



Brick Bay Lodge Referral Application under section 13 of the Fast-track Approvals Act 2024

By Christine and Richard Didsbury (Applicants)

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Revision Summary

Report prepared by Peter Hall Planning Limited for By Christine and Richard Didsbury (Applicants) .

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All drawings preliminary subject to development of design. Any photographs included here are for internal design reference only. They do not represent documentation of the design in any way, and no ownership of the images or their contents is implied.



- 1 Auckland City
- 2 Brick Bay
- 3 Matakana
- 4 The Hauraki Gulf
- 5 Omaha Beach
- 6 Te Arai Golf Course
- 7 Tara Iti Golf Course
- 8 Surfing
- 8 Goat Island Marine Reserve

Location

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Key					
Site 1 Stone sculpture site	7 Villas	Site 6 Bamboo site	2 Villas		
Site 2 Macrocarpa site	4 Villas	Site 7 Tennis Pavilion site	5 Cottages		
Site 3 Pa site	5 Villas	Site 8 Great Lawn site	3 Cottages		
Site 4 Palm Tree site	3 Cottages, 8 Treehouses	Site 9 Wetland site	4 Cottages		
Site 5 Hilltop site	4 Villas	Amenity sites			

Proposed Masterplan



1.0 Executive Summary

Christine and Richard Didsbury (**applicants**), the owners of the subject Site at 15 Arabella Lane/52 Kauri Drive, Snells Beach, propose to establish the “Brick Bay Lodge” on the coastal side of the property.

Brick Bay Lodge will provide luxury visitor accommodation comprising some 45 accommodation suites and associated lodge amenities. Accommodation suites will comprise a mix of villas, cottages, and tree houses. They will be supported by shared amenities including reception services, a restaurant, pool house and gym, restoration pavilion and wellness retreat, and a beach house.

The lodge will address an identified gap in luxury accommodation supply, particularly in proximity to Auckland.

The lodge will draw on the unique experience of the existing vineyard, sculpture trail, gardens, and restaurant - Brick Bay Wines & Sculpture Trail - which the applicants have developed on the landward side of the property over the last 40 years. It will build on the property's proximity to the amenities and attractions in Matakana, including Matakana Village with its Farmers' Market, boutiques, and galleries, and the wider Auckland and Northland regions.

The project will be further developed by the applicants in collaboration with Ngāti Manuhiri. Ngāti Manuhiri are mana whenua for the rohe, and the applicants acknowledge the rangatiratanga and mana whenua of Ngāti Manuhiri within the rohe.

The Brick Bay Lodge will generate substantial economic benefits through construction activity, ongoing operations, fiscal contributions and ancillary quantified spending by international guests, which it will target.

The benefits quantified by economic research and consulting firm Market Economics are large. Construction and operational expenditure **will generate value added contributions to GDP of between \$630m and \$1.3bn** over the appraisal period, depending on cost scenario and discount rate. International visitor expenditure, GST and local government rates add **a further \$136m - \$488m in net present value¹**.

The project will **sustain approximately 140 operational jobs per year alongside the construction workforce of 185 - 190 direct positions per year** during the build phase. These jobs represent the creation of high-quality employment in the tourism sector where New Zealand has a strategic opportunity and a productivity deficit.

The project will be an example of greenfield equity foreign direct investment (FDI), and involve a large capital commitment to New Zealand. Given New Zealand's meagre FDI stock as a proportion of GDP - which is examined in detail in the Economics Assessment - investment of this scale is significant.

The economic evidence supports the conclusion that Brick Bay Lodge satisfies the FTAA threshold for significant economic benefits at both a regional and national level.

Brick Bay Lodge will align with the Government's tourism policies and Tourism New Zealand's strategies by delivering high-value, low-impact tourism that drives economic growth and sustainability. Key alignment areas include adopting environmental stewardship, offering authentic Māori cultural experiences, investing in local communities, and providing high-quality employment.

¹ These estimates are conservative throughout: they exclude corporate tax, income tax on rental distributions, domestic visitor spending and several other revenue streams that have not been quantified for this report.

The Government's Going for Growth agenda (2025) targets a doubling of New Zealand's exports within ten years². Tourism is explicitly identified as a sector with the capacity and potential to contribute to this objective. Brick Bay Lodge, designed to attract high-spending international visitors, is directly aligned with this ambition. The concentration of high-value visitors at a single facility generates not only direct export revenue but also ancillary economic activity that would not otherwise occur in the New Zealand economy.

Recent strategies, such as the Ministry of Business, Innovation & Employment "2025 Tourism Growth Roadmap", emphasise increasing the total value of tourism exports rather than just visitor numbers, a goal luxury lodges directly support through high per-guest spending.

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 approval processes. The project would require various complex interrelated approvals to be assessed and issued by multiple agencies (namely Auckland Council, NZ Heritage and Department of Conservation). The project seeks to have construction commencing in 2027, the lodge opening in 2029 and the final units being finished by 2031. The fast-track consenting framework would facilitate the project by utilising a more streamlined consenting process, ensure integration across the agencies and avoid delays associated with traditional consenting processes. By enabling the Project to utilise the fast-track consenting process, this will enable the earlier commencement of construction, employment opportunities, economic stimulation and all other regional and national benefits of the Project to be delivered and realised within a much faster timeframe.

The project does not involve any ineligible activities as they are defined in section 5 of the FTAA. No processes are required under the Public Works Act 1981 in relation to the project. There are no parcels of Māori land, marae, and identified wāhi tapu within the project area. The applicants are joint owners of the Site and ownership does not impose any impediment to the applicant's ability to undertake the work. None of the activities involved in the project (or activities substantially the same as those involved in the project) have been the subject of an application or a decision under a specified Act, as those are set out in s4 of the FTAA.

There will be no adverse effects associated with the project that cannot be properly avoided, remedied or mitigated as informed by the next stage of detailed investigation and design, and through conditions to be offered with the Substantive Application for the approvals sought. No adverse impacts have been identified that would be out of proportion to the project's regional or national benefits.

An assessment against the relevant national policy statements and national environmental standards is set out in the Referral Application with no areas of fundamental misalignment identified.

A summary of the consultation undertaken, written feedback received and a description of how it has informed the project is set out in the Consultation Summary Report in **Appendix 8** to this Referral Application.

Overall, the Minister can accept the application as a referral application under section 21 of the FTAA on the basis that the project meets the criteria in section 22; namely that it is a development project that would have significant regional and national benefits, and referring the project to the fast-track approvals process—

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

² Going for Growth (Promoting global trade and investment) – MBIE



Figure 1: View from the Brick Bay Lodge Site looking East over proposed Site 7 Tennis Pavillion Site (Cheshire Architects 2025)

2.0 Fast-track Approvals Act 2024 (FTAA)

The purpose of the FTAA is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

Section 13(1) of the FTAA sets out that a person or persons may apply to use the fast-track approvals process for a project by lodging a referral application with the responsible agency.

Section 13(4) sets out the information required to be included in the referral application.

Section 22 of the FTAA sets out the criteria for accepting a referral application; namely that:

- (a) the project is an infrastructure or development project that would have significant regional or national benefits; and
- (b) referring the project to the fast-track approvals process—
 - (i) would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and
 - (ii) is unlikely to materially affect the efficient operation of the fast-track approvals process.

Section 3.0 of this report below, and the Annexures to this report as referred to, sets out the information required to be submitted under section 13(4) of the FTAA. This includes how the project will have significant regional and national benefits, and how referring the project to the fast-track approvals process will facilitate the project and is unlikely to materially affect the efficient operation of the fast-track approvals process.

3.0 Section 13 FTAA Matters

3.1 General requirements (s13(1)-(3) FTAA)

3.2 A description of the project and the activities it involves (s13(4)(a))

Section 13(4)(a) FTAA requires a description of the project and the activities it involves.

3.2.1 Project Overview

Christine and Richard Didsbury (**applicants**), the owners of 15 Arabella Lane/52 Kauri Drive, Snells Beach (**the Site**), propose to establish “Brick Bay Lodge” on the coastal side of the Site.

Brick Bay Lodge will provide luxury visitor accommodation comprising some 45 accommodation suites and associated lodge amenities. Accommodation suites will comprise a mix of villas, cottages, and tree houses. They will be supported by shared amenities including reception services, a restaurant, pool house and gym, restoration pavilion and wellness retreat, and a beach house.

The lodge will draw on the unique experience of the existing vineyard, sculpture trail, gardens, and restaurant - Brick Bay Wines & Sculpture Trail - which the applicants have developed on the landward side of the property over the last 40 years. It will build on the property's proximity to the amenities and attractions in Matakana, including Matakana Village with its Farmers' Market, boutiques, and galleries, and the wider Auckland and Northland regions.

Being just 50 minutes' drive from downtown Auckland or 1 hour 10 minutes from Auckland International Airport, Brick Bay Lodge will directly support Government policy objectives to increase per-visitor export value and attract premium international tourism to New Zealand. It will generate substantial economic benefits through construction activity, ongoing operations, fiscal contributions, and ancillary spending by international and local guests. The project exhibits strong strategic alignment with national policy objectives to increase the unit value of tourism exports and attract premium international visitors to New Zealand.

The project will be further developed by the applicants in collaboration with Ngāti Manuhiri. Ngāti Manuhiri are mana whenua for the rohe, and the applicants acknowledge the rangatiratanga and mana whenua of Ngāti Manuhiri within the rohe.

The applicants and Ngāti Manuhiri will work together in a manner grounded in whanaungatanga and manaakitanga. Their collaboration will include matters relating to cultural heritage assessment, archaeological investigation, interpretation on the land, and appropriate recognition of Ngāti Manuhiri mātauranga Māori. In particular, a notable Pā occupies a prominent position on the property, which will be celebrated.

The coastal side of the Brick Bay property, where the lodge is proposed, is visually separated from the Brick Bay sculpture trail and vineyard activities by a prominent dividing ridge. This provides the opportunity for the lodge to sit discretely apart, while taking advantage of the existing site access and

opportunities to enjoy Brick Bay Wines & Sculpture Trail. The coastal side of the property also has a private walking and vehicle access down to the beach at Brick Bay, which is an attractive small bay adjoining the property with a rich history around a former brick works.

The varied landform and existing established vegetation on the coastal side of property provide ample opportunity to site the lodge buildings in a manner that retains the amenities and beauty of the property and minimises visibility off-site, including from Snells Beach and the wider coastline.

The applicants first purchased the property in 1986. Under the Didsbury family's stewardship, the property has been transformed into a significant hub for New Zealand art, recognised as one of the country's leading venues for the public and visitors to engage with sculpture in a natural landscape. Brick Bay Wines & Sculpture Trail also plays an important role in fostering the next generation of New Zealand fine artists and practitioners in the built environment; including the establishment of a range of initiatives designed to support and nurture young and emerging talent. During their stewardship, the Didsbury family have extensively engaged in regeneration and conservation of the property over several decades, including fencing of native bush, planting of tens of thousands of trees, and sustained pest and weed control.

