

IN THE MATTER

of the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER OF

an application for approvals by Beachlands South Limited Partnership ("**BSLP**") to develop a comprehensively planned community at 110 Jack Lachlan Drive, and 620, 712, 758 and 770 Whitford-Maraetai Road, Beachlands ("**Project**")

**LEGAL CONSIDERATIONS ON BEHALF
OF BEACHLANDS SOUTH LIMITED PARTNERSHIP**

26 JUNE 2026

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1. SUMMARY

- 1.1 This legal considerations memorandum is provided on behalf of BSLP in support of its substantive application under the FTAA for approvals to develop the Project at 110 Jack Lachlan Drive and 620, 712, 758 and 770 Whitford-Maraetai Road, Beachlands ("**Application**"). The Project is listed in Schedule 2 of the FTAA.
- 1.2 The Project involves the development of a comprehensively planned community comprising approximately 2,000 dwellings in a variety of housing types and densities, a commercial local centre with associated employment land, primary and secondary schools, an Ecological Protected Area Network ("**EPAN**"), a series of open spaces, public access to and along the coastal marine area, public transport and road upgrades, and the infrastructure required to service the development.
- 1.3 BSLP seeks resource consents under the Resource Management Act 1991 ("**RMA**"), a wildlife approval under the Wildlife Act 1953 ("**Wildlife Act**"), and an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 ("**HNZPTA**").
- 1.4 The Project area has already been the subject of a comprehensive private plan change process which rezoned the land for urban development, and the potential effects of urbanisation were robustly assessed and tested through that process and the subsequent Environment Court appeals. As the Project is largely aligned with the outcomes of that plan change process, its potential effects have, to a large extent, already been assessed and considered appropriate by Auckland Council and the Environment Court.
- 1.5 Mana whenua are active partners in the Project. BSLP's partners include Ngāi Tai ki Tāmaki, together with six further iwi partners, who are long-term investors in, and co-developers of, the Project. Ngāi Tai ki Tāmaki prepared a Cultural Values Assessment entitled "Tapuwae Ohiti i Kahawairahi" for the private plan change, which has been adopted by BSLP. The cultural values of mana whenua have been recognised through ongoing engagement and the adoption of conditions identified in that Cultural Values Assessment.
- 1.6 The Project will deliver significant regional benefits that strongly align with the purpose of the FTAA, including a direct capital injection of approximately \$2.38 billion into the regional economy, significant housing supply and capacity, and

substantial employment and economic activity in the Beachlands area and the wider Auckland region.

- 1.7 The adverse effects of the Project will be appropriately avoided, remedied or mitigated through an extensive set of proposed conditions. There are no significant adverse effects – and certainly no adverse impacts sufficiently significant to outweigh the Project's regional benefits.
- 1.8 For the reasons set out in this legal considerations memorandum, the Panel can have confidence that the Project achieves the purpose of the FTAA, and BSLP respectfully requests that the Panel grant the resource consents, wildlife approval and archaeological authority.

2. CONTEXT

- 2.1 The Project area has been the subject of a comprehensive private plan change process. BSLP lodged Private Plan Change 88 request ("PC88") to the Auckland Unitary Plan ("AUP") in late 2022.
- 2.2 In summary, PC88 rezoned approximately 307 ha of land south of the existing Beachlands township from Rural – Countryside Living to a combination of residential, business, open space and future urban zone. It also introduced a new precinct.
- 2.3 The Beachlands South Precinct provides for significant expansion of the existing coastal town of Beachlands into a comprehensively planned and public transport focused community adjacent to the Pine Harbour ferry berths that supports the development of a well-functioning urban environment.
- 2.4 PC88 was publicly notified on 26 January 2023 with a total of 383 submissions received. The potential effects of developing the land were robustly assessed and considered by a team of technical experts and then by Independent Hearing Commissioners. The plan change request was approved by the Commissioners on 2 April 2024. In summary, the Commissioners granted PC88 because they concluded that it would give effect to the National Policy Statement on Urban Development and the Regional Policy Statement, and it would deliver a well-functioning urban environment including with respect to accessibility and reductions in greenhouse gas emissions.
- 2.5 Subsequent appeals to the Environment Court settled following successful negotiations between the parties, and PC88 was made operative in the AUP on 21 January 2025.

