



FTAA–2502–1012: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 1 decisions

Project Name: Auckland Surf Park Community Stage 2

Date submitted:	4 April 2025	Tracking #: BRF–6057	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decisions on recommendations in Table A	To be advised

Actions for Minister's Office staff	Return the signed briefing to MfE FTAreferrals@mfe.govt.nz Send email to Ministers to invite comment
Number of attachments: 3	Attachments: 1. Application documents for Auckland Surf Park Community Stage 2 project 2. List of the Māori groups referred to in section 18(2)) 3. Statutory framework summary

Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author(s)	Max Gander-Cooper, Joanne Waitoa		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Key messages

1. This briefing seeks your initial decisions on an application from AW Holdings 2021 Limited to refer the Auckland Surf Park Community Stage 2 project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process. At this stage you can either decline the application for the reasons set out section 21 of the Act, or provide the application to, and invite comments from, the parties identified in section 17 of the Act. If you do not decline the application, you will receive a further briefing following receipt of comments, to support your final decision on whether to refer the project.
2. The project is to construct and operate a hyperscale artificial intelligence data centre, integrated residential development comprising approximately 400 residential units, a village centre, work-live precinct and associated activities over 54 hectares of land at approximately 1350 Dairy Flat Highway, Dairy Flat. The applicant previously obtained resource consents for stage 1 of the project under the COVID-19 Recovery (Fast-track Consenting) Act 2020. A variation to the previous decision to increase the solar farm output is also included as part of this application.
3. The project will require the following proposed approvals:
 - a. New resource consents and variations to existing resource consents under the specified Act – Resource Management Act 1991.
4. We have undertaken initial analysis of the referral application and this is presented along with our recommendations in Table A.
5. We have decided the application is complete and complies with section 14 of the Act, as the application meets the requirements of section 13. The application does not appear to involve an ineligible activity (section 5) and may be capable of satisfying the criteria in section 22. The applicable fee and levy has been paid.
6. We recommend you progress consideration of the referral application to the next stage of analysis (Stage 2) and invite written comments from the parties prescribed in section 17(1) of the Act being: local authorities, the Minister for the Environment and relevant portfolio Ministers, relevant administering agencies, the owners of Māori land within the project area and identified Māori groups from section 18(2) of the Act. The parties are listed in Attachment 2.
7. We recommend that you invite written comments from Auckland Transport as an additional party under section 17(5) of the Act.
8. We recommend that under section 20 you request further information from the relevant local authority as detailed in Table A.

Action sought

9. Please indicate your decisions on the recommendations in Table A.

Signature

A handwritten signature in black ink, featuring a large, stylized loop at the top and a long, sweeping horizontal stroke extending to the right.

Ilana Miller
General Manager – Delivery and Operations

Table A: Stage 1 analysis

Project details	Project Name		Applicant		Project Location	
	Auckland Surf Park Community Stage 2		AW Holdings 2021 Limited c/- Barker and Associates The applicant is a legal person and therefore eligible to apply for a resource consent. The applicant also holds the existing consents for Stage 1 so is eligible to apply to vary those consents.		Approximately 54 hectares of land between Postmans Road and Dairy Flat Highway, Dairy Flat, Auckland, and comprising the following titles: 1350 Dairy Flat Highway - Lot 2 Deposited Plan 605825 (26.4534ha) 1320 Dairy Flat Highway - Lot 4 Deposited Plan 66181 (4.42ha) Lot 1 Deposited Plan 605825 (4ha) Lot 15 Deposited Plan 65979 (12.2083ha) 105 Lacelles Drive - Lot 2 Deposited Plan 151504 (4.9255ha) 89 Lascelles Drive – Lot 1 Deposited Plan 151504 (2.0817)	
Project description	The project is to construct and operate a hyperscale artificial intelligence data centre, integrated residential development comprising approximately 400 residential units, a village centre, work-live precinct and associated activities, and a variation to the decision on Auckland Community Surf Park - Stage 1. The project will require the proposed approvals: a. New resource consents and variations to existing resource consents under the specified Act – Resource Management Act 1991.					
Consultation undertaken	As required by s11, the applicant has consulted with:					
	Relevant local authorities	Relevant iwi authorities, hapu and Treaty settlement entities:	Relevant MACA groups	Ngā hapū o Ngāti Porou]	Relevant administering agencies	Holder of land to be exchanged
	Auckland Council	Ngāti Manuhiri Te Kawerau a Maki Ngāti Whanaunga Te Rūnanga o Ngāti Whātua Ngāti Maru Ngāti Paoa Ngāi Tai ki Tāmaki Ngāti Te Ata Te Ākitai Waiohū Ngātiwai Ngāti Whātua o Kaipara Ngāti Tamaterā Ngāti Whātua Ōrāke	N/A	N/A	Ministry for the Environment	N/A
Section 22 assessment criteria						
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	The Minister may consider any of the following matters, or any other matters the Minister considers relevant. <i>Assess the factors that are relevant to the application. How is the factor relevant and is it being met by the project?</i> <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant considers the proposal will deliver regionally and nationally significant infrastructure including: • An Artificial Intelligence (AI) data centre campus. An AI data centre facility specifically designed to handle the high computational demands of AI workloads, typically equipped with powerful servers, advanced storage systems, and specialised hardware accelerators. • The development provides an opportunity to integrate with the future delivery of the Rapid Transit Network which will intersect the site by facilitating a town centre in the location of a future potential bus/light rail station. • The proposal will deliver the collector road connecting Dairy Flat Highway – Postman Road as anticipated under the Structure Plan. We note that the definition of infrastructure in the RMA (which is the relevant definition for the FTAA) would not capture the data centre, and the delivery of the RTN is not a benefit directly related to the project. <i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]</i>					