Brick Bay Lodge will be a natural adjunct to the Brick Bay Wines & Sculpture Trail, although will be operated independently as a separate luxury lodge.



Figure 2: Source: Cheshire Architects 2025

3.2.2 The Proposed Activities

Cheshire Architects have prepared a Master Plan for the Brick Bay Lodge. While the Master Plan may be subject to further revision, it shows the basic arrangement and layout of accommodation suites and amenities across the site and access to and within the lodge. The Master Plan and Concept Drawings are included at **Appendix 1**.

The Master Plan describes the lodge amenities and accommodation typologies and provides preliminary indicative floor areas and concept layouts. These plans are conceptual only at this stage and will be subject to further design refinement.

At this stage, the lodge will comprise some 45 accommodation suites, made up of a variety of typologies comprising villas, cottages and treehouses.

The villas and cottages will each provide multiple key options to allow full or partial occupations; each building having bedroom and bathroom ensuites, lounge space, cooking and dining facilities, and outdoor terraces. The treehouses will be located discretely within and adjoining areas of established native vegetation on the property, to be sensitively sited and designed to avoid impacts on the native vegetation.

In total, some 120 rooms are provided for by the masterplan, although this number and the number of accommodation suites may change because of further design and assessment work.

The lodge amenities shown on the Master Plan comprise a central reception and restaurant building, a pool house and gym, a restoration pavilion and wellness retreat will be provided in separate buildings, with a small beach house located near the beach.

The property is well served already by public road access, which accommodates the considerable visitor numbers to the Brick Bay Wines & Sculpture Trail on a daily basis, with the lodge able to share the same primary entrance, with a separate gate internal to the property then proposed. Access to and through the lodge would be provided by a main spine driveway for cars and deliveries, with secondary access to certain groupings of accommodation suites, provided by way of golf cart access tracks.

Provision for helicopter landing and take-off will be made, with controls on the number and timing of movements and flight paths to be developed.

The project will include earthworks and civil works for building platforms, roading and landscaping, and the installation and operation of services and infrastructure associated with the facilities. At this stage, water supply will be from on-site bores and wastewater treated and disposed to land according to best engineering and environmental practices. The option of connecting to the wastewater network at Snells Beach is also being investigated.

Consent will be sought for subdivision simultaneously with the land use components of the application so that the lodge has its own title or titles, separate from the balance of the applicants' land. The subdivision will establish all easements necessary for access and services to the lodge. A further fee simple or unit title subdivision will also be sought to establish separate titles for the various visitor accommodation suites to allow separate investment opportunities within lodge activity.



Figure 3: Location of the Brick Bay Lodge Site, Snells Beach

3.3 An explanation of how the project meets the criteria in section 22 (s13(4)(b))

Section 13(4)(b) FTAA requires an explanation of how the project meets the criteria in section 22 of the FTAA.

The section 22(1) criteria for accepting a referral application are that—

- (a) the project is an infrastructure or development project that would have significant regional or national benefits; and
- (b) referring the project to the fast-track approvals process—
 - (i) would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and
 - (ii) is unlikely to materially affect the efficient operation of the fast-track approvals.

For the purposes of subsection (1)(a), the Minister must consider a relevant Government policy statement.

For the purposes of subsection (1)(a), the Minister may consider a range of matters as listed, including whether the project -

- will deliver significant economic benefits (s22(2)(iv); and
- is consistent with local or regional planning documents, including spatial strategies (s22(2)(x)).

For the purposes of subsection (1)(a), the Minister may also consider any other matters the Minister considers relevant (s22(2)(b)).

An assessment against these criteria is set out below.

3.3.1 The project is an infrastructure or development project that would have significant regional and national benefits

The project will deliver significant economic benefits

Economic research and consulting firm Market Economics have prepared a preliminary assessment of the economic impacts of the Brick Bay Lodge (**the Economic Assessment**) (refer **Appendix 4**).

Through the modelling and economic analysis, the Economic Assessment concludes that Brick Bay Lodge would generate substantial economic benefits through construction activity, ongoing operations, fiscal contributions and ancillary spending by international guests.

The Economic Impact Assessment is informed by a Quantity Surveyor assessment of the Master Plan and the developer's (applicant's) own projections of total costs³.

Section 3 of the Economics Assessment establishes the theoretical and empirical basis for how a project such as Brick Bay Lodge - which will be funded by international capital and targeted at international visitors - can generate economic benefits for New Zealand.

The Economic Assessment notes that numerous studies have demonstrated productivity spillovers in host countries, particularly through backward linkages in the supply chain. When Foreign Direct Investment (FDI) involves sourcing intermediate goods and services from domestic suppliers, it can provide a GDP boost and expose the suppliers to higher standards of quality, reliability and operational practice. These effects can diffuse through the local supply network.

The Economic Assessment notes that Tourism FDI is structurally distinct from FDI in other sectors. It can encompass a range of activities, such as accommodation and transport infrastructure, tour operation and food and beverage services. Whereas FDI in extractive industries or advanced manufacturing typically concentrates capital and employment within a single facility or supply chain, tourism is more likely to disperse activity across sectors.

The luxury tourism market exhibits many of the best features of tourism FDI for host countries identified above. Despite luxury tourists constituting a small share of total arrivals, their per-visitor and per-night economic contribution is disproportionately large. High-end tourists in Europe spend 8 times more per day than the average. Comparing accommodation structures of equivalent scale, high-end accommodation also has 2 times as many employees.

³ All costs and values are presented as real values in 2026 prices, in line with treasury guidance. The appraisal period used is 30 years from 2026 – 2055. Timings align with those assumed in the developer's financial models, with construction commencing in 2027, the lodge opening in 2029 and the final units being finished by 2031. The analysis of economic effects is presented using both a 2% and 8% discount rate.

Luxury tourism should also yield good knowledge transfer benefits. Staff are trained to international standards, suppliers are held to explicit quality protocols, and many other advantages are transferred to staff or suppliers who might then apply those standards across New Zealand.

The Economic Assessment concludes that literature establishes that tourism FDI generates the strongest positive outcomes when it involves greenfield equity investment, integrates with domestic supply chains, transfers knowledge and quality standards to local firms, and operates in a host country with the institutional and human-capital conditions to absorb those benefits.

Brick Bay satisfies all of these conditions. In addition to being added to New Zealand's accommodation stock, it will boost the country's export base and productive capacity within the tourism sector. The project is an example of greenfield equity FDI, and involves a large capital commitment to New Zealand. Given New Zealand's meagre FDI stock as a proportion of GDP - which is examined in detail in the Economic Assessment - investment of this scale is significant. The Lodge will generate procurement demand across a wide range of domestic sectors and integrate well into established supply chains.

The Economic Assessment concludes that the economic case for Brick Bay Lodge is strong in the context of the FTAA. The project will deliver significant and sustained economic benefits to the Auckland region and to New Zealand, commencing during construction and extending over a 30-year operational horizon.

The quantified benefits are large. Construction and operational expenditure **will generate value added contributions to GDP of between \$630m and \$1.3bn** over the appraisal period, depending on cost scenario and discount rate. International visitor expenditure, GST and local government rates add **a further \$136m - \$488m in net present value**. These estimates are conservative throughout: they exclude corporate tax, income tax on rental distributions, domestic visitor spending and several other revenue streams that have not been quantified as yet.

The project will **sustain approximately 140 operational jobs per year alongside the construction workforce of 185 - 190 direct positions per year** during the build phase. These jobs represent the creation of high-quality employment in a sector where New Zealand has a strategic opportunity and a productivity deficit.

Beyond the quantified outputs, the economic rationale is enhanced by the nature of the investment. Brick Bay Lodge involves approximately **\$390m** in greenfield equity FDI at a time when New Zealand's FDI stock is 15 percentage points below the OECD median. Academic and policy literature reviewed demonstrates that this form of investment - equity-based, integrated with supply chains and situated in a country with good baseline conditions - generates the most favourable outcomes for host economies.

As discussed further below, the project directly supports the Government's Going for Growth agenda, Tourism New Zealand's export growth targets and the broader objective of increasing the unit value of tourism. It addresses an identified gap in luxury accommodation supply, particularly in proximity to Auckland.

The economic evidence supports the conclusion that Brick Bay Lodge satisfies the FTAA threshold for significant economic benefits at both a regional and national level.

Consistency with Relevant Government Policy Statement and Sector Strategy

Tourism is a critical export sector for New Zealand. In the year to March 2024, the sector contributed 7.5% of total GDP through direct tourism-related activity and supply chain effects. International tourism accounted for 17.2% of New Zealand's total exports, second only to dairy products by value.

Tourism employs 183,000 people directly and a further 121,000 indirectly, which makes up 11% of total employment. Value added per employee lags behind other sectors, and a focus of the most

recent Government tourism strategy was to grow value faster than volume. A focus on higher-end tourism should lead to higher value jobs and improve productivity in the sector.

The Government's Going for Growth agenda (2025) targets a doubling of New Zealand's exports within ten years⁴. Tourism is explicitly identified as a sector with the capacity and potential to contribute to this objective. Brick Bay Lodge, designed to attract high-spending international visitors, is directly aligned with this ambition. The concentration of high-value visitors at a single facility generates not only direct export revenue but also ancillary economic activity that would not otherwise occur in the New Zealand economy.

In recognition of the sector's potential, Tourism New Zealand's Statement of Intent 2024 - 2028 explicitly targets export growth. Similarly, the Government Tourism Strategy (2019) has the objective of growing tourism value faster than volume⁵. This is essential for improving sector productivity and can help reduce the environmental intensity of tourism activity per dollar of economic benefit. The strategy also recognises that the tourism sector's productivity - measured by value added per employee - lags behind other sectors.

Recent strategies, such as the Ministry of Business, Innovation & Employment "*2025 Tourism Growth Roadmap*", emphasise increasing the total value of tourism exports rather than just visitor numbers, a goal luxury lodges directly support through high per-guest spending⁶.

Brick Bay Lodge will align with the Government's tourism policies and Tourism New Zealand's strategies by delivering high-value, low-impact tourism that drives economic growth and sustainability. Key alignment areas include adopting environmental stewardship, offering authentic Māori cultural experiences, investing in local communities, and providing high-quality employment.

The key areas of alignment are as follows:

- **Targeting High-Value Visitors:** Government policy, specifically through Tourism New Zealand, is focused on attracting "Active Considerers"⁷ who contribute significantly to the economy. Luxury lodges are the primary product for this demographic, aligning with the goal to double the value of tourism exports by 2034.
- **Off-Peak & Regional Dispersal:** A major strategic pillar for 2024-2028 is growing off-peak visitation (March to November) to reduce seasonal pressure on infrastructure. Lodges often offer unique year-round experiences that encourage travel outside the busy summer months and including as part of a wider network of lodges into remote or less visited regions, supporting local economies.
- **Environmental Stewardship (Kaitiakitanga):** Alignment is expected with the Tourism Sustainability Commitment, which aims for all tourism businesses to be sustainable by 2025.
- **Economic Contribution through Levies:** Lodges help fund national infrastructure through the International Visitor Conservation and Tourism Levy (IVL), which was increased to \$100 per visitor to better manage environmental and community impact

⁴ Going for Growth (Promoting global trade and investment) – MBIE

⁵ New Zealand-Aotearoa Government Tourism Strategy (2019) – MBIE

⁶ <https://www.mbie.govt.nz/dmsdocument/30792-tourism-growth-roadmap>

⁷ Active considerers in tourism are high-potential travellers (aged 18–74) who actively rank a specific destination, such as New Zealand, within their top five preferences and intend to visit within three years. They are characterised by having the means, motivation, and interest in sustainable, nature-based, or high-quality experiences

3.3.2 Referring the project would facilitate the project and is unlikely to materially affect the efficient operation of the fast-track approvals

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 approval processes.

