



FTAA-2510-1104: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Kingseat Village

Date submitted:	5 February 2026	Tracking #: BRF-000239	
Security level:	In-Confidence	MfE priority:	Urgent

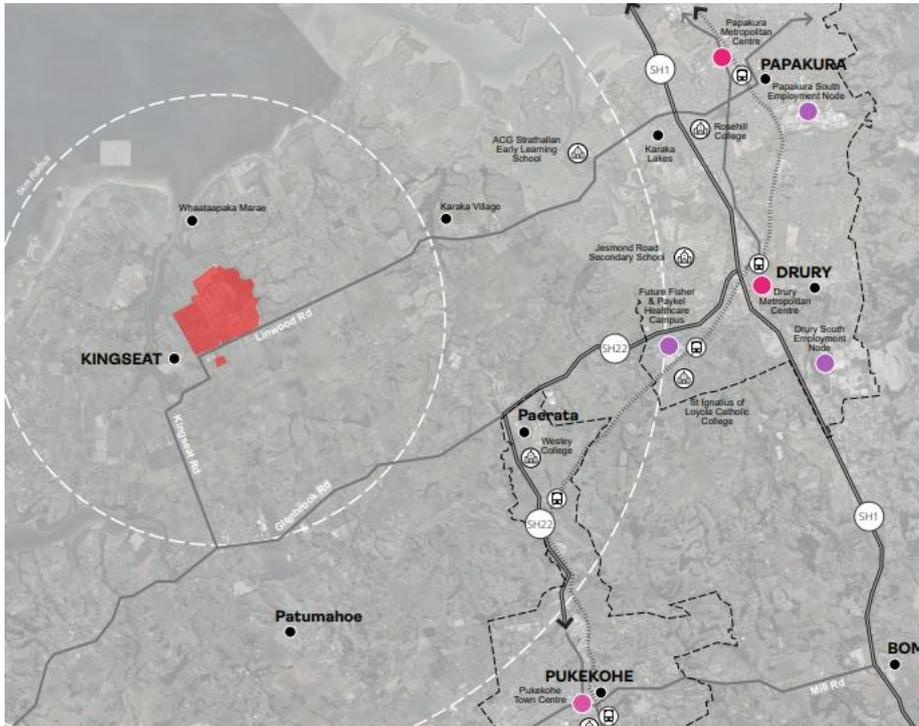
	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	13 February 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz . Approve the attached notice of decisions letter.
Number of appendices: 6	Appendices (refer to File Exchange link for appendices 2-7): <ol style="list-style-type: none">1. Statutory framework for making decisions2. Application documents for Kingseat Village3. Stage 1 Briefing Note and decisions4. Section 18 Report on Treaty settlements and other obligations5. Comments received from all parties the Minister invited to comment6. Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Jess Hollis		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Kingseat Village Limited, Karaka Lakeview Limited and Karaka Centre Limited (the applicants) to refer the Kingseat Village project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-7055) with your initial decisions annotated is in Appendix 3.
3. The project is to subdivide land and construct an urban development at 956, 996, 1012, 1016A, 1016B, 1023, 1030 and 1039 Linwood Road, Auckland, located adjacent to the existing settlement of Kingseat and approximately 5 kilometres to the west of Karaka. The project may include works within the Linwood, Kingseat and McRobbie Road reserves.

4. The project will be applied for as a single substantive application but will be delivered in two stages. The project will include:
 - a. approximately 1,655 to 1,820 residential units across a range of densities
 - b. a retirement village located on approximately 10 hectares of land and accommodating approximately 300 residential units
 - c. a neighbourhood centre/community hub providing approximately 1,500m² of floor area
 - d. a local centre, including commercial activities, providing approximately 11,000m² of floor area
 - e. an open space network including wetland restoration and redevelopment on approximately 81 hectares of land
 - f. associated infrastructure, including for three waters services and transport.
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991 (RMA).
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation and on the proposed directions to the applicants, the panel and notification of your decisions.

Assessment against statutory framework

8. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the project, you must consider the application (in Appendix 2), the Section 18 Treaty settlements report (in Appendix 4), any comments and further information received from invited parties (in Appendix 5), any document that requires your consideration under section 16 of the Act, and comply with any procedural requirements under section 16.
10. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

11. The Section 18 report in Appendix 4 identifies ten groups as the relevant Māori groups identified under section 18(2) of the Act.
12. The Treaty settlements and other arrangements relevant to the project area are: Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Ngāti Tamaoho Claims Settlement Act 2018, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, and the Te Ākitai Waiohūa deed of settlement.
13. The Section 18 report notes the project area is predominantly within the Te Hīhi Creek catchment, over which Ngāti Tamaoho has a statutory acknowledgement as part of their settlement. Further, the Ngāti Tamaoho and Te Ākitai Waiohūa settlements provide for coastal statutory acknowledgements that incorporate Whatapaka Creek, which may be affected by the application.

14. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to the holder of the statutory acknowledgement. The Section 18 report notes the process of inviting comment (including providing information about the application) from these groups is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
15. Ngāti Tamaoho Settlement Trust and Te Whakakitenga o Waikato Incorporated provided comments on the referral application. Ngāti Tamaoho Settlement Trust neither supported nor opposed project referral but emphasised its strong connection to the project area, as recognised in its Treaty settlement, and the aspirations to restore the wellbeing of the Manukau Harbour. Ngāti Tamaoho consider the project would impact on an already sensitive environment and therefore must adopt best-practice standards that move beyond minimum compliance, particularly in relation to stormwater and wastewater infrastructure, sediment and erosion, and pest management. Ngāti Tamaoho expect robust monitoring and a meaningful role in oversight of these matters, extending beyond construction to the development of an enduring partnership.
16. Te Whakakitenga o Waikato Incorporated neither supported nor opposed project referral but welcomed the engagement the applicants have already undertaken with Waikato-Tainui marae and hapū and the commitment to continue this approach throughout the project. Te Whakakitenga identified several concerns relating to stormwater effects, terrestrial and freshwater ecology effects, effects on Highly Productive Land (HPL), landscape, visual and natural character effects and effects on cultural values, and it expects these will be addressed through the substantive phase, including working with Waikato-Tainui on appropriate resolutions.
17. The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti supported referral of the application, subject to the panel and the applicants giving appropriate regard to the comments and expectations raised by the Māori ropū invited to comment, and the statutory acknowledgements over Whatapaka Creek and Te Hihi Creek and its tributaries.
18. Of the ten relevant Māori groups identified in the Section 18 report, we note that three do not fall within the scope of persons or groups whom a panel must invite comments from on a substantive application for the project under section 53 of the Act. Those three Māori groups are identified in the Section 18 report as either a group that has a recognised mandate to negotiate a Treaty settlement over an area which may include the project area (section 18(2)(d) or as other Māori groups with relevant interests (section 18(2)(k)). Therefore, if you decide to refer the project, we recommend you specify under section 27(3)(b)(iii) of the Act that a panel must invite comments from them.
19. We do not consider there are any matters raised in the report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

20. The Section 18 report does not identify any provisions in the Treaty settlements that would place any requirements on you or a panel under section 16 of the Act.

Written comments received

21. Comments were received from Auckland Council (AC), four Ministers, Ngāti Tamaoho Settlement Trust and Te Whakakitenga o Waikato. The key points of relevance to your decisions are summarised in Table A.
22. The comments from Ngāti Tamaoho Settlement Trust and Te Whakakitenga o Waikato are discussed in paragraphs 15 and 16 of this briefing. The key points from the remaining comments are:
 - a. AC opposed project referral and considered the development is unlikely to have significant regional or national benefits, is out of sequence with AC's Future Development Strategy (FDS) and inconsistent with or contrary to the Auckland Unitary Plan (AUP) and has the potential to have significant impacts on roading infrastructure. AC provided comments from Auckland Transport (AT) who consider you are unable to make a referral decision without more detailed information to determine if the project is viable within the existing traffic environment. We discuss this further in paragraphs 26 to 28 of this briefing. AC also provided comments from other AC departments and organisations that were generally neutral on project referral, except for the Franklin Local Board which opposed project referral
 - b. the Minister for Economic Growth acknowledged the economic benefits identified in the applicants' economic assessment and considered the primary long-term benefit of the proposal would be the provision of additional housing catering to Auckland's projected growth in housing demand
 - c. the Minister for the Environment raised concerns about the level of information provided with the referral application to determine the significance of potential adverse environmental effects on streams, waterbodies and wetlands. The Minister noted you may wish to specify that the applicants submit a full ecological assessment, and any additional plans and surveys that may be required, with the substantive application for the project, to support timely and efficient consideration by the panel. We discuss this further in paragraphs 26 and 28 of this briefing
 - d. the Minister for Seniors considered the project is suitable for referral as it will likely increase housing supply, address housing needs or contribute to a well-functioning urban environment
 - e. the Associate Minister of Housing raised no objection to project referral but noted that Kingseat currently faces significant challenges, including limited accessibility, amenities and infrastructure, that it is not identified by AC as a priority growth area in the AUP, and is not a focus of AC's FDS. The Minister noted there are known mana whenua interests in the project area that AC is better placed to provide context on, and that AC is likely to raise concerns regarding necessary infrastructure upgrades and investments that will be considered in more detail by the panel.

Further information provided by the applicant, relevant local authorities, relevant administering agencies

23. You did not request any further information from the applicants, relevant local authority or relevant administering agency¹ under section 20 of the Act.

