site and Small-Scale Wastewater Treatment and Disposal

- Pursuant to Rule E5.4.1(A6) the discharge of wastewater on-site disposal is a **discretionary activity**.

Discharge and Diversion

- Pursuant to Rule E8.4.1(A10) the diversion and discharge of stormwater runoff from impervious areas not otherwise provided for is a **discretionary activity**.

Stormwater Quality

- Pursuant to Rule E9.4.1(A6) development of a high contaminant generating carpark is a **controlled activity**.

Land Disturbance – Regional

- Pursuant to Rule E11.4.1(A5), earthworks greater than 50,000m² where land has a slope of less than 10 degrees outside a Sediment Control Protection Area is a **restricted discretionary activity**.
- Pursuant to Rule E11.4.1(A8), earthworks greater than 2,500m² where land has a slope of equal to or greater than 10 degrees is a **restricted discretionary activity**.
- Pursuant to Rule E11.4.1(A9), earthworks greater than 2,500m² within the Sediment Control Protection area is a **restricted discretionary activity**. [Land Disturbance – District](#)

Pursuant to Rules E12.4.1(A6) and (A10) the proposal to undertake cut / fill greater than 2,500m³ is a **restricted discretionary activity**.

Vegetation Management and Biodiversity

- The proposal involves the removal of vegetation within 20m of rural streams. This is a **restricted discretionary activity** pursuant to E15.4.1(A16).
- The proposal involves the removal of vegetation within 20m of a natural wetland and in the bed of a stream. This is a **restricted discretionary activity** pursuant to E15.4.1(A18).

Contaminated Land

- Pursuant to Rule E30.4.1(A6), the potential discharge of contaminants onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1, is a **controlled activity**.

Overall, under the Auckland Unitary Plan, the proposal would require consent as a **Discretionary Activity**.

3.2 Hauraki Gulf Islands District Plan

At this stage, we understand that resource consent will be required under the Auckland Council District Plan – Hauraki Gulf Islands Section rules listed below. This list is not exhaustive and is based upon the information available to date. Further consent triggers may be identified as the proposal develops.

Noise and Vibration from Construction Activities

- Construction works are anticipated to exceed the applicable Typical duration work construction noise limits under Table 4.1. This is a **non-complying activity** pursuant to Rule 4.2.

Natural Hazards

- The proposal potentially involves the removal of vegetation >0.5m high on slopes steeper than 18°, and/or indigenous vegetation >2m high within 10m of a wetland. These are **restricted discretionary activities** pursuant to Rule 8.5.1(3).

Land Unit – Rural 1 (landscape amenity)

- The construction of buildings. This is a **restricted discretionary activity** pursuant to Activity Table 10a.19.5.

- ‘Integrated visitor development’ (encompassing ‘restaurant, café and other eating places’, ‘visitor accommodation’, ‘tourist complex’ and ‘management and maintenance facilities and service infrastructure’). This is a **discretionary activity** pursuant to Rule 10a.19.5.
- Visitor accommodation for more than ten people. This is a **discretionary activity** pursuant to Rule 10a.19.5.
- Entertainment facilities outside of the Onetangi Road area are not provided for within Rural 1 – Landscape Amenity and therefore is a **non-complying activity** pursuant to Rule 4.2.

