



FTAA-2511-1134: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Waimauku West

Date submitted:	26 February 2026	Tracking #: BRF-00359	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	5 March 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz Approve the attached notice of decisions letter.
Number of appendices: 6	Appendices: <ol style="list-style-type: none">1. Statutory framework for making decisions2. Application documents for the Waimauku West project3. Stage 1 Briefing Note and decisions4. Section 18 Report on Treaty settlements and other obligations5. Comments received from invited parties6. Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Rebecca Burton		
Acting Manager	Max Gander-Cooper	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project Location

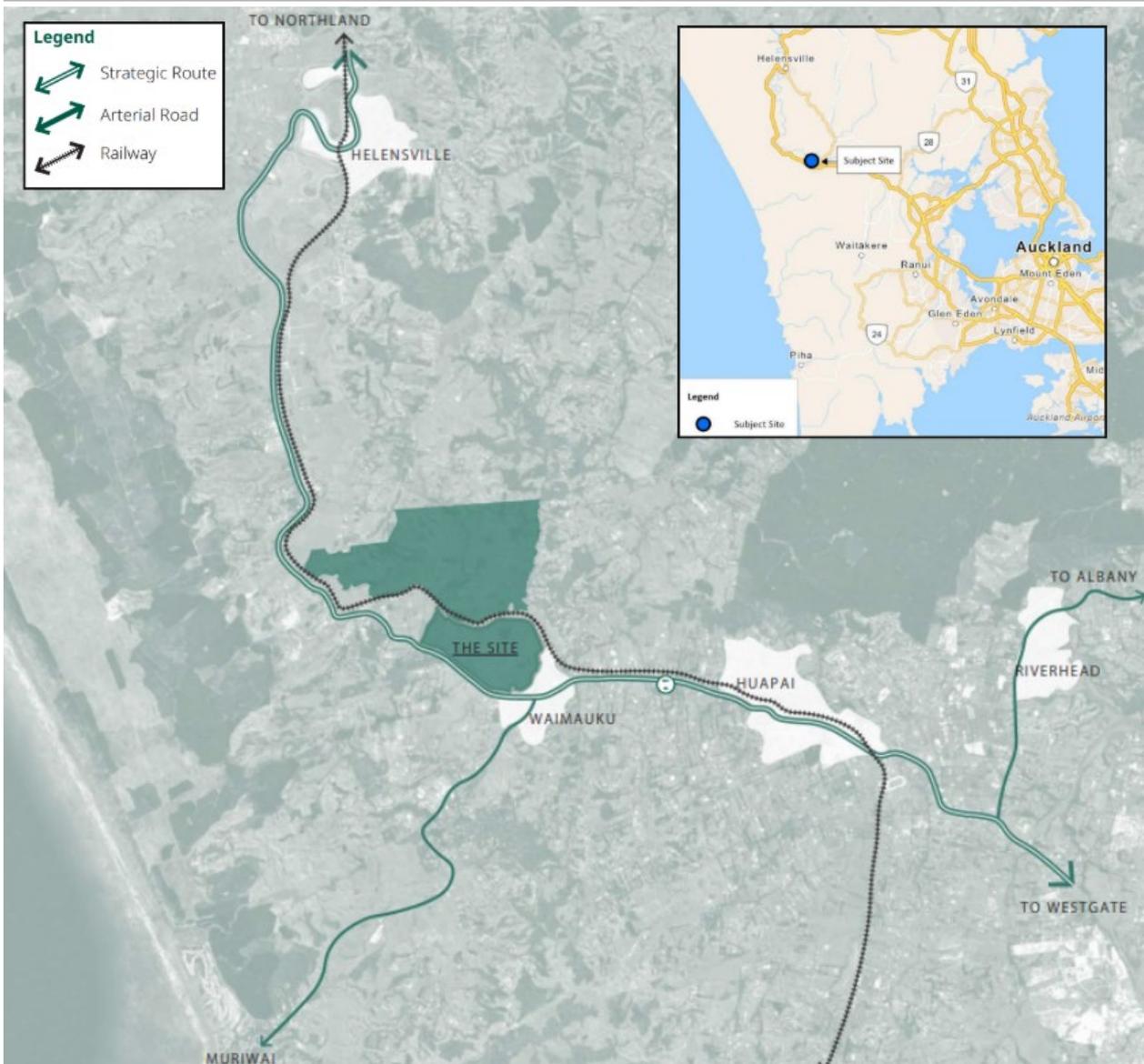


Figure 1: Project area

Key messages

1. This briefing seeks your decision under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Halberd Holdings Limited (the applicant) to refer the Waimauku West project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-7237) with your initial decisions annotated is in Appendix 3.
3. The project is to construct and establish an urban development across approximately 196 hectares of rural land located at 1080 State Highway 16, Waimauku, within the Auckland region.
4. The project involves:

- a. a residential development comprising approximately 1,500–2,020 dwellings, with a range of densities
 - b. a neighbourhood centre
 - c. a light industrial area
 - d. two indicative school sites
 - e. a green network that integrates existing ecological features, stormwater management, and public open spaces
 - f. supporting infrastructure, including:
 - i. private stormwater systems
 - ii. a private water supply solution
 - iii. two wastewater disposal options: connection to the public network connection, or onsite treatment and disposal.
5. The North Island Main Trunk (NIMT), the principal railway line in the North Island, passes directly through the project area as depicted in the project location image above. The project will be mainly located in the southern section of the wider site, positioned south of the NIMT. The project area could also extend into part of the wider site (an area of approximately 796 hectares), north of the NIMT, as the wastewater disposal may need to occur on the balance of the site.
 6. The project will require the proposed approvals under specified Acts:
 - a. resource consents under the Resource Management Act 1991 (RMA)
 - b. wildlife approval under the Wildlife Act 1953.
 7. Under Regulation 53(1) of the National Environmental Standards for Freshwater (NES-F), earthworks within a natural inland wetland are classified as a prohibited activity if they result, or are likely to result, in the complete or partial drainage of the wetland, and they do not have another activity status under Regulations 38 to 51 of the NES-F.
 8. The applicant indicates that the project may involve earthworks in or near natural inland wetlands, potentially triggering a prohibited activity under Regulation 53 of the NES-F. The applicant states the current masterplan is high-level and intended to support the referral application, with detailed design and confirmation of the prohibited activity to follow if the project proceeds to a substantive application.
 9. As noted in the first briefing, the Stage 2 analysis set out in this briefing requires you to take into consideration whether to decline the referral application on the basis that it may involve a prohibited activity. This is a potential reason you may decline a referral application under section 21(5) of the Act. However, we note section 21(7) of the Act explicitly states that the presence of a prohibited activity does not prevent you from accepting a referral application.
 10. 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.
 11. We seek your decisions on our recommendations, which includes proposed directions to the expert panel and notification of your decision.

