

# 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)

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](mailto: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: Knight Investments Ltd

Contact person: Daniel Nakhle

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address: 420 Airfield Road, RD 2, Papakura

### Address for service (if different from above)

Organisation: Russell McVeagh

Contact person: Daniel Minhinnick / Patrick Senior

Job title: Partner / Senior Associate

Phone: s 9(2)(a)

Email: s 9(2)(a)

s 9(2)(a) m

Email address for service: s 9(2)(a)

Postal address: Vero Centre, 48 Shortland Street, Auckland 1140

## 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 / location:

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

Te Puru Business Park will be located at 885 Whitford-Maraetai Road and 867 Whitford-Maraetai Road ("Site"). Manukau Quarries Limited Partnership currently operates a quarry at 885 Whitford-Maraetai Road, but quarrying activities are nearing completion and rehabilitation works are already underway on part of the Site. 867 Whitford-Maraetai Road is currently used as a lifestyle block. The titles comprising the Site and subject of this application are shown below in **Figure 1**.



**Figure 1: Locality plan, with Te Puru Business Park outlined red.**

Legal description(s):

Lot 2 DP 54701 and Lot 2 DP 203289 held in certificate of title NA131D/767  
SEC 2 SO 487740 held in certificate of title 709887.

Copies of the Records of Titles are included as **Schedule 1**.

Registered legal land owner(s):

All parcels comprising the Site are owned by Manukau Quarries Limited Partnership.

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 relationship between Knight Investments Limited and Manukau Quarries Limited Partnership is that they are both within the Nakhle Group of companies ([www.nakhlegroup.co.nz](http://www.nakhlegroup.co.nz)) which includes property development and industrial, commercial and residential construction and investment, early childhood education, tertiary education, hospitality, quarrying, farming, horse training and breeding. Mr Daniel Nakhle is a director / partner and beneficial shareholder in both entities.

## Part III: Project details

Project name: Te Puru Business Park

Project summary:

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

The scope of the project is to develop a light industrial business park at 867 and 885 Whitford-Maraetai, Auckland. The project will involve the following activities:

- earthworks up to a maximum of 50,000m<sup>3</sup> to create an access road and building platforms;
- works to construct a new internal roading network and service infrastructure;
- works to construct new industrial buildings up to a maximum footprint of 4,500m<sup>2</sup> on 10,200m<sup>2</sup> of hardstanding;
- works to construct new yard based industrial areas up to a maximum of 17,500m<sup>2</sup> with an additional 500m<sup>2</sup> of buildings (maximum building footprint);
- works to relocate existing water treatment and supply services and to construct a new wastewater treatment plant (including an additional building up to a maximum area of 1,000m<sup>2</sup> to house the plant), and associated infrastructure; and
- works to realign and naturalise a watercourse.

#### 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.

The Site currently contains an active quarry (involving concurrent rock extraction and pit remediation via a managed fill), rock processing yard, and associated office buildings. The site also contains activities associated with the extraction, treatment and commercial supply of water.

The project involves the construction of an industrial business park called Te Puru Business Park ("**Project**"). The Project will create a place for local employment in an urban fringe setting with a landscaped environment that blends with the surrounding farms and the Te Puru Stream reserve area. (Note that Te Puru Stream is also known as Te Ruangaingai Stream.) The total area of the quarry landholding is approximately 9.1141 hectares. The Project will comprise: 4,500m<sup>2</sup> of light industrial warehousing set on 10,200m<sup>3</sup> of hardstand with car parking and access; 17,500m<sup>2</sup> of yard-based industrial activities (with an allowance for up to 500m<sup>2</sup> for buildings associated with these uses); 1,560m<sup>2</sup> of land for a wastewater treatment facility and an allowance for a 1,000m<sup>2</sup> building to house the facility; a new internal access road, installation of services, and onsite planting.

If fast track consent is granted, then construction of the Project is anticipated to create 345 FTEs with a total impact on business activity in Auckland in the order of \$40.3 million. Importantly, these jobs will be created in Beachlands, which currently has an undersupply of employment opportunities. This causes many Beachlands residents to travel long distances for work, which can create significant traffic issues.