Reasons to decline

24. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3). We do not consider you must decline this application.
25. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Appendix 1.
26. Relevant to section 21(5)(c), AT, via comments from AC, raised concerns relating to significant impacts on roading infrastructure, and the Minister for the Environment raised concerns about the significance of potential adverse environmental effects on streams, waterbodies and wetlands.
27. AT is of the view that before you decide whether referral of the project is appropriate, a comprehensive transport assessment is required to assess the potential transport infrastructure requirements/interventions, timing, costs and funding/delivery responsibilities, and determine whether the project is viable within the existing transport network. We do not agree with AT's view that you are unable to make a referral decision without a further comprehensive transport assessment. We note the applicant has provided a preliminary transport assessment that concludes the development can proceed and all outstanding matters of detail can be addressed in a future integrated transport assessment. We also note you do not require a full Assessment of Environment Effects and supporting evidence to make a referral decision.
28. If you decide to accept this referral application and refer the project to the fast-track approvals process, a full Assessment of Environmental Effects will be required for a substantive application and a panel can consider the adverse impacts of the project and any appropriate mitigation, offsetting or compensation. However, given the potential significance of the transport infrastructure issue highlighted by AT, we recommend you require the applicants to submit an integrated transport assessment, in consultation with AT, with their substantive application to a panel. We do not consider it is necessary to require the applicants to submit an ecological assessment with their substantive application to a panel, as suggested by the Minister for the Environment, as an assessment of ecological effects, and against the National Policy Statement for Freshwater Management 2020 (NPS-FW) and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F), will be covered by the requirements of clause 5 Schedule 5 of the Act.
29. Relevant to section 21(5)(f), the applicants have advised the project may involve earthworks in and around wetlands that trigger a prohibited activity status under Regulation 53 of the

¹ For your stage 1 decisions on the referral application for this project, the chief executive of the Ministry for the Environment was a relevant 'administering agency' and you therefore invited comment from the Ministry for the Environment as required under section 17(1) of the Act in force at that time. Subsequently, the definition of 'administering agency' was amended on 17 December 2025, by the Fast-track Approvals Amendment Act 2025, to exclude the chief executive of the department responsible for the administration of the Resource Management Act 1991. Therefore, the chief executive of the Ministry for the Environment is no longer considered a relevant 'administering agency' for this referral application.

NES-F. No comments received have raised concerns about the potential inclusion of a prohibited activity and the applicants note that more detailed design engineering design may provide the opportunity to design out any prohibited activities. We also note section 21(7) of the Act explicitly states that the presence of a prohibited activity does not, in itself, prevent you from accepting a referral application, and an ecological assessment will consider the potential effects on wetlands and other ecological values.

30. We have considered the matters above and these are discussed in Table A. We do not consider you should decline the referral application on the basis that it may have significant adverse effects, that it includes a prohibited activity, or for any other reason.

Reasons to accept

31. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
32. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
- a. it is an infrastructure or development project to subdivide land and construct an urban development
 - b. it would have significant regional or national benefits because it will increase the supply of housing and deliver significant economic benefits
 - c. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because public and limited notification is precluded and appeal rights are limited
 - d. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not overly complex and is similar to the type of application that panel members are experienced in dealing with under the RMA.
33. If you disagree, you must decline the referral application under section 21(3)(a) of the Act.

Conclusions

34. We consider the project meets the section 22 criteria and you could accept the application under section 21 of the Act and refer all of the project to a panel with the specifications outlined below.
35. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:
- a. the following information that must be submitted with the substantive application:
 - i. an integrated transport assessment
 - b. the following persons or groups from whom a panel must invite comments from in addition to those specified in section 53:
 - i. Ngāti Koheriki Claims Committee
 - ii. Te Ahiwaru Waiohua
 - iii. Ngāti Maru Rūnanga Trust.

36. The above information is required to assist a panel in assessing the potential adverse impacts of the project.

Next steps

37. The Ministry for the Environment (the Ministry) must give notice of your decisions on the referral application, and the reasons for them, to the applicants and anyone invited to comment under section 17 and publish the notice on the Fast-track website.

38. If you decide to refer the project, the Ministry must also give notice of your decision to:

- a. the panel convener
- b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
- c. the Environmental Protection Authority (EPA)
- d. the relevant administering agencies

39. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:

- a. the referral application
- b. any comments received under section 17
- c. the report obtained under section 18.

40. We will undertake this action on your behalf.

41. We have attached a notice of decisions letter to the applicants based on our recommendations (refer Appendix 6) and we will provide it to all relevant parties. We will provide you with an amended letter if required.

42. Our recommendations for your decisions follow.

Recommendations

43. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Kingseat Village Limited, Karaka Lakeview Limited and Karaka Centre Limited (the applicants) if you are satisfied that the Kingseat Village project (the project) involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section, or if you are not satisfied that the project meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered:

- i. the application in Appendix 2
- ii. the report obtained under section 18 in Appendix 4
- iii. any comments and further information sought under sections 17 and 20 and provided within the required timeframe in Appendix 5.

