1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Auckland Surf Park Community Stage 2
Fast-Track application number:	FTAA-2606-1246
Council reference number:	BUN60467823 (LUC

2.0 Technical Specialist Memo – Earthworks & Erosion and Sediment Control

To:	Brooke Dales, Consultant Planner Warwick Pascoe – Principal Project Lead
From:	Brigid Duffield
Qualifications & Relevant Experience:	I am employed as Chief Advisor Growth Infrastructure Funding and Finance within the Policy, Planning & Governance directorate at Council. I have been working in this role for 5+ years. I support Council group with expertise in funding and financing aspects for the alignment of significant infrastructure programmes. This is achieved through working with Crown and Crown entities, and other significant stakeholder groups to align strategic infrastructure investment for growth in the Auckland region. Prior to my current position, I have held senior global commercial and consulting roles including Commercial Manager for Tāmaki Regeneration focusing on development and its financing and funding (2015 to 2019). I have a Masters in Land Economy from Cambridge University (1991) and have held executive roles focusing on the commercial implications of choices and decisions (1999 to 2004). I have been a Strategic Consultant and Director at PwC (and independently) and have worked with many businesses to achieve successful commercial planning (1994 to 1999, 2004 to 2015). These roles have been predominantly private sector based but have more recently moved into the public sector in both local and central government.
Preparation in Accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except

	where I have stated that I am relying on the work or evidence of others, which I have specified.
Signature:	*Brigid Duffield*
Date:	10 Sept 2026

3.0 Executive Summary

Auckland Surf Park Community Stage 2 proposes a mixed-use development including residential, commercial, employment and recreational activities together with supporting infrastructure. The proposal includes approximately 400 residential units, a village centre, work-live precinct, data centre and associated infrastructure.

The proposal should demonstrate that infrastructure required to support the development can be funded, financed, delivered, operated, maintained and renewed over the long term, and that it will support a well-functioning urban environment for future residents, businesses and visitors.

The application appears to rely on site-specific water supply and wastewater infrastructure due to the absence of existing public network servicing and uncertainty regarding future network extensions.

Further information is required regarding infrastructure funding responsibilities, cumulative infrastructure demands, ownership arrangements, long-term operational obligations, water and wastewater service delivery, and any reliance on future public sector investment.

This memorandum focuses on infrastructure funding, servicing and long-term stewardship matters. It does not seek to weigh the broader strategic, economic, recreational or other considerations that may also be relevant to decision-making on the proposal.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Fast Track Approval Application documents

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

6.0 Specialist Assessment

1. Auckland Surf Park Community Stage 2 proposes a significant mixed-use development including residential, commercial, employment and recreational activities together with associated infrastructure. The proposal would generate demand for transport, water, wastewater, stormwater and community infrastructure and should be assessed having regard to the cumulative effects of both Stage 1 and Stage 2 of the development.
2. The proposal should demonstrate that the infrastructure required to support this development can be funded, financed, delivered, operated, maintained and renewed over the long term. Assessment should consider whether the proposed infrastructure arrangements will support a well-functioning urban environment, including reliable access to essential services and supporting infrastructure for future residents, businesses and visitors, while clearly identifying and appropriately allocating any financial exposure or long-term obligations that may arise for Auckland Council, Auckland Transport, Watercare, future ratepayers and the wider community.
3. The application relies on a combination of developer-delivered infrastructure, site-specific servicing arrangements and wider network infrastructure. Further information is required regarding infrastructure funding responsibilities, infrastructure dependencies, ownership arrangements, operational responsibilities, long-term renewal obligations and the extent to which future costs, liabilities or infrastructure risks may ultimately fall to the public sector, future residents or infrastructure providers.
4. Particular attention should be given to the proposed water and wastewater servicing arrangements. The application documentation indicates reliance on site-specific water supply and wastewater infrastructure due to current limitations in the availability of public network servicing. A full understanding of the ownership, governance, operational, maintenance and renewal arrangements for these services is recommended. Assessment should consider whether the proposed arrangements provide sufficient certainty that essential services can be delivered safely, reliably and sustainably throughout the life of the development, and whether adequate oversight, intervention and remediation mechanisms exist should operational, governance or financial issues arise.
5. Assessment should also consider whether identified risks can realistically be managed through consent conditions. Ongoing requirements for monitoring, reporting or compliance certification do not necessarily address underlying issues relating to governance, ownership, financial sustainability, service continuity or future asset performance. Where the effectiveness of a servicing model relies on long-term oversight or intervention, consideration should be given to whether a clear legislative pathway, responsible agency, funding mechanism and practical ability exist to identify and resolve problems if they arise.
6. Assessment should also consider the extent to which the proposal relies on future infrastructure, services or investment that are outside the Applicant's control. This includes transport infrastructure, public transport services, community facilities, parks, open space, utility infrastructure and other public services that may be assumed to support the development over time. The proposal should demonstrate that it remains viable and capable of supporting a well-functioning urban environment if these investments, services or facilities are delayed, reprioritised or do not eventuate. The assessment should not assume that future public infrastructure, public funding, public ownership or public sector intervention will occur unless there is a clear and committed pathway for delivery.