Assessment against statutory framework

12. 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.
13. Before accepting the project, you must consider the application (in Appendix 2), the section 18 Treaty settlements report (in Appendix 4), and any comments from invited parties (in Appendix 5) received within the specified time. You are not required to consider any comments received after that time frame, but may do so, at your absolute discretion.
14. 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

15. A Treaty settlement and other obligations report (the report) prepared under section 18 of the Act is attached in Appendix 4.
16. The report highlights that Auckland has a complex Treaty settlement landscape with many overlapping interests. There are a number of individual settlements as well as collective redress, while other groups have yet to settle their historical Treaty claims.
17. The report identifies the following Treaty settlements that are relevant to this application: Ngāti Whātua o Kaipara Claims Settlement Act 2013; Te Kawerau ā Maki Claims Settlement Act 2015; and the Te Ākitai Waiohua deed of settlement signed in November 2021.
18. The report states that the Ngāti Whātua o Kaipara and Te Ākitai Waiohua settlements include conservation relationship agreements which require consultation on the approvals being sought under the Wildlife Act 1953. While both groups have been invited to comment on this referral application, the report advises that these provisions are most relevant to the panel when considering a substantive application.
19. The report identifies Ngāti Whātua o Kaipara, Te Ākitai Waiohua, and Te Kawerau ā Maki as parties to the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement, which includes a more iterative consultation process that would not necessarily be satisfied by simply inviting comments. The report states it is unclear whether a panel must also apply these provisions to a substantive application for this project, given the location of the project area and the content and status of the Treaty settlements for those groups.
20. Accordingly, should you decide to accept this referral application, under section 16(2)(c) of the Act the report proposes you direct any panel considering a substantive application for the project to consider whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to consultation with the relevant Treaty settlement entities, in relation to the Wildlife Act 1953 approvals being sought.
21. The report summaries comments received on the application from Ngāti Tamaoho Settlement Trust and Te Kawerau Iwi Trust. Ngāti Tamaoho acknowledge the deep relationship that Te Kawerau ā Maki and Ngāti Whātua have with the project area, and support the concerns of Te Kawerau ā Maki regarding the proximity of the wastewater treatment plant to the Kaipara

River. Ngāti Tamaoho propose that wastewater management for the project should be guided by ongoing engagement by the applicant with Te Kawerau ā Maki and Ngā Maunga Whakahii o Kaipara Development Trust.

22. The report outlines the comments received from the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti (the Minister for Māori Affairs). In summary, the Minister for Māori Affairs is supportive of accepting this application for referral but recommends the panel considering a substantive application give consideration to the consultation processes set out in the conservation relationship agreements. The Minister for Māori Affairs also encourages the applicant to continue to engage with all groups identified who are either in Treaty negotiations relevant to the project area or have Treaty settlement commitments relevant to the area.
23. There are no matters raised in the 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

24. As mentioned above, the report states that the Ngāti Whātua o Kaipara and Te Ākitai Waiohua settlements include conservation relationship agreements which require consultation on the approvals being sought under the Wildlife Act 1953. While both groups have been invited to comment on this referral application, the report advises that these provisions are most relevant to the panel when considering a substantive application.
25. The report identifies Ngāti Whātua o Kaipara, Te Ākitai Waiohua, and Te Kawerau ā Maki as parties to the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement, which includes a more iterative consultation process that would not necessarily be satisfied by simply inviting comments.
26. Under section 16(2)(c) of the Act the report proposes you direct any panel considering a substantive application for the project to consider whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to consultation with the relevant Treaty settlement entities, in relation to the Wildlife Act 1953 approvals being sought.

Written comments received

27. Comments were received under section 17 from Auckland Council (AC), the Department of Conservation (DOC), the Minister for Economic Growth, the Minister for Regional Development, the Associate Minister of Housing, the Associate Minister of Transport, KiwiRail Holdings Limited (KiwiRail), and the New Zealand Transport Agency (NZTA).
28. Comments were received from two Māori groups being Ngāti Tamaoho Settlement Trust and Te Kawerau Iwi Trust. A summary of the comments received from Māori groups is provided under the assessment of the section 18 report above.
29. The comments from the Associate Minister of Housing, DOC, and Te Kawerau Iwi Trust were received after the specified timeframe. We recommend you consider these comments, at your discretion, under section 17(7)(b).
30. The key points are outlined and assessed in Table A, with a summary provided below:

- a. the Ministers identified significant benefits associated with the project including an increase to the supply of housing and economic growth in the Auckland region
 - b. AC opposed the project due to insufficient information to determine the scale of effects. AC considered that the information provided does not enable a conclusion to be reached on whether the project would have significant regional or national benefits under section 22 of the Act. AC considered further information is needed in relation to servicing, economic benefits and construction methodology, traffic effects, housing/urban design and ecological impacts
 - c. DOC and NZTA were neutral on the application. Both stated there is insufficient information at this stage of the process to determine the level of any actual and potential environmental effects. Both parties highlighted the need for detailed assessments to be completed for the substantive application and requested to be consulted prior to the substantive process
 - d. KiwiRail noted the close proximity of the residential activity to the railway and raised reverse sensitivity concerns. KiwiRail noted it is important to clarify the scope of the application as the North Auckland Line currently severs the subject site. KiwiRail raised concerns relating to level crossing safety, land stability, stormwater discharge and building setbacks from the rail corridor.
31. The following parties were also invited to comment on the project under section 17 of the Act but no responses had been received at the time of this briefing: the Minister for the Environment, the Minister of Defence, the Minister of Conservation, the Minister of Education, the Ministry for the Environment, Chief of Defence Force of the New Zealand Defence Force, and nine Māori groups.

Reasons to decline

32. The statutory framework in Appendix 1 sets out the situations where you must decline a referral application under section 21(3). We consider that you have sufficient information to make an informed decision. We further consider you can be satisfied that the project does not involve any ineligible activities and that it meets the referral criteria set out in section 22. As such, we have not identified any reasons under section 21(3) that you must decline this application.
33. 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 under section 21(5) and these are set out in Table A.
34. As outlined in Table A, we consider there are two potential reasons you could consider declining the application under section 21(4) or (5) of the Act, being the project may have significant adverse effects on the environment, and the project may include a prohibited activity under the RMA.
35. The comments from AC raise several matters that could result in significant adverse environmental effects if not appropriately managed, including flooding, infrastructure constraints, traffic generation, loss of productive rural land, and ecological impacts. However, we consider the referral application contains sufficient information to indicate that these effects are likely to be avoided, remedied or mitigated through appropriate design, management and consent conditions. At the substantive stage, an expert panel could also

seek further information and impose additional conditions as necessary. Accordingly, we do not recommend declining the referral application on this basis.

