

MEMORANDUM – Auckland Council response to Minute 2 of the Panel Convenor regarding a substantive application: Beachlands South [FTAA-2606-1256]

To:	Helen Atkins, Associate Panel Convenor, via Gabrielle Storey, Application Lead, Environmental Protection Authority
From:	Adonica Giborees, Principal Project Lead – Premium Unit, Planning & Resource Consents Department, Auckland Council.
Subject:	Fast-Track Approvals Act 2024 (FTAA) – FTAA-2606-1256 – Beachlands South, Fast track Proposal – Response to the matters set out in Schedules 1 and 2 attached to the Minute issued by the Panel Convenor (10 August 2026)
Date:	24 August 2026

Minute #2 from the panel convenor outlined that a conference will be held on 3 September 2026 to inform decisions regarding the appointment of panel members and the timing of the panel decision.

Auckland Council confirms that the following persons will attend the Panel Convenor conference on 3 September 2026:

- Adonica Giborees – Principal Project Lead, Premium Resource Consents
- Brooke Dales – Reporting Planner

The minute also requested persons, including Auckland Council, to provide information in a written response to the matters set out in Schedule 1 and 2 prior to the conference, and includes a number of questions and prompts. This memorandum is in response to that request.

Schedule 1

Participants' estimated timeframe:

Regarding the nominal dates proposed by the convenor in Minute 2, we consider it may be appropriate to delay the Panel commencement date and / or the date comments are invited to comment, acknowledging that Labour Day (observed on 26 October 2026) and school holidays (26 September – 11 October 2026) are around this time.

In regard to the decision release date, Council considers that a decision timeframe in the order of 60 working days would be appropriate. While the application is supported by a comprehensive AEE, it involves a moderate level of complexity, including a broad range of technical disciplines, multiple consent triggers, and key matters requiring further interrogation and potential refinement. A timeframe of approximately 60 working days would enable adequate technical review, targeted expert conferencing, and resolution of outstanding issues, while remaining consistent with the Fast-track Approvals Act principles of timely and efficient decision-making.

Schedule 2

Schedule 2 – Matters of Consideration	Auckland Council Response
Approvals [1] The number and range of approvals sought.	Overall Council Reference: BUN60467962 The application seeks a comprehensive suite of approvals, comprising: • All resource consents required under the Resource Management Act 1991 to enable the construction and operation of the proposed development. These include land use, subdivision, and regional consents (including earthworks, vegetation alteration and removal, stream and wetland reclamation, groundwater take/diversion, streamworks, wastewater discharge, stormwater discharges and diversion, air discharge, contamination-related approvals, and works in the coastal marine area). The application is assessed overall as a non-complying activity due to the combined consent framework. • Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014 as there are recorded archaeological sites that are either located within, or extend into, areas of proposed vegetation removal and ground disturbance associated with bulk earthworks or EPAN works. • Wildlife Approval. The breadth and range of approvals is consistent with a large-scale development of this nature.
Complexity [2] The level of complexity will have a bearing on the appropriate frame for decision making and may include: (a) Legal Complexity: novel or difficult legal issues -	Based on the nature and type of the proposals, the issues of consideration and the preliminary further information and feedback shared with the applicant we would categorise the application as having a moderate classification/level of complexity across legal, evidentiary, and factual matters.

(i) involve untested law or interpretation of statute; (ii) involve application for multiple approvals; (iii) interface with two or more statutes; and (iv) engage constitutional law and public law. (b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence - (i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and (ii) often involve technical or scientific analysis. (c) Factual Complexity: arises from the volume and nature of evidence - (i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and (ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.	From a legal perspective, the proposal requires integration across the Fast-track Approvals Act 2024, the Resource Management Act 1991, National Environmental Standards, Heritage New Zealand Pouhere Taonga Act 2014, the Wildlife Act 1953, and multiple national and regional policy instruments. While this does not raise novel legal issues, the multi-statutory interface contributes to overall complexity. From an evidentiary perspective, the application is supported by extensive technical reporting covering civil engineering and infrastructure capacity, traffic/transport, geotechnical, contamination, natural hazards, urban design and landscape, archaeology, acoustics, ecology, and coastal matters. Some matters remain subject to refinement through detailed design or further investigation. From a factual perspective, the proposal is a large-scale, mixed-use urban development involving approximately 2,000 dwellings, retail activities, community and commercial spaces, education facilities, and supporting infrastructure. Site constraints include topography, coastal hazards, and infrastructure. Overall, the level of complexity is considered typical of mixed-use development projects under the FTAA. Initial reviews of much of the application documents have been undertaken for some of those matters / disciplines identified as key issues – refer to comments on <i>Issues</i> below.
Issues [3] In addition to the matters noted in the Minute, describe: (a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.	<u><i>Pre-lodgement consultation</i></u> Prior to the lodgement of the substantive application the applicant undertook engagement directly with Auckland Council on proposals developed into the substantive lodgement.