Development Controls

- Unless specified otherwise, pursuant to Rule 10c.3.1 development that requires modification of one or more of the relevant development controls is a **discretionary activity**. The proposal may involve buildings which infringe ‘height’ (Rule 10c.4.1), ‘building in relation to boundary’ (10c.4.3), ‘yards’ (Rule 10c.4.4), ‘building coverage’ (Rule 10c.4.5), and ‘wetland and waterbody protection yard’ (Rule 10c.5.6) development control requirements.
- The proposal may involve buildings within a ‘significant ridgeline area’ which protrude above the associated ‘significant ridgeline’. If the protrusion is <4m, this is a **restricted discretionary activity** pursuant to Rule 10c.4.7.2. If the protrusion is >4m, this is a **discretionary activity** pursuant to ‘ridgeline control’ Rule 10c.4.7.3.
- The proposal may potentially involve the removal, pruning or works in the dripline of generally protected indigenous vegetation (>3m in height and/or the removal of >300m² of indigenous vegetation <3m high. This is a **restricted discretionary activity** pursuant to ‘vegetation protection’ Rule 10c.5.1.2.
- The proposal (post-construction) may potentially involve the generation of noise which exceeds the noise limits for the land unit. This is a **non-complying activity** pursuant to ‘noise’ Rule 10c.5.3 and to Rule 4.2.
- The proposal involves earthworks which exceed the relevant areal limit/s (which differ depending on whether land slopes are greater or less than 1 in 6), and may require transport by public road of >200m³ & <5000m³ of cleanfill. This is a **restricted discretionary activity** pursuant to ‘earthworks’ Rule 10c.5.5.3.

Overall, under the Auckland Council District Plan – Hauraki Gulf Islands Section, the proposal would require consent as a **Non-Complying Activity**.

3.3 National Environmental Standard – Freshwater

Resource consents will likely be required for a range of reasons under the National Environmental Standards: Freshwater (**NES:F**), including earthworks or, vegetation clearance within 10m of a natural inland wetland, or the diversion of water or the discharge of water into water within 100m of a natural inland wetland. Reclamation of some streams and wetlands with lower ecological values may be required to facilitate development.

More detailed work will confirm if work around wetlands triggers a prohibited activity status by way of Regulation 53 of the NES:F. Regardless, s21(7) of the Fast-track Approval Act enables the Minister to accept a referral application for an activity that is prohibited under the Resource Management Act 1991. The effects of any proposal will be assessed as part of a substantive application if successfully referred.

3.4 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES:CS') sets a nationally consistent set of planning controls and soil contaminant values.

Given the historical rural uses of the site, it is likely that provisions of the NESCS will apply to future development at the locations where HAIL activities are likely to have occurred. A detailed site investigation (DSI) involving a targeted soil sampling will be undertaken at the site in support of the substantive application. This will ascertain whether NESCS and/or AUP:OP contaminated land resource consents are required to be sought in support of the development.

3.5 Other Approvals

3.5.1 Wildlife Act Authority (Permit)

A Wildlife Approval is required under the Wildlife Act from the Department of Conservation for the relocation of skinks within the site, in case the number of skinks that require relocation is greater than 20. This threshold is important as the region wide wildlife permit held by herpetologists is usually limited to 20 individuals. In this case, as the site is large, it is prudent to apply for this permit just in case the numbers that need to be relocated when suitable vegetation is cleared (e.g. weedy vegetation / rank grass) exceed this.

No other permits are requested.

4.0 Consultation

In preparing this application consultation has been undertaken with Ministry for the Environment, Auckland Council, Department of Conservation, Watercare Services Ltd and Iwi. An overview of the consultation undertaken and the feedback received is outlined in **Attachments 3 and 4**. This memorandum provides a response to the feedback received within the relevant sections. The Consultation and Iwi Engagement Report (**Attachments 3 and 4**) provide a more detailed overview in response to feedback received.

The applicant has undertaken engagement and consultation with key stakeholders, and the outcomes are summarised below.

- **Iwi:** All Iwi with interests in the area have been contacted and invited to engage on the proposal. No responses were received.
- **Auckland Council** – Consultation has occurred with various departments within Auckland Council including the Mayors Office, the Economic Development Office, Plans and Places and the Premium Consenting Team. Feedback from the Mayor and the Economic Development Office is highly supportive of the project *refer Attachment 5 Letters of Support*. Detailed feedback has been received from the Premium Consenting Team. The applicant will continue to work through the more detailed feedback raised as part of the preparation of a substantive application. An initial response to the detailed feedback is provided in Attachment 4.
- **Department of Conservation (DoC)** – Pre-lodgement consultation initiated via formal application to DoC email at Fasttrackapplicationenquires@doc.govt.nz. Subsequently, DoC were provided with a

description of the project, illustrative masterplan, overview of iwi consultation and archaeological sites found in the vicinity of the site. An initial meeting was held on the 10th of December. Further correspondence was undertaken between the 20th of January and the 10th of February 2026. Engagement with DoC is primarily in relation to the Wildlife Act and will be ongoing as part of the preparation of a substantive application.