- 2.6 The urbanisation of the Project area was therefore thoroughly and carefully considered through the PC88 hearing and appeal process.
- 2.7 This Application is considered to give effect to the Beachlands South Precinct purpose and its anticipated outcomes. As the Project is largely aligned with the outcomes of the PC88 process, the potential effects of the Project have, to a large extent, already been assessed and tested.

3. PROJECT OVERVIEW

Project details

- 3.1 A detailed description of the Project is included in the Application at section 6 and not repeated here. In summary, the Project involves:
- (a) residential activities comprising approximately 2,000 dwellings in a variety of housing types, densities and vacant sites for future residential development;
 - (b) establishment of a commercial local centre supported by employment opportunities within and around the periphery of the local centre and on the Whitford-Maraetai Road frontage comprising approximately 27,000 m² of commercial GFA and 30,000 m² of light industrial GFA;
 - (c) education facilities comprising the development of both primary and secondary schools;
 - (d) establishment of the EPAN comprising approximately 88 ha of land within the live zoned area being protected and approximately 55 ha of land being replanted, restored, maintained and enhanced including preservation of streams and their margins;
 - (e) a series of open spaces including a suburban park, neighbourhood parks, the Fairway Reserve, golf course, esplanade reserve and riparian margins;
 - (f) provision of public access to and along the coastal marine area and the creation of a quality coastal pathway;
 - (g) public transport enhancements and integrations including expanded ferry passenger capacity;

- (h) staged road upgrades including the provision of pedestrian and cycling facilities along Jack Lachlan Drive, the upgrade of Whitford roundabout, a series of intersection upgrades; and
 - (i) establishment of infrastructure to service the Project including wastewater, water supply, stormwater, telecommunications and power.
- 3.2 The Project is broadly consistent with the outcomes, scale and pattern of development contemplated by the Beachlands South Precinct, which were comprehensively considered throughout the plan change process.
- 3.3 As with any large-scale development, there are some matters which were either not a key focus of the plan change process, or which have evolved during the detailed design of the Project, and inevitably some aspects which do not strictly comply with the Precinct provisions, for example the timing of certain transport upgrades, and the height of some apartment buildings.
- 3.4 The detail of the EPAN has also been refined to reflect the practical implementation of the Project.
- 3.5 When assessed in the context of the scale and overall outcomes of the Project as a whole, these matters are expected at the detailed design phase and are not considered to be of any significance, and do not detract from the Project's broad consistency with the Precinct provisions.
- 3.6 In terms of water supply infrastructure, the broader Beachlands area is not part of the Watercare reticulated network, with Pine Harbour Living Limited ("**PHLL**") providing a private water supply to many parts of the existing Beachlands area. The water supply strategy for the Project will involve servicing the development with water supplied by PHLL, an existing bore within the Project area (to be reconsented as part of the Application) and the development of a new bore as part of the Project, to provide an additional groundwater abstraction source.
- 3.7 In terms of wastewater, Watercare's wastewater treatment plant in Beachlands is currently at capacity and is going through a reconsenting process. Because of these uncertainties, the Project team has developed a self-contained wastewater servicing approach. This involves an onsite wastewater treatment plant and onsite land disposal for the early stages, which will transition to a marine outfall system in the longer term. There is also potential to connect into the Watercare network at a later stage, subject to Watercare reconsenting sufficient short- and long-term supply and there being an agreement in place.

- 3.8 The proposed conditions have been carefully drafted to reflect the various servicing options including options for private and / or public ownership of the infrastructure in the Project area.
- 3.9 The Project is listed in Schedule 2 of the FTAA. A recent Order in Council has amended and clarified the Project description, and updated the Project location as follows:¹

Project description

Development including:

- approximately 2,700 residential dwellings, including community and commercial spaces (including a local centre, offices, a hotel/conference centre, and light industrial and retail activities), approximately 88 hectares of protected ecological restoration area, walking and cycling networks, and community facilities
- enabling the potential development of 2 schools
- all associated earthworks and all associated infrastructure including transport facilities, intersection upgrades and roading, telecommunications, power and water supply, and stormwater and wastewater infrastructure (including any treatment or storage facilities, drainage, pipes, pump stations, outfalls, and discharges)

Approximate geographical location

110 Jack Lachlan Drive and 620, 712, 758, and 770 Whitford-Maraetai Road, Beachlands, Auckland, including the coastal marine area adjacent to those properties

- 3.10 All aspects of the Project are clearly covered within this updated Project description.