Yes / No

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

- i. it is a development or infrastructure project that would have significant regional or national benefits because:
 - (1) it will increase the supply of housing through the provision of approximately 1,955 to 2,120 residential units, including approximately 300 residential units for senior living in a retirement village
 - (2) it will deliver significant economic benefits by providing approximately 629 full-time equivalent (FTE) jobs and contributing approximately \$894 million to GDP over a 10-year design and construction period; and providing approximately 194 ongoing FTE jobs and approximately \$17 million annually to GDP after construction is complete.
- ii. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because public and limited notification is precluded and appeal rights are limited
- iii. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not overly complex and is similar to the type of application that panel members are experienced in dealing with under the Resource Management Act 1991.

Yes / No

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

Yes / No

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

Yes / No

- f. **Agree** to specify Kingseat Village Limited, Karaka Lakeview Limited and Karaka Centre Limited as the persons who are authorised to lodge a substantive application for the project.

Yes / No

- g. **Agree** to specify under section 27(3)(b) of the Act:

- i. the following information that the applicants must submit with the substantive application for the project:

(1) an integrated transport assessment, prepared in consultation with Auckland Transport, that—

- (a) assesses the effects on the surrounding transport network of both the project while it is carried out and the resulting development; and
- (b) contains modelling showing the effects on traffic flows and key intersections along the Linwood Road/Hingaia Road corridor, including the intersection of McRobbie / Linwood / Kingseat Roads, the roundabout at the Linwood Road / Dykes Road / Blackbridge Road intersection, the intersection of Hingaia Road and Oakland Road, the intersection of Hingaia Road and Harbourside Drive, and the Papakura Motorway interchange; and
- (c) identifies any upgrades/interventions to transport infrastructure that are required in connection with the subdivision and development; and
- (d) identifies any funding required to carry out those upgrades/interventions (including who will provide that funding); and
- (e) identifies how the proposed development will support people to use public transport and carry out active modes of transport, such as cycling and walking; and
- (f) contains information on any discussions held, and any agreements made, between the authorised person and Auckland Transport about integrated transport (including discussions and agreements about the matters referred to in subparagraphs (c) and (d))

- ii. the following persons or groups from whom a panel must invite comments in addition to those specified in section 53 of the Act:

- (1) Ngāti Koheriki Claims Committee
- (2) Te Ahiwaru Waiohua
- (3) Ngāti Maru Rūnanga Trust.

Yes / No

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

- i. anyone invited to comment on the application including local authorities and relevant Māori groups
- ii. the panel convener
- iii. the Environmental Protection Authority (EPA)

Yes / No

i. **Approve** the draft notice of decisions letter to the applicants (attached in Appendix 6).

Yes / No

Signatures

A handwritten signature in black ink, consisting of a large, stylized loop at the top left, followed by a horizontal line that tapers to a point on the right.