36. The project may involve a prohibited activity under the RMA, in relation to works near a natural inland wetland. We note section 21(7) of the Act states that the presence of a prohibited activity does not prevent you from accepting a referral application. Any potential adverse effects on inland wetlands can be assessed and managed at the substantive stage by an expert panel, including through technical advice and conditions where appropriate. The project will also increase housing supply in a region facing shortages, supporting economic growth and local employment. Accordingly, we consider the inclusion of a prohibited activity does not justify declining the referral application.
37. Ultimately, we recommend you do not decline the referral application for these reasons, or any other grounds under section 21(4) or (5) of the Act.

Reasons to accept

38. The statutory framework in Appendix 1 sets out the reasons you can accept a referral application and refer the project to the fast-track approvals process.
39. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22 as:
 - a. the project for a large-scale urban development is a development project that would have significant regional benefits in the Auckland region [s22(1)(a)] because it:
 - i. will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment [s22(2)(a)(iii)] as it:
 - will deliver a significant increase in housing supply in the Rodney ward area and the Auckland region including approximately 1,500–2,020 dwellings, with a range of densities that responds to local demand
 - includes a neighbourhood centre, indicative school sites, public open spaces and a light industrial centre which will provide for social, educational, economic and recreational needs of future residents
 - ii. the project will deliver significant economic benefits in the region [s22(2)(a)(iv)] as it will generate a one-off increase in gross domestic product (GDP) of approximately \$650 million. This includes the provision of full-time equivalent work for 305 people over a 15-year development period, generating over \$385 million in household incomes, thereby contributing to sustained employment and economic activity in the region
 - 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 [s22(1)(b)(i)] because:
 - i. the project may involve a prohibited activity under the National Environmental Standards for Freshwater, which would preclude it from progressing through the standard RMA consenting pathway – prohibited activities may be considered through the fast-track approvals process

- ii. appeals under the Act are only to the High Court rather than the Environment Court and are limited to points of law
 - iii. the Act precludes public and limited notification.
- c. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)] because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess under the RMA.

Conclusions

40. We consider the project meets the criteria in section 22 of the Act and that you may accept the referral application under section 21 and refer the project to the fast-track approvals process. Should you decide to refer the project, we recommend that this be subject to the specifications under section 27 outlined below.
41. We recommend specifying that the panel must invite comments from the following groups, in addition to those listed in section 53:
- a. NZTA
 - b. KiwiRail
 - c. Ngāti Maru Runanga Trust
 - d. Ngāti Tamaoho Settlement Trust
 - e. Ngāti Whātua Ōrākei Trust
 - f. Ngāti Manuhiri Settlement Trust
 - g. Ngātiwai Trust.
42. This will allow consideration of potential adverse effects on the designations adjacent to the project area, which include the state highway network and the railway network. This will also allow comments from other Māori groups with relevant interests, who were invited to comment on the referral application under section 18(2)(k), to be considered.
43. We also recommend specifying that the substantive application for the project includes information on how any roading and three waters infrastructure required to service the project will be delivered and funded.
44. We recommend specifying a two-year deadline for lodging the substantive application.

Next steps

45. 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 and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
46. 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.
47. 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.
48. We will undertake this action on your behalf.
49. We have attached a draft notice of decisions letter to the applicant based on our recommendations (refer Appendix 6) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
50. Our recommendations for your decisions follow.

Recommendations

51. 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 Halberd Holdings 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 Waimauku West project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered:
- i. the application in Appendix 2
 - ii. the report obtained under section 18 in Appendix 4
 - iii. any comments and further information sought under sections 17 and 20 and provided within the required timeframe (if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion) in Appendix 5.

Yes / No

- c. **Agree** to exercise your discretion under section 17(7)(b) to consider the late comments received from the Associate Minister of Housing, the Department of Conservation, and Te Kawerau Iwi Trust after the time frame specified under section 17(6) of the Act.

Yes / No

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

- i. the project for a large-scale urban development is a development project that would have significant regional benefits [s22(1)(a)] because it:
 - (1) will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment [s22(2)(a)(iii)] as it:
 - (a) will deliver a significant increase in housing supply in the Rodney ward area and the Auckland region including approximately 1,500–2,020 dwellings, with a range of densities that responds to local demand
 - (b) includes a neighbourhood centre, indicative school sites, public open spaces and a light industrial centre which will provides for social, educational, economic and recreational needs of future residents
 - (2) the project will deliver significant economic benefits in the region [s22(2)(a)(iv)] as it:
 - (a) will generate a one-off increase in gross domestic product (GDP) of approximately \$650 million. This includes the provision of full-time equivalent work for 305 people over a 15-year development period, generating over \$385 million in household incomes, thereby

contributing to sustained employment and economic activity in the region.

- ii. referring the project to the fast-track approvals process 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 [s22(1)(b)(i)] because:
 - (a) the project may involve a prohibited activity under the National Environmental Standards for Freshwater, which would preclude it from progressing through the standard consenting pathway under the Resource Management Act 1991 (RMA) – prohibited activities may be considered through the fast-track approvals process
 - (b) appeals under the Act are only to the High Court rather than the Environment Court and are limited to points of law
 - (c) the Act precludes public and limited notification.
- iii. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)] because the project is neither novel in the New Zealand context nor beyond the scope of what a panel would typically assess under the RMA.

Yes / No
- e. **Agree** to accept the referral application under section 21(1) and refer the whole project to the fast-track approvals process under section 26(2)(a) of the Act.

Yes / No
- f. **Agree**, under section 27(2) of the Act, to specify Halberd Holdings Limited, as the person who is authorised to lodge a substantive application for the project.

Yes / No
- g. **Agree**, under section 27(3)(b)(i) of the Act, to specify a deadline of two years for lodging the substantive application.

Yes / No
- h. **Agree**, under section 27(3)(b)(ii) of the Act, to specify that the substantive application for the project includes information on how any roading and three waters infrastructure required to service the project will be delivered and funded.

Yes / No
- i. **Agree** to specify under section 27(3)(b)(iii) of the Act, the following groups from whom a panel must invite comments from in addition to those specified in section 53:
 - i. NZ Transport Agency Waka Kotahi
 - ii. KiwiRail Holdings Limited
 - iii. Ngāti Maru Runanga Trust
 - iv. Ngāti Tamaoho Settlement Trust
 - v. Ngāti Whātua Ōrākei Trust
 - vi. Ngāti Manuhiri Settlement Trust
 - vii. Ngātiwai Trust.