- **Ministry for the Environment (MfE)** – Pre-lodgement consultation initiated via formal email to MfE at AdminAgencyFTAA@mfe.govt.nz. The email provided an overarching description of the proposal and a copy of the masterplan. MfE replied via email confirming the consultation request with a Section 11 letter attached outlining the national direction under the RMA that requires consideration and the relevant matters have been considered and assess above in Section 4.
- **Watercare** – A number of pre-lodgement meetings have been held with Watercare Services Limited regarding the wastewater capacity of the Owhanake WWTP and potential funding of upgrades. The outcome of this consultation is summarised in Section 1.1.1 above.

A summary of consultation undertaken and copies of the feedback received is included at **Attachment 4**.

4.1 Treaty Settlements

Section 7 of the FTAA requires all persons performing and exercising functions, powers, and duties under the Act must act in a manner that is consistent with the obligations arising under existing treaty settlements, while Section 16 sets out the requirements for the Minister.

Treaty settlements with the following iwi/groups are therefore of relevance to the project area:

- Ngāti Poao
- Ngāi Tai ki Tāmaki
- the Tāmaki Collective.

Ngāi Tai ki Tāmaki, the trustees of the Ngāi Tai ki Tāmaki Trust and the Crown signed a deed of settlement on 7 November 2015. Amendment deeds were signed in 2016, 2017 and 2018. The Treaty settlement was enacted by the Ngāi Tai ki Tāmaki Claims Settlement Act 2018.

The Ngāti Pāoa Claims Settlement Bill gained royal assent on the 12th of November 2025. The final settlement date is likely to be in March of 2026.

The Ngāti Tamaoho Claims Settlement Act 2018 gave effect to the deed of settlement signed by the Crown, Ngāti Tamaoho and the Ngāti Tamaoho Settlement Trust on 30 April 2017.

Ngā Mana Whenua o Tāmaki Makaurau (the Tāmaki Collective) signed the Tāmaki Makaurau Collective Redress deed on 5 December 2012. An amendment deed was signed 23 August 2013, and legislation to give effect to the deeds is contained in the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014. The FTAA defines this Act as a Treaty settlement Act for the purposes of the FTAA.

The Ngāi Tai ki Tāmaki, Ngāti Poao Ngāti Tamaoho settlements do not create any new co-governance or co-management processes which would affect decision-making under the RMA for this project. No areas covered by a statement of association, statutory acknowledgement or any other form of cultural or commercial redress provided in the Ngāi Tai ki Tāmaki Treaty settlement, Ngāti Poao Treaty Settlement or the Ngāti Tamaoho Settlement would be directly affected by the project. As a general principle, an absence of specific settlement redress does not indicate the absence of an iwi's cultural association with ancestral lands, sites, wāhi tapu or other taonga within an area. Therefore, the applicant has acknowledged the

cultural relationship of Ngāi Tai ki Tāmaki, Ngāti Poao and Ngāti Tamaoho within its rohe, and have contacted Ngāi Tai ki Tāmaki, Ngāti Poao and Ngāti Tamaoho regarding engagement on the proposed development. This is outlined further in the consultation summary (Attachment 3).

The Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 and its associated deed provide collective redress for the shared interests of the 13 iwi and hapū of the Tāmaki Collective in maunga, motu and lands within Tāmaki Makaurau. These provisions do not settle any historical Treaty claims; this is addressed instead through the specific settlements with each iwi/hapū. The redress provided through the Act is provided 'on account' of those individual Treaty settlements.

A significant part of the collective redress is concerned with governance and management arrangements over the maunga of central Auckland and some of the islands of Tikapa Moana (the Hauraki Gulf).

Some commercial redress is also included, in the form of rights of first refusal (RFR) over Crown properties over a wide area of Auckland, and second rights to purchase deferred selection properties not selected or acquired by iwi/hapū under their individual settlements.

