



FTAA-2605-1248: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Drury West Crossing

Date submitted	8 September 2026	Tracking	26-BRF-02331
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	15 September 2026

Actions for Minister's Office staff	Return the signed briefing to: <i>FTAreferrals@mfe.govt.nz</i> Send email to Ministers to invite written comments
Number of appendices: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Drury West Crossing 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Comments received from invited parties 6. Further information received from the applicant 7. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Antonia Croft	Principal Author		
Stephanie Frame	Manager	s 9(2)(a)	✓
Ilana Miller	General Manager	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 Drury West Crossing Limited (the applicant) to refer the Drury West Crossing (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-01700) with your initial decisions annotated is in Appendix 3.
3. The project involves the development of an approximately 123-hectare industrial precinct that will provide a significant employment node in southern Auckland. The site is located at 21–25 Ararimu Road, Ramarama, Auckland. It is adjacent to the Ramarama interchange on the Southern Motorway, approximately 6 kilometres south of Drury.
4. The project comprises:
 - a. approximately 350,000m² of industrial gross floor area (total of all buildings combined)
 - b. up to 5,000m² of supporting commercial services, potentially including a petrol station, gym, café and convenience retail
 - c. up to six electronic billboards
 - d. a green network incorporating existing ecological areas and features, stormwater management, landscape buffers and public open spaces
 - e. associated infrastructure including upgrades and new transport, stormwater, wastewater, water supply, electricity and telecommunications infrastructure
 - f. an interim storage yard for use during construction.

5. The project will require the proposed approvals:
 - a. consents under the Resource Management Act 1991 (RMA)
 - b. permits under the Wildlife Act 1953.
6. The project may also require approval or dispensation under regulations 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a potential complex freshwater fisheries activity. This has not been confirmed and is subject to further detailed design and assessment.
7. We consider you must decline the referral application under section 21(3) of the Act because we consider you cannot be satisfied the project meets the assessment criteria under section 22 referral because its delivery is reliant on upgrades to State Highway 1 which are not planned or funded, and the applicant has not provided alternative funding or delivery solutions. We also consider that for these reasons, you may decline the application because it would be more appropriate to deal with the matters authorised by the proposed approvals under another Act or Acts.
8. We seek your decision on this recommendation.

Assessment against statutory framework

9. 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.
10. We have considered if there are any reasons for declining the project, and provide our advice on these matters below.
11. You must decline the referral application if you are satisfied the project does not meet the criteria in section 22, involves an ineligible activity or does not contain adequate information for you to make your decision. You may decline the application for any other reason, including those listed in section 21(5), whether or not the project meets the section 22 referral criteria.
12. However, before you make that decision you must consider the application and any reports and comments provided in the required time frame. You must do that as the section 18 Treaty settlements report (in Appendix 4) has been obtained and comments (in Appendix 5) and further information (in Appendix 6) have been sought and provided within the required time frame.

Section 18 Treaty settlements and other obligations report

13. The section 18 report identifies 14 relevant Māori groups for the project area, including iwi authorities, Treaty settlement entities, groups with recognised mandates to negotiate Treaty settlements, and other Māori groups with relevant interests. These groups are listed in Attachment 3 of this report.
14. The report identifies the Waikato Raupatu Claims Settlement Act 1995, Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Ngāti Tamaoho Claims Settlement Act 2018, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025, and the Te Ākitai Waiohū deed of settlement as relevant Treaty settlements.
15. The report notes that the Ngāti Tamaoho Claims Settlement Act 2018 provides for statutory acknowledgements over the Hingia Stream and its tributaries and the Ngakoroa Stream and its



tributaries. The northern part of the project area is within the Hingaia Stream catchment and the southern part is within the Ngakoroa Stream catchment.

16. The report notes that inviting comment from Ngāti Tamaoho under the Fast-track Approvals Act 2024 is comparable to the requirements under the Resource Management Act 1991 and relevant Treaty settlements to provide information on applications affecting statutory acknowledgement areas.
17. The report identifies conservation relationship obligations associated with the Wildlife Act 1953 approvals sought for skink relocation and recommends that, if referred, the panel be directed to comply with the relevant consultation processes when considering those approvals.
18. Comments were received from Te Whakakitenga o Waikato on behalf of Waikato-Tainui. Waikato-Tainui reserved its position on the application at referral stage and considered that, if the project proceeds to a substantive application, further consideration should be given to cumulative effects associated with urban expansion, freshwater and marine effects, groundwater extraction, highly productive land, biodiversity, cultural values, infrastructure servicing and ongoing engagement with iwi and hapū. Waikato-Tainui also identified alignment with Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan) as a matter requiring further consideration.
19. The section 18 report concludes that there are no matters identified in the report that 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. Section 16 requires you to act consistently with the relevant Treaty settlements and comply with any applicable procedural requirements. For the referral decision, the statutory acknowledgement interests associated with the Hingaia Stream and Ngakoroa Stream have been addressed through the invitation to Ngāti Tamaoho to comment on the application. The section 18 report does not identify any further document that you are required to give the same or equivalent effect to when deciding whether to refer the project.
21. If the project is referred, the section 18 report recommends that you direct any panel considering a substantive application under section 16(2)(c) to;
 - a. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approval sought, unless a modified arrangement is agreed; and
 - b. consider whether and how to apply that consultation process when engaging with the relevant iwi members of the Tāmaki Collective.
22. Tai Tumu, Tai Pari, Tai Ao is identified in Waikato-Tainui's comments as a matter with which the proposal's alignment should be considered at substantive stage. The section 18 report does not identify it as a Treaty settlement document that must be given the same or equivalent effect under section 16.