Approvals required

- 3.11 In order to authorise the construction and delivery of the Project summarised above, BSLP through this Application seeks:
- (a) Resource consent as a non-complying activity under the RMA.

¹ Fast-track Approvals (Buller Plateaux Continuation and Other Projects) Order 2026.

- (b) A wildlife approval under the Wildlife Act.
- (c) An archaeological authority under the HNZPTA.

4. LEGAL CONTEXT

Decision making framework

- 4.1 Section 81 describes the decision-making framework under the FTAA. It provides that a Panel must, for each approval sought in a substantive application, decide whether to grant the approval and set any conditions or decline the approval.
- 4.2 For the purpose of making the decision, the Panel must consider a range of matters listed in section 81(2), and apply the following clauses:
 - (a) for resource consent, clauses 17 - 22 of Schedule 5;²
 - (b) for a wildlife approval, clauses 5 and 6 of Schedule 7;³
 - (c) for an archaeological authority, clauses 4 and 5 of Schedule 8.⁴
- 4.3 The Panel must also act in a manner that is consistent with obligations arising under existing Treaty Settlements and customary rights recognised under the Marine and Coastal Area (Takutai Moana) Act 2011 ("**MACAA**") and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.⁵
- 4.4 In respect of section 7, the following Treaty Settlements apply to the Project area:⁶
 - (a) Te Kawerau ā Maki Claims Settlement Act 2015;
 - (b) Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
 - (c) Ngāti Pāoa Deed of Settlement 2021;
 - (d) Te Ākitai Waiohū Deed of Settlement 2021;
 - (e) Ngāti Whātua Ōrākei;
 - (f) Te Patukirikiri deed; and

² FTAA, section 81(3)(a).

³ FTAA, section 81(3)(i).

⁴ FTAA, section 81(3)(j).

⁵ FTAA, section 7, 82 and 84.

⁶ Application, Section 11, Table 7.

(g) Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.

- 4.5 Because these Treaty Settlements apply to the Project area, the Panel is required to give consideration to these and consider whether granting the approvals would comply with section 7.⁷ A summary of the relevant provisions and principles of these documents is provided at section 11 of the Application.
- 4.6 The Ngāi Tai ki Tāmaki Claims Settlement Act 2018 includes a coastal statutory acknowledgement area (OTS-403-128) over the adjacent coastal marine area directly to the west of the project area. The Panel must have regard to the statutory acknowledgement when deciding a resource consent for an activity within, adjacent to, or directly affecting the statutory area.⁸ As noted above, Ngāi Tai ki Tāmaki is an active partner in the Project. It supports the proposal, including the activities proposed within the statutory acknowledgement area. In its letter of support, Ngāi Tai ki Tāmaki has assessed the potential impacts of the development and confirmed that, based on current assessments, it is unlikely that the land use change will cause any negative effects upon the mauri. The Panel can be confident that the Project is not inconsistent with the Ngāi Tai ki Tāmaki Claims Settlement Act 2018.
- 4.7 As set out in the Application, none of the provisions in the other Treaty Settlement documents are relevant to the Project area, and the Panel can be confident granting the Project is not inconsistent with these documents.
- 4.8 The Application also assesses the Project against the planning documents recognised by relevant iwi authorities that apply to the Project area. As set out in section 11.2.5 of the Application, the Project can be constructed and operated in a manner that is generally consistent with the environmental and resource management outcomes sought by those documents.
- 4.9 In terms of the MACAA there are currently no customary rights holders in relation to the common marine and coastal area affected by or adjacent to the Project area. There are, however, several applicants for customary marine title and / or protected customary rights, as explained in the Application. BSLP has notified all relevant groups of the Project under section 62(3) of the MACAA and consulted with them under section 29 of the FTAA. No responses have been received.

⁷ FTAA, section 82.

⁸ Ngāi Tai ki Tāmaki Claims Settlement Act 2018, section 76.

