

Fast-track Panel Convenor
C/- Environmental Protection Agency
Attn: [REDACTED]
By Email

21 May 2026

KCDC File No: 250099FT
EPA File No: FTAA-2603-1194

Panel Convenor Conference Memorandum: Waikanae North Developments Limited

1. Introduction

- 1.1. This memorandum is filed on behalf of the Kāpiti Coast District Council (KCDC) in response to the Panel Convenor's directions in their minute dated 14 May 2026, and in advance of the Panel Convenor conference scheduled for 21 May 2026.
- 1.2. For this project, KCDC's role under the Fast-track Approvals Act 2024 (the FTAA) is to participate in the approvals process as a local authority and district council consent authority. This includes participating in pre-lodgement consultation with the applicant, commenting on the application when invited to do so by the Panel Convenor and Expert Panel, providing information to the Panel Convenor and Expert Panel where requested, and commenting on draft consent conditions. If the consents are granted, KCDC must also undertake compliance monitoring and enforcement on any territorial resource consents as if those consents were granted under the Resource Management Act 1991 (RMA), for the duration of the consents.

2. Limitations

- 2.1. Any comments provided in this memorandum are preliminary and only for the purposes of responding to the directions in the Panel Convenor's minute. The comments provided in this memorandum to not constitute KCDC's comments on the project under section 53 of the FTAA. Any comments provided by KCDC on the application under section 53 of the FTAA may include, but are not limited to, the matters raised in this memorandum.

3. Matters relevant to timeframe

3.1 This section of the memorandum provides our feedback on the matters set out in items 6(a)-(e) of the Panel Convener's minute, having considered the matters set out within Schedule 1.

(a) Extent of engagement by the applicant both before and following lodgement of the application

3.2 Pre-application consultation between the Applicant and KCDC commenced in October 2024. This is when the Applicant notified KCDC of their intention to progress the project via the Fast Track Approvals Act 2024. The pre-application consultation between October 2024 and March 2026 was consistent and thorough, it included:

- (a) An overview of the project;
- (b) Provision of draft application information including assessments, reports and technical information; and
- (c) Discussion and workshops regarding specific infrastructure and planning requirements.

3.3 Throughout the pre-application consultation period KCDC was able to provide the Applicant with detailed reviews and feedback on the draft application information provided.

3.4 KCDC appreciates the proactive approach taken by the Applicant and considers the pre-application consultation has resulted in an application with fewer issues likely to arise through the substantive application process than may have otherwise been the case.

(b) Level of complexity, including any novel or difficult legal issues, and any evidential or factual complexity

3.5 The application is for a large and comprehensive urban subdivision development within a rural zone which seeks a range of approvals, bundled under different statutes – FTAA, RMA, and Wildlife Act 1953. It is supported by a suite of technical reports, assessments, and plans.

3.6 Although the application contains a large volume of evidence, requiring technical, scientific or highly specialised reviews, this is not considered to be unusual for an application of this scale and range of environmental effects. In addition, KCDC have been highly engaged in providing iterative reviews of draft revisions of the application documentation. For these reasons, the application is not considered to be legally, evidentially or factually complex.

(c) Principal environmental effects and the principal issues likely to be in contention or other disputed matters relevant to the application and the panel's decision

3.7 The principal environmental effects that KCDC are likely to comment on under Section 53 of the FTAA include (but are not limited to):

- Landscape, character and visual amenity
- Subdivision layout and design
- Urban design

- Three waters infrastructure
- Stormwater management
- Hydrology
- Natural hazards including flood modelling
- Earthworks and landform modification
- Geotechnical
- Management of earthworks construction
- Construction-related activities including management of
- Acoustic
- Soils and land use

3.8 KCDC have raised a range of matters with the Applicant throughout the series of pre-application engagement and many of these have been resolved. At this early stage of assessing the lodged application documents, KCDC are unable to ascertain whether all matters raised have been satisfactorily resolved. The below matters represent potentially unresolved key issues for KCDC:

- Classifications of some proposed reserve areas along with the proposed size, layout, function, and future ownership structure;
- Ownership and maintenance responsibility for Te Harakeke wetland area;
- Responsibility for delivery of future northern and southern road connections;
- Easement requirements for infrastructure within shared access areas;
- Developer agreement for infrastructure; and
- Technical matters relating to conditions drafting.

3.9 We consider that most of these matters can likely be addressed through consent conditions. The Applicant has engaged proactively with KCDC on issues to date, and we will seek to narrow or resolve as many of these matters as is practicable in advance of providing comments to the Expert Panel under section 53 of the FTAA. We expect to record our position on these matters in our comments to the Expert Panel.

(d) Efficient processes to enable the panel to understand, resolve or narrow/reduce the scope of any such issues and indicate how these processes may be accounted for in the decision timeframe

3.10 The Expert Panel has the power to request further information and reports under section 67 of the Act and the power to appoint a special and/or technical advisor under clause 10 of Schedule 3 of the Act.

3.11 In addition to the above, we consider expert conferencing to be an efficient process to resolve or reduce focused issues. A similar process mechanism could be useful in allowing parties to workshop consent conditions.

(e) Whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted

3.12 The draft conditions package accompanying the application was not part of any information package provided to KCDC for pre-lodgement review or feedback. As such, we have not yet had the opportunity to review the acceptability of these.

- 3.13 The Applicant's proposed approach to imposing 'Residential Zone' conditions on the subdivision which is on land otherwise zoned a Rural classification under the District Plan gives rise to an additional layer of complexity which will require added scrutiny to ensure such conditions are workable.
- 3.14 In addition, the Applicant proposes to allow for alternative options to be consented with respect to infrastructure provision for the subdivision. This is considered necessary due to the existing infrastructure provisions however this approach will give rise to an additional layer of complexity which will require scrutiny to ensure the conditions in this regard are acceptable to all parties and workable.
- 3.15 KCDC considers that the above additional layers of complexity should be given due regard when setting timeframes for parties to review and comment on draft conditions.

4. Matters relevant to Composition of the Panel

- 4.1 This section of the memorandum provides our feedback on the matter set out in item 8 of the Panel Convener's minute.
- 4.2 Having regard to the scale, nature, and level of complexity of the application, we consider a three or four-member panel is appropriate.
- 4.3 With particular regard to the parts of the application that relate to KCDC's function as a district council, we consider it would be prudent for the Expert Panel to contain skills, knowledge and expertise in the following areas: legal, resource management / planning, and development engineering.
- 4.4 KCDC also considers that it is important that the Panel has sufficient expertise, through engagement by the Panel, to consider some of the highly specialised key issues of the proposal such as the ecological and hydrological effects.
- 4.5 We defer to mana whenua to advise whether a Panel Member with particular cultural expertise is also necessary in this case.

5. Attendance

- 5.1 The following persons will attend the conference for KCDC:

- Monique Leith, Consultant Planner, Resource Consents & Compliance, Strategy and Growth
- Isaac Cant, Development Facilitation Lead, Strategy and Growth
- Darryn Grant, Strategic Development Director, Strategy and Growth (tentative)

Memorandum prepared by:

Monique Leith: 

Memorandum reviewed by:

Isaac Cant: 

Darryn Grant: 