5.0 Statutory Framework

This section is provided in accordance with subclause 2(1)(a)(i) – (iii) of Schedule 5. This requires that applications include an assessment of the activity against the relevant provisions and requirements of the following statutory documents:

- a) any relevant national policy statements:
- b) any relevant national environmental standards:
- c) If relevant, the New Zealand Coastal Policy Statement:

5.1.1 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2020 ('**NPS-FM**') seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities. The NPS-FM was amended in 2025 (with provision taking effect from January 2026) in relation to quarrying and mining activities.

It is considered that the project is consistent with the relevant policies of the NPS-FM that relate to land development for the following reasons:

- The development of **Waiheke Onsen** provides opportunity for ecological restoration of an area that has particularly low ecological value.
- The proposal provides the opportunity for ecological restoration across the site which will improve the overall quality of freshwater environments (Policy 5).
- Engagement with Iwi is on-going for this project (Policy 2).
- Ongoing monitoring will take place to ensure the condition of water bodies and freshwater ecosystems is not degraded (Policy 13).

Based on the assessment above, it is considered that the project is consistent with the NPS-FM.

5.1.2 National Policy Statement Highly Productive Land

The National Policy Statement for Highly Productive Land 2022 ('NPS-HPL') ensures the availability of New Zealand's most favourable soils for food and fibre production, now and future generations. It is noted the NPS-HPL recently came into effect on 17 October 2022 and was amended in 2025.

The New Zealand Land Resource Inventory (NZLRI) maps have classified the site as LUC 6. Therefore, the site is not considered to contain highly productive land, and the NPS-HPL is not relevant to this project.



Figure 5: New Zealand Land Resource Inventory Map Source: Our Environment.

5.1.3 National Policy Statement for Indigenous Biodiversity

The National Policy Statement for Indigenous Biodiversity ('NPS-IB') ensures the protection, maintenance and restoration of New Zealand's most threatened indigenous species. It is noted that the NPS-IB came into effect, gazetted on 4 August 2023. The NPS-IB was amended in 2025 (with provision taking effect from January 2026) in relation to quarrying and mining activities.

The project is consistent with the relevant objectives and policies of the NPS-IB for the following reasons:

- The site largely consists of unkept pasture, low lying shrubs and sparse trees. The proposal will continue to be designed to result in ecological gains through the provision of comprehensive native landscaping.
- The applicant has sought to engage with local iwi to recognise and provide for Hutia Te Rito in the management of indigenous biodiversity. Engagement with Iwi is ongoing for this project (Policy 2).
- The Site has not been identified as an SEA or SNA.
- The benefits from ecological restoration on the site will provide a significant positive contribution in relation to the indigenous biodiversity loss this part of the region has historically experienced (Policies 13 and 14).

Based on the assessment above, it is considered that the project is consistent with the NPS-IB.

5.1.4 National Policy Statement on Urban Development 2020

The NPSUD came into force on 20 August 2020 and replaced the National Policy Statement on Urban Development Capacity 2016. The NPSUD includes a focus on achieving well-functioning urban environments, promoting intensification within urban environments, such as Auckland, as a means of increasing housing

supply, supporting competitive land markets and improving affordability. There is now a much greater focus on:

- a) Introducing and defining the concept of well-functioning urban environments with a key component being the provision of a variety of homes that meet the needs of different households in terms of type, price and location. (Objective 1 and Policy 1);
- b) A greater emphasis on enabling more people to live in and more business to locate in areas that are near centres, planned public transport and where there is high demand (see Objective 3);
- c) A greater emphasis on improving housing affordability (see Objective 2);
- d) A greater emphasis on robust strategic planning and the need to integrate urban development with infrastructure (see Objective 6);
- e) Changing the policies from providing sufficient development capacity to providing at least sufficient development capacity (see Policy 2). This is coupled with other changes that direct Councils to provide more development capacity, and replacing 'minimum targets' with 'housing bottom lines';
- f) Being more directive about what it means for Councils to be 'responsive' in the urban environment with respect to Plan Changes (Policy 8); and
- g) Ensuring New Zealand's urban environments support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change (Objective 8, Policy 1(e)).