- 4.10 Beyond the Treaty Settlements and iwi management plans described above, mana whenua are active partners in the Project. As described in section 3.2 of the Application BSLP is a limited partnership whose partners include Ngāi Tai Hāpai Development Limited Partnership, comprising Ngāi Tai ki Tāmaki together with six further iwi partners (Raukawa, Taranaki Iwi, Pare Hauraki (collective), Ngāti Tama (Te Taihu), Ngāruahine and Ngāti Maru (Taranaki)). Through this partnership, mana whenua of the land are long-term investors in, and co-developers of, the Project, with a strong financial commitment to its delivery.
- 4.11 The cultural values of mana whenua have been, and continue to be, recognised through ongoing engagement with Ngāi Tai ki Tāmaki as a development partner. A Cultural Values Assessment has been prepared by Ngāi Tai ki Tāmaki, and BSLP has adopted the conditions identified in that assessment, including measures that respond to the historic occupation of the land. Ngāi Tai ki Tāmaki's Cultural Values Assessment confirms that BSLP has genuinely involved Ngāi Tai ki Tāmaki, and that BSLP has helped reinforce mana whenua with its transparent and partnership-based approach to the overarching development.⁹ The Cultural Values Assessment also confirms that BSLP has demonstrated significant appreciation of Ngāi Tai ki Tāmaki's kaitiakitanga values and adopted them as key outcomes.¹⁰ This active partnership reinforces that granting the approvals would be consistent with the relevant Treaty Settlements and section 7 of the FTAA.

Ability to decline approvals

- 4.12 Section 85 of the FTAA sets out the limited circumstances when approvals must or may be declined. None of these circumstances apply in this case as:
- (a) the approvals sought are not for an ineligible activity;¹¹ and
 - (b) granting the approvals would not be a breach of section 7 for the reasons explained above;¹² and
 - (c) the approvals are not for an aquaculture area.¹³
- 4.13 Section 85(3) also provides that a Panel may decline an approval where there are one or more adverse impacts, and those adverse impacts are sufficiently significant to be out of proportion to the Project's regional or national benefits

⁹ Cultural Values Assessment, p10.

¹⁰ Cultural Values Assessment, p10.

¹¹ FTAA, section 85(1)(a).

¹² FTAA, section 85(1)(b).

¹³ FTAA, section 85(2).

(after taking into account conditions). As set out in the Application, there are no significant adverse effects and no adverse impacts which would outweigh the Project's significant regional benefits.

5. APPROVALS RELATING TO THE RMA

Legal framework

- 5.1 In considering whether to grant BSLP's RMA approvals, the Panel must apply clauses 17 to 22 of Schedule 5.¹⁴
- 5.2 Clause 17(1) of Schedule 5 provides that when considering a consent application and setting conditions (in accordance with clause 18), the Panel must take into account, giving the greatest weight to paragraph (a):
- (a) the purpose of the FTAA; and
 - (b) the provisions of Parts 2, 3, 6 and 8 – 10 of the RMA that direct decision making on an application for a resource consent (but excluding section 104D); and
 - (c) the relevant provisions of any other legislation that directs decision making under the RMA.
- 5.3 In the context of the RMA, the Court of Appeal has held that the direction to "take into account" matters means there is an obligation to consider the particular factor in making a decision, to weigh it with other relevant factors, and to give it whatever weight is appropriate in all the circumstances.¹⁵
- 5.4 The express hierarchy of considerations is different to the RMA framework but not without precedent. For example, section 34(1) of the Housing Accords and Special Housing Areas Act 2013 ("**HASHAA**") provided that:

An authorised agency, when considering an application for a resource consent under this Act and any submissions received on that application, must have regard to the following matters, **giving weight to them (greater to lesser) in the order listed:**

- (a) the purpose of this Act:
- (b) the matters in Part 2 of the Resource Management Act 1991:

¹⁴ FTAA, section 81(3)(a).

¹⁵ *Trustees of the Motiti Rohe Moana Trust v Bay of Plenty Regional Council* [2024] NZCA 134 at [15].

(c) – (e) [*Excluded for brevity*]

(Our emphasis added).

- 5.5 When applying section 34 of HASHAA, the Court of Appeal considered that an assessment of the listed factors must be undertaken prior to the exercise of weighing them through an overall balancing exercise in accordance with the prescribed hierarchy.¹⁶
- 5.6 The FTAA weighting has been considered by other expert panels. Multiple expert panels have adopted the guidance in *Enterprise Miramar Peninsula Inc v Wellington City Council*,¹⁷ adapted to the FTAA (whereas section 34 of HASHAA created a hierarchy of criteria (with the greatest weight given to (a) and the least to (e)), the FTAA requires only that the greatest weight be given to criterion (a), with the implication that the matters in clause 17(1)(b) and (c) carry equal statutory weight).¹⁸
- 5.7 Applying *Enterprise Miramar*, a panel must not rely solely on the purpose of the FTAA at the expense of the other listed matters, must assess each of the clause 17(1) matters individually before standing back and conducting an overall weighting, and must recognise that the purpose of the FTAA is not logically relevant to the assessment of environmental effects.¹⁹
- 5.8 In our submission, under clause 17 of Schedule 5 the Panel is required to consider the matters in (a) to (c) and then weigh those factors in an overall balancing exercise, which gives the greatest weight to the purpose of the FTAA.
- 5.9 In accordance with clause 17, the relevant matters the Panel must take into account in relation to this Project comprise:
- (a) The purpose of the FTAA, being "to facilitate the delivery of infrastructure and development projects with significant regional or national benefits". When assessing the criterion, the Panel must consider the extent of the project's national and regional benefits. This criterion is to be individually assessed as part of a clause 17(1)

