

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Auckland Surf Park Community Fast-Track
Application number: PJ-0000833
Date received: 24/11/2022

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: AW Holdings 2021 Ltd

Contact person: Nick Roberts

Job title: Managing Director Barker & Associates

Phone s 9(2)(a)

Email s 9(2)(a)

Postal address:

PO Box 1986

Shortland Street

Auckland 1140

Address for service (if different from above)

Organisation:

Contact person:

Job title:

Phone:

Email:

Email address for service:

Postal address:

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

1350 Dairy Flat Highway, Dairy Flat, Auckland, 0794, New Zealand

1350 Dairy Flat Highway, Pt Allot 189 SO 1118A & Lot 15 DP 65979, Dairy Flat Highway, Dairy Flat

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

- 1350 Dairy Flat Highway, Dairy Flat, Part Allotment 189 Parish of Pukeatua (22.5085ha)
- Pt Allot 189 Psh Of Pukeatua SO 1118A, Pt Allot S264 Psh Of Pukeatua SO 1118A Dairy Flat (7.9028 ha)
- Lot 15 DP 65979, Dairy Flat Highway Dairy, Dairy Flat, (12.2164ha)

Registered legal land owner(s):

Yue Teng Limited

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The applicants are not the legal owners of the sites (as above). AW Holdings 2021 Ltd is the applicant, and they have a signed Heads of Agreement with Yue Teng Limited, with the intent to develop the site within a Joint Venture structure once approvals are received. David Bei of Yue Teng Limited has provided written support for the application on behalf

of Yue Teng Limited, and support for the application through the Fast-Track Consenting process (Attached as **Appendix 3**).

Part III: Project details

Description

Project name: Auckland Surf Park Community Fast-Track

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

The proposal is for a comprehensively master planned development (attached as Appendix 4 and shown in Figure 6 in Appendix 1) that will comprise a surf park facility as the marquee component of the application, along with associated surf park operations, short-stay accommodation, farm-to-table food and beverage facilities, a wellness retreat and carparking to serve the development. The applicant, AW Holdings 2021 Ltd, are also proposing a Data Centre in the eastern portion of the site.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

Proposed activities and areas

- *Surf Park - 35,850m² (including lagoon) and a total 4,146m² gross floor area (GFA) of buildings*

The proposed surf lagoon is essentially a large man-made pool in which there are artificially generated successive waves, intended to replicate those created in the ocean. There are a number of ancillary buildings to support the surf lagoon, including a single-story 500m² surf academy building, a two-story amenity building with 1,600m² of GFA, a single-story 330m² ticketing and administration building, and a cluster of operational buildings with a total GFA of 450m².

- *Visitor Accommodation - 40 units*

The visitor accommodation will be restricted to those guests who are using, or intending to use the surf lagoon. This will be two-story structure, consisting of approximately 40 units with a GFA of 2,400m². There is also a 500m² single-story hotel amenity building adjacent to the main hotel building, which will double as the clubhouse for the surf lagoon.

- *Wellness Retreat – 20 units*

In addition to these main aspects to the project, the proposal also includes a wellness retreat that includes a series of off-grid eco-cabins (another area of visitor accommodation) . There will be approximately 20 single-story units with a GFA of around 45m² for each unit.

- *Farm-to-Table Restaurant (agricultural commercial, with markets and commercial activity) - 71,200m² (land area) and 975 m² GFA of buildings*

A 'Farm-to-Table' restaurant with associated market and commercial space is proposed, as well as a boutique retail/artisan workshops. The Farm-to-Table Restaurant and Marketplace is set at the heart of the Surf Park'. The restaurant will be single-story with approximately 465m² of floor area. The farm to table market and flexible space will be single-story with an approximate floor area of 510m².

- *Data Centre - 40,000m² (land area)*

The proposal also includes a hyperscale data centre. Within the surf park environment, the waste heat generated through the operation of the data centre will be captured and fed into the water treatment plant for the Surf Lagoon in order to heat the water and provide for an enhanced experience and increased year round usage.

- *Solar Farm - 76,450m² (land area)*

The proposal also includes a solar farm that is approximately 7ha. The 5MW Solar Farm will generate approximately 8,400 MWh in energy per year, further offsetting 30,000 tons of CO2 emissions. The applicant is in discussion with two solar farm delivery providers operating in NZ and they have provided preliminary technical design and assured the applicant it is possible to deliver the solar farm in the timeframe we are anticipating.

- *Landscape Planting, Open Spaces & Ecological Restoration*

The proposed development also includes over 85,000m² of native restoration planting located around the existing stream on the site. . A more comprehensive ecological assessment will be provided to support the development application at the expert consenting panel stage. There will also be recreational open space and walkways and trails throughout the native plantings and revegetated stream corridor.

- *Site Access, Parking & Transport*

In terms of access, there is a proposed intersection on Dairy Flat Highway into the site, that will provide safe access to the site and provide connectivity with the surrounding network which can currently accommodate the proposal. The proposed intersection can be accommodated within the existing road reserve with some land needed from the applicant's site. No third party land is required.

A new road is proposed running along the southern boundary of the site along the alignment of the indicative collector road in the Structure Plan, and is contained within the site's boundary (**Collector Road**). At present the Collector Road is proposed to intersect with Dairy Flat Highway with modification to accommodate a right-turn bay. Visitor and staff parking areas are situated throughout the site. A local road is planned to transect the site in a north-south orientation (**Local Road**).

The movement network of the Surf Park Community is focused on prioritising active modes of transport, with an extensive network of walking and cycling pathways and a safe and slow-speed street environment. It is also proposed to provide a shuttle service that connects to the Hibiscus Coast bus station, providing more sustainable transport modes for both staff and visitors to the park.