Written comments received

23. Comments were received from Auckland Council, the Minister for Economic Growth, Waikato-Tainui, the Department of Conservation (DOC), and NZ Transport Agency Waka Kotahi (NZTA). The key points of relevance to your decision are summarised in Table A.



24. The key points from the comments are:

- a. Auckland Council (AC) opposed referral, stating the proposal is inconsistent with Auckland's planned growth framework, lacks demonstrated strategic need or significant regional benefits, and raises concerns regarding the loss of highly productive land, infrastructure planning, private servicing, and further unplanned urban development.
- b. Minister for Economic Growth considered the proposal appears likely to deliver significant regional economic benefits through its scale of investment, employment generation, and ongoing industrial and commercial activity, and would increase industrial land supply in southern Auckland
- c. Department of Conservation (DOC) did not identify any reason the project should be declined and considered the information adequate for a referral decision. DOC advised that any effects could likely be managed through conditions and recommended further assessment of wildlife and freshwater fisheries matters at substantive stage.
- d. NZ Transport Agency Waka Kotahi (NZTA) did not oppose referral but raised concerns regarding transport effects, infrastructure sequencing and reliance on future transport projects. NZTA sought further transport assessment and information on network upgrades, stormwater interfaces with State Highway 1, and proposed electronic billboards.

Further information provided by applicant

25. In response to the section 20 requests for further information, the applicant provided additional information regarding the status, timing, funding and delivery of transport upgrades associated with the project, including the Ramarama Interchange upgrade. The information clarified that initial stages of the development could proceed prior to the interchange upgrade being completed, while full build-out would be dependent on the upgrade. The applicant also advised that transport upgrades required to support the development would generally be the responsibility of the applicant, whereas the Ramarama Interchange upgrade is a wider regional project for which NZTA is responsible.
26. The applicant subsequently provided further information regarding the economic and other benefits that could be realised prior to the interchange upgrade, advising that approximately 60,000-120,000 m² of industrial floorspace could be delivered before the upgrade, representing approximately 17-33% of the project's quantified economic benefits over an indicative five-to-ten-year period. The applicant also advised that the precise timing of development staging, transport upgrades and any interim interchange improvements would be assessed through the substantive application process.
27. We consider the applicant has adequately addressed the matters raised in the request for further information by providing greater clarity regarding the project's transport dependencies, staging and deliverability.
28. You must consider all information received within the specified timeframe. We have taken this information into account in our analysis and advice and it is presented in Table A.

Reasons to decline

29. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).



30. The applicant indicates that earthworks in or around potential natural inland wetlands may be identified at a later stage, which could trigger a prohibited activity under the National Environmental Standards for Freshwater (NES-F). This is a potential reason you may decline a referral application under section 21(5) of the Act. However, we note section 21(7) of the Act states that the presence of a prohibited activity does not, in itself, prevent you from accepting a referral application.
31. We have considered the implications of the bulk of the project being reliant upon the Ramarama interchange upgrade, and the fact that upgrade is currently not funded by NZTA nor does it have an indicative timeline for that work to occur.
32. We consider that the project's reliance to deliver its stated benefits on unfunded infrastructure provision from a third party means that you may not be satisfied that the project would deliver the full extent of the stated benefits or that referring the project would facilitate it in its entirety, including by enabling it to proceed in a more timely and cost-effective way than under normal processes. We also consider that the appointment of a panel to consider a project with no certainty of timeframe for eventual delivery may materially impact the efficient operation of the fast-track approvals process (for example, impacting the ability of an expert panel to fully understand the project's impacts or set appropriate conditions without certainty of external infrastructure timing).
33. You have referred other projects which would require infrastructure upgrades in order to realise their benefits, but in general applicants for those projects have included options for either delivery of private infrastructure if public infrastructure is not upgraded, or an acknowledgement that they may contribute financially to the delivery of the relevant infrastructure. For this project, the applicant has not provided any indication of either a privately delivered alternative nor a financial contribution to the delivery of the interchange. We therefore do not consider this is a matter which you can leave the applicant and expert panel to address as you have with some other projects.
34. We note that the applicant has provided an estimate of the benefits of the project if the Ramarama interchange upgrade were not to occur, and those benefits are comparable to projects which you have previously referred. However, the applicant has not proposed that part of the project as an alternative project under section 13(4)(g) and the Act does not allow you to refer only part of a project if it has not been specified as an alternative project.
35. We recommend you decline the application because:
 - a. you cannot be confident the project will deliver significant regional or national benefits
 - b. you cannot be confident referring the project would facilitate delivery of the whole project, enabling it to be processed in a more timely and cost-effective way than under normal processes
 - c. you cannot be confident referring the project would not materially impact the efficient operation of the fast-track approvals process.
36. 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.
37. For the reasons set out above, we consider the project would be more appropriately considered under another Act or Acts, and recommend you decline the project with reference to section 21(5)(b).