Ilana Miller
General Manager, Delivery and Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	<u>Accept</u> the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicants	Project Location
	Kingseat Village	<p>Kingseat Village Limited, Karaka Lakeview Limited and Karaka Centre Limited.</p> <p>c/- Barker & Associates Ltd</p> <p>The applicants are all registered as New Zealand Limited Companies and are eligible to apply for the approvals sought.</p>	<p>956, 996, 1012, 1016A, 1016B, 1023, 1030 and 1039 Linwood Road, Auckland, located adjacent to the existing settlement of Kingseat and approximately 5 kilometres to the west of Karaka. The project may include works within the Linwood, Kingseat and McRobbie Road reserves.</p> <p>Legal descriptions:</p> <ul style="list-style-type: none"> • Lot 2 Deposited Plan 337090 (RT 151786) • Lot 2 Deposited Plan 441714 (RT 550213) • Lot 1 Deposited Plan 500236 (RT 744109) • Lot 1 Deposited Plan 537875 (RT 895783) • Lot 3 Deposited Plan 400117 (RT 895785) • Lot 1 Deposited Plan 417814 (RT 468657) • Lot 2 Deposited Plan 537875 (RT 895784) • Section 2 Survey Office Plan 544696 (RT 998294)
Project description	<p>The project is to subdivide land and construct an urban development at 956, 996, 1012, 1016A, 1016B, 1023, 1030 and 1039 Linwood Road, Auckland, located adjacent to the existing settlement of Kingseat and approximately 5 kilometres to the west of Karaka. The project may include works within the Linwood, Kingseat and McRobbie Road reserves.</p> <p>The project will be applied for as a single substantive application but will be delivered in two stages. The project will include:</p> <ol style="list-style-type: none"> a. approximately 1,655 to 1,820 residential units across a range of densities b. a retirement village located on approximately 10 hectares of land and accommodating approximately 300 residential units c. a neighbourhood centre/community hub providing approximately 1,500m² of floor area d. a local centre, including commercial activities, providing approximately 11,000m² of floor area e. an open space network including wetland restoration and redevelopment on approximately 81 hectares of land f. associated infrastructure, including for three waters services and transport <p>The project will require the proposed approvals: Resource consents under the Resource Management Act 1991 (RMA)</p>		
Minister invites comments / requests information	Summary of comments from invited parties		
	<p>Local authorities</p> <p><u>Auckland Council (AC)</u></p> <p>AC opposed project referral and raised several concerns including:</p> <ul style="list-style-type: none"> • the project is unlikely to have significant regional or national benefits as the housing supply is not significant, economic benefits are not significant, there is no evidence the project will support climate change mitigation, and at least parts of the project are inconsistent with or contrary to the Auckland Unitary Plan (AUP) and the Council's Future Development Strategy 2023-2053 (FDS) • stage 2 of the project is on Highly Productive Land (HPL) under the National Policy Statement on Highly Productive Land 2022 (NPS-HPL) and the project does not satisfy the requirements of the NPS-HPL, including meeting the exceptions for subdivision and development • given the applicants' proposed timeframes, it is unclear whether referring the project will facilitate timelier delivery than resource consent and plan change processes under the RMA • concerns relating to economic benefits, delivery of supporting infrastructure and development of HPL may place additional demands on the panel and affect the efficient operation of the fast-track process <p>AC did however consider the proposal has the potential to contribute to a well-functioning urban environment, being a master planned community and comprehensive design of housing, open space, and infrastructure, that the ecological restoration is reasonably expected to have some benefits, and that it is reasonably expected that infrastructure to support the proposal (particularly stormwater infrastructure) will be designed to adapt to climate change.</p> <p>AC also provided comments from various AC departments and organisations including:</p> <ul style="list-style-type: none"> • Auckland Transport (AT) opposed project referral and noted neither the intensified development nor rural expansion is anticipated in the AUP, and the project raises unresolved transport infrastructure concerns. AT is of the view that before you decide whether referral of the project is appropriate, a comprehensive transport assessment is required to assess the potential transport infrastructure requirements/interventions, timing, costs and funding/delivery responsibilities and determine whether the project is viable within the existing transport network. Key concerns of AT relate to growth impacting the Linwood Road/Hingaia Road corridor, that previous work undertaken by AC indicates that the existing capacity of Linwood Road will be used up by existing plan enabled development with additional growth expected to exacerbate any congestion, and that there is limited ability to increase the traffic network in the area • Watercare Services Limited (Watercare) is neutral on project referral and noted that provision of water supply and wastewater services will be private • the Healthy Waters Unit is neutral on project referral and noted that stormwater discharges will require site-specific authorisation, that proposed approaches to water quality and hydrology mitigation do not align with Regionwide Network Discharge Consent requirements, and that clarification is needed regarding the long-term ownership and management of restored stream and wetland areas • Parks and Community Facilities is neutral on project referral but noted the provision of open space options should be reconsidered and recreational benefits will be local to the area 		

- the Chief Economist Unit is neutral on project referral but has identified limitations in the applicants' economic analysis, that the project's contribution to Auckland's housing stock is not regionally significant, that servicing the location may be costly, that wider economic benefits have not been demonstrated and that resources are not underutilised. The unit also considered that GDP and employment estimates are not meaningful indicators of a project's value and that a cost-benefit analysis should be adopted to assess the project's significance
- the Franklin Local Board opposed project referral due to the project area including HPL and noting that road infrastructure upgrades would be required
- Houkura (Independent Māori Statutory Board) supported project referral through to the next stage of the fast-track process.

In response to our section 17(3)(a) competing applications check, AC advised it is not aware of any competing application or applications. In response to 17(3)(b) existing resource consents, AC advised it is not aware of any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply.

Ministers

Minister for Economic Growth

The Minister for Economic Growth noted the economic benefits identified in the applicants' economic assessment and considered the primary long-term benefit of the proposal would be the provision of additional housing catering to Auckland's projected growth in housing demand. The Minister considered the referral application would provide a significant boost in housing supply and could be assessed under section 22(2)(a)(iii) of the Act for its potential to increase housing supply, address housing needs or contribute to a well-functioning urban environment.

Minister for the Environment

The Minister for the Environment raised concerns about the level of information provided with the referral application to determine the significance of potential adverse environmental effects of the project. The Minister noted the project area includes a number of perennial and ephemeral streams and wetlands and that reclamation works within a stream and waterbody are signaled but the location, potential effects and mitigation measures are not provided or assessed. To reduce the risk of unanticipated significant matters being identified late in the process and support the smooth and efficient conduct of the panel's deliberations, the Minister considered you may wish to specify under section 27(3)(b)(ii) that a full ecological assessment, and any additional plans and surveys that may be required, be provided with the substantive application for the project.