- *Water Supply*

A number of options for potable water supply have been identified in the servicing report prepared by Woods. This report confirms that there are interim measures able to be put in place, or in combination with on-site supplies, to provide the estimated 0.94 ML/day required for water supply. The preferred water supply servicing solution is to install a pipeline from Orewa 1 and 2 pipelines located at East Coast Road via Wilks Road, provide a reservoir/s fed by the lower flow rate allowed by WSL with sufficient storage to offset peak demands, and provide a booster pumping system and chlorination dosing plant to pump into the on-site network. On site interim solutions could include Water reclamation from the proposed wastewater plant, stormwater, and lagoon treatment plant, in order to minimise the water drawn from the supply systems. Rainwater harvesting from roof areas within the proposed development could also be utilised and treated to required standards.

- *Stormwater Treatment*

Stormwater treatment for the site's impervious areas will be by way of water quality devices designed in accordance with GD01 for the relevant contaminants, including a combination of, but not limited to, raingardens, grassed/vegetated swales, off-line wetland, or other equivalent devices. The primary stormwater runoff is conveyed through stormwater networks for up to a 10-year ARI stormwater event. The proposed network will be designed in accordance with the Auckland Council Stormwater Code of Practice.

- *Wastewater Servicing*

There are two solutions for servicing of the estimated 1.60 ML/day of wastewater generated from the site, being either:

1. utilise the public wastewater treatment plant (WWTP), or
2. construct and operate a private on-site wastewater treatment plant (WWTP), which could be undertaken as a permanent or interim measure for servicing the site.

- *Power & Telecommunication Servicing*

Vector have indicated that currently 8 MVA can be supplied to site, and the proposed development may require up to 60 MVA.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

AW Holdings 2021 Ltd intends to commence development as soon as all of the relevant consents have been granted.

The intended programme of works is as follows:

- Commencement of site civil works (subject to consents): Q4, 2023
- Commencement of surf lagoon construction: Q1, 2024
- Commencement of construction of visitor accommodation: Q2, 2024
- Data Centre Stage 1 construction commences: Q4, 2023
- Completion of all project elements: Q4, 2024 – Q1, 2025

AW Holdings 2021 Ltd confirms this project is construction ready, subject to obtaining resource consent allowing for the enabling and site works to commence, building consent allowing for physical construction of the buildings and engineering plan approvals (EPAs) for the necessary infrastructure. The consultant team to prepare all the necessary documentation for the resource consent has already been appointed and, should this project be successfully referred by the Minister, the consultant team will immediately commence preparation of the resource consent application immediately.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
<ul style="list-style-type: none"> • 1350 Dairy Flat Highway, Dairy Flat, Part Allotment 189 Parish of Pukeatua (22.5085ha) • Pt Allot 189 Psh Of Pukeatua SO 1118A, Pt Allot S264 Psh Of Pukeatua SO 1118A Dairy Flat (7.9028 ha) • Lot 15 DP 65979, Dairy Flat Highway 	Auckland Unitary Plan	Future Urban Zone	<ul style="list-style-type: none"> • Infrastructure: Airport Approach Surface Overlay - North Shore Airport • Infrastructure: Aircraft Noise Overlay - North Shore Airport - outer control boundary (55dBA) • Infrastructure: Aircraft Noise Overlay - North Shore Airport - 	Controls: Macroinvertebrate Community Index - Rural

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Dairy, Dairy Flat, (12.2164ha)			air noise boundary (65dBA)	

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary Plan	C1.7(1), (H18.4.1(A36),(H18.4.1(A38), E26.2.3. (A16), E26.2.3(A63),E8.4.1 (A5), E8.4.1(A11), E12.4.1(A6),E12.4.1(A10), E25.4.1(A2), E26.2.3.1,	<p>Recreation Facility is not specifically classed in the Future Urban Zone</p> <p>Retail (Commercial Activities) is also not provided for in the Future Urban zone</p> <p>Visitor Accommodation in the Future Urban Zone</p> <p>Restaurants and cafes in the Future Urban Zone</p> <p>Data storage is a network utility not listed in Table E26.2.3.1</p> <p>The proposed solar farm meets the definition of 'Other electricity generating facilities' in the FUZ Zone</p> <p>Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m² of road</p> <p>Diversion and discharge of stormwater runoff from an existing or a new stormwater network</p> <p>General earthworks greater than 50,000m² outside the Sediment Control Protection Area</p>	Discretionary	1350 Dairy Flat Highway, Pt Allot 189 SO 1118A & Lot 15 DP 65979, Dairy Flat Highway, Dairy Flat

		<p>General earthworks exceeding 2,500m²</p> <p>For an infringement to the following standard of E25 Noise and Vibration:</p> <ul style="list-style-type: none"> E25.6.27 Construction noise levels <p>Stormwater detention/retention ponds/wetlands</p>		
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Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

N/A

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

N/A

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

An application is being made concurrently for an exemption with the Overseas Investment Office. A case number will be provided when it becomes available (anticipated lodgement 25/11/22).

Building consents will be required in the future under the *Building Act 2004*. These consents have not been obtained but will be in due course as the project advances to the detailed design stages required to prepare and compile all the consent documentation. The applicant does not anticipate any challenges with obtaining the necessary building consents, nor would this process delay the ability to deliver this project.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

All of the land, subject to this fast-track application, is owned by Yue Teng Limited, the registered owners of the sites, who have provided a letter of support for the development. AW Holdings 2021 Ltd will enter into a formal joint venture agreement (Heads of Agreement currently in place) with the existing landowner once Resource Consent has been granted on the site.