Reasons to accept

38. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
39. Our assessment of these matters is summarised in Table A. The applicant considers the project meets the requirements of section 22, as:
- a. it is an infrastructure or development project because it involves construction of an industrial development
 - b. it would have significant regional or national benefits because it would deliver significant economic benefits through total direct capital expenditure of \$1.3 billion, approximately 5,135 FTE-years of employment, \$461 million in wages and salaries, and contribution of \$923 million to regional GDP, along with 1920 ongoing FTES and \$360 million in annual GDP
 - 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 notification is precluded and appeal is limited to points of law and to the High Court
 - d. Is unlikely to materially affect the efficient operation of the fast-track approvals process because project planning is well advanced and the project does raise novel matters for panel consideration.
40. We do not consider the project meets the requirements in section 22. As explained in Table A, this is because:
- a. while the project's quoted benefits would be regionally significant, we do not consider you can be confident the project can deliver those benefits, as it is reliant on unfunded infrastructure upgrades with no timeframe for delivery; and
 - b. without any certainty of when the Ramarama interchange is to be upgraded, you cannot be confident that referring the project would facilitate the whole project, including enabling it to be processed more quickly or cost-effectively than under standard processes; and
 - c. referring the project to a panel despite the delivery of stated benefits of the project being uncertain and reliant on third party upgrades may materially impact the efficient operation of the fast-track approvals process.
41. If you agree, you must decline the referral application under section 21(3)(a) of the Act.
42. If you disagree and consider a panel could resolve the uncertainty of delivery with the benefit of appropriate information from the applicant and without impacting the efficient operation of the fast-track approvals process, you could refer the project on the basis of the stated benefits.

Conclusions

43. We consider that the matters outlined above provide sufficient reason to decline the application under sections 21(3)(a) and 21(4) of the Act.



Next steps

44. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
45. In your notice of decisions you must direct a panel to comply with any requirements identified in section 16. The following directions to an expert panel are required:
 - a. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approval sought, unless a modified arrangement is agreed; and
 - b. consider whether and how to apply that consultation process when engaging with the relevant iwi members of the Tāmaki Collective.
46. If you decide to refer the project, the Secretary must also give notice of your decision to:
 - a. the panel convener
 - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies.
47. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
 - a. the referral application
 - b. any comments received under section 17
 - c. the report obtained under section 18
 - d. if a report was obtained under section 19, that report.
48. We will undertake this action on your behalf.
49. We have attached a notice of decisions letter to the applicant(s) based on our recommendations (refer Appendix 7) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
50. Our recommendations for your decisions follow.



Recommendations

51. We recommend that you:

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

Noted

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

- i. the application in Appendix 2
- ii. the report obtained under section 18 in Appendix 4
- iii. any comments and further information sought under sections 17 and 20 and provided within the required timeframe (if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion) in Appendix 6.

Yes/No

- c. **Note** the application under section 16 of:

- i. a Treaty settlement; namely the Waikato Raupatu Claims Settlement Act 1995, the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, the Ngāti Tamaoho Claims Settlement Act 2018, the Ngāi Tai ki Tāmaki Claims Settlement Act 2018, the Ngāti Pāoa Claims Settlement Act 2025, and the Te Ākitai Waiohū deed of settlement.

Noted

- d. **Note** that this provides for the consideration of:

- i. the statutory acknowledgements held by Ngāti Tamaoho over the Hingaia Stream and its tributaries and the Ngākōroa Stream and its tributaries, and the conservation relationship arrangements provided for under the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement; and
- ii. the requirement for a panel considering any substantive application to comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust in relation to the Wildlife Act 1953 approvals sought (unless a modified arrangement is agreed), and to consider whether and how to apply that consultation process when engaging with the relevant iwi members of the Tāmaki Collective.