The proposal is consistent with the NPS-UD for the following reasons:

- The proposal will establish a regional tourism facility that enables the Waiheke community to provide for their social and economic wellbeing through the creation of employment opportunities and a hotel with spa/hot pool facilities (Objective 1).
- The proposal will contribute to a well-functioning urban environment as it will enable visitor accommodation and employment to locate on a highly accessible site in Waiheke that is within walking distance of the Ferry Terminal and Oneroa Village, and is serviced by bus (Policy 1).
- The proposal will be coordinated with the delivery of private infrastructure (including stormwater, wastewater, water supply, electricity, gas and telecommunications) (Objective 6).
- The proposal will involve a change to the amenity and character of the area, with a higher intensity of development a change from vacant rural land. However, the proposal will offer significant amenity values through the provision of a spa and onsen facility and visitor accommodation and the final design will be informed with input from a landscape architect to minimise the effects on rural character (Objective 4).
- The proposal will support an overall reduction in greenhouse gas emissions across the Auckland region by enabling local employment opportunities and entertainment amenities on a site well serviced by public transport (Objective 8).

Based on the assessment above, it is considered that the project is consistent with the NPSUD.

5.1.5 New Zealand Coastal Policy Statement

The NZCPS sets out a number of objectives and policies for achieving the purpose of the RMA in relation to the coastal environment of New Zealand. While the site does not adjoin the Coastal Marine Area it is located within the vicinity of the coast.

The project is consistent with the relevant objectives and policies of the NZCPS for the following reasons:

- The site largely consists of unkept pasture, low lying shrubs and sparse trees. The proposal will continue to be designed to result in ecological gains through the provision of comprehensive native landscaping (Policy 11).
- The final design will be informed by a landscape assessment to ensure any effects on natural coastal character are mitigated and enhanced (Policies 13 and 14).
- The final proposal will be informed by Geotech and civil engineering assessments to ensure that management conditions are proposed to avoid the runoff of sediment or contaminants into the CMA (Policies 22 & 23).
- The Site has not been identified as an ONL.

Based on the assessment above, it is considered that the project is consistent with the NZCPS.

5.1.6 National Policy Statement for Natural Hazards 2025

The NPS-NH applies to flooding, landslip, coastal erosion, coastal inundation, active faults, liquefaction, and tsunami natural hazards. The NPS-NH seeks to manage natural hazard risk associated with subdivision use and development to people and property using a risk-based proportionate approach, with the risk level being assessed using the NPS-NH risk matrix.

As discussed in Section 6.4 there is no flood hazards that directly affect the site however, flood modelling will be undertaken in support of a substantive application to ensure the development does not result in downstream effects and to confirm if any mitigation is required.

In terms of potential Geotechnical Hazards, detailed Geotechnical Assessment will be undertaken to support a substantive application. This will identify any potential Geotechnical natural hazard risk and confirm if mitigation is required to ensure the development is consistent with the NPS-NH.

Based on the assessment above, it is considered that the project is consistent with the NPS-NH.

5.1.7 National Policy Statement for Infrastructure 2025

The NPS-I provides national direction under the RMA to guide the efficient development, management, and upgrading of infrastructure across New Zealand. The NPS-I is applicable to all infrastructure activities, except for activities managed under the NPS-REG and NPS-EN.¹

The Waiheke Onsen includes supporting infrastructure activities and therefore the NPS-I applies. The proposal is considered to be in keeping with the objective of the NPS-I. In particular, the proposed infrastructure will support development and contribute to the social and economic wellbeing of people and communities as well as their health and safety, has been appropriately designed to be compatible with the proposed activities and surrounding environment, and will be delivered in a timely manner that is coordinated with the proposed activities.

Based on the assessment above, it is considered that the project is consistent with the NPS-I.

¹ See NPS-I, clause 1.3.

5.2 National Environmental Standards for Air Quality

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 ('NES:AQ') sets standards to guarantee a minimum level of health protection for people living in New Zealand.