AW Holdings 2021 Ltd intends to commence development as soon as all of the relevant consents have been granted. The intended programme of works is as follows:

- Commencement of site civil works (subject to consents): Q4, 2023

- Commencement of surf lagoon construction: Q1, 2024
- Commencement of construction of visitor accommodation: Q2, 2024
- Data Centre Stage 1 construction commences: Q4, 2023
- Completion of all project elements: Q4, 2024 – Q1, 2025

AW Holdings 2021 Ltd confirms this project is construction ready, subject to obtaining resource consent allowing for the enabling and site works to commence, building consent allowing for physical construction of the buildings and engineering plan approvals (EPAs) for the necessary infrastructure. The consultant team to prepare all the necessary documentation for the resource consent has already been appointed and, should this project be successfully referred by the Minister, the consultant team will immediately commence preparation of the resource consent application immediately.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Government ministries and departments

A pre-application meeting with MfE in respect of this project was held on 25 August 2022. The helpful suggestions and feedback made at this meeting by MfE staff have been incorporated into this referral application.

Local authorities No consultation has been undertaken with Auckland Council planning staff to-date. Auckland Mayor Wayne Brown has been briefed on the proposal, and a letter of support is understood to have been forthcoming, addressed directly to Minister Parker. Other persons/parties

Key stakeholders for this project include Iwi (the following iwi groups have registered interest in this project and a desire to be involved: Ngāti Manuhiri, Te Kawerau a Maki, Te Rūnanga o Ngāti Whātua and Ngāti Whanaunga), Council (including Council Controlled Organisations – WaterCare, Auckland Transport), the local community, and adjacent land owners', including the North Shore Airport.

Watercare Services Ltd (WSL)

Online meetings were held between Woods and Tim Barry of Watercare in September 2022. The summary of that discussion is that WSL would not be keen to support a long rising main to the north, and their recommendation was for the applicant to achieve a solution as close as possible to the AC plan over the long term, which is a mix of rising main and gravity network.=

Vector

Discussions were held with a design subcontractor for Vector in September 2022. At that meeting it was ascertained that the likely true demand for the site would be approximately 60MVA. It was indicated that the design subcontractor would complete his assessment and send an email with the outcome, which to date is yet to be received.

Chorus

No direct consultation has taken place as the required information is found in the B4UDig plans and on the Chorus website. These indicate that Chorus has copper network available in this area, with fibre being available at the client's expense.

Spark

Spark have provided detailed feedback and a letter of support on 22 November 2022 with regard to the co-location of the data centre on the site with the surf park facilities, attached as part of **Appendix 12**.

Auckland Transport

No offsite roading infrastructure work is required. Auckland Transport have been engaged as of November 2022, and consultation is ongoing.

North Shore Airport

Verbal consultation has taken place between the applicants and North Shore Airport on two separate occasions, in September 2022 and October 2022. North Shore Airport did not raise any specific concerns with the proposal, and

have expressed a general level of support and for the parties to collaborate to achieve positive outcomes for both businesses.

New Zealand Trade and Enterprise (NZTE)

NZTE has provided a letter of support for Aventura's application attached as part of **Appendix 12**.

Tataki Auckland Unlimited

Tataki Auckland Unlimited have provided a letter of support for the application and project attached as part of **Appendix 12**.

Community Groups

Individual letters of support have also been provided by the following community groups:

- Surfing New Zealand
- Skateboarding New Zealand
- Surf Lifesaving New Zealand
- Water Safety New Zealand
- Paralympics New Zealand
- Disabled Surfers Association New Zealand
- Scholastics Surfing Auckland
- SurfAid New Zealand
- Micro Surf Academy
- New Zealand High Performance Surfers

These letters of support can be read in detail attached as **Appendix 12**.

Given that the proposal is in the relatively early stages of development, only limited consultation has taken place beyond the North Shore Airport and Iwi. It is anticipated that engagement and consultation will occur on an ongoing and expanding basis as the development progresses.

Consultation with the North Shore Airport General Manager and his planning adviser has commenced and is ongoing. The verbal feedback received on the project to date has generally been positive, and the North Shore Airport will be consulted with through the duration of the project.

Local authorities

Detail all consultation undertaken with relevant local authorities:

No consultation has been undertaken with Auckland Council planning staff to-date. Auckland Mayor Wayne Brown has been briefed on the proposal, and a letter of support is understood to have been forthcoming, addressed directly to Minister Parker.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

As above

Detail all consultation undertaken with the above persons or parties:

As above

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Ngāti Manuhiri Te Rūnanga o Ngāti Whātua Ngāti Whanaunga Te Kawerau a Maki	Engagement correspondence was sent to the 13 iwi authorities who have expressed interest in the area on 10 October 2022, outlining the details of the site and the proposal, as well as inviting all iwi authorities to express interest in being involved in this project on an ongoing basis. Responses were received from Ngāti Manuhiri, Te Kawerau a Maki, Te Rūnanga o Ngāti Whātua and Ngāti Whanaunga. Iwi were provided until Friday, 4 November to express interest in being involved in the Auckland Surf Park development. Representatives of these Iwi will be met on site in the coming weeks (6 December), and mana whenua engagement will be undertaken on an ongoing basis throughout the duration of this project.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
No details	

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

N/A

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

N/A

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

N/A

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

Earthworks

Bulk earthworks will be required across approximately 30 hectares, being the majority of the 42.78ha site, to provide level platforms for development and form the sites and vehicular access required. The approximately 12.78 hectares of residual land for ecological restoration and to remain as farmland will not be required to be earthworked.

It is anticipated that standard erosion and sediment control measures will be employed throughout earthworks, in accordance with the relevant Auckland Council guideline document. A number of measures could be employed, including diversion bunds and contour drains to both divert clean water flows away from areas of earthworks and to direct runoff from earthworks to sediment retention ponds (if required). A detailed earthworks and erosion and sediment control design plan will be completed to address above matters.