Noted

- e. **Note** that under section 21 you **must** decline a referral application if:

- i. the application **may not** be accepted under section 21(1)(1) (which relates to the criteria for assessing a referral application in section 22); or
- ii. you are **satisfied** that the project involves an ineligible activity; or



- iii. you are **satisfied** that you do not have adequate information to inform your referral decision.

Noted

- f. **Note** that you **may** decline a referral application for any other reason, whether or not the project meets the criteria in section 22, including (but not limited to) the reasons for decline set out at section 21(5).

Noted

- g. **Decline** to refer the project to the fast-track approvals process under section 21(3)(a) of the Act for the following reasons:

- i. You are not satisfied that the project would deliver significant regional or national benefits (section 22(1)(a))
- ii. You are not satisfied that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes (section 22(2)(b)(i))
- iii. you are not satisfied that referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process (section 22(2)(b)(ii))

Yes / No

- h. **Decline** to refer the project to the fast-track approvals process under section 21(4) of the Act for the following reason:

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

Yes / No

- i. **Approve** the draft notice of decisions letter to the applicant (attached in Appendix 7)

Yes / No



- j. **Agree** that the Secretary for the Environment will provide your notice of decisions to:
- i. the applicant
 - ii. anyone invited to comment on the application including local authorities and relevant Māori groups.

Yes / No

Signatures

Stephanie Frame
Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure
Date:

Table A: Stage 2 analysis

Recommendation	<u>Decline</u> to refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Location
	Drury West Crossing	Drury West Crossing Limited c/- Barker and Associates Limited	The project is approximately 124 hectares located at 21–25 Ararimu Road, Ramarama, Auckland, adjacent to the Ramarama Interchange on State Highway 1 and approximately 6 kilometres south of Drury, in southern Auckland
Project description	The project involves the development of an approximately 123-hectare industrial precinct that will provide a significant employment node in southern Auckland. The project comprises: • approximately 350,000m² of industrial gross floor area (total of all buildings combined) • up to 5,000m² of supporting commercial services, potentially including a petrol station, gym, café and convenience retail • up to six electronic billboards • a green network incorporating existing ecological areas and features, stormwater management, landscape buffers and public open spaces • associated infrastructure including upgrades and new transport, stormwater, wastewater, water supply, electricity and telecommunications infrastructure • an interim storage yard use during construction. The project will require the proposed approvals: • consents under the Resource Management Act 1991 • permits under the Wildlife Act 1953 The project may also require approval or dispensation under regulations 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a potential complex freshwater fisheries activity. This has not been confirmed and is subject to further detailed design and assessment.		
Minister invites comments / requests information	Comments from invited parties		
	Local authorities Auckland Council- opposed referral of the project. Council considered the proposal is inconsistent with Auckland's planned growth framework, including the Future Development Strategy and Southern Rural Strategy, and is located outside identified growth areas and planned growth sequencing. Council did not consider the applicant had demonstrated a strategic need for additional industrial land at this location or that the proposal would deliver significant regional or national benefits as required by section 22 of the Act. Council also raised concerns regarding the permanent loss of highly productive land, infrastructure planning implications, transport upgrades, private servicing arrangements and the potential precedent effects for future urbanisation outside planned growth areas.		
	Ministers Minister for Economic Growth- considered the proposal appears likely to deliver significant regional economic benefits under section 22(2)(a)(iv) of the Act. The Minister noted the scale of the proposed investment, estimated at approximately \$1.3 billion, construction-related economic activity, employment generation, and the ongoing industrial and commercial activity enabled by the development. The Minister also noted that the proposal would increase the supply of large-format industrial land in southern Auckland and support warehousing, logistics, construction-related services, and manufacturing activities given its proximity to State Highway 1 and the Ramarama Interchange.		
	Relevant Māori Groups Waikato-Tainui did not take a final position on the proposal at referral stage and reserved its position pending further information. Waikato-Tainui considered that substantial further assessment would be required if the project progresses, particularly regarding freshwater and marine effects, groundwater extraction, loss of highly productive land, cumulative land use change, cultural and archaeological values, and consistency with Waikato-Tainui environmental planning documents. Waikato-Tainui also highlighted the need for further consideration of how the proposal aligns with regional growth strategies, infrastructure provision, freshwater outcomes, mana whenua values, and the National Policy Statement for Highly Productive Land. Waikato-Tainui sought continued engagement with Ngāti Tamaoho and Ngāi Tai ki Tāmaki and considered that cultural assessments and ongoing mana whenua involvement would be important at substantive stage		
	Administering agency Department of Conservation (DOC)- did not identify any reason why the project should be declined or why it should not proceed through the Fast-track Approvals Act process. DOC considered the information provided was adequate for a referral decision and did not identify any ineligible activities, competing conservation approvals, compliance issues, or inconsistencies with relevant Treaty settlement legislation. DOC considered likely adverse effects could be addressed through conditions on substantive approvals. However, DOC identified a number of matters requiring further assessment at substantive stage, including lizard management and wildlife approvals, confirmation of lizard populations, and potential freshwater fisheries approvals associated with wetlands, waterways and instream structures. DOC recommended additional information be sought on these matters if the project is referred.		
	Any other persons or groups NZ Transport Agency Waka Kotahi (NZTA)- did not oppose referral but raised concerns regarding the transport effects of introducing a large-scale industrial development in a rural area not identified for future urbanisation. NZTA considered the proposal creates a mismatch between land use and existing transport planning and infrastructure sequencing. NZTA emphasised that the applicant cannot rely on the future Papakura to Bombay		