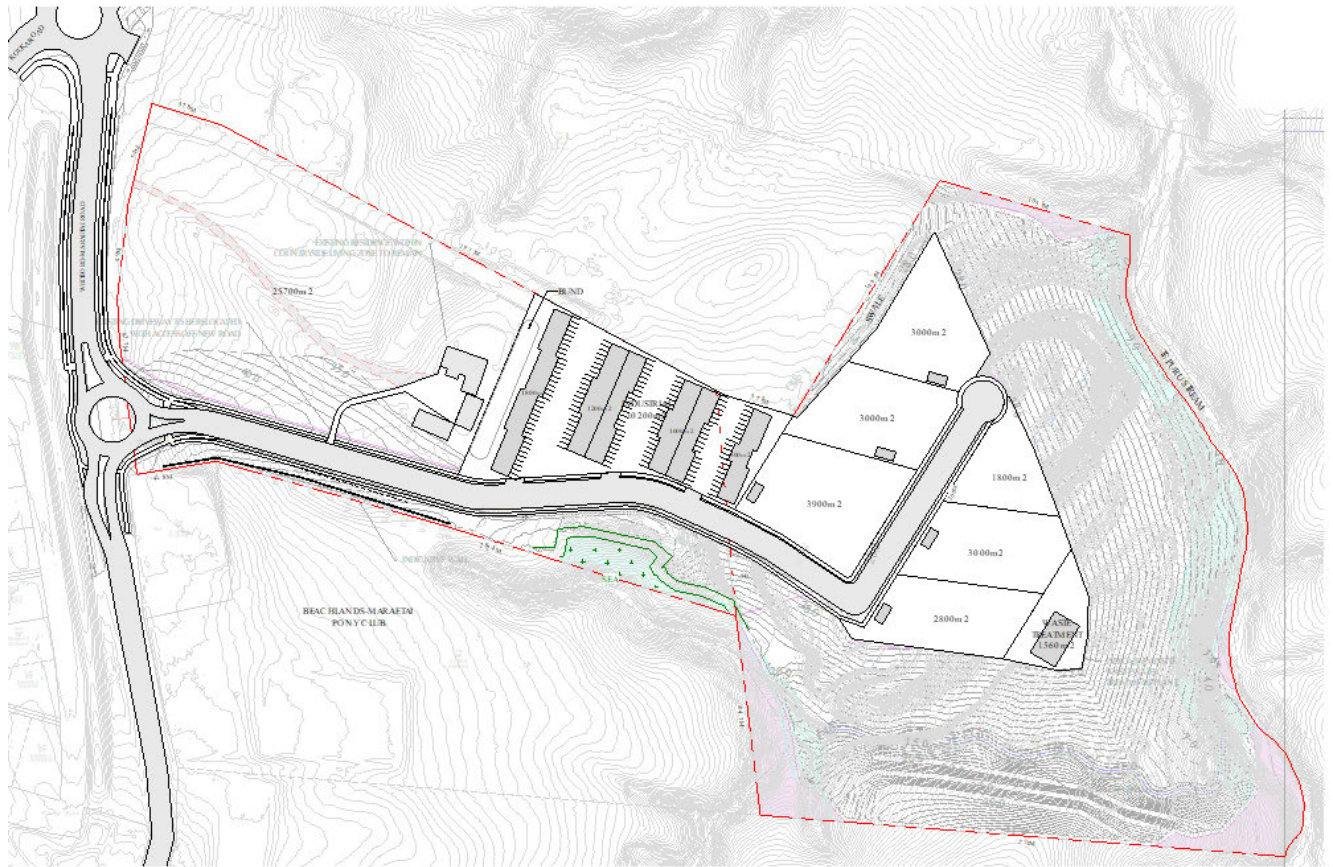
The Project will be completed in two stages. The layout of the first stage is shown in **Figure 1** below. The first stage (which could commence immediately upon grant of consent subject to timing of the earthworks season) will consist of:

- Earthworks and creation of the roading (including the roundabout), which would commence in the first earthworks season following grant of consent. (Earthworks would need a maximum of one full earthworks season.)
- 3,000m<sup>2</sup> of Stage 1 industrial buildings (ie the first two blocks) would have construction completed within the first 12 months following earthworks.
- The remaining 1,500m<sup>2</sup> of Stage 1 industrial buildings would be completed (ie the last two blocks) within 18 months following earthworks.
- The Stage 1 (see Figure 1) yard spaces would be available immediately following the completion of earthworks and roading.
- The wastewater treatment plant will also be established in Stage 1 (although in a temporary location).

**Schedule 2** includes a range of high resolution plans and drawings of the Project.







**Figure 2: Proposed layout of the Project following completion of Stage 2.**

The eastern and central portions of the Site are likely to contain deep / variable depth non-engineered materials used to fill the quarry pit. While the managed fill will be compacted in accordance with NZS4431:2022 Engineered Fill Construction for Light Weight Structures, the area will likely be affected by long term consolidation settlement. This part of the Site is therefore only suitable for yard base use. Yard base use may comprise unsealed hardstanding yards for low stacking storage, nurseries, vehicle parking, or other such use that does not involve the creation of large paved surfaces and/ or substantial buildings (although portacombs or similar would be appropriate).

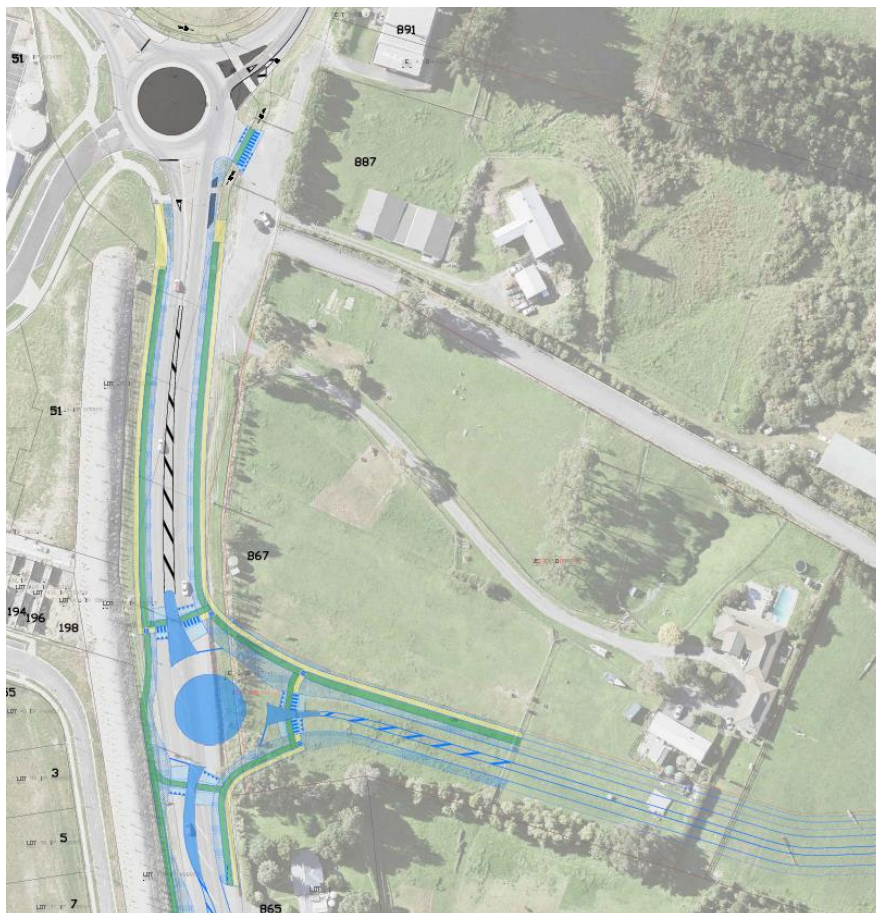
The western portion of the Site is located on competent natural deposits and is considered suitable for light industrial or commercial buildings (ie single storey structures with or without timber mezzanine floors, comprising reinforced concrete block or tilt panel boundary walls, lightweight roofing and cladding elements fixed to timber or steel portal or truss frames with reinforced concrete floor slabs on grade) incorporating shallow strip and/or pad foundations.