We do not consider it is necessary to require the applicants to submit an ecological assessment with their substantive application to a panel, as suggested by the Minister, as an assessment of ecological effects, and against the National Policy Statement for Freshwater Management 2020 (NPS-FW) and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F), will be covered by the requirements of clause 5 Schedule 5 of the Act.

Minister for Seniors

The Minister for Seniors considered the project is suitable for referral as it will likely increase housing supply, address housing needs or contribute to a well-functioning urban environment under section 22(2)(a)(iii) of the Act.

Associate Minister of Housing

The Associate Minister of Housing raised no objection to the project being referred to the next stage of the fast-track process. The Minister noted the Housing Register highlights a need for housing across the wider area, however he considered other locations within the area with greater infrastructure capacity and access to services and public transport may be more suitable for addressing the needs of those on the register. The Minister also noted that Kingseat currently faces significant challenges, including limited accessibility, amenities and infrastructure, is not identified by AC as a priority growth area in the AUP, and is not a focus of the Auckland Development Strategy. The Minister noted there are known mana whenua interests in the project area that AC is better placed to provide context on, and that AC is likely to raise concerns regarding necessary infrastructure upgrades and investments that will be considered in more detail by the panel.

Māori groups

Ngāti Tamaoho Settlement Trust

Ngāti Tamaoho Settlement Trust neither supported nor opposed project referral but emphasised its strong connection to the project area, as recognised in its Treaty settlement, and the aspirations to restore the wellbeing of the Manukau Harbour. Ngāti Tamaoho considered the project would impact on an already sensitive environment and therefore must adopt best-practice standards that move beyond minimum compliance, particularly in relation to stormwater and wastewater infrastructure, sediment and erosion, and pest management. Ngāti Tamaoho expect robust monitoring and a meaningful role in oversight of these matters, extending beyond construction to the development of an enduring partnership.

Te Whakakitenga o Waikato Incorporated

Te Whakakitenga o Waikato Incorporated neither supported nor opposed project referral but welcomed the engagement the applicants have already undertaken with Waikato-Tainui marae and hapū and the commitment to continue this approach throughout the project. Te Whakakitenga identified several concerns relating to stormwater effects, terrestrial and freshwater ecology effects, effects on HPL, landscape, visual and natural character effects and effects on cultural values, and it expects these will be addressed through the substantive phase, including working with Waikato-Tainui on appropriate resolutions.

Based on the information in the application, we consider you can be satisfied the project does not involve an ineligible activity because it:

- would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title
- would not occur in a customary marine title area or protected customary rights area as it is not in the common marine and coastal area
- is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the common marine and coastal area or an aquaculture settlement area
- would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement
- would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the common marine and coastal area
- would not occur on Schedule 4 land as confirmed by the records of title
- would not occur on a national reserve as confirmed by the records of title

The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]