	project to mitigate development effects and would need to provide upgrades commensurate with the scale of development, particularly at the Ramarama Interchange. NZTA requested a robust Integrated Transport Assessment supported by appropriate transport modelling, including consideration of motorway ramps and network effects, and sought further information on transport infrastructure upgrades, stormwater interfaces with SH1, and the location and effects of proposed electronic billboards. Further information from applicant In accordance with section 20 of the Act you requested the Applicant – provide further information on the status and timing of transport upgrades, including the Ramarama Interchange referenced in the application, and to explain the implications of any delay or uncertainty for the construction programme (including sequencing and dependencies), including how the project would proceed in the absence of those upgrades. In particular, please clarify the extent to which the project is dependent on the delivery of the Ramarama Interchange upgrades and how this affects the project’s ability to be delivered and achieve its anticipated benefits. Please also identify the parties responsible for funding and delivering these upgrades. In response, the applicant advised that all transport upgrades associated with the development, except the Ramarama Interchange upgrade, would be delivered by the applicant. The applicant stated that the Ramarama Interchange upgrade is a wider regional project for which NZTA is responsible. The applicant provided an assessment indicating that approximately 60,000–120,000m² of industrial floor area could be developed before the interchange upgrade is required, with the precise threshold to be determined through a future Integrated Transport Assessment. The applicant advised that the development would be staged progressively and that conditions could be used to sequence development with infrastructure delivery. The applicant further advised that any delay to the Ramarama Interchange upgrade would affect later stages of development rather than prevent initial development from occurring. The further information addressed your request by clarifying the project's dependency on transport infrastructure, identifying funding and delivery responsibilities, and providing additional information regarding staging and deliverability. The response indicated that the project is not wholly dependent on the Ramarama Interchange upgrade for initial delivery, but that full build-out would be dependent on that upgrade proceeding. While the applicant has identified the amount of development that may occur before the Ramarama Interchange upgrade is required, neither the referral application nor the section 20 response identified the economic benefits associated with that level of development, nor whether the project would continue to deliver significant economic benefits under section 22(2)(a)(iv) if the interchange upgrade were substantially delayed or did not proceed. You undertook a second request for further information asking the applicant to demonstrate, with indicative timeframes, what portion of the economic and other benefits associated with 60,000-120,000 m² of industrial floorspace could be realised before the Ramarama Interchange upgrade, and what portion would depend on the interchange upgrade proceeding. This was to inform consideration of whether the project would deliver significant economic benefits under section 22(2)(a)(iv) of the Fast-track Approvals Act 2024. The applicant's response is that that a substantial initial stage of development (60,000-120,000 m² GFA) can proceed before the Ramarama Interchange upgrade, delivering approximately 17-33% of the project's quantified economic benefits over 5-10 years, with the balance dependent on later stages enabled by interchange upgrades. The pre-upgrade stages are estimated to generate: • 855-1,715 FTE-years of employment during development; • \$155-\$310 million in Auckland regional GDP during development; • 300-600 ongoing FTE jobs once occupied; and • \$60-\$120 million annual GDP once operational. The remaining 67-83% of quantified benefits would be realised through later development stages that are dependent on either the Ramarama Interchange upgrade or potential interim interchange upgrades. Transport advice indicates that 60,000-120,000 m² GFA is possible without the interchange upgrade, but the substantive application will include an Integrated Transport Assessment to determine the detailed upgrade requirements, timing, staging, and whether interim upgrades could enable additional development before the full upgrade is completed.
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that 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 and consultation with iwi authorities – would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area and has not appeared in our check of agreed CMT – 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 CMA, will not occur in 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 occur on Schedule 4 land – would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA – would not occur on Schedule 4 land as confirmed by the records of title – would not occur on a national reserve as confirmed by the records of title – would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the record of title, applicant’s evidence of consultation etc – is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the as the project does not involve activities in the exclusive economic zone or continental shelf area, marine dumping, or offshore decommissioning activities. – is not for the purpose of an offshore renewable energy project because it will not occur offshore or involve renewable energy production No comments raised by parties invited to comment have indicated that the project would be ineligible for referral