Construction works for Stage 1 can begin almost immediately (subject to earthworks seasons). The construction of the Stage 2 yard bases will need to await the rehabilitation of the quarry pit.

The Applicant already holds resource consent authorising managed filling and rehabilitation of the pit. On rehabilitation of the quarry, that part of the Site will be left at the required finished levels of the proposed development. The timing of the Project is addressed below at Part III.

In terms of access, the Site is immediately adjacent to the Whitford-Maraetai Road/Beachlands Road/Kouka Road roundabout which is the main entrance to the Beachlands township. The roundabout currently provides access to the Manukau Quarry via a slip lane and an accessway. A new roundabout is proposed on Whitford-Maraetai Road to the south of the existing roundabout to provide new access to the Site. The development would be serviced via a new access road (which would likely be privately owned, but will be constructed according to Auckland Transport design standards). A plan of the new roundabout and access road are provided below in **Figure 3**.

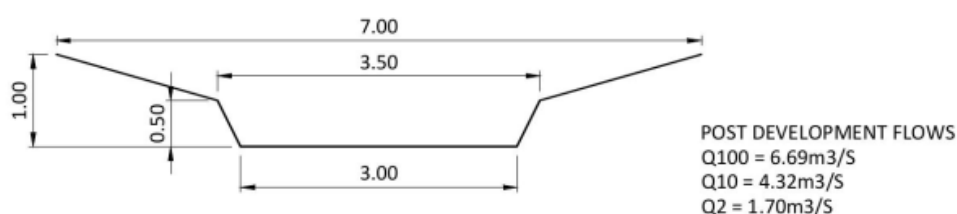
The Applicant has contacted Auckland Transport regarding the new roundabout and access road. The Applicant anticipates that it will have ongoing discussions as part of the pre-application stage to discuss the various access options and seek to agree the optimal outcome with Auckland Transport.



**Figure 3: Proposed roundabout on Whitford-Maraetai Road and access road.**

On top of the already consented works to fill the existing quarry pit, the Applicant will undertake an additional 50,000m<sup>3</sup> of bulk earthworks (approximately) across the Site including to form the new access road over a length of approximately 190m and an area of approximately 1.1 hectares. Engineering fill material will be imported from off site to meet the fill volume within the site. The earthworks are proposed to be undertaken in a single stage over one earthworks season, with an anticipated maximum time frame of six months.

A tributary of Te Puru Stream (“**Pony Club Creek**”) enters the Site from the south-western boundary. As part of the existing quarry consent the Pony Club Creek must be reinstated to an alignment located approximately 20m within the southernmost Site boundary. While the stream rehabilitation works fall under the existing suite of quarry consents, the Project proposes to realign the Pony Club Creek via earthworks along the southern boundary of the Site. Preliminary design for the Pony Club Creek has been designed to cater for the 1% AEP flow of 6.69m<sup>3</sup>/s for the upstream catchment in accordance with the Auckland Council Code of Practice for Land Development and Subdivision, Chapter 4 – Stormwater requirements. The preliminary design includes a 3m wide base and a depth of 1m as shown below in **Figure 4**.



**Figure 4: Diagram showing Earthworks Option.**

In terms of three waters infrastructure:

- The Project includes its own wastewater treatment plant. Wastewater will be treated on site by a Membrane BioReactor (MBR) system (or similar). The final design of the wastewater solution would comply with the requirements of GD06 On-site Wastewater Management in the Auckland Region. Trade waste flows when known will be added to this, but it is expected to be within the capacity of the proposed pipe network and WWTP. Each proposed development area will be provided with a connection to the reticulated wastewater network at the time of creation. The final design of this network and the connections will form part of the design and consenting process. Figure 1 shows an indicative location of the onsite wastewater treatment plant. Note that this is shown in a location assuming the Site is fully built out. The wastewater treatment plant will be containerised and able to be expanded and/or relocated in the instance where – due to development staging – it would be better to be smaller and/or situated closer to initial stages of development (for example closer to Whitford Maraetai Road).
- Water will be provided on site via an existing bore and water treatment plant.
- There is no existing stormwater network covering the Site. The Project will deploy a range of on site stormwater management techniques in adherence with the relevant Auckland Council standards / codes of practice.

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

We have set out above the staging of the Project. In summary:

- Enabling earthworks: Earthworks would be carried out immediately upon the grant of consent (subject to the earthworks season). This would be expected to be completed within a full earthworks season (and could be split across two earthworks seasons). On the basis of consent being granted by the end of 2023, the earthworks could be completed by mid-late 2024.
- Stage One:
  - The Stage One (see Figure 1) yard spaces would be available immediately following the completion of earthworks and roading.
  - 3,000m<sup>2</sup> of Stage One industrial buildings (ie the first two blocks) would have construction completed within the first 12 months following earthworks. Based on the timing above, this would be completed by late 2025.
  - The remaining 1,500m<sup>2</sup> of Stage One industrial buildings would be completed (ie the last two blocks) within 18 months following earthworks. Based on the timing above, this would be completed by the mid-2026.
  - The wastewater treatment plant will also be established in Stage One (in a temporary location).
- Stage Two: This involves constructing the three eastern most industrial yard spaces together with permanent siting of the wastewater treatment plant. Based on the timing above, Stage Two would be completed by late 2026-early 2027.

## Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

- ☐ **Land-use consent**
- ☐ **Water permit**



- ☐ Subdivision consent
- ☐ Discharge permit
- ☐ Coastal permit
- ☐ Designation
- ☐ Alteration to designation

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.

The Site is subject to the Auckland Unitary Plan (Operative in Part) ("AUP"). Maps of the zoning and overlays are provided as **Schedule 3**. The site is zoned as:

- SEC 2 SO 487740: Rural-Countryside Living Zone; and
- Lot 2 DP 54701 and Lot 2 DP 203289: Rural-Countryside Living Zone & Special Purpose - Quarry Zone.

The Applicant has retained Tollemache Consultants Ltd to provide planning advice. Tollemache Consultants Ltd have undertaken an assessment of the objectives and policies applying to the Project. This full planning assessment is available on request, and confirms that although the Project would not be entirely consistent with all of the Quarry Zone, Whitford Precinct or Countryside Living Zone objectives and policies, the Project is consistent with a range of other objectives and policies specifically but not limited to, provision of infrastructure, land modification being undertaken in accordance with best practice, suitable measures for stability, traffic safety, management of hazards, discharges being managed to accord with best practice, enhancement of ecological values, and retention of rural character for surrounding areas through onsite landscaping. Any areas of inconsistencies are not considered detrimental to the success of the application.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 2 DP 54701 and Lot 2 DP 203289	AUP	Rural-Countryside Living Zone & Special Purpose - Quarry Zone	Natural Resources: Significant Ecological Areas Overlay - SEA_T_432, Terrestrial  Infrastructure: Quarry Buffer Area Overlay  Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise	Whitford sub-precinct B, Sub-precinct
709887	AUP	Rural-Countryside Living Zone	Infrastructure: Quarry Buffer Area Overlay	Whitford sub-precinct B, Sub-precinct

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
<b>National Environmental Standards</b>				
Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2022	Reg 54	Earthworks, diversion of water and discharge of water into water outside, but within 100m setback, from a natural inland wetland	<b>Non-complying</b>	Areas within 100m of a natural wetland
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("NESCS")	Regulation 11	Disturbance of soil where there is no detailed site investigation	<b>Discretionary</b>	Entire site
<b>Auckland Unitary Plan ("AUP")</b>				
Chapter E39 – Subdivision (Rural)	E39.4.1 (A8)	Subdivision of land within a natural hazard area (1% AEP, land subject to instability; Coastal Inundation + sea level)	<b>Restricted Discretionary</b>	For land adjacent to Whitford Maraetai Road to accommodate vesting of any extra road reserve
	E39.4.1 (A9)	Subdivision not meeting the relevant standards	<b>Discretionary</b>	
	E39.4.2 (A15)	Subdivision in the Rural-Countryside Living Zone not complying with Standard 39.6.5.2	<b>Non-complying</b>	
	E39.4.4(30)	Subdivision in Special Purpose – Quarry Zone that is not provided for in Table E39.4.1	<b>Discretionary</b>	
Chapter H19 – Rural – Countryside Rural Zone	H19.8.1(A37)	Garden/Plant Centre	<b>Non-Complying</b>	That part of Lot 2 DP 54701 and Lot 2 DP 203289 zoned Countryside Living
	H19.8.1(A40)	Storage and Lock up Facility (Boat/Caravan/Tractor/Truck Storage Yard)	<b>Non-Complying</b>	
	C1.7	Activities not provided for: i.e. "Light Industrial Type" Activities <ul style="list-style-type: none"> <li>- Automotive Service/Repairs;</li> <li>- Tyre Shops;</li> <li>- Panel beaters;</li> <li>- Steel/Engineering workshops;</li> <li>- Rural/Outdoor Equipment Sales/workshop; and</li> <li>- Building Supplies Yard;</li> <li>- Landscape Supplies Yard.</li> </ul>	<b>Discretionary</b>	
	C.1.9	Development standard infringements: <ul style="list-style-type: none"> <li>- H19.10.3 Minimum yard setback</li> </ul>	<b>Restricted Discretionary</b>	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter H28 – Special Purpose – Quarry Zone	C1.7	Activities not provided for: i.e. “Light Industrial Type” Activities <ul style="list-style-type: none"> <li>- Automotive Service/Repairs;</li> <li>- Tyre Shops;</li> <li>- Panel beaters;</li> <li>- Steel/Engineering workshops;</li> <li>- Rural/Outdoor Equipment Sales/workshop;</li> <li>- Garden/Plant Centre;</li> <li>- Boat/Caravan/Tractor/Truck Storage Yard;</li> <li>- Building Supplies Yard; and</li> <li>- Landscape Supplies Yard.</li> </ul>	<b>Discretionary</b>	That part of Lot 2 DP 54701 and Lot 2 DP 203289 zoned Quarry Zone
	H28.4.1(A14) and (A15)	Land Disturbance greater than 2500m2 and 2500m3	<b>Controlled</b>	
Chapter I441 Whitford Precinct	I441.4.1 (A3)	Buildings or accessory buildings located within the specified building area identified in a plan of subdivision.	<b>Permitted</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	I441.4.1 (A6)	Buildings or accessory buildings located outside the specified building area.	<b>Restricted Discretionary</b>	
	I441.4.1 (A8)	Application for a specific building area	<b>Discretionary</b>	
	I441.4.1 (A11)	Subdivision which does not meet the standards in E39 Subdivision – Rural and the Whitford Precinct subdivision standards	<b>Non-Complying</b>	For land adjacent to Whitford Maraetai Road to accommodate vesting of any extra road reserve
	I441.6.4(3)	Where the CT does to have an attached consent notice specifying a building area, all buildings are discretionary activities	<b>Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	C.1.9	Development standard infringements: I441.6.2 Yards; I441.6.3 Building Coverage; I441.6.4 Buildings and Accessory Buildings.	<b>Restricted Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E3 Lakes, rivers, streams and wetlands	E3.4.1 (A10)	Diversion of a river or stream to a new course and associated disturbance and sediment discharge, outside of overlays.	<b>Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter E5 Onsite and small scale wastewater treatment and disposal	E5.4.1 (A6)	Discharge of treated domestic-type wastewater and wastewater (excluding trade waste) that does not meet the relevant standards or is not provided for by any other rule in the Plan.	<b>Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E7 Taking using, damming and diversions of water	E7.4.1 (A13)	Diverting surface water not otherwise listed or meeting the standards	<b>Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	E7.4.1 (A26)	Taking and use not otherwise listed or meeting the standards	<b>Discretionary</b>	
	E7.4.1 (A28)	Diversion not otherwise listed or meeting the standards	<b>Discretionary</b>	
Chapter E8 - Stormwater – Discharge and Diversion	E9.4.1(A10)	All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	<b>Discretionary</b>	Whole site
Chapter E11 – Land Disturbance Regional	E11.4.1 (A8)&(A9)	Earthworks greater than 2,500m <sup>2</sup> within the sediment control protection area and on land that has a slope equal to or greater than 10 degrees, in the Rural - Countryside Living zone	<b>Restricted Discretionary</b>	Whole site
Chapter E12 – Land Disturbance District	E12.4.1 (A6)&(A10)	Earthworks greater than 2,500m <sup>2</sup> and 2,500m <sup>3</sup> in the Rural - Countryside Living zone	<b>Restricted Discretionary</b>	
	C1.9	Non-compliance with General standards listed in E12.6.2	<b>Restricted Discretionary</b>	
Chapter E15 Vegetation Management	E15.4.1 (A16)	Vegetation Removal within 20m of a rural stream	<b>Restricted Discretionary</b>	Areas within 20m of a stream
	E15.4.1 (A16)	Vegetation Removal within 20m of a wetland	<b>Restricted Discretionary</b>	Areas within 20m of a wetland
Chapter E25 Noise and Vibration	E25.4.1(A2)	Construction works that do not comply with the permitted standards for noise and/or vibration	<b>Restricted Discretionary</b>	Whole site
Chapter E27 Transport	E27.4.1(A2)	Parking and access which is an accessory activity but does not comply with the standards.	<b>Restricted Discretionary</b>	Whole site
	E27.4.1(A3)	Any activity or subdivision which exceeds the trip generation standards <i>(10,000m<sup>2</sup> GFA Industrial activities)</i>	<b>Restricted Discretionary</b>	Whole site
	E27.4.1(A5)&(A6)	Construction, use and establishment of new activity where the vehicle crossing access restriction applies	<b>Restricted Discretionary</b>	Whole site



Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter E30 – Contaminated Land	E30.4.1 (A7)	Discharge of contaminants not meeting the controlled activity standards	<b>Discretionary</b>	Whole site
Chapter E33 – Industrial and Trade Activities	E33.4.2 (A18)	Discharge of contaminants from a new industrial or trade activity area listed as moderate risk in Table E33.4.3 where the permitted discharge standards are not met.  <i>NB: Applies to Motor Vehicle Service Facilities; and Treated Timber Storage (i.e. Building Supply Yard)</i>	<b>Controlled</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E26 - Infrastructure	E26.2.3.1 (A54)	Wastewater treatment plants	<b>Restricted Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	E26.2.3.1 (A53)	Water Treatment plants	<b>Restricted Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E36 – Natural Hazards	E36.4.1(A29)	Storage of Hazardous Substances in the 1% AEP  <i>(from industrial type activities i.e. auto repairs/engineering workshops)</i>	<b>Restricted Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	E36.4.1(A30)	On-site wastewater treatment and disposal systems in the 1% AEP	<b>Restricted Discretionary</b>	
	E36.4.1 (A37)	New structures and buildings in the 1% AEP	<b>Restricted Discretionary</b>	
	E36.4.1 (A41)	Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	<b>Restricted Discretionary</b>	
	E36.4.1 (A42)	Any buildings or other structures, including retaining walls located within or over an overland flow path	<b>Restricted Discretionary</b>	
	E36.4.1(A46)	Storage of Hazardous Substances which may be subject to land instability  <i>NB: Precinct plan identifies portion of site has a gradient that could be indicative of instability</i>	<b>Restricted Discretionary</b>	
	E36.4.1 (A51)	All other buildings and structures, on land which may be subject to land instability not otherwise provided for  <i>NB: See comment above</i>	<b>Restricted Discretionary</b>	
	E36.4.1(A56)	All other infrastructure not specifically listed, located in a hazard area	<b>Restricted Discretionary</b>	

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.

No applications for resource consent or notices of requirement under the Resource Management Act 1991 have been lodged in relation to this application for a referred project.

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

As discussed above, the quarry pit is being filled pursuant to a resource consent held by Manukau Quarries Limited. The relationship between the consent holder and the Applicant is set out above.

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:

The Applicant will require building consent for the industrial buildings and retaining structures.

Based on the Applicant's current understanding there are not anticipated to be any archaeological concerns with the Project. However, out of an abundance of caution the Applicant intends to apply to Heritage New Zealand Pouhere Taonga for an archaeological authority in advance of undertaking the earthworks required on Site.

The applicant will require Section 176 approval from Auckland Transport for works within the designated road reserve of Whitford-Maraetai Road. Consultation is underway with Auckland Transport and will continue.

The above processes are standard and are not expected to be an impediment to commencing works.

### **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.

We have set out the proposed commencement and completion dates above.

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

A pre-application meeting with MfE in respect of this project was held on 21 February 2023. The helpful suggestions and feedback made at this meeting by MfE staff have been incorporated into this referral application.

### **Local authorities**

Detail all consultation undertaken with relevant local authorities:

The Applicant has had informal discussions with Auckland Council and the local board but has not yet had a formal pre-application meeting with the council. The Applicant has emailed Auckland Council to request a formal pre-application meeting.