As the topography of the site is predominantly flat land, no large scale areas of cut or fill will be required that may have adverse landscape effects in regard to landform. Notwithstanding, the Future Urban zoning of much the site area provides a clear signal that the planning framework for this project location anticipates change and transition from its current rural character to an urban environment.

There are no natural heritage overlays that apply over the site under the AUP, and the site is not located in an Outstanding Natural Landscape nor does it contain any Outstanding Natural Features. Overall, adverse effects from earthworks can be controlled through standard conditions, and any alterations to the landform of the existing rural area are anticipated to a large degree by the underlying Future Urban zone applied to the site.

Servicing and infrastructure

The infrastructure assessment prepared by Woods (attached as **Appendix 6**) confirms that the nature and level of development in this project can be sufficiently serviced in the future in respect of wastewater, water supply, energy and telecommunications. In terms of obvious constraints, Watercare have indicated that Council reticulation to the area is not scheduled to occur until 2048, and reticulated water supply will also not be provided until an unspecified later date. However, the Woods report makes a number of recommended solutions that are feasible to meet this shortfall in capacity, for both the short and medium term:

Wastewater

The Woods report confirms that the site is currently not serviced by any public wastewater network. There is proposed infrastructure provisioned for the development area as part of the Structure Plan, however this is not proposed until Stage 3 is developed after 2048. Several options are available for servicing the wastewater generated from the site in the interim, including:

1. progress with the consultation with WSL and discuss the requirements to bring forward the Auckland Council Structure Plan proposed infrastructure to provide a public connection to service the site;
2. on-site private wastewater treatment plant. Woods have evaluated a few options to be used as wastewater treatment plants (WWTP);

3. collection and transportation of wastewater from site using road transportation; and
4. interim measures to provide temporary treatment or conveyance to the public network that will be abandoned when the future public connection is constructed.

Whilst there are a number of options that are feasible and remain open to dispose of wastewater, the most likely and preferred option is the construction and operation of a private on-site wastewater treatment plant.

Water Supply

The site is currently not serviced by a public water network, as confirmed by the Woods report. The report notes that the water supply infrastructure included in the relevant Structure Plan includes a new pipeline from the south called "Orewa 3" to connect to the existing connection at Weiti Bridge in the Milldale Development area. The main solutions highlighted in the infrastructure assessment prepared by Woods include:

1. bring forward the Auckland Council Structure Plan public water supply network to service the site;
2. bring a public water supply pipeline from the existing Orewa 1 & 2 Watermains on East Coast Road via Wilks Road;
3. onsite solutions including bore; or
4. on site methods, such as recycling water.

Currently, the most likely interim and preferred solution would be on site solutions such as a bore, water reclamation, or rainwater harvesting from roof areas, or a combination of these approaches. This will be confirmed at a later time. Overall however, the report by Woods has confirmed there are a number of viable solutions to providing a water supply to the site.

Stormwater and flooding

The stormwater assessment by Woods (attached as **Appendix 7**) provides an overview of the proposed approach for the management of stormwater and flooding. The stage 1 assessment by Woods concludes there are no significant impediments with respect to stormwater matters, and any required stormwater management devices can be incorporated within the subject site. With reference to this assessment, the proposed approach is based on water sensitive design to deliver water quality, conveyance, hydrological and flood mitigation outcomes.

The site currently discharges to a twin culvert underneath SH1 located to the north, and attenuation devices are recommended in the Woods report to mitigate effects of development if required. Water quality can be addressed by raingarden, swale, wetland or other equivalent devices. To achieve equivalent hydrology to pre-development levels, retention and detention of stormwater and water sensitive design measures are recommended. These approaches will also be embedded in a Stormwater Management Plan (**SMP**) for the project area to ensure that development on site is consistent the stormwater management principles contained in Schedule 4 of the NDC, and to ensure that adverse effects are effectively mitigated.

Power and telecommunication

The infrastructure assessment by Woods confirms that currently 8 MVA can be supplied to site, however the proposed development may require up to 60 MVA. Alternative solutions have been investigated, including onsite means such as solar or wind turbine, and are considered feasible by Woods. Currently ADSL/VDSL network is present at the Dairy Flat Highway frontage. Fibre is not currently installed; however it has been indicated that this can be provided as part of the development's costs and would include reticulation of the fibre network through the development.

Geotechnical

The site is not subject to any known natural hazard or geotechnical instability (flooding hazard has been addressed as part of the overall stormwater assessment for the site). Given the site flat topography of the site, no large areas of cut and fill will be required. Building platforms for development will be flat in nature to reduce the risk from instability and erosion. It is intended that a further detailed geotechnical investigation will be undertaken at a future time that will specifically address natural hazards, geotechnical stability, including subsurface conditions and recommendations for building foundation design in the context of the final schematic design of structures. Given the lack of identified hazards and geotechnical constraints for the site, the site is considered generally suitable for the proposed development from a geotechnical perspective.

Transport

The transportation memo prepared by Flow (attached as **Appendix 8**) includes an Integrated Travel Assessment of the site and surrounding area in regard to this application and the area of development. The report notes that both Dairy Flat Highway and Postman Road have a posted speed limit of 80 km/h, with a road reserve width of 20 m. It also notes that there is a bus route that travels along Dairy Flat Highway which travels between Albany Station and Hibiscus Coast Station in Silverdale providing 10 services per day on weekdays, and there is a bus stop pair within 500 m of the site on Dairy Flat Highway. There are no footpaths or cycling facilities nearby. Overall, Flow considers that the proposal:

- Will generate between 150 to 300 vehicle trips per hour, of which will likely occur outside of peak commuter periods.
- That the traffic impacts of the Proposal will be able to be accommodated by the surrounding transport network.
- Can provide safe access onto the existing transport network and provide for safe access to the strategic transport network.
- Can provide a shuttle service that connects to the Hibiscus Coast bus station, providing sustainable transport modes for both staff and visitors to the park.
- Is aligned with Future Urban Land Supply Strategy and will integrate well with the Structure Plan, with regard to transport connectivity (particularly the east-west Collector Road) and does not preclude the long term transport corridor running north-south about the site.