The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider that the Minister has adequate information to inform a decision
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	If the project is referred, the section 18 report recommends that you direct any panel considering a substantive application under section 16(2)(c) to; - comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approval sought, unless a modified arrangement is agreed; and - consider whether and how to apply that consultation process when engaging with the relevant iwi members of the Tāmaki Collective.
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> The only current relevant GPS is the Government Policy Statement on Grocery Competition. The project does not include 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. You <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant: <i>The project has been identified as a priority project in a central or local government, or sector plan or strategy or a central government infrastructure priority list [s22(2)(a)(i)]</i> The applicant states that while the Drury West Crossing project is not explicitly listed as a priority in a central government, local government, or sector plan or strategy, it fits well with the strategic intent and lens of the need to attract business and investment in the Auckland Region, The Southern Auckland Economic Masterplan, identifies the land adjacent to the Ramarama Interchange as an opportunity node for industrial and large format activities. Auckland Council (AC) stated the project is not identified as a priority project in any central government, local government, or sector plan or strategy, and noted that while the Southern Auckland Economic Masterplan identifies economic opportunities, it does not form part of Auckland's statutory growth planning framework. Waikato-Tainui noted the site is not identified as a future urban growth area under the established strategic framework, but did not otherwise comment on whether the project is identified as a priority project NZ Transport Agency (NZTA) noted the proposal is an unplanned development in an area not identified for future urbanisation, but did not comment on whether the project is identified as a priority project in any plan, strategy, or infrastructure priority list We do not recommend referral under this criterion. <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant states the project would add a substantial quantum of industrial land in southern Auckland, which is one of Auckland's principal locations for new large-format industrial development. The applicant states this is important because Auckland is New Zealand's primary industrial market and plays a critical role in supporting regional and national supply chains. AC- stated that no regionally or nationally significant infrastructure is proposed. Council noted the proposal would be privately serviced and would not contribute to regionally significant infrastructure upgrades for Watercare. We do not recommend referral under this criterion. <i>Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020) [s22(2)(a)(iii)]</i> The applicant states the project is a new industrial hub that will form an extension of the existing urban area. By increasing the number and range of industrial lots available in a strategically located part of southern Auckland, the applicant considers the proposal would improve market choice, support greater land market competition, and help improve the responsiveness of industrial supply to future demand growth. The applicant considers this would support the efficient functioning of the industrial land market and contribute to a well-functioning urban environment under the National Policy Statement on Urban Development 2020 (NPS-UD). AC-stated that the project may provide additional industrial land and have some potential to contribute to a well-functioning urban environment, the proposal is outside Auckland's planned growth areas and growth sequencing framework. Council considered the applicant had not demonstrated that industrial development in this location is necessary to achieve a well-functioning urban environment.

The Minister for Economic Growth noted that the proposal would increase the supply of large-format industrial land in southern Auckland and support warehousing, logistics, construction-related services and manufacturing activities, given its proximity to State Highway 1 and the Ramarama Interchange.

We note that a substantial component of the project's anticipated industrial land supply and associated employment opportunities is linked to the scale of development enabled by the proposed transport network. In response to the request for further information, the applicant advised that a reduced scale development could proceed without the Ramarama Interchange upgrade. However, the extent of industrial development and associated employment opportunities would be lower than under the full development scenario. The implications of this reduced development scenario are discussed further under section 22(2)(a)(iv)

While the applicant's stated benefits might be significant, we do not consider you can be satisfied the benefits of the project will be realised, and do not recommend referral on this basis.

Will deliver significant economic benefits [s22(2)(a)(iv)]

The applicant states that the project will generate:

- total direct capital expenditure of \$1.3 billion
- approximately 5,135 FTE-years of employment
- development of the proposal is estimated to generate \$461 million in wages and salaries, and
- contribute \$923 million to regional GDP
- future onsite industrial and commercial activity is estimated to directly support work for around 1,920 people, generating approximately \$360 million in annual GDP.

AC stated that the proposal had not demonstrated significant regional or national economic benefits. Council considered that the economic assessment focused on gross impacts, did not fully account for displacement, transfer effects and opportunity costs, and did not adequately account for the extent to which the identified benefits may be transferred from other locations rather than being additional. They also questioned the extent to which the project's economic benefits would be realised given that full build-out of the development is dependent on the delivery of the Ramarama Interchange upgrade. AC's comments were supported by advice from its economic specialist, who reviewed the applicant's economic assessment and raised concerns regarding the underlying assumptions and methodology, including the extent to which the assessment reflected gross rather than net economic benefits and accounted for displacement effects.

The Minister for Economic Growth considered the proposal appears likely to deliver significant regional economic benefits under s22(2)(a)(iv), noting the scale of capital investment, construction and development activity, employment generation, and ongoing industrial and commercial activity enabled by the development.