Yes / No

- j. **Note**, pursuant to section 16(2)(c) of the Act, you must direct any panel considering the substantive application for this project to consider applying the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to consult with the relevant Treaty settlement entities, in relation to the Wildlife Act 1953 approvals being sought.

Noted

- k. **Agree** that the Ministry for the Environment will provide your notice of decisions to:
- i. anyone invited to comment on the application including relevant local authorities, relevant administering agencies, the Minister for the Environment and other relevant portfolio Ministers, and the relevant Māori groups
 - ii. the panel convener
 - iii. the Environmental Protection Authority (EPA).

Yes / No

- l. **Approve** the draft notice of decisions letter to the applicant (attached in Appendix 6).

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
	Waimauku West (the project)	<p>Halberd Holdings Limited (the applicant)</p> <p>c/- Barker & Associates (the agent)</p> <p>The applicant is a registered company and is eligible to apply for the proposed approvals.</p>	<p>The project area is approximately 196 hectares of rural land at 1080 State Highway 16, Waimauku, Auckland region, located south of the North Auckland Railway Line. The project area is accessed via multiple points along State Highway 16.</p> <p>The North Island Main Trunk (NIMT), the principal railway line in the North Island, passes directly through the project area. The project will be mainly located in the southern section of the wider site, positioned south of the NIMT. The project area could also extend into part of the wider site (an area of approximately 796 hectares), north of the NIMT, as the wastewater disposal may need to occur on the balance of the site.</p>
Project description	<p>The project is to construct and establish an urban development in the Auckland region and involves:</p> <ol style="list-style-type: none"> a residential development comprising approximately 1,500–2,020 dwellings, with a range of densities a neighbourhood centre a light industrial area two indicative school sites a green network that integrates existing ecological features, stormwater management, and public open spaces supporting infrastructure, including: <ul style="list-style-type: none"> – private stormwater systems – a private water supply solution – two wastewater disposal options: connection to the public network connection, or onsite treatment and disposal. <p>The project will require the proposed approvals under specified Acts:</p> <ol style="list-style-type: none"> resource consents under the Resource Management Act 1991 (RMA) and potentially including a prohibited activity under regulation 53 of the National Environmental Standards for Freshwater (NES-F) for earthworks in proximity to a natural inland wetland. wildlife approval under the Wildlife Act 1953. 		
Minister invites comments	Comments from invited parties		
	<p>Local authorities</p> <p><u>Auckland Council (AC)</u></p> <p>AC has provided an extensive review and commentary on the project. This has resulted in a number of matters being raised and further information requested to determine the scale of effects associated with the project. AC has noted that a number of these issues are able to be addressed as part of the substantive consent process.</p> <p>With regard to the matters in section 17(3) of the Act, AC provided the following comments:</p> <ul style="list-style-type: none"> – AC did not identify any competing applications, or any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply – With regard to section 17(3)(b), AC confirms that no such consents exist. <p>AC has adopted an overarching opposing stance to the project. Other parties who provided comment through AC have confirmed the following stances:</p> <ul style="list-style-type: none"> – Rodney Local Board do not support this development being processed under the fast-track approvals process – Healthy Waters & Flood Resilience adopts a neutral position on the referral – Auckland Transport opposes the application for referral, raising concerns that the effects of the proposed development on the road network will be significant and that wider transport infrastructure upgrades that likely will be needed to support the proposal will not be in place, or more fundamentally planned (and in turn funded), for such intensive growth. <p>An overview of the comments received from AC including their key concerns is provided below.</p> <ol style="list-style-type: none"> Significant Regional Benefits AC considers the referral application lacks sufficient evidence to substantiate that the benefits are significant for the Auckland region. AC queries whether the development of approximately 1600 houses over a 15-year period could be classed as regionally significant when 1535 houses were consented in Auckland in March 2025, and in the year ending in March 2025 14,020 houses were consented. AC considers the 1600 houses proposed by the project are a small amount of what was consented in the Auckland region in a month and is intended to be provided over 15-years. Due to this AC do not believe that the proposed 1500-2020 houses would be regionally significant. <p>AC considers confirmation on what is being achieved by the proposed consent is required; whether the consent is only to enable the capacity for the stated number of dwellings, schools and non-residential activities or if the applicant also intends to also complete construction. AC believe that the way the Planning Memorandum has been written suggests that the consent is similar to a Private Plan Change in that the intent is to enable a certain gross floor area ("GFA") of activities, rather than facilitating the construction of these activities.</p>		

2. Roading and Traffic Generation – Auckland Transport (AT)

AT have not identified any regional transport benefits from the project and have stated that the efficient use of existing transport infrastructure is not a significant regional benefit. AC consider that the proposed roading infrastructure will be of local significance only and will only service the area covered by the project and immediate adjoining community.

AC considers the proposal will affect the State Highway directly with two accesses proposed to SH16. They note development of this scale was not anticipated in this location and the inclusion of such growth is likely to have significant effects on the operation of both the State Highway and AT network. Concerns regarding lighting design, rubbish collection speed management measures, speed limits, pedestrian safety, and visibility assessments have been raised by AC who has requested that these be addressed within a detailed Integrated Transport Assessment ("ITA"). We note clause 7 under Schedule 5 of the Act lists the matters to be covered in the assessment of environmental effects for a substantive application. We expect this matter is likely to be addressed in the substantive application and as such, we consider no specific direction to the applicant is necessary.

3. Infrastructure – Servicing

AC (including Water Care Service Limited) has confirmed that the project is outside the anticipated growth modelling and future urban zones for the Auckland region, causing there to be no infrastructure planning or funding allocated to this area. AC considers required infrastructure will need to be private, designed to comply with Council design standards and be at the developers' expense. AC have stated that the infrastructure proposed will only service the project area, and the application has not demonstrated that it would constitute regionally significant infrastructure.

AC have noted that the subject site is upstream of the Kaipara River, where any increase in impervious areas on-site may lead to an increase in flooding effects downstream. AC seek that an assessment of potential flooding effects be completed. AC notes that the application proposes to connect to the public electricity supply provided by Transpower, and that confirmation from Transpower will be required to ensure the development can be serviced.

To ensure this matter is addressed by the applicant with the substantive application, we recommend the Minister specify under section 27(3)(b)(ii) of the Act that the following information must be submitted with the application lodged for the project: information on how any roading and three waters infrastructure required to service the project will be delivered and funded.

4. Ecological Impacts

AC have raised concerns that the application does not include a robust assessment of ecological effects (both freshwater and terrestrial), and whilst they have noted that it is possible to develop around wetlands and avoid or minimise ecological impacts, have requested a qualitative and quantitative survey work on flora and fauna be completed along with an impact assessment, or management plan. We note clause 7(c) of the Act requires the assessment of environmental effects for a substantive application to cover "any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity". As this matter must be addressed in the substantive application, we consider no specific direction to the applicant is necessary.