Flow are of the view that the existing transport network, with a proposed intersection on Dairy Flat Highway into the site, will provide safe access and connectivity to the surrounding network. In conclusion. Flow do not consider there to be any transport matters that can be overcome to support the safe operation of the proposal from a transport perspective.

Ecology

The ecology memo by Bioresearches Limited (**Appendix 9**) identifies the extent of terrestrial and aquatic ecological features across the site and provides an overview of these values. In summary, the botanic and terrestrial fauna ecology values are assessed as very low as a consequence of historical farming land uses.

The terrestrial ecological patterns on the site consist of pasture grass and small pockets of mainly exotic trees, which provide a low quality of fauna habitat with limited diversity, structure and connection of vegetation. The report also identifies and assesses the overland flow paths present on the site, and classifies them all as only ephemeral. **No areas identified as natural wetland are identified on the site.** Overall, the main findings of the Bioresearches report are that the site currently holds little ecological value, and over 85,000m² of restoration is proposed around the stream which will provide for a significant biodiversity gain. It is therefore suggested there are no significant impediments to the proposed developments in regard to ecological matters.

Cultural values

AW Holdings 2021 Ltd are proactively engaging with Ngāti Manuhiri, Te Rūnanga o Ngāti Whātua, Te Kawerau a Maki and Ngāti Whanaunga in respect of the Auckland Surf Park Community project and Fast-Track application, including a site visit with three of the four interested mana whenua group confirmed on 6 December 2022. The project would not occur on land returned under a Treaty Settlement. The land is also not located within a Treaty Settlement Statutory Acknowledgement area. It is anticipated that engagement and consultation with all four iwi groups that have registered their interest in this project will continue throughout the life of the project.

Heritage and Archaeology

The site does not contain any known historic heritage or archaeological features. With regard to the wider area, a Historic Heritage Topic Report for the Structure Plan was produced for Auckland Council, dated October 2018 (Attached as **Appendix 10**). There are no currently scheduled historic heritage places in the study area. However, the report acknowledges the potential exists for further archaeological sites or other historic heritage places to be identified through additional research or survey. The report notes that areas likely to be of archaeological significance relating to pre-European Maori occupation are likely confined to coastal areas or navigable waterways such as the Wēiti River. The subject site is not coastal and does not contain any navigable waterways.

Overall, the report finds that there is a 'low or very low' likelihood of archaeological evidence of pre-European Māori occupation being found within the balance and majority of the study area south of the Pine Valley flats where the subject site is located. The report highlights that the reason for this is that this area has poor soils that would not have been attractive for Māori horticulture or settlement. The report also notes that much of the study area would have remained forest until the arrival of Europeans. The study finds that the wider area does not have a high concentration or number of identified historic heritage places. Whilst a more comprehensive site specific site assessment can be provided at a future time to conform the above, it is emphasised that if any sites of significance are encountered during development, the effects can be mitigated by way of the accidental discovery rule in the Auckland Unitary Plan and the archaeological provisions of the HNZPTA.

Greenhouse gas emissions

The proposal and applicants encourage the reduction in greenhouse gasses through a number of means. The surf park will use the most energy efficient wave generating system in the world, and the hourly energy consumption to create the waves is equivalent to that of a single quad chairlift on a ski field. It is the strong preference of the applicant to operate with 100% renewable sources, therefore solar energy generation is an integral component to this application. Waste heat energy transfer from the data centre will be utilised to heat the surf lagoon, to reduce energy and greenhouse gas dependence.

The development of the site also encourages energy efficient forms of transport, such as public transport, cycling and e-vehicles. These design factors should result in reduced private motor vehicle dependency and reduce the overall number of vehicle trips. It is also proposed to provide a shuttle service from the site to the nearest public transport interchange, to further encourage the use of public transport. Proximity to State Highway 1, and increased access through the Structure Plan for the area will ensure that opportunities for public transport options experience greater uptake in the future. Overall, these combined factors will alone and in combination represent strong steps toward reducing greenhouse gas emissions.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

National Policy Statement on Urban Development 2020 (NPSUD)

The proposal is consistent with the objectives and policies of the NPSUD as it will provide well-functioning urban environments that enable all people and communities to provide for their social, economic and cultural well-being (Objective 1, Policy 1). In particular, the project is a comprehensively planned, well connected development which will deliver a range of commercial, recreational and accommodation facilities, to contribute to a diverse and vibrant community. The development will provide more businesses and community services, and many employment opportunities located near State Highway 1 and public transport routes (Objective 3). Whilst this application would result in the early release of land that is largely zoned Future Urban, the proposal will significantly add to development capacity and contribute to a well-functioning urban environment that is consistent with Auckland Councils strategic planning documents (Policy 8). The unique nature of this integrated development will ensure that future urban environments develop and change over time in response to the diverse and changing needs of people, communities, and future generations (Objective 4).