	The applicant considers the delivery of approximately 400 dwellings in Dairy Flat represents a highly significant boost to housing supply for the Auckland Region, particularly in the context of Auckland's housing affordability challenges and supply constraints. Related to this, the additional housing supply will assist to boost competition in the local housing market and therefore increase economic efficiency. We recommend seeking clarification from Auckland Council and the Minister of Housing on the potential housing benefits of the project in the context of the Auckland region. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant considers the project will deliver significant economic benefits including: • A regional economic contribution of approximately \$1.64 billion over a six-year period; • A total construction expenditure of approximately \$890m; • A six-year regional employment generation of 11,460 FTE years; • Increasing efficiencies and competitive opportunities for the region and local economy; • A significant opportunity to create a local and international adventure tourism hub; • The increased local population base will result in a net increase in the number of full-time equivalent employees able to work within Dairy Flat and the surrounding suburbs; • Growth from residential development often works as the catalyst for further growth in the area. The development may create interest for additional residential / commercial development within the area; • The development of properties will encourage increased foot traffic to the Dairy Flat area through employment, local residents and tourists attracted by the amenity. The application includes letters of support in relation to the application including a letter of Support from Mayor of Auckland, Wayne Brown. Wayne Brown notes that the project is: A unique proposition of significant scale and offers considerable benefits to both the region of Auckland and the wider New Zealand population. I am encouraged by the commitment to creating a "rural village" concept within the project and see this project contributing to 1) help solve Auckland's housing challenges 2) provide a community centre for the people of Dairy Flat and 3) the creation of a "digital hub". All of these will contribute to economic growth. <i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i> The applicant considers the project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions for the following reasons: • The proposal includes the expansion of the consented solar farm increasing energy generation from 8,400MWh – 10,900MWh and thereby offsetting an additional 9,000 tons of CO₂ each year. We recommend you seek comments from the Minister of Climate Change on whether the benefits associated with the additional solar farm capacity are significant in the context of the Auckland region or nationally. <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 has been designed to account for the effects of flooding hazards and climate change, with stormwater measures designed to prevent flooding on the site and in downstream locations. We note this is not a benefit. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant notes that while the proposal is not strictly in accordance with the Structure Plan the development occupies only a small portion of the wider proposed industrial area identified by Council. The proposal complements the future industrial zoning by providing a service and recreational hub near to what will become a large employment area. <i>Any other matters that may be relevant [s22(b)]</i> While not technically infrastructure, the AI data centre may have significant regional benefits. We recommend you seek comments from the Minister of Science, Innovation and Technology on whether the benefits of the data centre are significant in the context of the Auckland region or nationally.		
referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> Due to the processes available under the FTAA the applicant considers the project is anticipated to be completed 2 years more quickly by utilising the process provided for by the Act than would otherwise be the case. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant considers the project is located within an area which is ear-marked for development, and has current significant roading connections including the Northern Motorway and is subject to future significant connections including the Rapid Transit Network (RTN). The applicant and their representatives have also previously utilised the Covid 19 Fast to consent Stage 1. The applicant and their representatives have a good understanding of the requirements and short timeframes associated with the fast-track process and high-quality of applications and supporting material required. Consequently, the applicant is ready for and able to work within these requirements.		
Minister invites comments	<i>You must copy the application to, and invite written comments from [s17(1)]:</i> a. Auckland Council as the relevant local authority	<i>The Minister may also copy the application to, and invite written comments from, any other person[s17(5)].</i>	<i>The Minister may request further information about a referral application from the applicant, the relevant local authorities, or the</i>