In response to a second section 20 request for further information, the applicant provided an assessment of the economic benefits that could be realised independently of the Ramarama Interchange upgrade. The applicant advised that approximately 60,000-120,000 m² of industrial floorspace could be delivered prior to the upgrade, representing approximately 17-33 per cent of the project's quantified economic impacts over an indicative five-to-ten-year period. The applicant estimated that this level of development would generate approximately \$155-310 million in regional GDP during development, support approximately 855-1,715 FTE-years of employment, and support approximately 300-600 ongoing onsite FTEs once occupied.

We note that the applicant has not applied for any of the project to be considered as an alternative project under section 13(4)(g), so the option is not available to you to refer a reduced scope of the project. You are only able to refer the whole project as applied for or to decline the project.

While the applicant's stated benefits might be significant, we do not consider you can be satisfied the benefits of the project will be realised, and therefore we do not recommend referral on this criterion.

Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]

The applicant states the project supports climate change mitigation and incorporates measures to support the reduction of greenhouse gas emissions (such as active mode transport infrastructure). It is designed to reduce dependency on private motor vehicles and supports the provision of walking and cycling. This will allow employees of the project to use alternative modes of travel.

AC- stated there is no evidence that the proposal will support climate change mitigation. Council noted that public transport in the locality is very limited and future employees are likely to be highly reliant on private vehicles.

We do not recommend referral on this criterion.

Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]

The applicant states that the project's stormwater management approach for the site will take into account climate change, with flood modelling scenarios. The applicant considers the site is able to be developed without exacerbating flood risk off site.

AC-stated that the proposal is not expected to make a significant contribution to climate change adaptation or recovery from natural hazard events. Council noted that flooding and other natural hazard risks would need to be appropriately managed through the detailed design and consenting process, but did not consider these matters to represent a particular benefit of the proposal.

We do not recommend referral under this criterion.

Will address significant environmental issues [s22(2)(a)(ix)]

	The applicant states that there are no significant environmental issues to be addressed on the site that cannot be addressed through best practice engineering design. AC-stated that the proposal would not address any significant environmental issues. Council noted that the environmental management and mitigation measures proposed, including stormwater treatment and ecological enhancement, are intended to manage or offset the effects of the development itself rather than resolve an existing significant environmental issue. We do not recommend referral under this criterion. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant asserts that overall, the project is consistent with the relevant local and regional planning documents, on the basis that it considers the project is consistent with the Auckland Regional Policy Statement The applicant notes the proposal is not identified in the Future Development Strategy 2023–2053 (FDS) but considers it is consistent with its broader strategic direction. AC stated that the proposal is not consistent with local or regional planning documents and spatial strategies, noting that it is located outside Auckland's planned growth framework and future urban growth areas and has not demonstrated a strategic need for industrial development at this location. We do not recommend referral under this criterion.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant states that the fast-track process will enable the project to be processed in a timelier and cost-efficient manner than under the normal process, for the following reasons: • Under the Act, an expert panel would consider necessary approvals as a single application package, as opposed to the normal process where several applications would be required for the different activities and to different authorities; • Under the Act, public and limited notification is precluded, expert panels are only permitted to invite comments from specified persons who have a short timeframe to provide comment. Given the scale of this development, it would likely be a fully notified application under the Resource Management Act 1991 which would significantly slow down the consenting process and add to cost; • Under the Act, timeframes are shorter and stricter than that of the normal process resulting in significant less time for obtaining resource consent and efficiencies for the project; and • There is resourcing in place to process the application efficiently and certainty around timeframes for the applicant to ensure the project remains 'shovel ready'. We acknowledge that the Fast-track Approvals Act 2024 may facilitate a more timely and cost-effective consenting process for the applicant. However, information provided by the applicant indicates that full build-out of the project remains dependent on the delivery of the Ramarama Interchange upgrade, which is a wider regional project for which NZTA is responsible and for which timing and funding are not yet confirmed. The extent to which the expedited consenting process would accelerate delivery of the later stages of the project is therefore subject to factors outside the applicant's control. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states project is unlikely to materially affect the efficient operation of the fast-track approvals process. 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. The information provided indicates that development of the project is closely linked to the capacity and future upgrade of the Ramarama Interchange, including the extent to which development can proceed prior to the interchange upgrade and the timing and nature of any transport mitigation measures. We therefore consider that referral of the project, with significant uncertainty as to the deliverability of the bulk of the project's benefits, would not be an efficient use of panel time and resource and may materially affect the efficient operation of the fast-track process.
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<i>The Minister <u>must</u> decline a referral application if:</i> <i>The application may not be accepted under subsection 1 (meets referral criteria)</i> We consider the applicant cannot guarantee delivery of the bulk of the project's benefits, given they are reliant on the upgrade to the Ramarama interchange which is not currently planned or funded. We therefore consider you cannot be satisfied the project would deliver its quoted significant regional or national benefits. <i>The Minister is satisfied the project involves an ineligible activity</i> None of the invited parties identified an ineligible activity. DOC expressly stated it had not identified any aspect of the project that would be ineligible, and no comments received indicated that the project involves an ineligible activity under the Act. <i>The Minister considers that they do not have adequate information to inform the decision under this section</i> DOC considered that adequate information had been provided to inform a referral decision. In addition, the applicant responded to the Minister's requests for further information regarding transport infrastructure dependencies, staging, funding responsibilities, project deliverability, and the economic benefits that could be realised prior to the Ramarama Interchange upgrade.