The project would require various complex interrelated approvals to be assessed and issued by multiple agencies (namely Auckland Council, NZ Heritage and Department of Conservation). Resource consents required to be processed by the Auckland Council under normal processes will be for land use, subdivision and likely for various regional water permits and discharge consents, which will require a coordinated approach. There is a reasonable likelihood that such approvals would be processed on a notified basis by the Council. The resource management issues applicable to the site have a degree of complexity with various intersecting overlays on the coastal edge of the property. Cultural heritage and ecological matters require careful management and coordination between agencies on approaches and conditions.

The project seeks to have construction commencing in 2027, the lodge opening in 2029 and the final units being finished by 2031. Given the number of approvals required for the project from multiple agencies, the interrelated nature of these approvals and the need to ensure the project programme is met, referring the project to the fast-track approvals process would facilitate the project.

Several aspects of the project will trigger a non-complying activity consent under the Auckland Unitary Plan, including subdivision of the site into unit titles around the proposed visitor accommodation suites. The fast-track approvals process will facilitate the Project because the requirements of s104D of the RMA for non-complying activities do not apply under the Act. This means that the Project, which will be a non-complying activity overall under the Unitary Plan, does not have to pass the additional 'gateway test' and demonstrate its effects are no more than minor or that it is not contrary to the objectives and policies in the relevant plans under the FTAA.

The Substantive Application will be prepared in a thorough and professional manner, and include all the information required for the approvals sought as set out in the FTAA. All approvals required to facilitate the project will be identified in the Substantive Application. A full suite of consent conditions for each approval sought will be presented with the Substantive Application, prepared in a manner consistent with typical conditions imposed by the agencies and suitable to manage actual and potential effects of the project.

The applicant's expert and legal team will be available post lodgement to assist the Expert Panel in relation to any questions it may have and to engage on any feedback the Expert Panel receives through the process. This approach will enable efficient processing and consideration of the application by the Expert Panel and, therefore, referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process.

Overall, the fast-track consenting framework would facilitate the project by utilising a more streamlined consenting process, ensure integration across the agencies and avoid delays associated with traditional consenting processes. By enabling the Project to utilise the fast-track consenting process, this will enable the earlier commencement of construction, employment opportunities, economic stimulation and all other regional and national benefits of the Project to be delivered and realised within a much faster timeframe.

3.4 Ineligible activities (s13(4)(c))

Section 13(4)(c) FTAA requires information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24) (s13(4)(b)).

The project does not involve any ineligible activities as they are defined in section 5 of the FTAA, noting that it is not an activity:

- on identified Māori land;
- in a customary marine title area;
- in a protected customary rights area;
- on Māori customary land or land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993;
- that is an aquaculture activity or an activity that is incompatible with aquaculture activities;
- that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991;
- that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991;
- on land that is listed in Schedule 4 of the FTAA;
- on a national reserve held under the Reserves Act 1977;
- on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority;
- on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority;
- that is a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations or an activity that is described in section 15B or 15C of the RMA 1991;
- that is an activity that is a decommissioning-related activity described in the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012; or
- that is an activity undertaken for the purposes of an offshore renewable energy project.

3.5 A description or map of the whole project area that identifies its boundaries (s13(4)(d))

Section 13(4)(d) FTAA requires a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application.

A map of the title boundaries that the Brick Bay Lodge will occupy in part to the general extent as shown on the Master Plan at **Appendix 1** is provided below.



Figure 4: Brick Bay Lodge Title Boundaries (Source: Auckland Council GeoMaps)

3.6 Anticipated commencement and completion dates for construction activities (s13(4)(e))

Section 13(4)(e) FTAA requires information on the anticipated commencement and completion dates for construction activities (where relevant).

Subject to obtaining approval for the Substantive Application, construction on the project is anticipated to commence in 2027, the first tranche of lodge facilities opening in 2029 and the final units being finished by 2031.

3.7 A statement of whether the project is planned to proceed in stages (s13(4)(f))

Section 13(4)(f) FTAA requires a statement of whether the project is planned to proceed in stages and, if so,–

- (i) an outline of the nature and timing of the stages; and
- (ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and
- (iii) an explanation of how each stage meets the criteria in section 22.

The development will not occur in stages, with a single Substantive Application to be lodged for the project as a single stage. Given the nature and scale of the project, completion of the lodge buildings

and facilities could however occur in tranches, allowing for an initial opening of potentially half of the accommodation suites and some guest facility buildings as a first tranche (estimated at 2029) and then the balance then completed for the full facility opening (estimated 2031).

3.8 A statement of whether a part of the project is proposed as an alternative project in itself (s13(4)(g))

Section 13(4)(g) FTAA requires a statement of whether a part of the project is proposed as an alternative project in itself.

The project is not an alternative project.

3.9 A description of the anticipated and known adverse effects of the project on the environment (s13(4)(h))

3.9.1 Economic

The Economic Assessment by Market Economics (**Appendix 4**) sets out at section 5.9 the scope of costs and trade-offs of the project which will be considered as part of further economic evaluation.

For example, as opportunity costs, the alternative uses of capital are not considered, although it is assumed that in the absence of Brick Bay, investor capital would not enter New Zealand. There are also opportunity costs for the land, though the economic value of the development is considered orders of magnitude higher than realistic alternatives at this stage.

Costs of infrastructure and service demand are also discussed and addressed further below in this report following consultation with Watercare.

Of note here, Brick Bay already admits 35,000 - 40,000 people annually to the winery, sculpture path and other on-site attractions. This is equivalent to 96 - 110 people per day if averaged out⁸. Using the occupancy assumptions in the Market Economics assessment, the lodge would increase daily visitors by 50% - 73% (depending on occupancy assumptions and whether visitor numbers are closer to 35,000 or 40,000).

Overall, the economic analysis has identified no major adverse economic effects. The opportunity cost of the land is likely to be far below the value generated by the development. Infrastructure costs are also modest given the property already accommodates around 40,000 visitors annually, and the Lodge will increase daily traffic by a manageable amount.

3.9.2 Cultural

Ngāti Manuhiri are mana whenua for the rohe extending from Bream Tail in the north to the Ōkura River in the south, inland to Albany, Pūhoi, Kaipara Flats, Hōteo, Dairy Flat, and Wellsford, and east to Tīkapa Moana (the Hauraki Gulf).

Auckland Unitary Plan mapping layers show a Treaty Settlement Statutory Acknowledgement over the Site in relation to the Ngāti Manuhiri Claims Settlement Act 2012 (north western corner of the wider site) and along the immediate fringe of the watercourse to Brick Bay.

The applicants have developed a Memorandum of Understanding (MOU) with Ngāti Manuhiri in respect to the project.

⁸ Visitors are not however uniformly spread throughout the week. At weekends, the site receives many more visitors, meaning that guests at the lodge will comprise a smaller share. During the week, guests will bring the total levels closer to the current weekend attendance.

In the draft MOU/He Kawenata, the parties acknowledge the rangatiratanga and mana whenua of Ngāti Manuhiri within the rohe and the longstanding kaitiakitanga shown by the Didsbury family over the land at Brick Bay.

The MOU/He Kawenata sets out the partnership principles/ngā mātāpono whanaungatanga by which the parties will work together. In respect to cultural heritage and archaeology/te taonga tuku iho me te whaipara, the MOU/He Kawenata also sets out the how the parties will collaborate to scope and undertake staged archaeological and cultural heritage investigations of the pā area (as shown on the Site Plan) together with other agreed areas of the land.

Under the heading Cultural Story Telling/Kōrero Tuku Iho, the parties acknowledge that the opportunity to share and present the cultural history and narratives of Ngāti Manuhiri is a central reason for their participation in the MOU. Methods are set out to share the cultural history and narratives of this area with manuhiri (including international visitors), grounded in mātauranga Māori and tikanga; and present the living story of Ngāti Manuhiri today - including contemporary kaitiakitanga initiatives within the Hauraki Gulf / Tīkapa Moana - so that visitors understand both the past and the present, and how care for people and place continues in practical ways.

The MOU/He Kawenata also sets out measures to ensure access to and care of cultural areas/te uruwhenua me te tiaki, regulatory pathways/te ara ture me te tautoko, development decision making/te whakatau whakawhanake, engagement protocols/ngā tikinga whakawhiti kōrero and processes for cultural remains/ngā rauemi ahurea.

The MOU establishes a solid foundation for the applicant to work in close collaboration with Ngāti Manuhiri as the project develops, to ensure that the cultural values of Ngāti Manuhiri are properly understood and incorporated into the design, construction and operation of the lodge. Moving beyond that, opportunities for Ngāti Manuhiri to share and present the cultural history and narratives of the whenua to guests, and other such opportunities, will provide ongoing collaboration with Ngāti Manuhiri.

As set out in section 3.12, the applicant has sought responses also from the other iwi, hapū and Treaty Settlement entities identified.

3.9.3 Landscape, Natural Character and Visual

A key matter for consideration in the Substantive Application will be the landscape, visual and natural character effects of the proposal.

Maintaining the landscape, natural character and visual amenity of the site is a key design objective for the Master Plan to date and that will be further developed through the next phases of design. Some key considerations here that have informed the Master Plan to date include;

- Avoiding buildings on key ridgelines and the prominent headland.
- Retaining areas of vegetation.
- Siting buildings down onto the slopes with ridgelines providing backdropping (potentially augmented by vegetation).
- Utilising the site contours to achieve internal visual separation.
- Mostly avoiding the Outstanding Natural Landscape and High Natural Character Overlays along the coastal edge of the property, and where buildings occur there ensuring that they are sited and designed to protect the identified values of these areas.
- Careful design and appropriate materials.

The relatively complex contour of the site and existing vegetation allow ample opportunities for these outcomes to be realised at site planning and then further ensured through the design of lodge buildings, access roads and further planting.

Various natural resource and natural heritage overlays are mapped across the property in the Unitary Plan. In general terms the overlays apply along the immediate coastal edge of the property and the vegetated gully which tracks down to the Brick Bay beach. The overlays are designed to protect areas that would be sensitive to inappropriate development, and include the identification of a Significant Ecological Area over areas of existing native vegetation (discussed below), and the mapping of Outstanding Natural Landscape and High Natural Character Overlays along the coastal edge of the property.