The potential for effects on air quality in relation to the Project relate primarily to dust during the construction phase. Measures will be proposed in the substantive application to manage potential effects in response to the air quality objectives and policies.

The management of dust and odour will be addressed in the Construction Management Plan and an Erosion and Sediment Control Plan as part of a substantive application. As such, ambient air quality will be maintained once constructed.

5.3 National Environmental Standards for Freshwater

The NES:F sets standards to regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Of particular relevance to the project are provisions which prohibit works in and around natural wetlands and works affecting rivers and streams.

As a precaution we have identified that the proposal could potentially trigger a prohibited activity status by way of Regulation 53 of the NES:F given some reclamation of streams and wetlands with lower ecological values may be required to facilitate development. This will be confirmed as part of a substantive application if successfully referred.

5.4 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES:CS') sets a nationally consistent set of planning controls and soil contaminant values.

Given the historical rural uses of the site, it is likely that provisions of the NESCS will apply to future residential development at the locations where HAIL activities are likely to have occurred. A detailed site investigation (DSI) involving a targeted soil sampling will be undertaken at the site in support of the substantive application. This will ascertain whether NESCS and/or AUP:OP contaminated land resource consents are required to be sought in support of the development.

5.5 Auckland Regional Policy Statement

The Urban Growth and Form objectives and policies are the heart of the Regional Policy Statement (RPS) and set the policy framework for managing Auckland's growth. The RPS seeks to achieve a quality compact urban form by:

- a) Promoting urban growth and intensification within the urban area, towns, and rural and coastal towns and villages, and avoiding urbanisation outside these areas (B2.2.2(4));
- b) Promoting quality compact urban form (B2.2.2(4) – (9));
- c) Enabling higher residential intensification in and around centres and close to public transport (B2.2.2(5));

- d) Ensuring that employment, commercial and industrial opportunities meet current and future demands (B2.5.1(1)); and
- e) Enabling growth and development of existing or new rural and coastal towns and villages in a way that avoids scheduled resources, elite and prime soils, and significant natural hazards; and is consistent with local character, enables mana whenua wellbeing and can be serviced by infrastructure (B2.6.1).

Plan Change 80 (PC80) sought to align the with the objectives and policies of the NPSUD. PC80 is now operative. The RPS seeks to achieve a “quality compact urban form” to urban development in Auckland, by applying a centres-based approach (B2.2.2(7)), and promoting residential intensification in and around centres, corridors and close to public transport, social facilities and employment (B2.2.2(6)). This approach is broadly consistent with the NPSUD concept of well-functioning urban environments.

The proposal adjoins Oneroa Coastal Village with the RUB dissecting the site *refer Figure 6 below*. The proposal will contribute to a quality compact urban form as it will enable visitor accommodation and employment to locate on a highly accessible site in Waiheke that is within walking distance of the Ferry Terminal and Oneroa Village, and is serviced by bus.

The technical reporting and subsequent masterplanning of the site demonstrates that the development avoids scheduled resources, elite and prime soils, and significant natural hazards; and is consistent with local character, enables mana whenua wellbeing and can be serviced by infrastructure. The proposal is consistent with the RPS.



Figure 6: The location of the Rural Urban Boundary through 32 Tiri Road.

5.6 Hauraki Gulf Islands District Plan

The HGIDP includes two objectives for the Rural 1 land unit. They seek:

To provide for rural activities and a limited range of non-rural activities while protecting the rural character and visual amenity of the land unit.

To provide for rural activities that maintain the openness, patterns and features of the land unit in contrast to the intensity of development in neighbouring villages.

The preliminary feedback from the Council has raised concerns regarding how the proposal will achieve consistency with these objectives. In particular, how the proposal will maintain the ‘openness, features, and patterns’ of the rural landscape despite the proposed building density.

The concept design submitted with this application is high level and conceptual to support the referral application. Should the application be successfully referred the final design submitted for a substantive application will address the scale of the proposal within the rural setting and any landscape mitigation required. In particular a landscape architect will be engaged to guide the design within the context of the landscape setting and the outcomes sought within the Rural 1 land unit. Council’s preliminary feedback regarding the need to limit dominance effects on Ocen View Road will also be considered further in the final design.