	We consider that you must decline the application under this section.
Minister may decline [section 21(4) and 21(5)(a-h)]	<i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i> <i>Reasons to decline a referral application under subsection 4 include, without limitation:</i> <i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i> The section 18 report identifies relevant Treaty settlement provisions and recommends directions to ensure any substantive panel complies with applicable conservation relationship agreement requirements. The report concludes that the process under the Act is capable of addressing the relevant Treaty settlement obligations. The project area is not within a customary marine title area, protected customary rights area, ngā rohe moana o ngā hapū o Ngāti Porou, or any identified Mana Whakahono ā Rohe or joint management agreement area. <i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> The section 18 report concludes that there are no matters raised which make it more appropriate for the proposed approvals to be authorised under another Act or Acts. Auckland Council opposed referral and considered the proposal should instead be assessed through the Resource Management Act 1991 framework. Council considered the proposal is inconsistent with Auckland's planned growth framework, including the Future Development Strategy and Southern Rural Strategy, is located outside identified growth areas and planned growth sequencing, has not demonstrated a strategic need for additional industrial land at this location, and raises concerns regarding the permanent loss of highly productive land, infrastructure planning, transport effects, and precedent effects for future urbanisation outside planned growth areas. Given our assessment that the project may not be processed in a more timely or cost-efficient manner under the Act than the standard process, and may affect the efficient operation of the fast-track process, we consider you could decline the project on the basis it would be more appropriately considered under another Act or Acts. <i>The project may have significant adverse effects on the environment</i> The applicant considers environmental effects can be appropriately managed through design, mitigation, and the substantive approval process. AC raised concerns regarding the permanent loss of highly productive land, infrastructure and servicing arrangements, transport effects, and precedent effects associated with urbanisation outside planned growth areas. Waikato-Tainui identified matters requiring further assessment, including freshwater and marine effects, groundwater abstraction, cumulative land use change, highly productive land, biodiversity, and cultural values. NZTA raised concerns regarding transport effects and infrastructure sequencing. DOC identified matters requiring further assessment at substantive stage, including lizard management, wildlife approvals, and potential freshwater fisheries approvals, but considered likely adverse effects could be addressed through conditions and substantive approvals. While invited parties identified a range of actual and potential adverse effects, we consider these matters are capable of being further assessed through the substantive application process, including through detailed assessment of effects, consultation, and the imposition of appropriate conditions where necessary. <i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> The application material, comments from invited parties, and agency advice do not identify any poor compliance history by the applicant under a specified Act relevant to the proposed approvals. <i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> No invited party identified land within the project area as being necessary for Treaty settlement purposes. <i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> The applicant advises that further investigations may identify earthworks in or around potential natural inland wetlands that could trigger a prohibited activity under the National Environmental Standards for Freshwater. No other prohibited activities have been identified by the applicant, invited parties, or agencies consulted on the application. We note that section 21(7) of the Act provides that the presence of a prohibited activity does not, in itself, prevent acceptance of a referral application. <i>A substantive application for the project would have one or more competing applications.</i> No competing applications were identified by the applicant, invited parties, or agencies consulted on the application. <i>In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i> While parts of the site are subject to existing resource consents for bulk earthworks (BUN60431828 and LUC60398151-A), the application material, invited comments, section 18 report and agency advice do not identify any existing resource consents of the kind referred to in section 30(3)(a)

Any other matter

The applicant indicates that earthworks in or around potential natural inland wetlands may be identified at a later stage, which could trigger a prohibited activity under the National Environmental Standards for Freshwater (NES-F). This is a potential reason you may decline a referral application under section 21(5) of the Act. However, we note section 21(7) of the Act states that the presence of a prohibited activity does not, in itself, prevent you from accepting a referral application.

While we consider you must decline the application under section 21(3), we also recommend you decline the application under section 21(4) with reference to section 21(5)(b) because it would be more appropriate to deal with the matters that would be authorised by the proposed approval under another Act or Acts.

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 section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - 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 section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at 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, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. 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.