For the most part, the proposed lodge development is located outside of these overlays, with the exception of the tree houses and some buildings at sites 4, 7 and 8. For those locations, specialist Landscape assessment will be required to identify the particular values and sensitivity of building there, and then directed by the various policy documents, apply the right policy test to determine whether a particular form and development is appropriate.

The site overall however is at a considerable advantage here with its varying topography and internal ridgelines providing opportunities for buildings to be discretely sited so as to preserve the open rural nature of the property when viewed from Snells Beach and buildings to be properly backdropped when viewed from the wider coastal environment.

Maintaining a dark sky at night will be another key design consideration and as has been achieved at other similar such facilities, able to be achieved through careful lighting design.

The Substantive Application will be accompanied by a Landscape, Visual and Natural Character Assessment setting out such effects and related mitigation and provide an assessment in relation to the various overlays that apply over certain parts of the site.

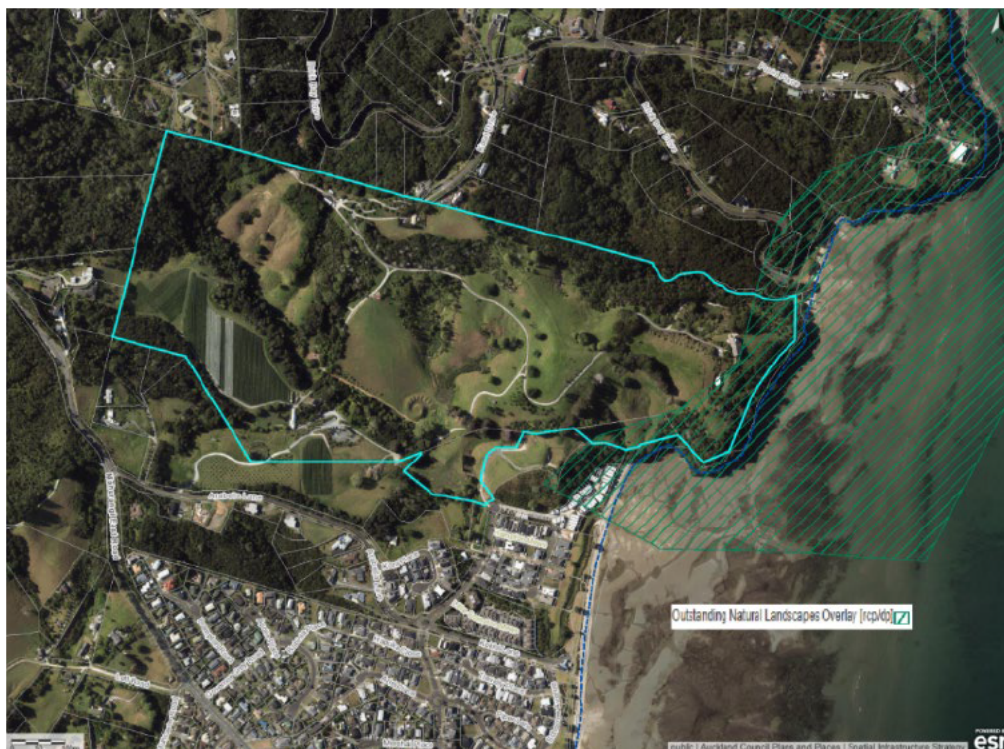


Figure 6: Outstanding Natural Landscape Overlay (Auckland Unitary Plan)



Figure 7: High Natural Character Overlay (Auckland Unitary Plan)

3.9.4 Historic Heritage

The Site and surrounding area has evidence of both Māori and European settlement. The focus of Māori settlement and agriculture in the locality was on the coastal areas of the Mahurangi peninsula, particularly to the south and along the south-western coast. The Mahurangi area has long been valued for its shark fishing grounds. The inland forests provided bird and plant resources and were easily accessed via the Puhoi and Mahurangi Rivers⁹.

The first European land purchase recorded in the area was a transaction completed c.1838 between an American, William Webster, and the Hauraki iwi for 4,046 hectares between Point Rodney and Tawharanui¹⁰. In 1854, James Snell, a Cornish mine manager took advantage of the Crown auction of land at Mahurangi and purchased a 105-acre allotment of land towards the centre of what is now known as Snells Beach. At Brick Bay, the Manners Brickworks was established by George Manners in 1864. The remnants of the Brickworks are located outside the proposed development area.

There are five archaeological sites recorded within the proposed development area which were recorded in 1975 as part of a survey of the east coast of the Mahurangi Peninsula. These are described in the Clough and Associates Archaeology Memo attached at **Appendix 5** and relate to Māori Settlement.

Of note is the site recorded as R09/169 which is the prominent headland pā on the property described as consisting of two flattish terraces areas with at least two pits along the southern part and a partially infilled ditch at the western end.

⁹ Clough and Associates, Brick Bay Archaeological Fast Track Memo for Referral, 2026

¹⁰ Ibid

The headland pā is also scheduled in the Unitary Plan¹¹.

The Master Plan has been designed to avoid known archaeological sites, including the pā. As noted above, there is opportunity working with mana whenua to celebrate further the pā through visitor cultural experience, while maintaining appropriate tikanga.

The Archaeology Memo notes that further desk-based research (including a review of Lidar information and historic aerial photographs) along with a field survey will be required to identify archaeological features and deposits to determine the estimated extent of the pā site where development works will need to be excluded. This will also be informed through consultation with mana whenua and will be guided also by landscape expertise.

An archaeological assessment, including a field survey, will be required to determine the effects of the proposed development on archaeological values across the site as a whole as part of the Substantive Application.

The Substantive Application will seek an approval under section 42(4)(i) of the FTAA an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014; either as a precautionary authority or an authority to modify a recorded archaeological site should further detailed investigation and concept design mean such an authority is necessary.

Clough and Associates conclude in the Archaeology Memo that based on current information, any impacts to archaeological sites that cannot be avoided should be appropriately managed through archaeological investigation under an Authority to provide information on the history of the local area.

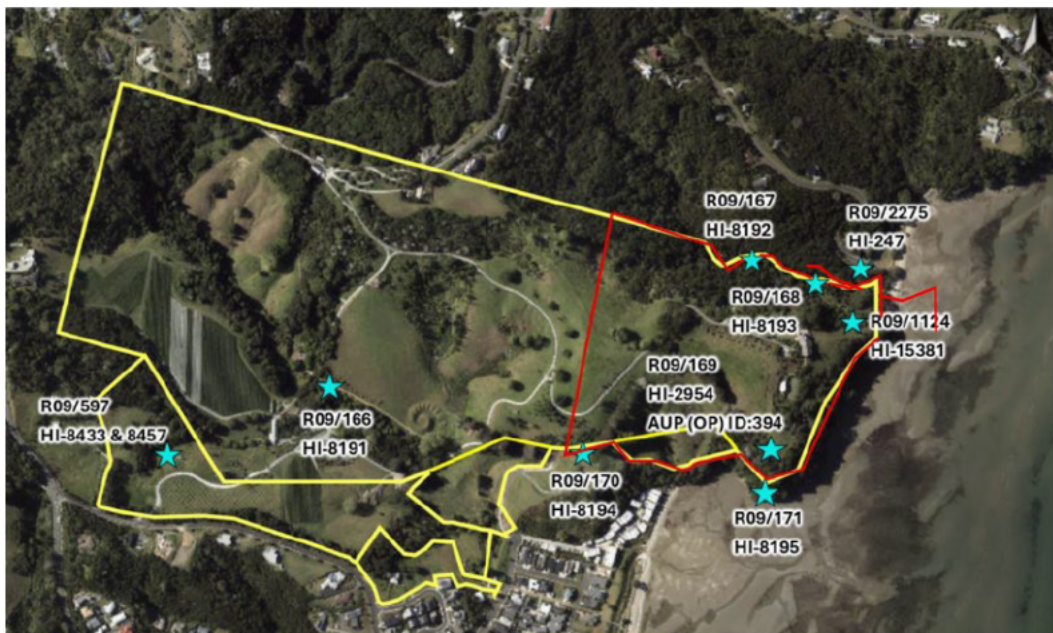


Figure 8: Recorded Archaeological Sites Site (Clough and Associates 2026)

¹¹ Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place, Pa site R09_169



Figure 9: Historic Heritage Overlay Extent of Place, Pa site R09_169 (Auckland Unitary Plan)

3.9.5 Ecology

The ecological values of the site have been significantly enhanced during the time it has been in the ownership and stewardship of the applicants through significant planting and pest and predator control.

A Significant Ecological Area (SEA_T_2289) is identified in the Auckland Unitary Plan over the native vegetation along the coastal edge of the Site¹².

Viridis Environmental Consultants has provided a high-level overview of the ecological values of the site, a description of anticipated ecological effects and recommendations for further assessment and management (refer Ecology Memo at **Appendix 6**).

The assessment is preliminary in nature and is based on currently available information and site familiarity. It provides an initial overview of ecological values and anticipated effects, with detailed survey and assessment to follow at the Substantive Application stage.

The Ecology Memo notes that while the project includes some works in the SEA, these are limited in extent, able to be refined through design and manageable through established ecological and arboricultural practices.

The Viridis memo concludes that potential effects on vegetation and fauna can be appropriately avoided, minimised, and mitigated. Further ecological survey and assessment is recommended to be

¹² A further two Significant Ecological Areas (SEA_T_2373 and SEA_T_2291) also apply to the Title which makes up the wider Brick Bay site but are inland and not impacted by the subject proposal.

undertaken to inform the Substantive Application, including detailed vegetation and ecological survey and wetland delineation.

Overall, the Viridis memo concludes that there are no ecological constraints that would preclude the proposed development, subject to appropriate design refinement and implementation of mitigation measures. It is further concluded that the proposal represents a managed interaction with the SEA, with potential to maintain and enhance ecological values at both the site and landscape scale.



Figure 10: Significant Ecological Areas (dark green hatch) (Auckland Unitary Plan)

3.9.6 Transport and Traffic

The Site is readily accessible from Auckland via the Northern Motorway (SH1). The Puhoi to Warkworth section opened in 2023, providing a reduced travel time to the Matakana region. From Central Auckland, the overall travel time to the Site is approximately 1 hour (70kms) (being 50 minutes to Warkworth via SH1 and then a further 8 minutes from Warkworth on good roads). From Auckland International Airport, the travel time to the Site is approximal 1.5 hours (97kms).

The Ara Tūhono - Warkworth to Te Hana project is currently in the procurement phase. Construction on the 26km, four-lane extension on SH1 is expected to begin in late 2026 and finish around 2034. This when open will provide faster, safer and more convenient access from the Site northwards.

At a local level, the Site has road frontage to Arabella Lane to the south and to the east of the site. Arabella Lane will provide the primary access to the lodge. The Site also has frontage to Kauri Drive, which although not intended to provide primary access to the lodge, may provide a secondary function.

Arabella Lane functions as a Collector Road that provides a connection to the arterial road, Mahurangi East Road at the western end of the road.

Arabella Lane is comprised of two sections. The section of Arabella Lane that connects to Mahurangi East Road generally has an east to west alignment. The second section of Arabella Lane is a short cul-de-sac road that has a north to south alignment and intersects with the first section of Arabella Lane at the roundabout intersection with Kokihi Lane and Aurora Avenue.