### Other persons/parties

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

No other persons or parties are considered to likely be affected by the project. The project is for an industrial development within the footprint of an existing quarry surrounded by rural land.

Detail all consultation undertaken with the above persons or parties:

Not applicable.

## 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
<b>Te Kāhui Māngai – Directory of Iwi and Māori Organisations</b>  Ngāti Tamaoho Te Ākitai Waiohū Ngāti Maru Te Patukirikiri Ngāti Pāoa Ngāti Tamaterā Ngāi Tai ki Tāmaki Ngāti Whanaunga Ngāti Te Ata Waikato Ngāti Hako  <b>Additional organisations listed on Auckland Council's website</b>  Te Ahiwaru – Waiohū	Engagement correspondence will be sent to the relevant iwi authorities who have expressed interest in the area (as listed in Te Kāhui Māngai – Directory of Iwi and Māori Organisations and on Auckland Council's website) outlining the Project and inviting expressions of interest. This will be done immediately after lodgement.

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

The Applicant has identified the following Treaty settlement entities whose area of interest includes the area in which the Project will occur:

Iwi	Iwi Authority	Iwi Settlement Authority	Consultation undertaken
Ngāti Tamaoho	Ngāti Tamaoho Trust	Ngāti Tamaoho Settlement Trust	Engagement correspondence will be sent to the relevant
Te Ākitai Waiohū	Te Ākitai Waiohū Wakataua Inc	Te Ākitai Waiohū Settlement Trust	

Ngāti Maru	Ngāti Maru Rūnanga Trust Hauraki Māori Trust Board	Ngāti Maru (Hauraki) Treaty Settlement Negotiators	settlement entities (as listed in Te Kāhui Māngai – Directory of Iwi and Māori Organisations) outlining the Project and inviting expressions of interest. This will be done immediately after lodgement.
Te Patukirikiri	Te Patukirikiri Iwi Trust Hauraki Māori Trust Board	Te Patukirikiri Iwi Trust	
Ngāti Pāoa	Ngāti Pāoa Trust Board Ngāti Pāoa Iwi Trust	Ngāti Pāoa Trust Board Ngāti Pāoa Iwi Trust Hauraki Māori Trust Board	
Ngāti Tamaterā	Ngāti Tamaterā Treaty Settlement Trust Hauraki Māori Trust Board	Ngāti Tamaterā Treaty Settlement Trust	
Ngāi Tai ki Tāmaki	Ngāi Tai ki Tāmaki Trust Hauraki Māori Trust Board	Ngāi Tai ki Tāmaki Trust	
Ngāti Whanaunga	Ngaati Whanaunga Incorporated Society Hauraki Māori Trust Board	Ngaati Whanaunga Incorporated Society	
Ngāti Te Ata		Ngāti Te Ata Claims Support Whānau Trust (not yet settled)	
Waikato	Te Whakakitenga o Waikato Incorporated	Te Whakakitenga o Waikato Incorporated	
Ngāti Hako	Hauraki Māori Trust Board	Hako Tūpuna Trust Ngāti Hako Treaty Settlement Negotiators	

The Applicant will notify the above entities and seek to engage with them following lodgement of the referral application.

### 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.

The Site does not comprise any land returned under a Treaty settlement. The Site does not sit within any statutory acknowledgement areas.

## 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.



The Project will not occur in a customary marine title area under the Marine and Coastal Area (Takutai Moana) Act 2011.

### **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.

The Project will not occur in a protected customary rights area.

## **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.

The Applicant has retained and received advice from the technical experts referred to below. Initial reports from those experts can be provided on request. The project is considered not to result in any long term, significant adverse effects on the environment. The overall effects are considered to be low to moderate (at worst). The key potential adverse effects are addressed in general below.

### *Land disturbance*

The Applicant has retained Civil Plan Consultants in relation to sediment and erosion matters. Any sediment or erosion effects will be avoided, remedied or mitigated through a range of measures implemented for the duration of the works. Those measures will be secured by conditions of consent incorporating management plans (for example a construction management plan and/or an erosion and sediment control management plan) and will generally accord with the Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 (GD05).

### *Geotechnical matters*

The Applicant has retained Land Development Engineering in relation to the possible settlement of filled land. Filled land will only be used for yard bases comprising unsealed hardstanding yards for low stacking storage, nurseries, vehicle parking or other such uses that do not involve the creation of large paved surfaces and/or substantial buildings. Buildings will be restricted to portacoms or similar. This approach will manage any settlement effects.

Infrastructure installed on the Site will also manage these potential geotechnical effects. Land Development Engineering has advised geotechnical instrumentation (eg surface settlement markers, extensometers, etc) be installed on the yard base clean fill areas once they are constructed to grade to capture and manage any settlement.

### *Ecology*

The Applicant has retained RMA Ecology Ltd to advise on ecological matters. RMA Ecology Ltd has advised that:

*From our involvement in the design process, and from our knowledge of the site and its ecological values, we are of the opinion that the proposed development will avoid the highest value ecological features and minimise potential adverse effects through careful on-site practice during site development and ecological mitigation.*

*The application of the mitigation hierarchy will ensure that effects on the environment are minor and that offsetting or compensation is not required.*

*The development of the site offers the opportunity to protect, enhance, restore and buffer most of the ecological features at the site, and to significantly increase the forested area which will connect fragmented components of the adjoining SEA\_T\_432 and other natural features near to the site.*

*Avoidance of most of the ecological features (including the highest value features) in combination with the application of the effects management hierarchy in the manner described above will result in managing adverse effects to a low level overall, and, together with the ecological enhancements proposed, will result in a clear net-gain benefit for aquatic and terrestrial ecology on the site, and benefits to the local environment through ecological corridors, connectivity and habitat creation for native wildlife.*

*The net outcome of this development will be overwhelmingly positive for the ecological environment.*

As referred to above, **Figure 5** below outlines the possible extent of restoration/mitigation.