(b) if the application concerns an activity the same or similar to one previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application. (c) any statutory process that coincides with the 30-working day period (if proposed).	A summary of engagement between Auckland Council and the Applicant team undertaken to date, including further engagement undertaken post-lodgement, is attached at Appendix 1. Primary issues at this point helpful to signpost/for discussion at the Convener Meeting appear to include: • The landscape effects. • The proposed outfall structure and coastal discharge of treated wastewater. • The proposed approach to managing ecological impacts. Auckland Council note however, that while engagement with the applicant team has occurred and is anticipated to continue, not all matters have been resolved at the time of writing this response. <u>Post-lodgement consultation</u> The applicant has continued to engage with Auckland Council on some of the above key issues following the lodgement of the substantive Fast Track application. Council notes that it has not previously received a resource consent application for the development of this site, and therefore no requests for further information under section 92 of the Resource Management Act 1991 have been made in relation to a prior application. The current application is supported by a comprehensive Planning Assessment and technical reporting, indicating that typical information requirements have largely sought to be addressed at lodgement. Relevant statutory processes are therefore confined to the Fast-track Approvals Act framework and associated technical review processes.
Panel membership [4] Consider:	Council have responded to the request for nomination from Auckland Council in

(a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3. (b) whether there are factors that warrant the appointment of more than four panel members, such as: (i) the circumstances unique to a particular district or region; or (ii) the number of applications that have to be considered in that particular district or region; or (iii) the nature and scale of the application under consideration; or (iv) matters unique to any relevant iwi participation legislation.	relation to the Beachlands South Fast Track expert panel on the 5 August 2026. Auckland Council do not consider at this point that there are factors that warrant the appointment of more than four panel members.
Mātauranga and tikanga [5] Iwi authorities and Treaty settlement entities are invited to discuss: (a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur; (b) seek guidance on any requirement to protect sensitive information.	This section is not applicable to Auckland Council.
Procedural requirements [6] Consider and prepare to indicate: (a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing). (b) the timing of expert conferencing or wānanga; (c) the referral of two or more participants or topics to mediation; (d) the requirement for any form of hearing process including: (i) disputed facts or opinions; (ii) proposed conditions; or	Auckland Council and Asset Owners confirm their willingness to engage directly with the panel through technical briefings, expert conferencing, and other processes as required to advance efficient consideration of the application. Expert conferencing may be beneficial. At this stage, it is considered that a full hearing process may not be necessary if issues can be appropriately resolved through written evidence and conferencing. Draft consent conditions appear generally well-developed but are likely to require further refinement through the process. In a number of areas there are matters where a site visit with specialists and the applicant team will be required and helpful

(iii) legal issues.	to the progress of the application and discussion of these key issues. There may be other procedural requirements with reference to the issues identified above, and that may arise as a result of consultation with Council and other parties. We would consider it advantageous to discuss at the convenor session the following: • Draft s67 matters. We have noted that in instances awaiting the Panels confirmation of S67 matters where post-Council comments provided in response to s53 can create a delay and efficiency issues where this information is requested post the above stages and requires review. In our experience early briefing to Council specialists improves the efficiency of the process, and may allow Council to identify information that it would suggest be requested under s67 by the Panel earlier in the process. We agree that post s55 stage, a meeting with the Panel and participants should be provided for to identify any key matters of contention and for this to inform next procedural steps.
Anything else? Is there any other information needed to decide time frames or panel composition?	No.

If you have any queries, please contact me on [REDACTED]
or by phone on: [REDACTED] and quote the application number above.

Yours sincerely,



Adonica Giborees
Principal Project Lead, Premium Consents, Auckland Council

Appendix 1 – Summary of Engagement (as at 24 August 2026)

23 Feb to 24 August 2026	Ongoing engagement meetings with Council's planners which have involved input from Council specialists as required including urban design, ecology, landscape/visual, transport, engineering, wastewater, water supply.
1 April & 17 April & 21 April & 12 May 2026	Presentations to Council's and Auckland Transport's specialists on the various aspects of the project including the Urban Design, Open Space, Architecture, Transport specialists.
7 May 2026	Engagement with Healthy Waters.
13 May 2026	Engagement with Auckland Transport regarding delivery of ferry upgrades and terminal upgrade.
18 June 2026	Engagement with Auckland Harbour Master.
30 July 2026	Site Visit with Council specialists at Beachlands South Precinct.
3 August 2026	Received query from Auckland Council seeking further landscape and visual assessment information. Information partly provided to Council on 13 August 2026; the remainder has not been received by Council at the time of writing this response.
3 August 2026	Meeting with Council specialist on Water Allocation.
17 August 2026	Consultation meeting with Council planners, traffic engineers and Auckland Transport to discuss roading upgrade requirements.
17 August 2026	Auckland Council issued all specialist initial comments to enable applicant to tabulate and progress responses. This is intended to enable the list of outstanding issues to be considered by the Panel to be significantly reduced.
24 August 2026	Consultation meeting with Council ecologists to discuss ecological matters.