Both sections of Arabella Lane consist of a single lane in each direction and is separated by intermittent raised centre islands.

Estimates show a daily volume in the order of 370 vehicles per day using Arabella Lane. This volume of traffic is considered to be very low for a collector road as collector roads are expected to carry volumes up to 10,000 vehicles per day¹³.

There were no crashes recorded within the searched area for the given timeframe. The reported crash history does not raise any concerns with regard to the current traffic operation in the vicinity of the Site¹⁴.

The nearest bus stop is located approximately 850 metres southwest of the site on Mahurangi East Road. This bus stop is serviced by bus route 996. Route 996 provides connections between Warkworth and Algies Bay, and typically operates every 1 hour and 40 minutes during weekdays and every 2 hours during weekends.

Warkworth is serviced by multiple bus routes which provides further access to the wider Auckland area.

A footpath is provided on the southern side of Arabella Lane between Mahurangi East Road and the roundabout intersection with Kokihi Lane and Aurora Avenue. Wider afield, pedestrian footpaths and crossing facilities provide excellent connections between the subject site and local recreation, public transport connections and shopping centres.

Internally within the Site existing driveways will be upgraded and new internal roads/driveways created. As shown on the Master Plan a central spine of a Primary Vehicle Access Route will be formed through the Lodge Site, and coming off this will be golf cart tracks which will provide access for guests and staff to each block of accommodation suites. On-site parking for guests and staff will be provided, with the locations for this parking determined at the next phase of design development to be presented in the Substantive Application.

The nature of the proposed lodge activity will mean that its peak traffic times will unlikely coincide with that of other activities on the Site (ie the Brick Barn Winery and Sculpture Trail and the Barn events centre). In this regard, peak movements to and from the Lodge are anticipated to be at mid-morning check out and mid-afternoon check in, as distinct from the lunch time and evening peaks of the other activities on site).

A Travel Demand Management Plan (TDMP) will be able to be developed to support the various events that would be undertaken on the site. The TDMP will be able to address aspects such as:

- How arrivals and departures will be managed to limit effects on the adjacent road network.
- How parking will be managed in a safe and effective manner.
- How the Lodge is managed in relation to events at the Barn (buses, parking, circulation, etc).
- Bookings management and thresholds for bus/shuttle use.

¹³ The Barn, Transportation Assessment Report, Traffic Engineering & Management Ltd, November 2024

¹⁴ Ibid

- Other TDM measures and staff carpooling requirements/incentives as relevant or reasonable.

Overall, the Site is well connected and easily accessed from Central Auckland and the Auckland International Airport, with connections to the north set for improvements also.

Further traffic engineering assessment and design will be undertaken to support the Substantive Application.

At this preliminary stage however primary and secondary access points to the Site are available to serve the proposed lodge, with the primary access point at Arabella Lane being well-formed, and already serving the existing facilities on site, and operating well short of its operating capacity.

With the site not well connected by public transport, motorcars and vans are anticipated to be the main means of accessing the site (with some provision made also for helicopter access). As would be typical of a luxury lodge, main guests will be dropped off and picked up, rather than relying on private motorcar.

Provision for parking and internal access for the lodge will be made and set out in the Substantive Application, following further traffic assessment and design input.

Travel Demand Management Planning will be able to be employed to manage traffic associated with the various uses on the Site, however there would appear to be no fundamental conflict there, with the lodge peak movements being complementary to the peak movements of the other activities at present and planned on the wider site.

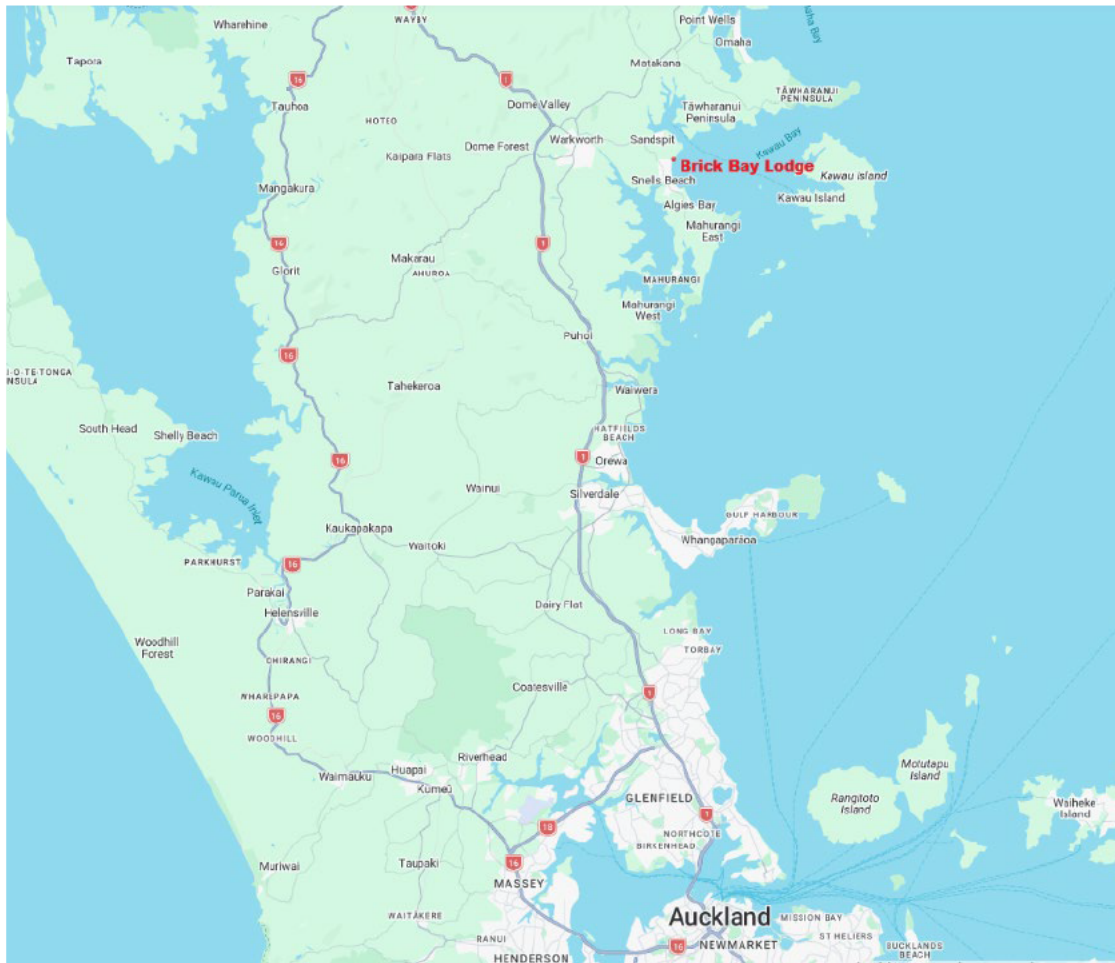


Figure 11: Wider Road Context



Figure 12: Road Context Warkworth-Snells Beach

3.9.7 Infrastructure

Civil Engineers Hutchinson, which has considerable experience with the Site, have been engaged to advise on infrastructure requirements and capacity for the proposal.

Hutchinson has undertaken preliminary engagements with Watercare in respect to wastewater and water supply.

The Site immediately adjoins urban services at Snells Beach and in part is already serviced from these.

The preferred solution is to extend the wastewater network in Arabella Lane as indicated by the purple line on the figure below.

There is also an existing water network (the blue line on the figure below) in Arabella Lane at the cul-de-sac head that can also be extended to enter into the property.



Figure 13: Services on Arabella Lane Cul-de-sac adjoining the Site (Source: Auckland Council Geomaps)

Further engagement with Watercare on wastewater and water supply will occur, as it will with Auckland Council's Healthy Waters on the stormwater solution. The following is a summary of these topics which will be investigated further by Hutchinson as part of the preparation of the Substantive Application.

Wastewater

The site is currently not within the serviced area of Watercare's public wastewater network, however discussions with Watercare have been initiated to determine if there is an ability to extend the

network and incorporate this development. The area is not within a Watercare Capacity Constraint Area.

In September 2025, Watercare officially opened the new Snells Beach Wastewater Treatment Plant, marking a significant milestone in its \$450 million programme investment to transform wastewater services for the Warkworth and Snells/Algies communities. It is understood that the plant is designed to accommodate population growth over the next 35 years. Initially, the plant will pick up the existing load from the community and it is understood to allow for an additional 1000 - 2500 new residents with scalability in mind, so will eventually accommodate up to twice the current population served in the area.

If not successful in discussions with Watercare to connect to these existing urban services, Hutchinson advise that onsite wastewater disposal would be the alternative. Given the size and scale of the proposal Hutchinson recommend the engagement of a specialist firm in large scale onsite wastewater treatment plants to complete the necessary design and provide advice.

The wastewater disposal area is based on the volume of wastewater generated (bedroom-based design occupancy for accommodation) and the soil soakage which would be confirmed by the geotechnical engineer to be engaged on the project.

Wastewater disposal would need to be outside of any flood plain, and at least 15m away from surface water for a secondary level wastewater treatment plant. The Site has ample opportunities to avoid such features.

The Substantive Application would include a resource consent for on-site disposal if this method is selected.

Overall, the Site offers the opportunity of either connecting to the existing services at Snells Beach or disposing to land following treatment. The preferred option will be determined after further discussions with Watercare and presented in the Substantive Application.

Water

Public water supply is not available within the site. Hutchinson advise that while Watercare may be amenable to a network extension, the alternative of onsite water supply is also achievable.

Water supply could be way of onsite rainwater harvesting and/or bore water collection and distribution. The system could be centralised or decentralised as preferred (i.e. individual tanks for each villa, or plumbed as groups of units to a larger tank or tank farm). An aquifer specialist will be engaged to provide the necessary information to accompany any consenting in this regard.

Provision for fire fighting water supply would also need to be considered and will be provided, whether by way of dedicated water tanks or ponds if acceptable to Fire and Emergency New Zealand.

Stormwater

A private stormwater network will be installed on site to collect and dispose of stormwater from the proposed impervious areas at the lodge. As above, stormwater from the roofs could be collected to provide potable water supply. Stormwater from hardstand areas would need to bypass potable water supplies, and the discharge point would be to an approved outlet(s) with input from the geotechnical engineer.

The site is not located with in an Auckland Council identified SMAF (Stormwater Management Area - Flow) but it is possible that stormwater attenuation could be required as a result of the increase in impervious area. This is typically provided by way of attenuation tanks, but this would be dependant on how tanks were being used. A pond or alternative stormwater device may be required for treatment of hard surfaces and could provide an attenuation function as required also.

The stormwater design and approval to divert and discharge will be part of the Substantive Application.

3.9.8 Noise and Lighting

By the nature of the proposed activity which will promote a quiet and peaceful rural experience, the lodge will have relatively benign effects in respect to noise and lighting. That said, an assessment will be made of proposed helicopter activity in particular against relevant standards by a qualified acoustician and included with the Substantive Application to ensure an appropriate level of amenity is maintained with respect to flight paths, helicopter movements etc. Lighting design will be considered as addressed with the Substantive Application.