National Policy Statement for Freshwater Management 2020 (NPSFM)

The purpose of the NPSFM is to provide local authorities with direction on how to manage freshwater under the RMA. In particular, the NPSFM seeks to ensure that:

- Tangata whenua are actively engaged in freshwater management and Maori freshwater values are identified and provided for (Policy 2);
- Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis (Policy 3);
- The health and well-being of degraded water bodies and freshwater ecosystems is improved (Policy 5);
- There is no further loss of extent of natural inland wetlands, their values are protected, and restoration promoted (Policy 6);
- The loss of river extent and values is avoided to the extent practicable (Policy 7); and
- Communities are able to provide for their social, economic and cultural wellbeing (Policy 15).

The proposal is consistent with the NPSFM, and in particular the relevant policies above. With respect to tangata whenua engagement (Policy 2), consultation has taken place and is ongoing with interested iwi authorities, and it is anticipated that this will facilitate involvement by tangata whenua in freshwater management.

In terms of managing stormwater in an integrated way (Policy 3) and improving the health of freshwater ecosystems (Policy 5), the recommended stormwater design approach for the development considers water sensitive design and includes a number of attenuation measures to ensure that freshwater is managed in an integrated manner and on a whole of catchment basis (as outlined in the Stormwater Report at **Appendix 7**). At and near-source water quality treatment is proposed to avoid and mitigate adverse effects on water quality, and hydrological mitigation will be provided for water quantity management of all impervious surfaces by retention and infiltration and the use of overland flow paths.

The proposal will not result in the loss of natural inland wetlands, as none are located on the site (Policy 6). Similarly, the proposal does not result in the loss of rivers or streams (Policy 7), and in fact seeks to enhance their natural character and water quality through vegetative ecological restoration. The proposal is also considered to provide for the social, economic and cultural-well-being of people and communities as it will deliver recreational facilities, energy generation, commercial and employment opportunities, while meeting the purpose of the NPSFM (Policy 15).

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

The purpose of the NESCS is to ensure that land affected by contaminants in the soil column is appropriately identified and assessed before it is developed (and remediated if necessary). Whilst no Preliminary or Detailed Site Investigations has been conducted at this stage, site walkovers and site history indicate that there is no obvious evidence of any HAIL activities having taken place on the site. The proposal is consistent with the intent of the NESCS. Should the project be accepted as a referred project under the Act, detailed site investigations will be undertaken to identify potential areas of contamination and a Remediation Action Plan will be prepared and implemented to ensure that the site is appropriately remediated to make the land safe for human use.

National Environmental Standards for Freshwater 2020 (NESF)

The NESF sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. In relation to the project, the NESF seeks to protect existing inland wetlands. The proposal is consistent with the intent of the NESF as the assessment above concludes that the project is consistent with the policy framework of the NPFM, given the project has been designed to protect and avoid direct impacts on freshwater

systems and wetlands that may be located on the wider area outside the site (refer to adverse stormwater and ecological effects assessments above).

The report prepared by Bioresearches (attached as **Appendix 9**) confirms that there are no natural wetlands within the site. With regard to Sections 54(a) and (b) of the NESF, there will be no earthworks or vegetation clearance within 10m of a natural wetland. The report observes that 'natural wetlands may be present within 100m of the site', in part because neighbouring sites have not been surveyed as part of this referral application process. This obviously does not confirm that there definitely are any natural wetlands on neighbouring sites, just that they have not been surveyed. Importantly, with regard to Section 54(c) of the NESF, the report notes that should stormwater be discharged or diverted within 100m of any wetland on a neighbouring property, the effects can be managed/mitigated effectively through ordinary stormwater and erosion and sediment controls.

Resource consent is not required under any other part of the NESF. Should the application be accepted as a referred project under the Act, further work will be undertaken to understand more clearly if consent is required under Section 54(c) of the NESF.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

Project’s economic benefits and costs for people or industries affected by COVID-19:

An Economic Impact Assessment by Property Economics (Attached as **Appendix 11**) has assessed the economic benefits and costs of the proposal in the COVID-19 environment. The Property Economics report finds that the total impact on Auckland’s business activity from the development over a 6-year period is estimated to be just over \$524m (NPV)³. The main findings of the report include:

- the direct impact on the Construction and Construction Services sectors associated with direct employment measure approximately 2,100 FTEs over 4 years;
- direct economic injection from construction and development phases equate to nearly ^{s 9(2)(b)(iii)}, with a total construction expenditure of nearly ^{s 9(2)(b)(ii)}
- there will be an ongoing regional operational contribution of (Surf Park and facilities only) approximately \$20m (2029 NPV);
- in terms of employment multipliers, the proposal would contribute around 1,180 jobs during the peak development and operation year within Auckland, with a total number of FTE years at approximately 4,280 over the same period to 2029. There will also be off-site regional employment of 170 FTE’s;
- the direct ongoing on-site operational employment is 50 FTEs for the Surf Park, 50 FTEs for the Commercial Space, 10 FTEs for the Solar Farm, and (up to) 90 FTEs for the data centre;
- on the basis of two additional years of operation for the Surf Park and facilities as a result of the Fast Track process, there will be an associated level of activity equivalent to just over ^{s 9(2)(b)(iii)} (NPV 2029) per annum and 170 FTE’s; and
- overall, the proposed Surf Park project represents a significant opportunity for the regional economy, and is unlikely to be replicated elsewhere in the region and so exemplify a unique opportunity for the economy.

While this assessment primarily addresses the initial development contribution to the regional economy, the proposed project will inevitably provide significant economic benefits to local economies that are unique (given the nature of the proposed development). The above benefits exist within a timeframe that is likely to see significant

uncertainty in development opportunities and a lower appetite for risk, impacting on both the construction and productive base of the regional economy.