	<ul style="list-style-type: none"> • would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the records of title • is not a prohibited activity or decommissioning activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or a prohibited activity under s15B or s15C of the RMA and no such activities are proposed • is not for the purpose of an offshore renewable energy project. <p>No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.</p>
<p>The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]</p>	<p>Irrespective of the concerns raised by AT, via AC, we consider that you have adequate information to inform the referral decision.</p>
<p>Section 22 assessment criteria</p>	
<p>The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]</p>	<p>You <u>must</u> consider a relevant Government Policy Statement (GPS) [s22(1A)].</p> <p>The only current relevant GPS is the Government Policy Statement on Grocery Competition. The project includes a local centre, including commercial activities, providing approximately 11,000m² of floor area. However, there is no clear indication that the commercial activities will include a supermarket development or grocery-related activities, therefore we consider the Government Policy Statement on Grocery Competition is not relevant to your decision.</p> <p>You <u>may</u> consider any of the following matters, or any other matters you consider relevant.</p> <p><i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]</i></p> <p>The applicants note the project will enable approximately 1,955 to 2,120 residential units, including 300 retirement village residential units. The applicants consider this will significantly boost housing supply and choice within an accessible location within Auckland's southern area, contributing to a well-functioning urban environment. The applicants consider the project will enable Kingseat to grow to a size where it can fulfil the role of rural village which has been identified through the Southern Auckland Rural Strategy. The applicants also note the project incorporates a neighbourhood centre and green open space network for recreation, and is well serviced for education opportunities and transportation connections.</p> <p>The Minister for Economic Growth and the Minister for Seniors both considered the project would increase housing supply. AC considered the proposal has the potential to contribute to a well-functioning urban environment, however, considered the contribution of the project to Auckland's housing stock will be limited and local. Analysis from AC's Chief Economist Unit has divided the approximate number of residential units proposed by a five-year construction period to conclude that only approximately 400 residential units per year will be delivered by the project. We note we have not taken a 'per annum' approach to other projects and have instead considered the total increase in housing supply attributable to a project, which in this case is approximately 1,955 to 2,120 residential units.</p> <p>In our stage 2 briefing² on the referral application for the 188 Beaumont Street project in Auckland, we referred to several listed projects in the Auckland region that propose less residential units than the Kingseat Village project, including Milldale at 1,155 units, NEIL Fairview Heights at 1,800 units and Warkworth South at 1,200 units. We also note that one of the reasons you decided to refer the 188 Beaumont Street project, with 215 residential units proposed, was because it would increase the supply of housing. We therefore consider that 1,955 to 2,120 residential units under the Kingseat Village project will increase the supply of housing and can be considered regionally significant.</p> <p>We consider you can refer the Kingseat Village project on this criterion.</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i></p> <p>The applicants have provided an economic assessment in support of the project and consider the project will generate a wide range of significant economic benefits, including:</p> <ul style="list-style-type: none"> • providing approximately 629 full-time equivalent (FTE) jobs and contributing approximately \$894 million to GDP over a 10-year design and construction period; and • providing approximately 194 ongoing FTE jobs and approximately \$17 million annually to GDP after construction is complete. <p>AC considered the economic benefits of the project are not significant and AC's Chief Economist Unit identified limitations in the applicants' economic analysis and noted that wider economic benefits have not been demonstrated. The unit also considered that GDP and employment estimates are not meaningful indicators of a project's value and that a cost-benefit analysis should be adopted to assess the project's significance.</p> <p>We note the applicants' economic assessment has taken a similar approach to other referral applications by referring to GDP and employment benefits. We consider the economic information provided by the applicants is adequate to inform your referral decision and accept the project will deliver significant economic benefits.</p> <p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i></p> <p>The applicants consider the project supports climate change mitigation and note the final design details for the project will be informed by flood modelling utilising climate adjusted stormwater rainfall data to safeguard people and infrastructure against potential future extreme storm events and manage the potential effects of climate change. The applicants also note that Kingseat Village is designed to reduce dependency on private motor vehicles and encourages the residential population to take up more sustainable modes of transport, thereby reducing greenhouse gas emissions, to ensure that the project supports climate change mitigation.</p> <p>We do not consider this is likely to be a significant regional benefit, and do not consider you should use this as a basis for referral.</p>

² BRF-00187 – 188 Beaumont Street project

	<p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i> The applicants note the stormwater management approach for the site will take into account climate change, with flood modelling scenarios and stormwater events accounting for future rainfall and climate change scenarios. The applicants consider the site is able to be developed without exacerbating flood hazards off site and notes there are no known other natural hazards that are applicable to the site that could be exacerbated through climate change.</p> <p>AC noted that it is reasonably expected that infrastructure to support the proposal (particularly stormwater infrastructure) will be designed to adapt to climate change, however AC did not comment on this criterion with respect to significant benefits. We do not consider this is likely to be a significant regional benefit, and do not consider you should use this as a basis for referral.</p> <p><i>Will be consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicants consider the project is broadly consistent with the Auckland Regional Policy Statement and consistent with the Auckland Council Southern Rural Strategy 2025-2055. However, AC consider at least parts of the project, particularly the density of residential development and development on rural land, are inconsistent with the AUP and the FDS.</p> <p>We do not consider you should use this criterion as a basis for referral.</p> <p><i>Any other matters that may be relevant [s22(b)]</i> The applicants note the proposal involves the ecological restoration and enhancement of approximately 81 hectares of land adjoining Whatapaka Creek, which is nearly 40% of the total development area. The applicants consider the scale of these works is significant and will provide carbon sequestration and assist to improve ecological outcomes for the wider area.</p> <p>AC noted that the ecological restoration is reasonably expected to have some benefits, however the significance of these was not assessed. We also note the Minister for the Environment raised concerns about the level of information provided with the referral application to determine the significance of potential adverse environmental effects of the project, including on streams, waterbodies and wetlands.</p> <p>While the ecological restoration and enhancement may have positive effects, we do not consider you should refer the project on the basis of this other matter.</p>
<p>Referring the project to the fast-track approvals process [section 22(1)(b)]</p>	<p><i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicants consider the fast-track process will enable the project to be processed in a more timely and cost-efficient manner than under the normal process as a panel will consider required approvals as a single application package, public and limited notification is precluded, and panels are only permitted to invite comments from specified persons who have a short timeframe to provide comment. Given the scale of this development, the applicants consider it would likely be a fully notified application under the RMA which would significantly slow down the consenting process and add to cost, as well as have broader appeal rights.</p> <p>AC noted that given the applicant's proposed timeframes, it is unclear whether referring the project will facilitate timelier delivery than resource consent and plan change processes under the RMA. However, we agree with the applicants that the use of the fast-track process would facilitate the project in a more timely and cost-effective manner than under conventional RMA pathways.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicants consider the project is unlikely to materially affect the efficient operation of the fast-track approvals process as an assessment of the proposal is considered to be relatively straightforward and unlikely to require additional resourcing given it does not raise novel issues, and the effects are known and easily quantifiable.</p> <p>AC considered that concerns relating to economic benefits, delivery of supporting infrastructure and development on HPL may place additional demands on the panel and affect the efficient operation of the fast-track process. However, we note that panels are experienced in considering economic benefits and effects on HPL, and we recommend you require the applicant to submit an integrated transport assessment, in consultation with AT, with their substantive application to a panel to assist with timely consideration of the project.</p>
<p>Reasons to decline</p>	
<p>Minister <u>must</u> decline [section 21(3)]</p>	<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i> We consider the project meets the referral criteria.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i> We do not consider the project includes an ineligible activity.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i> We consider you have adequate information to inform your decision.</p> <p>We do not consider that you must decline the application under this section.</p>