3.9.9 Summary of anticipated and known adverse effects of the project on the environment

Economic analysis has identified no major adverse economic effects with considerable economic benefits instead identified.

An MOU developed with Ngāti Manuhiri establishes a solid foundation for the applicant to work in close collaboration with Ngāti Manuhiri as the project develops, to ensure that the cultural values of Ngāti Manuhiri are properly understood and incorporated into the design, construction and operation of the lodge. The applicant has sought responses also from the other iwi, hapū and Treaty Settlement entities identified.

Maintaining the landscape, natural character and visual amenity of the site is a key design objective for the Master Plan to date and that will be further developed through the next phases of design. The relatively complex contour of the site and existing vegetation allow ample opportunities for these outcomes to be realised at site planning and then further ensured through the design of lodge buildings, access roads and further planting. The Substantive Application will be accompanied by a Landscape, Visual and Natural Character Assessment setting out such effects and related mitigation and providing an assessment in relation to the various overlays that apply over certain parts of the site.

The Master Plan has been designed to avoid known archaeological sites, including the headland pā. As noted above, there is opportunity working with mana whenua to celebrate further the pā through visitor cultural experience, while maintaining appropriate tikanga. Any impacts to archaeological sites that cannot be avoided will be able to be appropriately managed through archaeological investigation under an authority issued.

Based on the preliminary assessment, there are no ecological constraints that would preclude the proposed development, subject to appropriate design refinement and implementation of mitigation measures. It is further concluded that the proposal represents a managed interaction with the SEA, with potential to maintain and enhance ecological values at both the site and landscape scale.

The Site is well connected and easily accessed from Central Auckland and the Auckland International Airport, with connections to the north set for improvements also. Further traffic engineering assessment and design will be undertaken to support the Substantive Application. At this preliminary stage there would not appear to be any fundamental traffic or transport impediments. Travel Demand Management Planning will be able to be employed to manage traffic associated with the various uses on the Site, which will operate in a complementary manner.

The Site immediately adjoins urban services at Snells Beach and in part is already serviced from these. The preferred solution is to extend the wastewater and water network in Arabella Lane. Further engagement with Watercare on wastewater and water supply will occur, as it will with Auckland

Council's Healthy Waters on the stormwater solution. Onsite wastewater disposal and water supply would be the alternative if connections to the adjoining urban services are not possible.

By the nature of the proposed activity which will promote a quiet and peaceful rural experience, the lodge will have relatively benign effects in respect to noise and lighting. An assessment will be made of proposed helicopter activity in particular against relevant standards by a qualified acoustician and included with the Substantive Application.

Overall, at this preliminary stage it is concluded that there will be no adverse effects associated with the project that cannot be properly avoided, remedied or mitigated as informed by the next stage of detailed investigation and design, and through conditions to be offered with the Substantive Application for the approvals sought. No adverse impacts have been identified that would be out of proportion to the project's regional or national benefits.

3.10 Prohibited activities under the RMA 1991 ((s13(4)(i))

Section 13(4)(i) FTAA requires a statement of any activities involved in the project that are prohibited activities under the RMA 1991.

There are no prohibited activities identified at this stage in the project.

In respect to the prohibited activities set out in section 53 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES:F), the initial ecological assessment (refer **Appendix 6**) is that there will be no earthworks within the wetland identified on the Site (wetland next to site 9) and any taking, use, damming, or diversion of water will not result in the complete or partial drainage of all or part of this wetland, and as such will not trigger any prohibited activity.

Although there are no other obvious natural inland wetlands within the property that will be or will likely to be affected by the proposal, a full wetland delineation survey has yet to be undertaken. As such, there is the remote possibility that a prohibited activity will be triggered by works in relation to as-yet unidentified wetlands under the NES:F.

3.11 Persons and groups the applicant considers are likely to be affected by the project ((s13(4)(j))

Section 13(4)(j) FTAA requires a list of the persons and groups the applicant considers are likely to be affected by the project including those listed.

In relation to the parties listed in 13(4)(j):

- (i) The relevant local authority is the **Auckland Council**.
- (ii) To the applicant's knowledge there are no iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements¹⁵.
- (iii) The other relevant iwi authorities¹⁶ are set out below as determined from Auckland Council's online GeoMaps resource¹⁷. The results from this search are set out in the table below.

¹⁵ It is understood that a Mana Whakahono ā Rohe arrangement has been initiated between Ngāi Tai Ki Tāmaki and Auckland Council in 2018 but this is still under negotiation and has not been signed or completed.

¹⁶ As described by Auckland Council "Mandated organisations representing the interests of iwi and/or hapū".

¹⁷ <https://www.aucklandcouncil.govt.nz/en/building-and-consents/resource-consents/prepare-resource-consent-application/find-hapu-iwi-contacts-for-your-area.html>

Mana Whenua Contacts (Auckland Council Geomaps Data Base 2026)			
Iwi Name	Organisation Name	Tribal Region	Contact Email
Ngāti Paoa	Ngāti Paoa Iwi Trust	Marutūahu	s 9(2)(a)
Ngāti Te Ata	Te Ara Rangatu o te Iwi o Ngāti Te Ata Waiohū	Waiohū - Tāmaki	s 9(2)(a)
Ngāti Whanaunga	Ngāti Whanaunga Incorporated	Marutūahu	s 9(2)(a)
Ngāti Whātua Ōrakei	Ngāti Whātua Ōrakei Trust	Ngāti Whātua	s 9(2)(a)
Ngāti Wai	Ngātiwai Trust Board	Ngāti Wai	s 9(2)(a)
Ngāti Whātua o Kaipara	Ngā Maunga Whakahii o Kaipara Development Trust	Ngāti Whātua	s 9(2)(a)
Ngāti Manuhiri	Ngāti Manuhiri Settlement Trust	Ngāti Wai	s 9(2)(a)
Ngāti Maru	Ngāti Maru Rūnanga Trust	Marutūahu	s 9(2)(a)
Te Kawerau ā Maki	Te Kawerau Iwi Settlement Trust	Waiohū - Tāmaki	s 9(2)(a)
Ngāi Tai ki Tāmaki	Ngāi Tai ki Tāmaki Tribal Trust	Waiohū - Tāmaki	s 9(2)(a)
Ngāti Whātua	Te Rūnanga o Ngāti Whātua	Ngāti Whātua	s 9(2)(a)

- (iv) In relation to the relevant Treaty settlement entities, a review of Treaty Settlement Legislation shows the following Treaty settlement entities that have with Treaty Settlement Legislation or Signed Deeds of Settlement where the Site is within a mapped Area of Interest (refer maps at Appendix 7)¹⁸:

Treaty Settlement Legislation or Signed Deeds of Settlement	Treaty settlement entities	Entity also in Council's online GeoMaps resource above.
Ngāti Manuhiri Claims Settlement Act 2012 ¹⁹	Ngāti Manuhiri Settlement Trust	✓
Te Kawerau ā Maki Claims Settlement Act 2015 ²⁰	Te Kawerau Iwi Settlement Trust	✓
Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ²¹	Ngāi Tai ki Tāmaki Tribal Trust	✓

¹⁸ Excluding agreements in principle or any document that is preliminary to a signed and ratified deed as per the definition of "Treaty settlement deed" in section 5 of the FTAA.

¹⁹ Sourced from Deed of Settlement

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Manuhiri/DOS_documents/Ngati-Manuhiri-Deed-of-Settlement-Attachments-21-May-2011.pdf

²⁰ Sourced from Deed of Settlement

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Te-Kawerau-a-Maki/DOS_documents/Te-Kawerau-a-Maki-Deed-of-Settlement-Attachments-22-Feb-2014.pdf

²¹ Sourced from Deed of Settlement

Treaty Settlement Legislation or Signed Deeds of Settlement	Treaty settlement entities	Entity also in Council's online GeoMaps resource above.
Ngāti Pāoa Claims Settlement Act 2025 ²²	Ngāti Paoa Iwi Trust	✓
Ngaati Whanaunga (Initialled Deed of Settlement 2017) ²³	Ngaati Whanaunga Ruunanga Trust	✗
Ngāti Maru (Initialled Deed of Settlement 2017) ²⁴	Ngāti Maru Rūnanga Trust	✓
Ngāti Tamaterā (Initialled Deed of Settlement 2017) ²⁵	Ngāti Tamaterā Treaty Settlement Trus	✗
Marutūāhu Iwi Collective Redress Deed 2017 ²⁶	Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership	✗

- (v) To the applicant's knowledge, there are protected customary rights groups and customary marine title groups in relation to the Site. In this regard, the project will be located on land, and no works are proposed within the adjacent coastal marine area.
- (vi) The project area is not within or adjacent to, nor would the project directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.
- (vii) No activities are proposed in the coastal marine area therefore, there are no relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011.
- (viii) No land needs to be acquired under the Public Works Act 1981, therefore there are no persons so affected.

There are no other parties the applicant considers likely to be affected by the project.

3.12 A summary of the consultation undertaken ((s13(4)(k))

Section 13(4)(k) FTAA (as amended by the Fast-track Approvals Amendment Act 2025) requires a summary of how any responses to a notice given under section 11(1)(b) have informed the project.

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngai-Tai-ki-Tamaki/DOS_documents/Ngai-Tai-ki-Tamaki-Attachments-Nov-2015.pdf

²² Sourced from Deed of Settlement

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Paoa/DOS_documents/2021-03-20-N-Paoa-Deed-of-Settlement-Attachments.pdf

²³ Sourced from Deed of Settlement

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngaati-Whanaunga/DOS_SUPPORT/Ngaati-Whanaunga-Attachments-Schedule.pdf

²⁴ Sourced from Te Whata

<https://tewhata.io/ngati-maru-hauraki/>

²⁵ Sourced from Ngāti Tamaterā Treaty Settlement Trust

<https://irp.cdn-website.com/c167e149/files/uploaded/Ngati-Tamatera-2018-DOS-Information-Book-v2.pdf>

²⁶ Sourced from Deed of Settlement

https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Marutuahu/Collective-Redress/Marutuahu-Iwi-Collective-Redress-Deed.pdf

Section 11 sets out the parties the applicant must notify in writing before lodging a referral application. The following parties from section 11(1) are relevant to the application and Site:

- Auckland Council (s11(1)(b)(i) the relevant local authority);
- Relevant iwi authorities, hapū, and Treaty settlement entities (s11(1)(b)(ii)); and
- New Zealand Heritage Pouhere Taonga and the Department of Conservation (s11(1)(b)(iii) the relevant administering agencies.

Consultation in relation to the project has taken place prior to the 31 March 2026 commencement of the amendments to sections 11 and 13, with Auckland Council, New Zealand Heritage Pouhere Taonga, the Department of Conservation, and the Ngāti Manuhiri Settlement Trust.

A summary of this consultation, any meeting notes or written feedback received and a description of how it has informed the project is set out in the Consultation Summary Report in **Appendix 8**.