AC have noted that there are several areas of wetland reclamation proposed and that any wetland reclamation for new/upgraded crossing is prohibited under regulation 53 of the NES-F. AC considers further assessment on this is required by the applicant. We note the applicant has detailed that the project may involve a prohibited activity under regulation 53 of the NES-F. The applicant has explained that the prohibited activity is to be confirmed at the substantive stage following further technical assessments

5. Natural Hazards – Healthy Waters and Flood Resilience

AC have identified flooding hazards within the subject site and wider environment, and that the project could exacerbate these hazards. AC considers that flood hazard modelling of the proposed development is required early on in the consenting process to help identify potential impacts and effects and inform the layout of the project. AC have requested that the proposed stormwater management needs to contain a 1 in 100-year event within the footprint of the farm, this being consistent with other developments where there has been a high risk of flooding.

6. Economics

AC's Economist has commented that the submitted economic assessment does not adequately demonstrate that the project will accommodate regional or national economic benefits due to the report relying on an Economic Impact Analysis (EIA) rather than a Cost Benefit Analysis. AC have stated that EIAs are not helpful because they measure activity rather than economic benefits or costs. It is recognised by AC that other fast-track applications and RMA applications have applied the practice of EIA historically; however, AC contend that it is not an appropriate methodology to assist with this type of decision making.

AC have reservations regarding the report's claim that the project amounts to a "significant boost in housing supply", the project may represent a large number of dwellings built at the local level but at a regional or national level this is questionable and does not consider displacement of dwellings from other areas of the region. AC believe that the inclusion of two potential school sites would be a social benefit; however, have noted that this will only serve the local community and is therefore not a regional social benefit. Additionally, AC have highlighted that the delivery of these schools is not secured by this proposal, but rather only provided as a future option which may not be delivered. As outlined above clarification on the scope of the consent is required.

7. Strategic Alignment

AC have concerns that urban/residential development is not identified in any of the AC planning documents, causing there to be no investment in infrastructure planned for the project area. AC are concerned that the project may take up capacity within the network prior to well established and planned growth areas.

AC are concerned with the urban development of a rural zoned site where no plan change is proposed. AC are not clear on whether the project includes the construction of the 1500-2020 houses and non-residential activities, or if the consent only provides for the approval of a 'masterplan' and construction being completed by different parties. If construction is not included and approved as part of the consent, then any future development would remain subject to the underlying Rural zone provisions. AC are concerned that the latter outcome would result in a significant level of non-compliant activities, and resource consents submitted to AC for approval. We note the applicant has provided a list of consents required under the Auckland Unitary Plan (AUP) that will be sought to authorise the project (refer to section 3.1 of Attachment 1 – Planning Memorandum in the application) – this list includes the construction of the proposed dwellings as a non-complying activity under Rule H19.4.1(A78) of the AUP. We also note the project description proposed on the Notice of Decisions letter uses the word "construct". The Economic Assessment provided with the application (Attachment 6) also considers the project will have significant one-time economic impacts, as a result of the construction of the new buildings.

8. Construction

AC have noted that no information has been provided to explain construction will be managed and staged onsite. AC have requested a construction management plan be completed, alongside a supporting Integrated Transport Assessment and Pavement Impact Assessment to assist with identifying potential adverse effects. We note many of these matters are already required to be assessed under clauses 5 to 13 of Schedule 5 of the Act, which sets out the information requirements for a substantive application. As these matters will be addressed through a substantive application, we consider no specific direction to the applicant is necessary.

9. Urban Design and Connectivity

AC considers that the project does not align with the existing and anticipated character of the rural environment and does not provide suitable transport connections, both vehicular and pedestrian, with the Waimauku township.

Ministers

Associate Minister of Housing

Note: the comments from the Associate Minister of Housing were received four working days after the specified timeframe. We recommend you consider these comments, at your discretion, under section 17(7)(b).

The Associate Minister has no objection to the project being included in the fast-track approvals process. The Associate Minister states that there is a need for housing in Auckland, with 7,000 people currently on the social housing register. Additional market supply of the proposed scale would help to contribute to addressing the wider housing need. The Associate Minister notes any matters relating to lack of servicing and infrastructure and required infrastructure upgrades can be dealt with as part of the substantive application.

Minister for Regional Development

The Minister states that the expected outcomes from the project's construction will provide a benefit for the Auckland region and any communities and businesses from the neighbouring Northland region that can connect with the project. The Minister considers that the project will offer some ongoing employment and economic value. The Minister has noted that it is not clear how the assessment concluded that the project will enable the land to be put to its highest and best use and that there may be other economic opportunities not realised. The Minister recommends that the applicant provide further information on how the project will impact on local resource availability, and how this might impact on existing communities and businesses. We note clause 7(a) of the Act requires the assessment of environmental effects for a substantive application to cover "any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects". We expect this matter is likely to be addressed in the substantive application and as such, we consider no specific direction to the applicant is necessary.

Associate Minister of Transport

The Associate Minister supports the project being referred to the fast-track approvals process, especially as it provides housing where transport connections are planned (NZTA's North West programme).

Minister for Economic Growth

The Minister states that the primary long-term benefit of this proposal is the provision of additional houses, which is critical for a growing economy. Given that the application will provide a significant boost in housing supply, the Minister considers it could be assessed under the criteria "increasing the supply of housing, address housing needs, or contribute to a well-functioning urban environment, (s22(2)(a)(iii) of the Act).

Māori Groups

Ngati Tamaoho Settlement Trust (The Settlement Trust)

The Settlement Trust anticipates that the project would impact soil, flora and fauna, and water quality, and they have particular concern with the location and design of wastewater infrastructure. The Settlement Trust supports the current position of Te Kawerau-ā-Maki, as outlined in the letter of Te Kawerau Iwi Tiaki Trust of 21 July 2025, which states "the proximity of the wastewater treatment plant to Kaipara River which will discharge and, in cases of failure overflow, to the awa which would impact upon both mauri and wairua of the river...". The Settlement Trust supports the recommendations made by Te Kawerau Iwi Tiaki Trust that wastewater infrastructure should be located away from waterways.

The Settlement Trust's position on the project is contingent on the ongoing in-principle support or in principle non-opposition for the project by Te Kawerau-ā-Maki and Ngā Maunga Whakahii o Kaipara Development Trust. Therefore, the Settlement Trust considers concerns relating to wastewater management should be guided by the ongoing engagement with Te Kawerau-ā-Maki and Ngā Maunga Whakahii o Kaipara Development Trust.