5.7 The Auckland Future Development Strategy 2023-2053

The Auckland Future Development Strategy (FDS) provides a long-term growth strategy for Auckland looking ahead to 2053. The purpose and content of the FDS set out in clause 3.13 of the NPSUD however, is important. This states that its purpose is to promote long-term strategic planning, within which it must identify broad locations in which development capacity will be provided over the long term. The FDS does not specifically identify Waiheke as a growth area nor does it appear to have been ever considered by the Council in its evaluation of the spatial scenarios.

The FDS spatial response for rural areas acknowledges more work needs to be done to specifically address growth in rural areas. There is a supporting action to update information on rural settlements, environments, productivity and employment and develop a Rural Strategy (prioritising the southern rural area) to inform the future approach to rural areas.

6.0 Assessment of Effects

This section is provided in accordance with s13(4)(h) of the FTAA. This requires that applications include a description of the anticipated and known effects of the project on the environment.

The proposal will not generate significant adverse effects on the environment, and any adverse effects on the environment will be appropriately avoided, remedied or mitigated to be minor or less than minor in nature. The key potential adverse effects are addressed in general below and should be reviewed in conjunction with the supporting technical expert memorandums accompanying this application.

6.1 Economics

An Economic Assessment of the proposal has been undertaken by Property Economics. Over a five year period it is estimated that the development could have the following economic impact on business activity within Auckland Region:

- Total direct capital expenditure (excluding land) of \$483.9 Million;
- Direct employment for 793 FTE-years; and
- Total indirect or induced employment of 884 FTE - years.

In addition to these quantifiable regional contributions Property Economics has identified a range of (non-monetised) qualitative economic benefits for the wider regional market and communities, extending well beyond the Waiheke local market, including:

- Facilitation of the tourism industry's recovery and long-term economic contributions;
- Diversification of the regional tourism product and market positioning;
- Increased economic activity and local employment;
- Potential visitor yield uplift and higher spend per guest;
- Spillover demand for transport, tours and complementary services; and
- Seasonality smoothing and yield stabilisation.

Considering the (non-monetised) economic benefits analysis outlined above as a whole (including the quantitative economic injection into the regional economy and employment benefits), Property Economics considers that advancing the proposed development would yield significant economic benefits for the regional tourism economy and community. On this basis Property Economics is satisfied that the proposal meets the purpose of the FTAA and is supportable on economic grounds.

6.2 Earthworks

During construction, erosion and sediment control measures will be utilised to avoid an adverse environmental effect. All proposed sediment and erosion control measures will be designed in accordance with the Auckland Council's GD05.

Any adverse dust effects can be appropriately managed with standard conditions of consent.

On the basis of the above, it is considered that any adverse effects associated with earthworks can be managed in that they will be less than minor.

6.3 Infrastructure

Details of the proposed infrastructure services such as stormwater, wastewater, water supply and utilities are outlined above and further detailed within the Preliminary Civil Infrastructure Report from Maven.

There is currently not public wastewater or water supply connection available at the Site however, the Preliminary Civil Infrastructure Report from Maven confirms that the Site is able to be adequately serviced now, and in the future. Waiheke Island is not currently served by any water supply infrastructure networks and therefore the water supply for the development will be privately sourced. The Preliminary Civil Infrastructure Report prepared by Maven, the preliminary Groundwater Assessment by WGA and the preliminary Water Reuse assessment by Watersmart collectively confirm that the proposed development can be serviced through a combination of roof rainwater capture, groundwater abstraction from the greywacke bedrock, and water treatment and reuse.

In relation to wastewater there is an existing public wastewater network and treatment plant Owhanake WWTP located close to the site. Watercare has advised that the Owhanake WWTP needs to be upgraded to meet current demand and through this upgrade additional capacity can be provided which can support the discharge from the intended development. This would be in part funded by the Applicant, which would be formalised in a Development Agreement if the referral process is successful.

