

Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



BRF-2762

AW Holdings 2021 Limited
c/- Nick Roberts
Director
Barker and Associates Limited
s 9(2)(a)

Dear Nick Roberts

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Auckland Surf Community Project

Thank you for AW Holdings 2021 Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Auckland Surf Park Community Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to construct and operate a surf park at 1350 Dairy Flat Highway, Silverdale, Auckland including operational buildings, 40 visitor accommodation units, a 20-unit wellness retreat, a restaurant, data centre and 7-hectare solar farm to provide power to the surf park. The project will include construction of infrastructure for three-waters services, roading, site access and parking, landscaping and planting, and revegetating a stream corridor.

The purpose of the FTCA is to 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.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by creating approximately 2100 full-time equivalent (FTE) jobs over a 4-year design and construction period and 200 ongoing FTE jobs
2. contribute to social wellbeing by providing opportunities for active recreation and enhancing the ecological values of streams and wetlands

3. progress faster under the FTCA than would otherwise be the case under standard RMA processes.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the persons and groups, additional to those specified in clause 17 Schedule 6 of the FTCA, who are listed in Appendix A of this letter.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Ngātiwai Trust
2. Ngāti Manuhiri Settlement Trust
3. Ngāti Whātua Ōrākei Trust Board

4. Ngāti Whātua Ōrākei Trustee Limited.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Arts, Culture, and Heritage; Māori Crown Relations: Te Arawhiti; Housing; Infrastructure; Education; Transport; Land Information; Defence; Treaty of Waitangi Negotiations; Local Government; Conservation; and Climate Change

Additional relevant Minister:

Minister for Sport and Recreation

Local authority:

Auckland Council

Other parties:

Auckland Transport
Watercare Services Limited
Waka Kotahi New Zealand Agency
Ngātiwai Trust
Ngāti Manuhiri Settlement Trust
Ngāti Whātua Ōrākei Trust Board
Ngāti Whātua Ōrākei Trustee Limited.

Relevant iwi authorities:

Ngā Maunga Whakahii o Kaipara Development Trust
Te Kawerau Iwi Settlement Trust
Ngāi Tai ki Tāmaki Trust
Ngāti Paoa Iwi Trust
Ngāti Paoa Trust Board
Te Ākitai Waiohū Iwi Authority
Ngaati Whanaunga Incorporated Society
Ngāti Maru Rūnanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohū
Te Rūnanga o Ngāti Whātua

Relevant Treaty settlement entities:

Ngā Maunga Whakahii o Kaipara Development Trust
Te Kawerau Iwi Settlement Trust
Ngāi Tai ki Tāmaki Trust
Ngāti Paoa Iwi Trust
Te Ākitai Waiohua Settlement Trust
Ngaati Whanaunga Ruunanga Trust
Ngāti Maru Rūnanga Trust
Ngāti Tamaterā Treaty Settlement Trust

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to referral of the Auckland Surf Park Community project

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any consent application for the project from the following additional persons or groups:

- Minister for Sport and Recreation
- Auckland Transport
- Watercare Services Limited
- Waka Kotahi New Zealand Transport Agency
- Ngātiwai Trust
- Ngāti Manuhiri Settlement Trust
- Ngāti Whātua Ōrākei Trust Board
- Ngāti Whātua Ōrākei Trustee Limited