Te Kawerau Iwi Trust (The Iwi Trust)

Note: the comments from the Iwi Trust were received fifteen working days after the specified timeframe. We recommend you consider these comments, at your discretion, under section 17(7)(b).

The Iwi Trust states the applicant has previously engaged with them, and the Trust want to continue to be involved in the project alongside their Te Taoū whanaunga. The Iwi Trust identifies that the project area is of high historical significance to Te Kawerau ā Maki, as part of a traditional peace-making site, and in close proximity to the pā where the iwi originated, significant maunga, the Kaipara River, Rewiti Marae, and land returned through settlement.

Te Kawerau ā Maki do not oppose this application in principle, subject to a series of recommendations relating to light pollution, management of earthworks, use of native vegetation, mitigation or avoidance of effects on waterways and wetlands, management of dust and particulate matter, incorporation of the cultural significance of the area into the design of the development, and involvement of Te Kawerau ā Maki in monitoring potential archaeological sites. We note many of these matters are already required to be assessed under clauses 5 to 8 of Schedule 5 of the Act, which sets out the information requirements for a substantive application. As these matters will be addressed through a substantive application, we consider no specific direction to the applicant is necessary.

Administering agencies

Department of Conservation (DOC)

Note: the comments from DOC were received five working days after the specified timeframe. We recommend you consider these comments, at your discretion, under section 17(7)(b).

DOC has raised concerns that no detailed ecological information has been provided and has requested detailed ecological surveys (including lizard, bird, bat, and wetland surveys) be completed. A Wildlife Act Approval should then be applied for to protect wildlife that are likely to be impacted by the project.

DOC have requested that the applicant consider the objectives of the Auckland Conservation Management Strategy, including having healthy ecosystems and well conserved historic and cultural heritage. DOC notes that relevant iwi authorities have produced planning documents that should also be considered.

DOC considers it may be beneficial for the applicant to consider whether it should seek to include additional approvals that would potentially be required on a precautionary basis. DOC suggests the Minister consider whether further information should be sought from the applicant under s20 prior to making their decision to ensure all approvals in scope of the Act and necessary to implement the project are included. In particular, DOC recommends that the Minister request further information from the applicant, clarifying whether any activities proposed in natural rivers, streams, or water meet the criteria for requiring approval under the Freshwater Fisheries Regulations, and if so, whether the applicant is also seeking these approvals under the Act or intends to instead obtain approval separately outside of this process – we note the applicant has not identified this as

	<p>an approval required to authorise the project, however they will be able to seek this approval outside the fast-track approvals process if needed. Additionally, it is noted that there appears to be several 'natural inland wetlands' on the site that are not addressed in the ecological assessment. DOC notes there are regulatory implications if these are not identified as part of this referral process.</p> <p>Any other persons or groups</p> <p><i>KiwiRail Holdings Limited (KiwiRail)</i> KiwiRail does not object to the inclusion of the project in the fast-track approvals process. However, KiwiRail should be identified as a stakeholder and/or affected party as the project has the potential to directly affect KiwiRail as owner/operator of the North Auckland Line rail corridor with part of the project area extending onto rail land. The application needs to correctly identify this land as third party land and KiwiRail needs to be engaged if this land is included in the project. Necessary lease or land acquisition processes must be followed for the use or occupation of this land.</p> <p>It is not clear to KiwiRail whether there are future plans for the development of the land to the north of the rail corridor or whether this is to remain in rural use. Clarification on the scope of the application is important to KiwiRail as the North Auckland Line currently severs the subject site.</p> <p>KiwiRail have noted that the project proposes one connection between the proposed northern and southern parts of the subject site via an existing private level crossing. It is unclear to KiwiRail what the intended use of this crossing is. The existing crossing is a personal agreement and does not permit the crossing to be used in a public capacity. There are no permissions in place for anyone other than the Grantee to use this private level crossing. KiwiRail also notes that any infrastructure or services located within the rail corridor will require a Deed of Grant agreement with KiwiRail.</p> <p>The project proposes new houses and a new school adjoining the North Auckland Line rail corridor, KiwiRail seeks a 5-metre setback from this rail corridor for any buildings and structures. To manage the effects on the amenity of neighbours, and reverse sensitivity effects on the rail corridor, KiwiRail seeks appropriate noise attenuation for noise sensitive activities within 100 metres of the rail corridor.</p> <p><i>NZ Transport Agency Waka Kotahi (NZTA)</i> NZTA are not opposed to the application being referred into the fast-track approvals process, however, want to ensure that the effects of the project on the state highway network are appropriately mitigated. NZTA has had pre-application engagement with the applicant regarding this project.</p> <p>NZTA consider State Highway 16 (SH16) lacks the urban infrastructure necessary to safely and efficiently support the development of this scale. The proposed development could be supported if there is substantial investment in upgrading SH16. Without these upgrades, the current high-speed and rural configuration of the highway poses significant safety, accessibility, and network capacity risks.</p> <p>The project proposes an upgrade to two existing vehicle crossings to form intersections to SH16 as the main access to the development. NZTA would need to see a substantive application with an ITA that identifies the impact of the anticipated vehicle generation on the safe and efficient functioning of both the proposed SH16 intersections and the wider state highway network. We note clause 7 under Schedule 5 of the Act lists the matters to be covered in the assessment of environmental effects for a substantive application. We expect the matter of an ITA is likely to be addressed in the substantive application and as such, we consider no specific direction to the applicant is necessary.</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>We consider you can be satisfied that the project does not involve an ineligible activity because it:</p> <ul style="list-style-type: none"> - would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title. - would not occur in a customary marine title area or protected customary rights area as the project area is not in the common marine and coastal area (CMCA). - 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 as the project will not occur in the CMCA, or an aquaculture settlement area. - would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) as the project does not require an access arrangement, nor does the activity involve prospecting, exploration, and mining of Crown owned minerals - would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA as the project is not located within the CMCA and does not involve an aquaculture activity. - would not occur on Schedule 4 land as confirmed by the records of title. - would not occur on a national reserve as confirmed by the records of title. - would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the record of title. - is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA. - is not for the purpose of an offshore renewable energy project. <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 that you have sufficient information to inform your decision on the referral application.</p>