**Figure 5:** Proposed restoration layout. Note the extensive restoration of streams, riparian margins and connecting forest areas that is proposed for the north-east, east and southern portions of the site.

#### *Landscape and visual amenity*

The Applicant has retained Transurban to advise on landscape and visual matters. Transurban has concluded that:

*Subject to the detailed design of the development and landscape, the proposal is expected to have a low to moderate adverse effect on the landscape and visual context over time. The proposal is considered a significant improvement compared to the current quarry operations.*

*The comprehensive landscape concept will help to integrate the proposal into its context and screen areas where required. A mix of plant sizes, including larger trees and shrubs, will help to mitigate temporary effects at implementation stage and until all shrubs and trees achieve a more mature height.*

#### *Dust and air quality*

Measures will be implemented to control wind erosion and to minimise the spread of airborne dust through a construction management plan to be incorporated through conditions of consent.

### *Noise*

Construction noise will be managed through the construction management plan under the conditions. Operational noise can be managed through conditions.

### *Archaeology*

All works will be undertaken utilising accidental discovery protocols.

### *Transportation*

The Applicant has retained Flow Transportation Specialists Limited in relation to traffic and transportation matters. The Proposal is expected to generate approximately 220 vehicles during the peak hour on a weekday.

A new roundabout would be required to manage traffic effects generated by the Proposal. The design of the roundabout will safely provide for all transport modes. The proposed intersection can be accommodated within the existing road reserve with some land needed from the Site only. Other associated upgrades are proposed along Whitford-Maraetai Road to ensure there is better pedestrian and cycle access to the Site.

Further detailed modelling of traffic effects will follow as part of the detailed application materials to the consenting panel. However, Flow Transportation Specialists Limited has confirmed the trips generated by the Project can be accommodated by the existing transport network (with the new intersection and internal road network as proposed) and that there are no transport matters that cannot be overcome to support the safe operation of the Proposal from a transport perspective.

As outlined Figure 1 above, there is ample room for car and bicycle parking at the Site. Public transport does not yet service the site directly, but there are public transport options close by.

The Proposal will also have benefits for traffic and transportation in Beachlands. It will:

- reduce the level of traffic needing to exit the Beachlands area during the peak periods, in particular on Whitford-Maraetai Road, as a result of improved employment opportunities within Beachlands itself; and
- will provide safer access for all modes onto the existing transport network and safe connectivity with the existing residential catchment through the proposed roundabout and separated footpath and cycle facilities.

### *Cultural Values*

All iwi groups identified as potentially having an interest in the Site (as listed above) will be contacted immediately after lodgement. It is anticipated that engagement and consultation with iwi that have registered their interest in the Project will be ongoing, and that any queries or issues that arise will be able to be addressed during the processing of the application.

### *Greenhouse Gas Emissions*

Greenhouse gases will be produced during the construction of the Project. These emissions will be typical of a construction project of this nature. However, once operational the Project is expected to reduce the distance travelled by Beachlands residents to get to work. The Applicant proposes to assess those emissions savings in detail as part of the consenting panel stage.

## **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:

The project is considered to be consistent with, and give effect to, the following national policy statements and environmental standards.

### *National Policy Statement on Urban Development 2020*

The National Policy Statement on Urban Development 2020 enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1). The Project will provide additional employment opportunities within Beachlands. It will also provide much needed industrial services to the Beachlands community (eg light manufacturing, automotive repair and sales, warehousing and logistics, trade retail and services). These sectors currently represent the largest deficiencies in the Beachlands / Maraetai area.

#### *National Policy Statement for Freshwater Management 2020*

The National Policy Statement for Freshwater Management 2020 seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities. The Project will involve the realignment of the tributary of Te Puru Stream. The Applicant will ensure that fish passage is provided for as part of this proposed realignment. Any discharges from the Project will be managed to accord with best practise to ensure that the fundamental concept in protecting the health of freshwater which in turn protects the health and well being of the wider environment can be achieved.

#### *Resource Management (National Environmental Standards for Freshwater) Regulations 2020*

The National Environmental Standards for Freshwater 2020 ("NES-F") sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Of particular relevance to the project is the stream diversion and works within proximity to wetlands. These activities will be carefully managed to ensure that the effects on the wetland do not comprise the hydrology or freshwater qualities of the wetland. The stream realignment will provide for appropriate fish passage.

## 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:

Beachlands has few employment opportunities. Only 31% of the employment base living in Beachlands / Maraetai works within the Beachlands / Maraetai area, with the remaining 69% of employed residents commuting outside the local catchment to other employment locations across Auckland – mostly in the CBD and Manukau City industrial areas. This is a significant level of employment leakage that suggests additional employment opportunities and employment land is required in Beachlands area to improve the employment market efficiency, reducing travel / transport costs, enhance the local economy and deliver more choice to Beachlands / Maraetai residents.

The proposal will reduce the need for existing Beachlands / Maraetai residents to travel outside of Beachlands for similar services and employment.

There is strong demand for leasehold industrial space in Beachlands due to the scarcity (only 1.86 hectares) of light industry zoned land in the rapidly growing area.

The Applicant has retained Property Economics to provide advice regarding the economic impacts of the Project. Property Economics report is included with the Application as **Schedule 4**. Under the fast track process, the construction of the Project is expected to create 345 FTEs over a three-year construction period. The total economic impact of the Project on Auckland's economy over a three-year construction period is \$40 million.



Under the standard RMA process, the construction of the Project is expected to create 331 FTEs over a three-year construction period. The total economic impact of the Project on Auckland's economy over a three-year construction period is \$39 million.