Project's effects on the social and cultural wellbeing of current and future generations:

The project will result in positive effects on the social and cultural wellbeing of current and future generations (as addressed in detail in **Appendix 13** to this application), primarily by way of economic benefits at multiple scales. Whilst the direct economic impacts have been highlighted above and in the Economic Impact Assessment by Property Economics, the benefits include indirect economic impacts from factors such as increased spending brought about by business spending ad households and their employees who supply the development, while induced economic benefits are measured in terms of the additional income that will be spent in the area due to increased business activity. The report notes that these benefits exist within a timeframe that is likely to see significant uncertainty in development opportunities and a lower appetite for risk in the economy.

Project's effects on the social and cultural wellbeing of current and future generations:

The project will result in positive effects on the social and cultural wellbeing of current and future generations (as addressed in detail in **Appendix 13** to this application), primarily by way of economic benefits at multiple scales. Whilst the direct economic impacts have been highlighted above and in the Economic Impact Assessment by Property Economics, the benefits include indirect economic impacts from factors such as increased spending brought about by business spending ad households and their employees who supply the development, while induced economic benefits are measured in terms of the additional income that will be spent in the area due to increased business activity. The report notes that these benefits exist within a timeframe that is likely to see significant uncertainty in development opportunities and a lower appetite for risk in the economy.

The report also states that the proposal will have a public benefit through generating additional employment, present an opportunity to retain employment in the local region, improve the income levels of many households in the Auckland region, and therefore improve the economic, social and cultural wellbeing of both current and future generations. The surf park and associated facilities represent a unique opportunity to provide increased recreational amenity and attraction for Auckland, which in turn has an economic benefit that is relatively unique. The surf lagoon will provide a facility for both learners and experts to improve their surfing, as well as adaptive surfers, thereby having strong positive social effects. Surfing is a physical activity that requires mental concentration and breath control, which all have proven benefits for mental wellbeing. In terms of cultural benefits, a more accessible facility would allow an opportunity for Maori to reconnect with surfing or 'Whakahekeheke'.

Overall , the proposal will have a broad range of tangible social and cultural effects to a significant degree, and will provide for the social and cultural wellbeing of current and future generations.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

As illustrated in Figure 7 in **Appendix 1** and Table 2 in **Appendix 1**, the proposal is anticipated to be completed two years more quickly by using the processes provided by the Act than would otherwise be the case, with the commencement of civil works scheduled for Q4 2023. Using the processes provided by the Act will bring forward employment opportunities and economic stimulation by 2.5 years, thereby meeting the intention of the legislation.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

Employment/job creation:

As outlined in the Economic Impact Assessment by Property Economics (Attached as **Appendix 11**), The Economic Impact Assessment by Property Economics has estimated that the project will create a direct impact on the

Construction and Construction Services sectors associated with direct employment measure of approximately 2,100 FTE years. In terms of employment multipliers, this would contribute just over 1,180 FTEs during the peak development and operation year within Auckland, with a total number of FTE years at nearly 4,280 over the 6-year development period.

In relation to an estimated non-FastTrack application, following the Fast Track process would result in an additional \$100m (NPV) and 900 FTE's (a large proportion of which results from early operations) over the same period to 2029. This supports a key FastTrack Act purpose of resulting in a public benefit through generating additional employment (s19(d)(i)), and provides the opportunity for job growth and retention within and between the local economy.

Housing supply:

The project does not involve the delivery of residential housing supply. Therefore, this is not applicable.

Contributing to well-functioning urban environments:

The project has been comprehensively designed to be a well-functioning urban environment, with multiple different complementary components that make up the overall development. It has strong vehicular and active transport connections both within the development, and with the connections envisaged by the Structure Plan and the Indicative Rapid Transit Network Corridor and Strategic Cycle Connection within this plan. It is also located within proximity to State Highway 1 and existing and planned public transport services. Overall, the mix of use of complementary activities contribute to a diverse and well-functioning social and cultural urban environment. As the report by Property Economics notes, the proposal will provide economic benefits and notably employment benefits, enhancing the functionality of the Dairy Flat environment and surrounding areas.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The project includes only small transport infrastructure upgrades to provide access points to the site, and any increased demand on existing Council infrastructure can be incorporated through existing capacity or planned future upgrades. As a result, the proposal does not require any major infrastructure installation or off-site upgrades to the surrounding road network.

The infrastructure within the site will be fully funded and established by AW Holdings 2021 Ltd. It is noted however, that the establishment of a roading network within the site that will connect with the existing road network in close proximity to State Highway 1 will provide for a safe and efficient transport network that will decrease transport and commuting times, and thereby increase the productivity for employees and users of the development as well as existing road users in the surrounding environment. A likely increase in public transport options facilitated by an improved road network will also contribute to improved environmental outcomes by the use of more sustainable travel modes and a reduction in carbon emissions. Coupled with local employment opportunities in the development area, this will create a development that reduces the reliance on private vehicle use and improves environmental outcomes.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The project will likely improve environmental outcomes for freshwater quality as it will remove historical farming activities from the land and treat stormwater from new impervious areas to a high level. The project will adopt water sensitive stormwater management approaches which will work to preserve, protect and enhance streams within the site. Water quality treatment will be provided to eliminate and minimise generation of contaminants and hydrological management will reduce potential for in-stream erosion.).

Overall, the site has very low indigenous biodiversity values, and no significant native vegetation removal or ecological modification is required. The proposal includes a large area of native landscape planting that will increase the net biodiversity values of the site.

Minimising waste:

AW Holdings 2021 Ltd recognises the importance of minimising waste and avoiding unnecessary use of resources, and have their own sustainability and environmental policies in place. This requires that AW Holdings Limited and their contractors seek ways to improve efficiency in procurement and in the supply chain, and to reduce the amount of construction waste that goes to landfill, and reuse and recycle where appropriate.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

AW Holdings 2021 Ltd have a long term commitment to operate in accordance with sustainable principles, reduce greenhouse gas emissions and to operate in an environmentally responsible fashion. The company philosophies are to:

- Operate with sustainable procurement principles and a sustainable supply chain.
- Plan to reduce the production of greenhouse emissions.
- Minimise energy and water consumption.
- Reduce construction waste and reuse, recycle, create and circulate.