7. The matters raised above are consistent with issues currently being considered by Auckland Council through its work programme on responding to unanticipated development, including infrastructure sequencing, funding responsibilities, servicing arrangements, infrastructure affordability and residual public sector risk. These matters should be adequately understood and assessed as part of the Panel's consideration of the proposal.. See 8 September Policy, Planning and Development Committee Report and Minutes on Responding to Unanticipated Development

7.0 Section 67 Information Gap

Information Gap	Nature of Deficiency	Decision-Making Impact	Risk / Uncertainty Created
Infrastructure funding and delivery responsibilities	Insufficient information regarding responsibility for funding, financing, delivery, operation, maintenance and renewal of infrastructure required to support the development.	Limits ability to assess whether infrastructure can be sustainably provided and maintained over time.	Uncertainty as to whether essential infrastructure will remain available, functional and adequately funded throughout the life of the development.
Cumulative infrastructure demand	Limited assessment of cumulative infrastructure requirements arising from both Stage 1 and Stage 2.	Limits understanding of total infrastructure requirements generated by the project.	Risk that infrastructure requirements, servicing demands or network impacts have been underestimated.
Infrastructure dependencies and sequencing	Insufficient clarity regarding infrastructure dependencies, triggers and delivery timing.	Limits assessment of whether development can proceed in coordination with supporting infrastructure.	Risk that development proceeds ahead of infrastructure capacity, resulting in reduced service levels and poorer resident outcomes.
Water and wastewater servicing model	Limited information regarding long-term ownership, governance, operation, maintenance and renewal of water and wastewater infrastructure.	Limits assessment of whether essential services can be sustainably provided over the	Uncertainty regarding the long-term ability of the servicing model to deliver safe, reliable and resilient services.

		life of the development.	
Legislative framework, oversight and intervention mechanisms	Insufficient information regarding whether the existing legislative and regulatory framework provides adequate monitoring, oversight, enforcement, intervention and remediation mechanisms for the proposed servicing model.	Limits confidence that servicing risks can be appropriately managed over time.	Risk that governance, operational or service failures arise without a clear, effective or timely pathway for intervention and remediation, potentially affecting service continuity, public health outcomes and environmental outcomes.
Long-term maintenance, renewal and replacement funding	Insufficient information regarding funding mechanisms for ongoing maintenance, renewals and eventual replacement of infrastructure assets.	Limits understanding of long-term infrastructure sustainability.	Risk of declining infrastructure performance, deferred maintenance and reduced resilience over time.
Residual community and public sector exposure	Limited assessment of the extent to which future risks, liabilities or obligations may ultimately fall to residents, property owners, infrastructure providers, Auckland Council, Auckland Transport, Watercare or future ratepayers.	Limits understanding of long-term risk allocation.	Uncertainty regarding who bears responsibility if servicing arrangements become unsustainable or fail to perform as intended over the life of the development.
Reliance on future public infrastructure, services and investment	Limited information regarding the extent to which the development relies on future transport infrastructure, public transport services, parks, community facilities, utility infrastructure or other public investment and services that are not currently committed.	Limits the ability to assess whether the proposal can provide a well-functioning urban environment independently of future public investment decisions.	Risk that anticipated infrastructure, services or facilities do not eventuate, resulting in reduced levels of service, poorer resident outcomes and a development that does not function as intended over the long term.