Minister may decline [section 21(4) and 21(5)(a-h)]

You may decline a referral application for any other reason, whether or not it meets the criteria in section 22.

Reasons to decline a referral application under subsection 4 include, without limitation:

The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement

No inconsistencies have been identified within the Section 18 Treaty settlements report.

It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts

The Section 18 Treaty settlements report does not state it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.

The project may have significant adverse effects on the environment

The applicants identify the project has the potential for adverse environmental effects, including transport related effects, effects from earthworks, infrastructure effects, flooding effects, ecological effects and effects on cultural values. The applicants have provided preliminary technical assessments covering some of these matters and consider the project will not generate significant adverse environmental effects, and any adverse effects on the environment will be appropriately avoided, remedied or mitigated to be minor or less than minor in nature.

AT, via comments from AC, raised concerns relating to significant impacts on roading infrastructure. AT is of the view that before you decide whether referral of the project is appropriate, a comprehensive transport assessment is required to assess the potential transport infrastructure requirements/interventions, timing, costs and funding/delivery responsibilities and determine whether the project is viable within the existing transport network. Key concerns of AT relate to growth impacting the Linwood Road/Hingaia Road corridor, that previous work undertaken by AC indicates that the existing capacity of Linwood Road will be used up by existing plan enabled development with additional growth expected to exacerbate any congestion, and that there is limited ability to increase the traffic network in the area.

We do not agree with AT's view that you are unable to make a referral decision without a further comprehensive transport assessment. We note the applicant has provided a preliminary transport assessment that concludes the development can proceed and all outstanding matters of detail can be addressed in a future integrated transport assessment. We also note you do not require a full Assessment of Environment Effects and supporting evidence to make a referral decision and if you decide to accept this referral application and refer the project to the fast-track approvals process, a panel can consider the adverse impacts of the project and any appropriate mitigation, offsetting or compensation. However, given the potential significance of the transport infrastructure issue highlighted by AT, we recommend you require the applicants to submit an integrated transport assessment, in consultation with AT, with their substantive application to a panel.

The Minister for the Environment raised concerns about the level of information provided with the referral application to determine the significance of potential adverse environmental effects of the project, including on streams, waterbodies and wetlands. The Minister noted you may wish to specify that the applicants submit a full ecological assessment, and any additional plans and surveys that may be required, with the substantive application for the project. AC raised concerns regarding the effects of the project on HPL and considered the project does not satisfy the requirements of the NPS-HPL, including meeting the exceptions for subdivision and development. We consider an ecological assessment, and an assessment of effects on HPL and against the NPS-HPL, will be covered by the requirements of clause 5 Schedule 5 of the Act. Therefore, we do not consider you need to require the applicant to provide this information with the substantive application for the project.

The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals

No comments have indicated that the applicants have a poor compliance history.

The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

No such land has been identified.

The project includes an activity that is a prohibited activity under the Resource Management Act 1991

The applicants have advised the project may involve earthworks in and around wetlands that trigger a prohibited activity status under Regulation 53 of the NES-F. This is because stage 2 is located on land zoned rural and therefore does not have a restricted discretionary pathway as provided for as urban development under Regulation 45C(7) of the NES-F.

No comments received have raised concerns about the potential inclusion of a prohibited activity and the applicants note that more detailed design engineering design may provide the opportunity to design out any prohibited activities. We note section 21(7) of the Act explicitly states that the presence of a prohibited activity does not, in itself, prevent you from accepting a referral application and we recommend you require the applicant to submit an ecological assessment with their substantive application to a panel to assist with considering potential effects on wetlands and other ecological values.

We do not consider you should decline the referral application on this criterion.

A substantive application for the project would have one or more competing applications

No competing applications have been identified at this stage; however, we note the Environmental Protection Authority (EPA) is required to re-check this following the lodgement of a substantive application.

In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)

No such resource consents have been identified, including by the applicant and AC.

Any other matter

We have not identified any other reason to decline the referral application.

We do not consider you should decline the referral application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area (if applicable)
 - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.