3.13 Treaty settlements ((s13(4)(l)))

Section 13(4)(l) FTAA requires a list of any Treaty settlements²⁷ that apply to the project area, and a summary of the relevant principles and provisions in those settlements.

Treaty Settlement Legislation or Signed Deeds of Settlement
Ngāti Manuhiri Claims Settlement Act 2012
Te Kawerau ā Maki Claims Settlement Act 2015
Ngāi Tai ki Tāmaki Claims Settlement Act 2018
Ngāti Pāoa Claims Settlement Act 2025
Ngaati Whanaunga (Initialled Deed of Settlement 2017)
Ngāti Maru (Initialled Deed of Settlement 2017)
Ngāti Tamaterā (Initialled Deed of Settlement 2017)
Marutūāhu Iwi Collective Redress Deed 2017

A review of these settlements does not show any redress or other such obligations in relation to the Site.

The exceptions are the Ngāti Manuhiri Claims Settlement Act 2012 (which has a statutory acknowledgement over part of the Site and the coastal area adjacent the Site) and the Te Kawerau ā Maki Claims Settlement Act 2015 and Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which have statutory acknowledgements over the coastal area adjacent the Site).

The purposes of these statutory acknowledgement areas are –

- to require relevant consent authorities, the Environment Court, and the Historic Places Trust to have regard to the statutory acknowledgement; and

²⁷ Section 5 FTAA, Treaty settlement means—

- a Treaty settlement Act; or
- a Treaty settlement deed

- b. to require relevant consent authorities to forward summaries of resource consent applications, or copies of notices of resource consent applications, to the relevant entity; and
- c. enable the relevant entity to cite the statutory acknowledgement as evidence of the association.

3.14 Public Works Act Processes ((s13(4)(m))

Section 13(4)(m) FTAA requires a description of any processes already undertaken under the Public Works Act 1981 in relation to the project.

No processes are required under the Public Works Act 1981 in relation to the project.

3.15 Any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 ((s13(4)(n))

Section 13(4)(n) FTAA requires a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

The Site is not subject to any principles or provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019,

3.16 Māori land, marae, and identified wāhi tapu within the project area ((s13(4)(o))

Section 13(4)(o) FTAA requires information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area.

There are no parcels of Māori land, marae, and identified wāhi tapu within the project area.

3.17 Information relating to activity that may be subject of determination under section 23 or 24 ((s13(4)(p)-(r))

Section s13(4)(p)-(r) FTAA requires a statement of whether the applicant is seeking a determination under s23, s24(2) or 24(4) respectively applying to linear and infrastructure.

The applicant is not seeking a determination under s23, s24(2) or 24(4) FTAA.

3.18 A description of the applicant's legal interest in the land ((s13(4)(s))

Section 13(4)(s) FTAA requires a description of the applicant's legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work.

The applicants are joint owners of the Site (55.4017 hectares more or less) legally described as Lot 1, 4 Deposited Plan 524869 and Lot 2 Deposited Plan 105559 (refer Title ID 838486 at **Appendix 3**, wherein Richard Didsbury and Christine Didsbury are owners of the subject site each having an equal ½ share). That ownership does not impose any impediment to the applicant's ability to undertake the work.

Legal and physical access the subject site from Arabella Lane is over the adjoining Lot 1 Deposited Plan 537534 (7.1205 hectares more or less) (refer title ID 894427 at **Appendix 3**), held by Brick Bay

Trustee Limited. Richard Didsbury and Christine Didsbury are the two directors of Brick Bay Trustee Limited, and so provision of this access including securing any necessary easements and undertaking physical works, does not affect the applicant's ability to undertake the work.

3.19 Outline of the types of consents, certificates, designations, concessions, and other legal authorisations ((s13(4)(t))

Section 13(4)(t) FTAA requires an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant.

At this point in time, and subject to further design details and technical evaluation, the following consents and authorisations may be required for the project under each relevant agency:

Auckland Council

The following resource consents may or will likely be required under the Auckland Unitary Plan that would otherwise be required under the Resource Management Act 1991:

- Land use consent for buildings and structures in a High Natural Character and Outstanding Natural Landscape Overlay (Chapter D11 Outstanding Natural Character and High Natural Character Overlay);
- Land use consent for activities within an identified extent of place - potentially in relation to the scheduled pā and subject to survey (Chapter D17 Historic Heritage Overlay);
- Consent for activities in, on, under, or over the bed of streams and wetlands and associated diversion of water as may be required for any culverts, other works or land disturbances in or nearby permanent or intermittent watercourses or wetlands on the property (Chapter E3 Lakes, rivers, streams and wetlands);
- Discharge consents for on-site wastewater treatment and disposal to land - should the option need to be taken up and subject to discussions with Watercare about connection to the adjacent Snells Beach wastewater system (Chapter E5 On-site and small scale wastewater treatment and disposal);
- Water permits for the taking, using, damming and diversion of water and drilling should that be required for potable or other water supply purposes through on site bore water supply - subject to the ability to connect the Snells Beach water supply network (Chapter E7 Taking, using, damming and diversion of water and drilling);
- Consent for the diversion and discharge of stormwater runoff from impervious areas onto or into land or into water or to the coastal marine area (Chapter E8 Stormwater - Discharge and diversion);
- Land use consents for high contaminant generating car parks and high use roads - subject to parking area and road design (Chapter E9 Stormwater quality - High contaminant generating car parks and high use roads);
- Land use consents for land disturbance (regional) (Chapter E11 Land disturbance - Regional);
- Land use consents for land disturbance (district) (Chapter E12 Land disturbance - District);

- Land use consents for vegetation alteration or removal, including in relation to vegetation and biodiversity management in overlay rules (SEA, HNC and ONL) (E15 Vegetation management and biodiversity);
- Land use consent for parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access - subject to design of parking areas, access widths, passing bays, gradients etc, and possibly the trip generation thresholds (Chapter E27 Transport);
- Land use consent for activities on land in the coastal erosion hazard area, land which may be subject to land instability and landslide risk including in relation to the provisions which have immediate legal effect under Plan Change 120 - subject to further technical investigation (E36 Natural hazards and flooding);
- Subdivision consent for boundary adjustments, subdivision of land within a natural hazard area, creation of fee simple titles, creation of unit titles - all as required (E39 Subdivision - Rural);
- Land use consent for Visitor Accommodation and ancillary activities, including food and beverage, recreation and helicopter landing and take-off (Chapter H19 Rural zones).

In addition, consents may also be required under the following National Environmental Standards:

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 - subject to assessment of any potentially contaminated land.
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020: Part 3 Activities that Apply to Freshwater - subject to design and assessment of earthworks and discharges in proximity to any natural inland wetlands.

Department of Conservation

- Wildlife approval that would otherwise be applied for under the Wildlife Act 1953 to allow for the capture, relocation and incidental killing of lizards.

Heritage New Zealand Pouhere Taonga

- Authority to modify an archaeological site (unrecorded and recorded, as required) under the Heritage New Zealand Pouhere Taonga Act 2014

No designations or concessions are needed to authorise the project.

No approvals are required by someone other than applicant for the project.

3.20 Whether any activities that are involved in the project have been the subject of an application or a decision under a specified Act ((s13(4)(u))

Section 13(4)(u) FTAA requires a description whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,–

- if an application has been made, details of the application:
- if a decision has been made, the outcome of the decision and the reasons for it.

None of the activities involved in the project (or activities substantially the same as those involved in the project) have been the subject of an application or a decision under a specified Act, as those are set out in s4 of the FTAA.

3.21 Climate change and natural hazards ((s13(4)(v))

Section 13(4)(v) FTAA requires a description of whether and how the project would be affected by climate change and natural hazards.

Natural hazards are mapped by Auckland Council, including most recently updated in 2025 under Plan Change 120, using current and cautious climate change predictions.

The elevation of the project site means that it will not be subject to coastal inundation, nor is it subject to flood risk apart from the wetland on the property which is not proposed to be developed.

Plan Change 120 mapping shows only the mostly vegetated coastal edge of the property as subject to varying degrees of Areas Susceptible to Coastal Instability and Erosion (ASCIE) based on different predicted effects of climate change²⁸ (see figure below). In relation to coastal erosion hazards, PC120 requires that the methodology from TR2020/21²⁹ be used to assess coastal erosion; this being a quantitative assessment which predicts a shoreline recession. For the main, the proposed lodge development avoids the areas identified under these scenarios, with the exception of some units and tree houses being located within the coastal erosion zone. A coastal hazard engineering assessment will be undertaken as part of further detailed masterplanning and assessment work in relation to these activities.



Figure 14: Natural Hazard Mapping Under Auckland Council Plan Change 120 (Auckland Council Geomaps 2026)

²⁸ A High-emissions scenario (RCP8.5 M) and Higher extreme scenario, with essentially no controls on emission by 2100 (RCP 8.5 H+)

²⁹ Predicting Auckland's Exposure to Coastal Instability and Erosion Technical Report 2020/021

3.22 Summary of compliance or enforcement actions (if any) ((s13(4)(x)))

Section 13(4)(x) FTAA requires a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant under a specified Act.

The applicants have confirmed that no compliance or enforcement actions have been taken against them under a specified Act.

3.23 Information specified in clause 2 of Schedule 5 (Resource Consents) ((s13(4)(y)(i)))

The information required to be provided under section 13(4)(y)(i) is–

- (a) an assessment of the project against–
 - (i) any relevant national policy statement; and
 - (ii) any relevant national environmental standards; and
 - (iii) if relevant, the New Zealand Coastal Policy Statement; and
- (b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).

The following national policy statements and national environmental standards are relevant to the project:

- New Zealand Coastal Policy Statement 2010
- National Policy Statement on Freshwater Management 2020
- National Policy Statement for Highly Productive Land 2022
- National Policy Statement for Indigenous Biodiversity 2023
- National Environmental Standard for Sources of Drinking Water 2007
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- National Environmental Standards for Freshwater 2020

An assessment against these national policy statements and national environmental standards is set out below.

3.23.1 New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010, as amended 2025 (NZCPS) guides the management of the coastal environment. The relevant policies are discussed below.

The Unitary Plan does not define the coastal environment, however as that extent is described in Policy 1 of the NZCPS (including landward extent), that would include the project area.

Policy 2 requires that in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment, a number of obligations apply. In

relation to the project these include providing for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment and working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value. The measures described above in relation to the role of Ngāti Manuhiri on the project will achieve these outcomes.

Policy 6 applies to activities in the coastal environment. Notable here is the encouragement of the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth. As shown on Unitary Plan zoning map below, the subject site is adjacent to an existing urban area and set within a larger area of rural lifestyle landholdings. In this sense, the rural zone of the Site is somewhat of an outlier and its development in the manner sought which sets development within a rural landscape will be a logical transition between these two patterns of landholdings, and not represent a sprawling or sporadic pattern of settlement and urban growth.

Also of relevance from policy 6 is the direction to consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects. Ensuring development either avoids headlands and prominent ridgelines or is backdropped by ridgelines is a key driver of the Master Plan prepared to date, and will continue to inform the further refinement of the Master Plan.

