

BEFORE THE PANEL CONVENER

IN THE MATTER of an application for approvals by Westhaven Residential Limited Partnership under section 42 of the Fast-tracks Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER of 188 Beaumont Street, being an urban development project in Auckland referred under the FTAA ("**Project**")

**MEMORANDUM OF COUNSEL FOR THE APPLICANT
RESPONDING TO MINUTE 1 OF THE PANEL CONVENER**

25 MAY 2026

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MAY IT PLEASE THE PANEL CONVENER:

Introduction

1. This memorandum is prepared on behalf of Westhaven Residential Limited Partnership ("**Applicant**") in relation to the Project and addresses the matters set out in Schedule 1 to the Panel Convener's Minute 1 ("**Minute**") dated 15 May 2026.
2. By way of introduction, and as the Panel Convenor will be aware, the Project is an urban development project in Auckland's city centre involving a residential-led mixed use building comprising residential apartments across three building elements, ground floor retail activities and associated car parking.
3. The Minister for Infrastructure referred the Project to the FTAA process on 18 December 2025 and the Applicant lodged a substantive application for the Project on 2 April 2026.

Schedule 1 matters

Approvals

4. All approvals sought are resource consents which would otherwise be applied for under the Resource Management Act 1991 ("**RMA**"). A range of land use, subdivision, water and discharge consents are being applied for under the Auckland Unitary Plan – Operative in Part and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. The details of the approvals sought are outlined in Section 7 of the Assessment of Environmental Effects.¹

Complexity

5. In terms of the specific areas of complexity set out in the Minute:
 - (a) **Legal complexity:** it is not anticipated the Project will involve any novel legal issues beyond the standard considerations typically associated with the FTAA.

¹ 188 Beaumont Street, Auckland Central, *Fast Track Approval Substantive Application - Assessment of Environmental Effects and Statutory Analysis*, dated 9 April 2026.

- (b) **Evidentiary complexity:** although the application for the Project is accompanied by a range of expert reports and draft management plans, the information is typical of a residential-led development of this nature and scale in an urban environment.
 - (c) **Factual complexity:** there are no unique or complex factual matters that have not been assessed in the application for the Project.
6. Overall, the application for the Project is not considered to be novel or overly complex for a development of this nature and scale in a city-centre location.

Issues

7. A summary of the engagement undertaken by the Applicant is set out in Appendix 27 of the substantive application, including engagement with Auckland Council and iwi.² The Applicant intends to continue engaging with relevant parties, in particular with the Council, with a view to refining the issues and conditions prior to the Panel inviting parties to comment on the Project.
8. As a result of the engagement to date, the Applicant considers the key issues are:
- (a) The proposed design of the Project and the associated landscape, visual and urban design effects. As the Project is in a strategic city-centre location, the design and associated effects have been discussed with Auckland Council at length and extensively with Auckland Urban Development Office in particular. The Applicant has refined the design of the Project in response to those comments.
 - (b) The effects of coastal hazards and proposed mitigation. This aspect has been of particular interest in discussions with the Council, in part due to Auckland Council's Proposed Plan Change 120 (Housing Intensification and Resilience) which is currently on foot.
9. While the capacity of the existing wastewater network and its ability to service the Project was raised as an issue in initial engagement with Watercare Services Limited ("**Watercare**"), the Applicant has since undertaken further investigations (as Watercare requested) to confirm the capacity of the existing wastewater network. The Applicant is continuing to engage with Watercare

² 188 Beaumont Street, Auckland Central, *Consultation Summary Report*, dated 12 March 2026.

and expects this issue can be resolved prior to the Panel inviting parties to comment.

10. The Application does not concern an activity that is the same or similar to one that has been previously lodged with a consent authority. Therefore, there have been no requests for information under section 92 of the RMA.
11. The Applicant considers that more than 30 working days will be required for the Panel to make a decision (as set out below) and therefore does not comment on the matter at paragraph [3(c)] of the Minute.

Panel membership

12. The Applicant:
 - (a) is not aware of any particular knowledge, skills or expertise required to decide the application under clause 7(1) of Schedule 3 of the FTAA; and
 - (b) considers the appointment of three Panel members is appropriate for the Project.

Procedural requirements

13. The Applicant is willing to engage with the Panel as necessary to advance the Project and considers it would be useful for the Applicant to provide the Panel with a briefing on the Project early on in the Panel's assessment.
14. At this stage, the Applicant considers:
 - (a) it is unlikely mediation will be required given the Applicant is continuing to engage with the Council;
 - (b) any matters that the Panel requires clarification on can be addressed through requests for further information and a hearing is not required; and
 - (c) any matters relating to conditions can be addressed through the statutory process for providing comments on draft conditions.

Estimated timeframe

15. The Applicant considers 45 working days to be sufficient in deciding the Application (being an additional 15 working days beyond the statutory

minimum timeframe), taking into account the level of complexity of the Project and limited number of issues.

Conclusion

16. The Applicant appreciates the opportunity to comment on the matters set out in the Minute and looks forward to discussing this further with the Panel Convenor at the conference set down for 10.30am on Wednesday 27 May 2026.

DATED: 25 May 2026



L J E Rapley | A H Wouters
Counsel for Westhaven Residential Limited Partnership