On the basis of the above, there will not be any significant adverse effects in relation to infrastructure and servicing.

6.4 Flooding

There are no flood hazards that directly affect the site however, there are flood plains downstream of the site, which impact both the public road, and Auckland Council reserve land. Flood modelling will be undertaken in support of a substantive application to ensure the development does not result in downstream effects and confirm if any mitigation is required. Within the Preliminary Civil Infrastructure Report Maven have confirmed that they do not have concerns about achieving this outcome.

6.5 Ecology

As previously discussed, the subject site is largely in unkept pasture and devoid of indigenous vegetation. The proposal involves significant opportunities for extensive revegetation of the site.

For the reasons set out above, any potential adverse ecological effects will be less than minor.

6.6 Cultural Values

The Applicant has sought to consult with iwi through the preparation of this referral application, however, no responses have been received to date. Should iwi wish to engage at the next stage, the Applicant will do so in a collaborative way. The project will not occur on land returned under a Treaty Settlement. The Site is also not located within a Treaty Settlement Statutory Acknowledgement area. It is anticipated that engagement and consultation with all iwi groups that have registered their interest in this project will continue throughout the life of the project.

6.7 Reverse Sensitivity

The proposal includes activities such as restaurant, visitor accommodation and hot pool facility. Such activities have the potential to be incompatible with their surrounds where they may result in place pressure on the continued operation of established rural, residential and accommodation land uses in the surrounding environment. The Project is located within an area that already accommodates a combination of tourism, residential and rural production activities. The existing environment includes established lifestyle and residential properties, and rural land uses in the wider landscape. These activities are long-standing and contribute to the working and living environment.

The design and layout of the proposal has been informed by the surrounding land use context and incorporates measures to avoid conflict with neighbours. The clustering of built form and activity within application site provides appropriate separation from rural-residential properties and established accommodation while the retention of existing vegetation, new landscape treatments, and the management of lighting and noise will further reduce potential intrusion.

The scale and nature of the proposal are consistent with the consented activities in the locality and do not introduce a fundamentally different or incompatible use that would place unreasonable constraints on surrounding rural, residential or accommodation operations. On this basis, the potential for reverse sensitivity effects is considered to be low. The effects will be appropriately avoided, remedied or mitigated

through the proposed design and operational measures. It is therefore unlikely that the proposal would give rise to complaints or pressures that could compromise the continued operation of neighbouring land uses.

6.8 Positive Effects

Waiheke Onsen will deliver a number of positive effects, including but not limited to:

- Offering a unique and differentiated tourism asset including increasing the quality accommodation supply on Waiheke Island which is currently lacking;
- Creation of a well-functioning urban environment through the provision of accommodation and a regional tourism facility on one of the Islands most highly accessible sites within walking distance to both the Matiatia Ferry Terminal Oneroa Village and serviced by buses connecting the site to the Ferry, Oneroa and wider attractions on the Island;
- Enhancement of the natural environment through significant restoration planting and the design which seeks to weave natural space through the development; and
- Generation of a wide range of economic benefits, such as facilitating the tourism industry's recovery and long-term economic contributions, increased economic activity and local employment and contributing significant regional economic benefits.

6.9 Mitigation

This memorandum, and the supporting memorandums from the technical experts, identify a range of measures to address potential adverse effects and ensure that those adverse effects are avoided, remedied or mitigated. This includes the application of standard and well-established mitigation measures and more bespoke approaches to manage the particular effects of this proposal. These can be addressed through design, conditions of consent, and monitoring.

7.0 Conclusion

Having undertaken a high-level planning assessment, it is considered that there are no planning-related reasons why *Waiheke Onsen* could not proceed under the Fast-Track Approvals Act 2024. Through strong design and technical input, *Waiheke Onsen* can achieve a built form that positively impacts on future guests and the wider Waiheke community, without having an adverse effect on the environment.

It is acknowledged that a full and comprehensive Assessment of Environmental Effects will be undertaken as part of the resource consent application, however at this stage, no more than minor adverse effects have been identified that preclude the development from occurring.