8.0 Recommendation

1. Further information should be provided regarding infrastructure funding, financing, delivery, ownership and long-term operational responsibilities.
2. The applicant should demonstrate that infrastructure can be delivered and sustained in a manner that supports a well-functioning urban environment for future residents, businesses and visitors.
3. Further information should be provided regarding cumulative infrastructure demands arising from Stage 1 and Stage 2, and how those demands will be accommodated over the life of the development.
4. Further assessment should be undertaken of the proposed water and wastewater servicing model, including ownership arrangements, governance structures, operational responsibilities, service continuity arrangements and long-term stewardship of infrastructure assets.
5. The applicant should demonstrate that effective mechanisms exist to identify, manage and resolve governance, operational, environmental or service failures should they occur.
6. The proposal should demonstrate that it will not create inappropriate financial exposure, unfunded obligations or pressure to accelerate infrastructure investment by Auckland Council, Auckland Transport or Watercare.
7. The Applicant should identify all assumptions regarding future public infrastructure, public services, public funding and public investment that underpin the proposal and demonstrate that the development can continue to function appropriately if those assumptions do not eventuate.

9.0 Proposed Conditions

If the Application is granted, conditions should be imposed requiring:

1. **Infrastructure Funding and Delivery:**
   Require the Applicant to demonstrate, prior to each stage of development, that infrastructure necessary to service that stage, including cumulative infrastructure demands arising from previous stages of development, is funded, available and capable of supporting the proposed level of development.
2. **Infrastructure Dependencies and Staging:**
   Require development to be staged so that occupation and development are aligned with the delivery and availability of supporting transport, water, wastewater, stormwater and other necessary infrastructure.
3. **Reliance on Future Public Infrastructure and Services**
   Require the Applicant to identify all assumptions regarding future public infrastructure, public transport services, parks, community facilities, utility infrastructure, public funding, public ownership, network integration or public sector intervention that underpin the proposed development. Where development outcomes rely on such assumptions, the Applicant should demonstrate that appropriate levels of service and functionality can still be achieved if those assumptions are delayed, reprioritised or do not eventuate.
4. **Cumulative Infrastructure Capacity:**
   Require the Applicant to demonstrate that cumulative infrastructure demand arising from Stage

1 and Stage 2 can be accommodated without adverse effects on network performance or service levels.

5. **Water and Wastewater Servicing:**
   Require the Applicant to demonstrate that proposed water and wastewater infrastructure has appropriate ownership, governance, operational, maintenance, renewal and funding arrangements in place for the life of the development.
6. **Service Continuity and Failure Management:**
   Require documented arrangements identifying how service interruptions, infrastructure failures, governance failures, financial distress or operator failures will be managed, including responsibilities for corrective actions and continuity of essential services.
7. **Long-Term Stewardship and Asset Management:**
   Require demonstration that infrastructure assets will be appropriately maintained, renewed and replaced over time, and that adequate governance and funding mechanisms exist to support these activities throughout the life of the assets.
8. **Ownership and Responsibility:**
   Require clear identification of ownership, operational, governance and funding responsibilities for all major infrastructure assets associated with the development.
9. **Review of Servicing Arrangements:**
   Require review of servicing arrangements where there are material changes to infrastructure ownership, governance, operation, funding arrangements or servicing assumptions.
10. **Monitoring, Oversight and Remediation Framework:**
    Require the Applicant to demonstrate that effective mechanisms exist to monitor, oversee and, where necessary, remedy issues associated with privately operated water and wastewater infrastructure. This should include clear identification of:
11. monitoring and reporting requirements;
12. organisations responsible for oversight;
13. statutory powers available to those organisations;
14. mechanisms available to address non-compliance, governance failure, operational failure or financial distress;
15. responsibility for funding corrective actions; and
16. practical pathways for remediation should material service issues arise.

    The arrangements should demonstrate not only that issues can be identified through monitoring and reporting, but that there are effective mechanisms, powers and responsibilities in place to address those issues should they occur.

Note

Conditions may assist in managing some infrastructure risks. However, conditions alone may not adequately address risks associated with long-term governance, financial sustainability, service continuity and stewardship of privately operated essential infrastructure. Particular consideration should be given to whether effective oversight, intervention and remediation mechanisms exist within the current legislative and regulatory framework, and whether residual risks may remain with future residents, property owners, public health and environmental outcomes, infrastructure providers,

Auckland Council or future ratepayers. These matters should be adequately understood and assessed as part of the Panel's consideration of the proposal.