	b. Ministry for the Environment as the relevant administering agency c. Minister for the Environment d. Relevant portfolio Ministers: a. Minister of Housing, on whether the housing benefits of the project are significant in the context of the Auckland region or nationally b. Minister for Auckland on whether the project benefits are significant in the context of the Auckland region c. Minister of Climate Change on whether the benefits associated with the increase solar farm output are significant in the context of the Auckland region or nationally d. Minister of Science, Innovation and Technology on whether the benefits associated with the data centre are significant in the context of the Auckland region or nationally. e. The Māori groups identified in Attachment 2 f. The owners of Māori land in the project area identified in Appendix 2 (none)	We recommend seeking comments from Auckland Transport on whether the delivery of the project is likely to be impacted by the delivery of the Rapid Transit Network, and whether the project may impact delivery of the RTN. We also recommend you seek comments on the application from the Ministers for Regional Development and Economic Growth.	<i>relevant administering agencies to be provided within the time frame specified in the request.</i> From the applicant: - How the housing benefits of the project are significant in the context of the Auckland region - How the direct economic benefits of the project are significant in the context of the Auckland region or nationally - Whether the building line restriction on the title Lot 1 Deposited Plan 151504 will need to be removed and if this will impact on project delivery From Auckland Council: - Whether the benefits associated with the project are significant in the context of the Auckland region
Recommendations			Minister's decision
a.	Note that section 25 of the Act permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.		Noted
b.	Note that you have not yet provided the application to, nor sought any comments on it from, the parties listed in section 17(1) but that you are required to do so if you do not decline the application under section 21 of the Act.		Noted
c.	Note that section 17(5) of the Act permits you to forward an application to, and invite written comments from, any other person.		Noted
d.	Note that if comments have been sought and provided within the required time frame you are required to consider it, along with the referral application, before deciding to decline the application.		Noted
e.	Note that section 20 of the Act permits you to request further information from the applicant or relevant local authorities or relevant administering agencies at any time before you decide whether to accept or decline an application.		Noted
f.	Agree to progress the Auckland Surf Park Community – Stage 2 Project to our Stage 2 analysis (invitation to comment and s 18 report stage).		Yes/ No
g.	Agree to provide the application to, and invite comments from: a. Auckland Council b. Ministry for the Environment c. Minister for the Environment d. Relevant portfolio Ministers: a. Minister of Housing b. Minister for Auckland c. Minister of Climate Change d. Minister of Science, Innovation and Technology e. The Māori groups identified in Attachment 2: a. Te Kawerau Iwi Settlement Trust b. Hako Tūpuna Trust c. Te Runanga o Ngati Whatua d. Ngati Maru Runanga Trust e. Ngati Paoa Iwi Trust f. Ngai Tai ki Tamaki Trust g. Ngāti Tamatera Treaty Settlement Trust h. Ngaati Whanaunga Ruunanga Trust i. Ngati Manuhiri Settlement Trust j. Te Akitai Waiohua Settlement Trust		Yes/ No

k. Ngā Maunga Whakahii o Kaipara Development Trust l. Ngāti Te Ata Claims Support Whānau Trust m. Tūpuna Taonga o Tāmaki Makaurau Trust n. Marutūāhu Rōpū Limited Partnership f. The owners of Māori land in the project area identified in Appendix 2	
h. Agree to provide the application to and invite comments from the following parties under section 17(5) a. Auckland Transport b. Minister for Regional Development c. Minister for Economic Growth	Yes/ No
i. Agree to seek further information from the applicant on: a. How the housing benefits of the project are significant in the context of the Auckland region b. Whether the building line restriction on the title Lot 1 Deposited Plan 151504 will need to be removed and if this will impact on project delivery	Yes/ No
j. Note that you have agreed to delegate to the Secretary for the Environment your responsibility to send all correspondence other than to Ministers	Noted
k. Sign and send the attached letters to Ministers.	Yes/ No
l. Sign and send the attached letters to other Ministers	Yes/ No

Signed:

Hon Chris Bishop
Minister for Infrastructure

Date:

**Attachment 1: Application documents for Auckland Surf Park Community –
Stage 2**

Attachment 2: List of the Māori groups referred to in section 18(2)

Name of group	Type of group (section of Act)
Te Kawerau Iwi Settlement Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a) – Te Kawerau ā Maki Claims Settlement Act 2015))
Hako Tūpuna Trust	Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Te Runanga o Ngati Whatua	iwi authority (s18(2)(a), mandated entity (s18(2)(d)))
Ngati Maru Runanga Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Ngati Paoa Iwi Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Ngai Tai ki Tamaki Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a) – Ngai Tai ki Tamaki Claims Settlement Act 2018)
Ngāti Tamaterā Treaty Settlement Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Ngaati Whanaunga Ruunanga Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Ngati Manuhiri Settlement Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a) – Ngati Manuhiri Claims Settlement Act 2012))
Te Akitai Waiohū Settlement Trust	Treaty settlement entity (s18(2)(a), mandated entity (s18(2)(d)))
Ngā Maunga Whakahii o Kaipara Development Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a) – Ngāti Whātua o Kaipara Claims Settlement Act 2013)
Ngāti Te Ata Claims Support Whānau Trust	iwi authority (s18(2)(a), mandated entity (s18(2)(d)))
Tūpuna Taonga o Tāmaki Makaurau Trust	Treaty settlement entity (s18(2)(a)), other Māori groups with relevant interests (s18(2)(k))
Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))

Attachment 3: Statutory framework summary

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 Man 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 s 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at this 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:
 - 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.