Lastly is the directive from Policy 6 to set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment. This is achieved through the retention of and setback of the main bulk of development from the vegetated coastal edge of the property (occupied only by small tree houses in the masterplan).

Policy 11 directs that to protect indigenous biological diversity in the coastal environment, adverse effects on certain classifications of biodiversity should be avoided (eg indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists and indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare) and adverse effects on other classifications should be avoided, remedied or mitigated. This directive will drive any use and building within the areas identified on the site as SEAs, with ecological advice sought on how to do this in a manner that meets the 'avoid' or 'avoid, remedy or mitigate' tests as required.

Policy 13 requires the preservation of the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development. There is no outstanding natural character identified over the project area or adjacent and therefore the 'avoidance' test under this policy does not apply. In all other areas of the coastal environment (including high natural character as is identified along the coastal edge of the site), the obligation is to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment. The placement of the bulk of lodge development outside of the identified High Natural Character, coupled with the careful design and placement of the small amount and scale of development within, will satisfy this policy requirement. Landscape architecture advice will be commissioned by the applicant as part of the next phase of further refinement of the Master Plan and in relation to building design and planting.

Policy 15 requires the protection of natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development by avoiding adverse effects of activities on outstanding natural features and outstanding natural landscapes. As noted above, landscape architecture advice will be commissioned in relation to this policy, however

fundamentally, as with the identified area of high natural character, the bulk of development avoids the outstanding natural landscape identified along the coastal edge of the property.

Policy 17 requires the protection of historic heritage in the coastal environment from inappropriate subdivision, use, and development, including by identification, assessment and recording of historic heritage, including archaeological sites. The further archaeological assessment work to be undertaken, together with the approval process sought under the New Zealand Heritage Pouhere Taonga Act will and the methods through that process will satisfy this requirement.

Policy 25 requires that in areas potentially affected by coastal hazards over at least the next 100 years a range of directives be met. The coastal hazard risk (namely areas susceptible to coastal instability and erosion) will be assessed and masterplanning/design managed according to this policy.

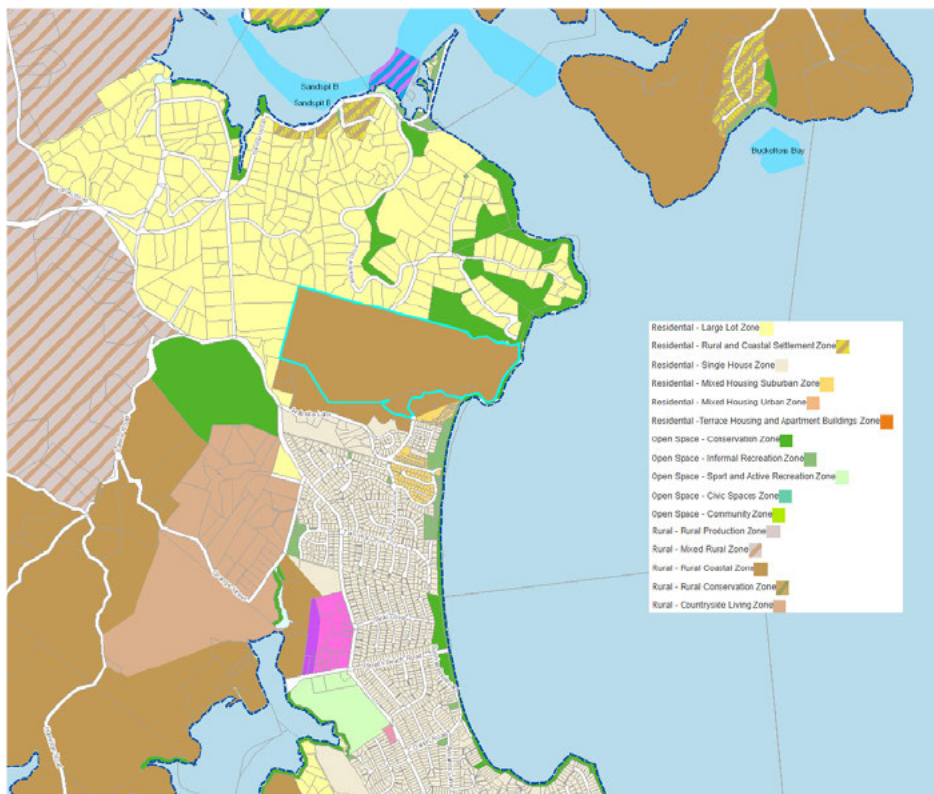


Figure 15: Subject Site set within wider zoning pattern - Residential Mixed Housing Suburban/Residential -Single House Zone to the south and Residential Large Lot Zone to the north (Auckland Unitary Plan)

3.23.2 National Policy Statement on Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 (NPS: FM) sets out the objectives and policies for freshwater management under the RMA 1991.

The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: firstly, the health and well-being of water bodies and freshwater ecosystems; secondly, the health needs of people (such as drinking water); and thirdly, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Policy 1 is that freshwater is managed in a way that gives effect to Te Mana o te Wai³⁰, with various other directives provided by other policies. Included here is Policy 6 that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

There is nothing inherent in the project that will mean that this policy direction cannot be met. There is only one small stream running into Brick Bay on the northern boundary of the project area (the coastal side of the Brick Bay property catchment) that is currently well-vegetated and that will remain undisturbed by the project. The wetland on the property that has been identified will be avoided with opportunities for further edge planting, and any other wetlands that are identified through further evaluation will be managed according to the requirements of the policy direction of the NPS:FM.

3.23.3 National Policy Statement for Highly Productive Land 2022

National Policy Statement for Highly Productive Land 2022 (NPS: HPL) sets out the objective and policies for the management of highly productive land under the RMA 1991.

No mapping of highly productive land in the manner specified in the NPS:HPL has been undertaken for the Auckland Region.

Under clause 3.5 of the NPS:HPL, until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this the NPS:HPL as if references to highly productive land were references to land that is zoned general rural or rural production at the commencement date *and* LUC 1, 2 or 3³¹.

The Site is zoned Rural-Rural Coastal under the Unitary Plan, however it is not identified as LUC 1, 2 or 3, being identified on the Auckland Council Geomaps Land Use Capability Tool as a mix of LUC 4, 5 and 6 (Arable with severe limitations and non-arable slight and moderate limitations).

As such the objectives and policies and restrictions in the NPS:HPL on subdivision, use and development do not apply to the proposal.

3.23.4 National Policy Statement for Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity (NPS:IB) is part of the response to biodiversity decline in New Zealand. It provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally.

The NPS:IB includes an approach and methods for identifying Significant Natural Areas, which at this point in time has not been done in the Auckland Region. Although, as noted above, Significant Ecological Areas (SEAs) have been identified on the property under the Unitary Plan, these have not been done according to the nationally consistent criteria set out in the NPS:IB. Notwithstanding this, the NPS:IB does include policies of a more general nature which apply to the management of indigenous biodiversity, and as noted above, the project area has a notable stand of native coastal vegetation along its coastal edge which will be retained.

Relevant policies here include Policy 2 that tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, Policy 3 that a precautionary approach is adopted when considering

³⁰ Te Mana o te Wai as defined in the NPS:FM is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

³¹ Means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory, or by any more detailed mapping in place at the commencement date that uses the Land Use Capability classification

adverse effects on indigenous biodiversity, and Policy 10 that activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for³².

Through engagement on the project, tangata whenua will be able to exercise kaitiakitanga. Any buildings (notably the tree houses) set within the areas of indigenous biodiversity will be carefully designed to ensure adverse effects are avoided (adopting a precautionary approach where effects are unknown or uncertain). As noted above, provision is made in the NPS: IB for activities that contribute to New Zealand's social, economic and cultural wellbeing, which will be key outcomes of the project as discussed above.

3.23.5 National Environmental Standard for Sources of Drinking Water 2007

The National Environmental Standard for Sources of Drinking Water 2007 (NES: SDW) sets requirements for protecting sources of human drinking water from becoming contaminated. An assessment of existing drinking water takes within proximity to the subject site relative to any on site bore water take and wastewater disposal to ground (should those methods be selected) will be made as part of the substantive application.

On the basis that the nearest settlement of Snells Beach is serviced by a water and wastewater network, and that the size of the subject site will give ample opportunity for safe take of groundwater and disposal of wastewater and with appropriate buffer distances from other takes and disposal areas, it is unlikely that there will be any consents triggered under the NES:SDW. This will be confirmed through the further water and wastewater assessments to be undertaken.

3.23.6 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

A full Preliminary Site Investigation (PSI) and of required Detailed Site Investigation (DSI) will be undertaken to determine whether any approvals are required under this National Environmental Standard, however at this point there is nothing obvious about the project area with its pastoral farming history that would suggest the land would be classed as contaminated. This will be confirmed through a PSI and if required DSI.

3.23.7 National Environmental Standards for Freshwater 2020

Proximity of earthworks and possibly stormwater discharges to the wetland(s) on the property may trigger consent under the National Environmental Standards for Freshwater (2020), and this will be confirmed through further project design.

³² Included here at clause 3.5 of the NPS:IB is the role of people and communities, particularly landowners, as stewards of indigenous biodiversity.

4.0 Conclusion

The Brick Bay Lodge will generate substantial economic benefits through construction activity, ongoing operations, fiscal contributions and ancillary quantified spending by international guests, which it will target.

The economic evidence supports the conclusion that Brick Bay Lodge satisfies the FTAA threshold for significant economic benefits at both a regional and national level.

Brick Bay Lodge will align with the Government's tourism policies and Tourism New Zealand's strategies by delivering high-value, low-impact tourism that drives economic growth and sustainability. Key alignment areas include adopting environmental stewardship, offering authentic Māori cultural experiences, investing in local communities, and providing high-quality employment.

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 approval processes. By enabling the Project to utilise the fast-track consenting process, this will enable the earlier commencement of construction, employment opportunities, economic stimulation and all other regional and national benefits of the Project to be delivered and realised within a much faster timeframe.

The project does not involve any ineligible activities as they are defined in section 5 of the FTAA. No processes are required under the Public Works Act 1981 in relation to the project. There are no parcels of Māori land, marae, and identified wāhi tapu within the project area. The applicants are joint owners of the Site and ownership does not impose any impediment to the applicant's ability to undertake the work. None of the activities involved in the project (or activities substantially the same as those involved in the project) have been the subject of an application or a decision under a specified Act, as those are set out in s4 of the FTAA.

At this preliminary stage, there will be no adverse effects associated with the project that cannot be properly avoided, remedied or mitigated as informed by the next stage of detailed investigation and design, and through conditions to be offered with the Substantive Application for the approvals sought. No adverse impacts have been identified that would be out of proportion to the project's regional or national benefits.

Overall, the Minister can accept the application as a referral application under section 21 of the FTAA on the basis that the project meets the criteria in section 22; namely that it is a development project that would have significant regional and national benefits, and referring the project to the fast-track approvals process would facilitate the project and is unlikely to materially affect the efficient operation of the fast-track approvals process.