¹⁶ *Enterprise Miramar Peninsula Inc v Wellington City Council* [2018] NZCA 541 at [52] - [53].

¹⁷ [2018] NZCA 541.

¹⁸ For example, Bledisloe and Fergusson Wharf Extension Expert Panel decision dated 21 August 2025 at [120] - [121]; Wellington International Airport Southern Seawall Renewal Expert Panel decision dated 15 May 2026 at [89]-[91].

¹⁹ Bledisloe and Fergusson Wharf Extension Expert Panel decision dated 21 August 2025 at [121].

assessment, and then, when conducting an overall assessment, is to be given the greatest weight.

- (b) Part 2 of the RMA, comprising sections 5 - 7.
- (c) Part 3 of the RMA, and in particular: section 12 (restrictions on use of coastal marine area); section 15 (discharges of contaminants); section 16 (duty to avoid unreasonable noise); and section 17 (duty to avoid, remedy, or mitigate adverse effects).
- (d) Part 6 of the RMA, and in particular, section 104 (consideration of applications), section 104A (determination of applications for controlled activities), section 104B (determination of applications for discretionary or non-complying activities), section 104C (determination of applications for restricted discretionary activities), sections 105, 106 and 107 (additional matters and restrictions relevant to discharge permits, coastal permits and subdivision consents) and section 108 (conditions of resource consents). Section 104D (particular restrictions for non-complying activities) does not apply to the Panel's consideration of the Project.
- (e) Part 10 of the RMA, as it relates to the subdivision components. Of particular relevance, section 220 specifies the conditions that may be imposed on a subdivision consent.

Assessment of the Project against the purpose of the FTAA

- 5.10 The Application provides an analysis of the Project against the purpose of the FTAA and concludes that the Project is consistent with this purpose at section 15.2.
- 5.11 The scale of the Project alone means it is significant in the context of the Auckland region. The Project will deliver a comprehensively planned community of approximately 2,000 dwellings on land that is currently largely undeveloped, together with a commercial local centre, employment land, two schools, open space and supporting infrastructure. A development of this scale, delivering this number of homes and community infrastructure, is clearly a project with significant regional benefits for the purposes of the FTAA, notwithstanding the details of the economic analysis.

- 5.12 From an economic perspective, the Project represents a significant investment in the Beachlands area and Auckland more broadly. The Project will have significant wide-ranging economic benefits, including:²⁰
- (a) a total direct capital injection of around \$2.38 billion into the regional economy;
 - (b) projected generation of economic activity in the Auckland region amounting to a Net Present Value of approximately \$1.93 billion to the regional economy over the 15 year development period (using an 8% discount rate), or approximately \$2.92 billion using a 2% discount rate (being the sensitivity rate directed by Treasury); and
 - (c) contribution of around 1,431 FTE jobs during the peak construction year within the Auckland region, total direct employment of 7,902 FTE over the 15 year development period with a total number of 16,718 FTE years over the 15 year development period.
- 5.13 The Project will also have a range of (non-monetised) qualitative economic benefits including by delivering:
- (a) increased housing supply and capacity in Auckland;
 - (b) increased and diversified choice of housing location;
 - (c) potentially lower housing prices through increased competition, increased supply and improved affordability in the region;
 - (d) improved access to existing and planned infrastructure networks;
 - (e) long-term local employment opportunities, including approximately 1,000 ongoing jobs once the Project is operational across its hotel, retail, commercial, light industrial and education components; and
 - (f) improved local amenity and services through a comprehensively planned community, including a local commercial centre and the provision of both primary and secondary schools, with the secondary school addressing the current absence of secondary schooling in the Beachlands and Maraetai area.
- 5.14 For many fast-track projects, a relevant question in relation to the consideration of benefits (and impacts) is what the appropriate baseline for assessment

²⁰ Appendix 7 to the Application - Beachlands South Project Fast-track Application Economic Impact Assessment by Property Economics dated June 2026, section 2.

should be. In our submission, these benefits should be considered against the current state of the Project area, being essentially a greenfields, undeveloped site instead of the difference between the Project and a theoretical alternative development, such as development already anticipated under the operative Precinct provisions. The latter approach, in our submission, is fundamentally inappropriate. If that were the case, then any project proposing the development of live zoned land would not meet the regional benefits test.

