



BRF-3069

Neil Construction Limited  
c/- Philip Brown  
Director  
Campbell Brown Planning Limited  
Email: s 9(2)(f)(ii), s 9(2)(g)(i)

Dear Philip Brown

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decision (Section 25)  
– Whenuapai Business Park Extension Project**

Thank you for Neil Construction Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Whenuapai Business Park Extension Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is located on two separate sites in Whenuapai, Auckland. The first site is located at 151 and 155-157 Brigham Creek Road (Brigham Creek Rd site) and the second site is located at 71 and 73 Trig Road (Trig Rd site).

On the Brigham Creek Rd site, the project is to construct two industrial buildings and associated site development including yard, access, parking and manoeuvring areas. On the Trig Rd site, the project is to subdivide land to create three lots for industrial development and includes the construction of supporting infrastructure, including a road intended to vest with Auckland Council, and three-waters services. The project will include upgrade works such as road widening, bus stops and a cycleway and footpath within the Trig Road reserve. The applicant intends to apply for land use consent for light industrial activities on the three lots (as part of the project), however construction will be undertaken by third parties. The works at 151 Brigham Creek Road are limited to the formation of vehicle access.

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 a 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. If this requirement is not met, I must decline the referral

application under section 23(1) of the FTCA. I can also decline to refer a project for any reason, under s 23(2) of the FTCA.

I have decided to decline the referral application under sections 23(1) and 23(2) of the FTCA. The project does not meet the referral criteria in section 18(2) of the FTCA as it may not help to achieve the purpose of the FTCA to urgently promote employment and support the certainty of ongoing investment, and I consider it is more appropriate for the project to go through standard consenting processes under the Resource Management Act 1991 (section 23(5)(b) of the FTCA). Declining, or approving, to refer a project to a Fast-track panel is neither a criticism nor endorsement of the project.

The FTCA requires that:

1. I provide a copy of this decision to the persons, entities and groups specified in section 25(1) of the FTCA
2. My decision, the reasons for my decision 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.

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



**Minister for the Environment**

cc Ministers of/for:

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

Local authority:

Auckland Council

Other parties:

Auckland Transport  
Watercare Services Limited  
New Zealand Defence Force  
Waka Kotahi New Zealand Transport Agency  
Spark New Zealand Limited