<p>Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahoā 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>Section 16(2)(c) of the Act requires that you must, where relevant, in your notice of decisions on the referral application, direct any panel that considers a substantive application for the project to comply with any applicable requirements. Accordingly, should you decide to accept this referral application, we have noted in the recommendations section above that you must direct any panel considering a substantive application for this project to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to consult with the relevant Treaty settlement entities, in relation to the Wildlife Act 1953 approvals being sought.</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><i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> The only current GPS is the Government Policy Statement on Grocery Competition. As this project does not involve a supermarket development or grocery-related activities, there is no GPS relevant to your decision.</p> <p>The Minister <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant:</p> <p><i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]</i> The project involves the construction of approximately 1,500–2,020 new dwellings, ranging from large lot to medium density residential housing. The applicant considers this will significantly increase housing supply and diversity in Auckland’s north-west, and contribute to a well-functioning urban environment.</p> <p>The applicant considers the project has been designed to cater for a range of housing needs and preferences by providing a mix of dwelling typologies, including standalone homes of varying sizes and configurations, as well as terraced and duplex housing. The applicant considers the neighbourhood centre, light industrial area, and a green network, will support residents’ wellbeing and access to employment, recreation, and services. From a public transport perspective, the applicant notes the site is currently served by a 30-minute frequency bus route connecting to Westgate and promotes active transport options.</p> <p>The significant regional benefits associated with the increase in housing supply within this location is supported by the comments received from the Associate Minister of Housing, Minister for Regional Development, and Minister for Economic Growth. These Ministers have each outlined the significant economic and social benefits of an increase in housing supply.</p> <p>The economic assessment provided by the applicant for the project references a Housing Capacity Assessment completed by AC in 2023. This housing assessment identifies a demand of 845 households per annum within the Rodney Local Board District out to 2053. The provision of approximately 1,500–2,200 houses would provide for 1.8-2.6 years of demand within the Rodney Ward area. We consider that this is a notable difference from the current situation and can provide a significant benefit to the district and wider region through the provision of suitable accommodation options and living locations to the Rodney and wider Auckland community.</p> <p>AC considers that the referral application does not provide sufficient evidence to demonstrate that the stated benefits are significant at a regional scale for Auckland. AC questions whether the development of approximately 1,600 houses over a 15-year period can reasonably be considered regionally significant, given that 1,535 houses were consented in Auckland in March 2025 alone, and a total of 14,020 houses were consented in the year ending March 2025. In this context, AC considers that the proposed 1,600 houses represent a relatively small proportion of Auckland’s overall housing consents, particularly as they would be delivered over a 15-year timeframe. Accordingly, AC does not consider that the project would be regionally significant.</p> <p>Based on the assessment above, including the applicant’s assessment, and the comments received from Ministers, we recommend that the project does meet the criterion under section 22(2)(a)(iii) as the project will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment in the Auckland region. The project is considered to meet this criterion as it will deliver a significant increase in housing supply (at least 1,500 residential units in total), including a diverse mix of housing types; address identified housing needs in the Rodney ward area and the Auckland region; and contribute to a well-functioning urban environment by including a neighbourhood centre and light industrial area to support access to services and employment for future residents.</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant has provided an Economic Assessment completed by Insights Economics for the project (Attachment 6 of the application) which considers constructing the proposed new buildings and preparing the land for development will have significant one-time economic impacts on gross domestic product (GDP), jobs, and wages. The Economic Assessment estimates the project will provide full-time work for 305 people for 15 years, generating over \$385 million in wages/salaries, and a one-off GDP increase to the regional GDP by approximately \$650 million.</p> <p>The applicant states that the project will deliver approximately 28,650 square metres of industrial floorspace contributing to meeting long-term demand and alleviating land supply constraints in the sector. This is expected to support a more responsive and efficient industrial market. A neighbourhood centre of approximately 0.3 hectares will also be established to support the newly established community. The economic assessment identifies the ongoing economic impacts/benefits by these areas sustaining ongoing economic activity. It has been estimated that these non-residential components of the project could generate full-time employment for 284 people, generating over \$24 million in annual wages/salaries, and an annual GDP increase of around \$57 million.</p> <p>AC noted that the stated economic benefits may not be regionally or nationally significant. They raised concerns with the methodology used and consider the applicant should complete a Cost-Benefit Analysis (CBA). We consider the information provided with the application is sufficient to inform your referral decision. Overall, we consider it can be assumed that services to support the construction of the project will be sourced from across the region, and depending on availability potentially across New Zealand, providing sources of employment, income and increased in GDP beyond the Waimauku area.</p> <p>Upon the project being established the ongoing economic benefits and provision of 284 full-time equivalent positions will benefit the Waimauku community and Rodney Local Board area providing a notable change in the employment and educational options available for residents of the immediate area. We note the expert panel decision for the Waihi North application¹ considered: “Significant” is a word of indeterminate meaning. It can, for instance, be used in in the sense of “game-changing”. But it can also have meanings along the lines of “worthy of note”. The expert panel further considered: “Indeed, in a large city, even a substantial housing project is unlikely to make a material change to the supply of housing. All of this supports the view that “significance” is not to be determined by reference to whether implementation of the project will appreciably change national or regional gross domestic product or the annual tax revenue of the Government. Rather it is an indication of scale”.</p>

¹ Waihi North project [FTAA-2504-1046]: Record of Decisions of the Expert Panel under s87 of the Act - dated 18 December 2025