Commencement and completion of construction is expected to occur 2 years sooner than via the standard consenting process. Accordingly, the fast track process will deliver these employment benefits 2 years faster than the standard consenting process. The use of the fast track consenting process will secure a total of 259 more FTE years and an additional \$30.5 million injected into the Auckland economy by 2026 (subject to the exact timing of completion of Stages 1 and 2). It is important to note that these 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 localised and regional economies. These figures do not include the jobs created by the consented quarrying activities including the filling of the quarry pit and rehabilitation works.

There are a range of other economic benefits including:

- The constructed Te Puru Business Park may accommodate light manufacturing, automotive repair and sales, warehousing and logistics, trade retail and services. These sectors currently represent the largest deficiencies in the Beachlands / Maraetai area. Increasing the level of offering in these sectors would have flow on benefits of reducing travel time, petrol costs and greenhouse gas emissions and improve the agglomeration benefits and synergies for the local economy.
- The proposed development has the ability to supply the market with industrial activity increasing capacity within a single-planned area. This provides not only the ability for the area to improve its responsiveness to growth demands but itself facilitate further growth within the area with an increase in overall competitiveness and efficiency due to the intensity of the proposed development. This is in keeping with one of the key purposes of the fast track legislation of increasing overall housing supply (s 19(d)(ii) of the Act). Additionally, this provides clear direction to the market regarding both its ability to meet future demand pressures and its provision through an efficient site location and size.
- The opportunity to cohesively plan an area has the potential to bring with it, economies of scales and lower marginal infrastructure costs. Additionally, the 'future provision and identification' of this area allows for the future proofing of the area and the community and private infrastructure requirements.
- The Project will also provide safer access and connectivity to the existing transport network for all modes of transport.

These benefits are particularly important given the changing nature of Beachlands. Beachlands is facing intensification of dwellings on residentially-zoned land under the NPSUD and the Medium Density Residential Standards. Beachlands is also the subject of a major private plan change request (Plan Change 88) in relation to the redevelopment of over 300 hectares which will provide for a very significant amount of residentially zoned land. Finally, fast track consent was recently granted to provide for up to 235 residential units at 109 Beachlands Road (a small distance from the Site). In short, there is a growing amount of residential development in Beachlands and insufficient industrial land to either service the needs of Beachlands' residents, or to provide adequate employment opportunities. The Project will address both problems and granting fast track consent enables those benefits to be delivered in a timely manner.

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

As above, the project will result in positive effects on the social and cultural wellbeing of current and future generations primarily by way of economic benefits and job sustainment. Also the Project is expected to have overwhelmingly positive effects on the ecological environment.

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

The consenting time under the Resource Management Act 1991 is expected to be in the order of 3 years from preparation of the application to resolving any Environment Court appeals.

By contrast, the consenting time (from lodgement of this referral application) is likely to be less than 1 year.

This is a significant time saving, compared to a standard process and will enable works on the ground and employment some 2 years ahead of a standard process.

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:

As above, the construction of the project will create 345 FTEs over a construction period of 3 years. Further detail on this has been provided above.

Housing supply:

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

Contributing to well-functioning urban environments:

Beachlands is constrained by transport infrastructure. Beachlands is highly reliant on private vehicles and although there are public transport options (bus and ferry), they have limited frequency and capacity. Due to the lack of employment, education and community services in the Beachlands area, the current level of residential density does not align with Objective 1 of the National Policy Statement for Urban Development, which emphasises the importance of a well-functioning urban environments and quality compact urban form. As above, the Project provides employment opportunities and services provision within Beachlands. This will help Beachlands become a well-functioning urban environment.

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

The Project will include construction of new footpaths and off-road, separated cycle lanes between the existing roundabout and the proposed roundabout.

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

Please see above regarding ecological effects.

Minimising waste:

Knight Investments Ltd will seek to minimise waste through construction methodology.

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):

The benefits of the Project from a climate change perspective are outlined above. In addition, the Project will:

- Utilise local contractors as much as possible;
- Utilise local suppliers as much as possible;

- Eco-source the planting as far as practicable (and depending on timing may be able to co-locate growing facilities with an onsite garden centre);
- Provide for communal charging facilities for EV vehicles/bicycles/scooters etc in the car parking area; and
- Provide for non-potable re-use for roof-water runoff.

Promoting the protection of historic heritage:

Not applicable.

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

Not applicable.

Other public benefit:

Various public benefits have been highlighted within this application. The Project will result in positive effects on the social and cultural wellbeing of current and future generations primarily by way of economic benefits, including through job creation and sustainment.

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

It is considered that the Project will not have any significant adverse environmental effects. The adverse effects assessment at Part VII confirms that any adverse effects will be low to moderate (at worst).

Whether the proposal promotes the sustainable management of natural and physical resources:

As has been outlined above, the Project will have economic benefits, traffic and greenhouse gas benefits. The proposed activities will have at worst minor adverse environmental effects. For these reasons, both the development itself and use of the fast-track legislation promotes the sustainable management of natural and physical resources.

## Part X: Climate change and natural hazards

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

The project is not one that is inherently vulnerable to natural hazards and climate change, comprising no sensitive or vulnerable activities such as dwellings. Although the Auckland Council website identifies the Site being subject to a flood hazard, this is incorrect, and has not been updated to account for the quarrying and rehabilitation activities which will ensure that all platforms are well clear of the floodplain and/or any flood events. Provision for overland flow paths will be accounted for in the final design. The AUP also identifies part of the site (being the quarry pit) as being subject to Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise overlay. The rehabilitation of the quarry under the existing quarry consents will ensure that the final site levels are well above this hazard, and can be confirmed through the consenting process.

All engineering infrastructure will be sized and designed to allow for climate change.

## 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:

No compliance and/or enforcement actions have been taken against Knight Investments Ltd by a local authority under the RMA.

## 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.

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.

### Checklist

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

Yes/No	Correspondence from the registered legal land owner(s)
Yes/No	Correspondence from persons or parties you consider are likely to be affected by the project
Yes/No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
Yes/No	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/No	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.
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