AW Holdings 2021 Ltd propose to apply these overarching sustainability principles and philosophies to this current Fast Track project, which are considered will positively contribute to New Zealand's efforts to mitigate climate change.

Promoting the protection of historic heritage:

As noted in Part VII above, the Historic Heritage Topic Report for the Structure Plan (attached as **Appendix 10**) confirms that there are no readily identified archaeological features within this site. The site has a long history of pastoral agricultural land use since European settlement, and the lack of navigable waterways means it is unlikely the site has experienced significant or identifiable Maori settlement. It is noted however those archaeological methods cannot detect sites of significance to Maori, and at this point none of the four iwi groups have provided formal feedback on the proposal at this point. It is noted that the site is covered by the accidental discovery protocols of Pouhere Taonga for archaeological sites, taonga and koiwi tangata.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

The site is not subject to any identified natural hazards, nor is it located in a coastal environment. The project has been designed to account for the effects of flooding hazards and climate change, with stormwater measures designed to prevent flooding on the site and in downstream locations. These measures are confirmed by the expert report provided by Woods that addresses flooding and stormwater (attached as **Appendix 6**).

Other public benefit:

The project will boost employment opportunities in the construction sector which has been identified as one of the key sectors in assisting with the social and economic recovery of COVID-19. As identified above, it will have a wide range of important social, cultural and health benefits as well. In addition, the development will provide a high quality, activated recreational facility area that will provide a sense of identity, a sense of place, and be a focal point for the community. This is considered to be complementary to existing recreational facilities in the wider area, such as 'Snow Planet' that are located nearby. Other public benefits include:

- By providing a controlled and supervised environment where wave height and frequency can be adjusted, it provides an ideal learning environment to attract new people to the sport of surfing, or to help learners

improve in a much shorter time span than they might in the ocean. Learners are also able to benefit from a much higher 'wave count', or waves caught in a particular period of time. There is also less chance they will be fatigued through excessive paddling, which affects performance, also making for a safer experience than ocean surfing. Surf breaks can also be crowded and intimidating places for beginner and intermediate surfers, so a controlled environment automatically gives beginner surfers reassurance and confidence.

- For similar reasons to the above, a man-made surfing facility is also ideal for adaptive surfers to access the sport in a safe and controlled manner. This has significant positive social benefits for surfers or beginners who may be physically or visually impaired, and overall increases the inclusive profile of the sport.
- In regard to inclusivity, a man-made surfing lagoon presents an opportunity for young people from across a broad range of socio-economic backgrounds to participate in surfing, through schools, youth groups and other organisations. Such a facility means that participants do not necessarily need to own a private motor vehicle or holiday home near the sea. This ensures that social effects are spread across the entire community, and not limited to one particular group.
- In terms of cultural benefits, a more accessible facility would allow an opportunity for Maori to reconnect with surfing or 'Whakahahekeheke', which was an observed feature of Maori life at the time of European arrival (as it was in wider Polynesian culture throughout the Pacific). In a broader sense, it also offers people with an avenue to access or experience 'surf culture'; which spans fashion, music, linguistics, lifestyle, and even environmentalism and spirituality, which can often appear to outsiders as exclusive.
- For intermediate/advanced surfers, a man-made surfing facility also has significant positive benefits. Aside from providing a consistent and predictable wave and wave frequency, wave generation is not dependent on irregular and changeable swell patterns, weather, wind, tides or daylight. The project's location at Dairy Flat also means that surfers are not faced with long drives north of Auckland, or South to the East or West coasts of the North Island to access surf.
- Surfing is also an active sport, so as a recreation facility, it will also offer an opportunity to improve people's fitness, strength and physical wellbeing. Surfing has also long been considered a method of improving people's mental wellbeing. Surfing is a physical activity that requires mental concentration and breath control, which all have proven benefits for mental wellbeing.
- Spark have indicated that the proposed data centre is well located from a strategic perspective, being to the north of Auckland. Spark have also noted that there is limited land availability in the wider Auckland market that is suitable for the Data Centre from a strategic location perspective, and also having appropriate technical characteristics.

Whether there is potential for the project to have significant adverse environmental effects:

It is considered that the proposal will not have any significant adverse environmental effects. The adverse effects assessment at Part VII and supporting technical memos confirm that potential adverse effects of the project can all be avoided, managed or remedied.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

All stormwater modelling prepared to date for this project by Woods has taken into account the long-term effects of climate change. The site is not located within proximity to the coast. The stormwater management approach for the site takes into account climate change, with flood modelling scenarios and stormwater events having been undertaken taking into account future rainfall and climate change scenarios. There are no known other natural hazards that are applicable to the site, or latent hazards that could be exacerbated through climate change. Overall, the proposal is designed to reduce dependency on private motor vehicles and encourages the residential population of this catchment to take up more sustainable modes of public transport, thereby reducing greenhouse gas emissions, to ensure that the chances of the project being affected by climate change and resulting natural hazards would be minimal.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
Auckland Council	No compliance and/or enforcement actions have been taken against AW Holdings 2021 Ltd by a local authority under the RMA. This also applies to the shareholders of the applicant and their principals.

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Nick Roberts

24/11/2022

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance,

disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

Yes	Correspondence from the registered legal land owner(s)
Yes	Correspondence from persons or parties you consider are likely to be affected by the project
Yes	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
Yes	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
Yes	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.