	<p>Therefore, consistent with the expert panel decision on the Waihi North application and taking the approach of the region being the Waimauku area and wider Rodney district (rather than a defined local government boundary), we consider the project will provide significant economic benefits.</p> <p>Given the project's large scale, extended construction period, and contribution to regional employment and GDP, we consider it is reasonable to conclude that the economic benefits would be significant regionally in the context of this criterion. Based on the assessment above, including the applicant's assessment and the comments received by Ministers, we recommend that the project does meet the criterion under section 22(2)(a)(iv) as the project will deliver significant economic benefits in the Rodney ward area and the Auckland region.</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 supports climate change mitigation through both flood hazard management and the promotion of low-emission transport options. The applicant states stormwater infrastructure will be designed using climate-adjusted rainfall data to manage flood risks, including attenuation of overland flow and appropriate freeboard for structures, with the aim of protecting people and infrastructure from future extreme weather events.</p> <p>The applicant also considers that the project will reduce greenhouse gas emissions by encouraging active and public transport use. The applicant states the project is located near existing bus services with frequent connections to major hubs, and future public transport investment is anticipated in the surrounding area. The potential reactivation of the North Auckland rail line is also noted by the applicant as a long-term opportunity to further support sustainable transport.</p> <p>We note the measures identified by the applicant under this criterion are primarily mitigation measures to address the project's own adverse effects. While the project may have some localised benefits, they are not considered to support climate change mitigation at a scale that would have significant regional or national benefits. Accordingly, we do not recommend that the project be referred based on this criterion.</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 the project area is not located near the coast. The applicant considers that the stormwater management approach will incorporate climate change adaptation measures, including flood modelling based on future rainfall scenarios. The applicant states there are no other known natural hazards that are applicable to the site, or latent hazards that could be exacerbated through climate change.</p> <p>We note the measures identified by the applicant under this criterion are primarily mitigation measures to address the project's own adverse effects. Accordingly, we do not recommend that the project be referred based on this criterion.</p> <p><i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant considers the proposal to be consistent with the Auckland Regional Policy Statement (RPS), particularly the objectives and policies relating to urban growth and form. They note that the RPS promotes a quality compact urban form, supports intensification around centres and transport, and enables growth of rural and coastal towns where it avoids adverse effects and can be serviced by infrastructure. The applicant states that the proposal aligns with these provisions, particularly B2.6.1, by facilitating the expansion of Waimauku in a manner that reflects local character, avoids significant constraints, and supports mana whenua wellbeing.</p> <p>AC provided comments stating that "the proposal accommodates the urbanisation of the site, but has not demonstrated adequately at this stage that it would not give rise to significant flood hazard risks. This is inconsistent with the anticipated outcomes of the relevant strategic and regulatory planning documents". The applicant acknowledges AC's feedback that the RPS does not anticipate urbanisation outside the Future Urban Zone but disagrees with this interpretation. They argue that the RPS does provide for the growth of existing rural towns, and that technical assessments and master planning demonstrate consistency with relevant RPS provisions. In their view, the proposal represents a logical extension of Waimauku and gives effect to the planning framework for rural town development.</p> <p>Regarding the Auckland Future Development Strategy (FDS) 2023–2053, the applicant notes that the site is not identified for urban development within the next 30 years. However, they contend that the FDS is intended to guide long-term strategic planning and does not preclude merit-based development in rural towns. They highlight that further work is needed to address growth in rural settlements like Waimauku, and that in the absence of a specific strategy for the northwest, development proposals should be assessed through appropriate planning processes.</p> <p>Given the conflicting positions regarding alignment with the relevant planning documents, we do not recommend referral under this criterion.</p> <p><i>Any other matters that may be relevant [s22(b)]</i> We have not identified any other matters that would be relevant under this section. We consider the matters relevant to your consideration have been addressed above.</p> <p><i>Conclusion</i> Based on the assessment of the above criteria, we consider the project is a development project that would have significant regional benefits in line with the criteria for accepting a referral application under section 22(1)(a) of the Act.</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> It is noted that the project may involve a prohibited activity under the NES-F, which would preclude it from progressing through the standard RMA consenting pathway. However, if the project is referred, prohibited activities may be considered through the fast-track approvals process. As such, we consider referring the project would facilitate the development.</p> <p>The applicant also considers the fast-track approvals process will enable more timely and cost-effective consenting, compared to the standard process, for the following reasons:</p> <ul style="list-style-type: none"> – expert panels consider all required approvals as a single package, rather than multiple applications to different authorities. The project requires approvals under the RMA and the Wildlife Act 1953. – public and limited notification is excluded. Panels may only seek input from specified parties within a short timeframe. Given the scale of the development, it would likely be fully notified under the standard RMA process, significantly delaying consent. The fast-track approvals process imposes shorter, stricter statutory timeframes, reducing delays and improving project efficiency. <p>Overall, we consider that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, in line with section 22(1)(b)(i) of the Act.</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 considers the project is unlikely to materially affect the efficient operation of the fast-track approvals process. The applicant notes their assessment of the proposal is relatively straightforward and unlikely to require additional resourcing given it does not raise novel issues, and the effects are known and easily quantifiable.</p> <p>Overall, we agree with the applicant's reasoning for this criterion and consider that referring the project to the fast-track approvals process is unlikely to affect the efficient operation of the fast-track approvals process in line with section 22(1)(b)(ii) of the Act.</p>
<p>Reasons to decline</p>	
<p>Minister <u>must</u> decline [section 21(3)]</p>	<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i> As detailed above, we consider the proposal meets the section 22 referral criteria.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i> Based on the information provided, we consider you can be satisfied that the project does not include an ineligible activity.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i> We consider sufficient information has been provided to allow an assessment to be completed, enabling you to make an informed decision.</p> <p>We do not consider that you must decline the application under section 21(3) of the Act.</p>
<p>Minister may decline [section 21(4) and 21(5) (a-h)]</p>	<p><i>The Minister <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> There is no indication within the application, comments received from invited parties, or from the section 18 Treaty Settlements report, that the project would be inconsistent with these documents.</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> There is no information to suggest that it would be more appropriate to deal with the matters authorised by the proposed approvals under another Act or Acts. The section 18 report also does not consider there are any matters which make it more appropriate for the project to be authorised under another Act or Acts.</p> <p><i>The project may have significant adverse effects on the environment</i> Comments provided by AC have raised a number of matters, that if not suitably managed, have the ability to create significant adverse effects on the environment. These relate to natural hazards (flooding) and stormwater management, lack of infrastructure, traffic generation, loss of rural productive land and ecological impacts. The applicant has provided sufficient information with the referral application to indicate that any adverse effects are likely to be able to be avoided, remedied or mitigated through appropriate design, management and consent conditions. At the substantive stage an expert panel would also have the ability to seek further information and impose conditions to ensure the management of potential adverse effects. As such, we do not recommend that you decline the referral application under this criterion.</p> <p><i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> The applicant has not been subject to compliance or enforcement actions under the RMA.</p> <p><i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> The project area does not include land necessary for Treaty Settlement purposes.</p> <p><i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> The project may involve works in close proximity to a natural inland wetland, triggering a prohibited activity status under regulation 53 of the NES-F. Further information will be provided by the applicant as part of the substantive process. We note that the prohibited activity status does not trigger any ineligibility criteria under section 5 of the Act. Although this is a potential reason you may decline a referral application, we note section 21(7) of the Act states that the presence of a prohibited activity does not prevent you from accepting a referral application.</p> <p>Any potential adverse effects on the inland wetlands can be further assessed and managed at the substantive stage by an expert panel, which will have the ability to seek technical advice and impose conditions as deemed appropriate or decline the application if the effects outweigh the benefits. Overall, the project will increase the supply of housing within a region currently experiencing a shortage, which would in turn contribute to economic growth and support local employment opportunities. On this basis, we consider the inclusion of a prohibited activity does not constitute a reason that you should consider declining this referral application.</p> <p><i>A substantive application for the project would have one or more competing applications.</i> AC state they have no record of competing applications within the project area.</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> AC did not identify any resource consents of the kind referred to in section 30(3)(a).</p> <p><i>Any other matters</i> We have not identified any other matters that would be applicable.</p>

Conclusion

We have not identified any matters under section 21(4) or (5) that would be a reason you may decline the referral application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
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:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area (if applicable)
 - f. you may provide the application to and invite comments from any other person.
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.