- 5.15 The benefits described above are real benefits that are over and above what exists on the Project site today, and as set out in the Ayrburn Film Hub decision, the appropriate focus is on the gross benefits of the Project rather than its net benefits.²¹ There must also be symmetry in the assessment of benefits and impacts.²² To restrict consideration of a project's benefits to its net benefits would also run the risk of double counting adverse impacts.²³ The most appropriate and only realistic counterfactual is the status quo.
- 5.16 Displacement is also not a relevant factor in this case. Displacement requires a reliable evidentiary basis for it as well as a high degree of confidence that consenting new proposed residential development would have material and significant adverse effects on housing supply before it becomes a disbenefit that effectively counts against approval of the project.²⁴
- 5.17 As the Project involves the development of live zoned land, it is not appropriate to discount the Project's housing and economic benefits on the basis of any alleged displacement of growth that might otherwise occur elsewhere in Auckland. This is particularly the case where the proposed activity is on land expressly zoned for that purpose. Assessing displacement in those circumstances would require imagining what other zoned land might have been better suited to the development, an exercise beyond what is appropriate in resource management practice.²⁵ There is no reliable basis to treat its benefits as displacement of activity from elsewhere.

Assessment against other statutory requirements

- 5.18 A full assessment of the Project's effects on the environment, and against the relevant planning instruments and the other applicable statutory requirements

²¹ Ayrburn Film Hub Expert Panel decision dated 14 April 2026 at [158]-[161].

²² The Point Expert Panel decision dated 12 June 2026 at [339].

²³ Ayrburn Film Hub Expert Panel decision dated 14 April 2026 at [158]-[161].

²⁴ Ashbourne Expert Panel decision dated 21 April 2026 at [517]-[522]; The Point Expert Panel decision dated 12 June 2026 at [324.13].

²⁵ The Point Expert Panel decision dated 12 June 2026 at [341].

is set out in the Application at sections 8 and 9 and the technical reports submitted in support of it.

Conditions

- 5.19 BSLP has prepared an extensive set of proposed resource consent conditions, as set out in Appendix C to the Application. These conditions have been drafted and developed over time, with input and engagement from BSLP's technical experts and Ngāi Tai ki Tāmaki. These conditions will adequately avoid, remedy and mitigate the adverse effects of the Project on the environment and are, in our submission, no more onerous than necessary.²⁶ BSLP's intention is to continue to engage with Council and other stakeholders on the draft conditions. BSLP will keep the Panel updated as to any refinements to the conditions.

6. WILDLIFE APPROVAL AND ARCHAEOLOGICAL AUTHORITY

- 6.1 BSLP is seeking a wildlife approval for lizard removal out of an abundance of caution. BSLP is also seeking an archaeological authority to facilitate the development, which may modify archaeological sites or their associated subsurface deposits. The archaeological authority is intended to cover all aspects of the Project. The Application includes a detailed ecological assessment from Viridis and archaeological assessment from Clough & Associates.
- 6.2 Schedule 7, clause 5 and Schedule 8, clause 4 set out the criteria for assessment of an application for wildlife approval and archaeological authority respectively. The discussion above of the approach to the FTAA's directed weighting in the context of the resource consent approvals applies equally to the wildlife approval and archaeological authority.
- 6.3 As set out in the Application and technical assessments, with the implementation of conditions on the archaeological authority and wildlife approval, the Project is consistent with the purpose of the FTAA and the relevant legislation.

²⁶ As required by FTAA, section 83.

7. SUMMARY

- 7.1 In our submission the Panel can have confidence that the adverse effects of the Project will be appropriately managed through the proposed conditions, and the Project will achieve the purpose of the FTAA.
- 7.2 BSLP respectfully requests the Panel grant the resource consents, wildlife approval and archaeological authority.

DATED 26 June 2026

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