Your Comment on the Beachlands South

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Auckland Council		
First name	Adonica		
Last name	Giborees		
Postal address	PO Box 92300, Victoria Street West, Auckland 1010		
Home phone / Mobile phone		**Work phone**	09 301 0101
Email ***(a valid email address enables us to communicate efficiently with you)***	adonica.giborees@aucklandcouncil.govt.nz		

2. We will email you draft conditions of consent for your comment			
☒	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

Please refer to comments below and attached.

IN THE MATTER of the Fast-track Approvals Act 2024 ('FTAA')

AND

IN THE MATTER of an application for approvals by Beachlands South Limited to develop approximately 2,000 residential dwellings, including community and commercial spaces (including a local centre, offices, a hotel/conference centre, and light industrial and retail activities), approximately 75 hectares of protected ecological restoration area, walking and cycling networks, and community facilities; and enabling the potential development of 2 schools with all associated earthworks and 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) at 110 Jack Lachlan Drive and 620, 712, 758, and 770 Whitford-Maraetai Road, Beachlands, Auckland, including the coastal marine area adjacent to those properties – Beachlands South ('the Application').

MEMORANDUM OF PLANNING MATTERS FOR AUCKLAND COUNCIL

Dated: 27 October 2026

SECTION A: INTRODUCTION

1. This memorandum sets out Auckland Council's planning assessment of the Substantive application lodged by Beachlands South Limited ('the Applicant') under the FTAA.

2. Section 53(2) of the FTAA identifies relevant local authorities as a party from whom comments on a Substantive application must be invited. Auckland Council is the relevant local authority for this proposal. In response to the FTAA, and the statutory roles and responsibilities of the territorial authority, Auckland Council have established a process whereby the response to any invitation to comment under s53(2) for Substantive applications seeking resource consent and/or designation type approvals is led by the Planning and Resource Consents Department. FTAA projects (Listed or Referral) are allocated to a specific Principal Project Lead within the Premium Unit -

Planning and Resource Consents Department, and a qualified Planner, who coordinate and lead this regulatory response on behalf of Auckland Council. Separate to the process under s53(2), Auckland Council elected representatives and/or managers may make public comments in support or opposition to Fast Track applications.

3. This memorandum has been prepared by myself (Mr Brooke Dales, Consultant Planner for Auckland Council) and reviewed by Ms Adonica Giborees, Principal Project Lead for Auckland Council, and is provided in response to the invitation to comment issued as per in Minute 2 of the Expert Panel (**Panel**) (dated 28 September 2026) under s53(2) of the FTAA.

4. The assessment of the application is based on the application material as lodged with the latest updated application documents provided to the Panel on 14 and 25 September 2026, including the updated Assessment of Environmental Effects ('AEE') and proposed conditions prepared by UNIO Environmental Limited (UNIO) and the supporting technical attachments. The assessment also takes into account subsequent responses provided by the Applicant to specialists' questions raised during the Council – Applicant engagement. This memorandum evaluates the proposal against the relevant statutory documents, and the purpose of the FTAA. Where gaps in information have been identified, these are outlined for the Panel to consider.

5. There are various accompanying annexures to this memorandum as follows, which are referred to throughout this memorandum:
    a. Geotechnical (John Newsome) and Development Engineering (Maria Baring) – **Annexure A**
    b. Regional Earthworks (Matt Byrne) – **Annexure B**
    c. Coastal Water Quality and Marine Ecological Effects (Dr Kala Sivaguru) – **Annexure C**
    d. Coastal Hazards (Dr Tola Omidiji) – **Annexure D**
    e. Groundwater Take/Diversion (Hester Hoogenboezem) – **Annexure E**
    f. Contamination (Duffy Visser) – **Annexure F**
    g. Landscape Visual (Peter Kensington) – **Annexure G**
    h. Urban Design (Mustafa Demiralp) – **Annexure H**
    i. Universal Design (Nidhi Nautiyal) – **Annexure I**
    j. Refuge/Waste (Jan Burberry) – **Annexure J**
    k. Parks (Roja Tafaroji) – **Annexure K**
    l. Transport Performance & Optimisation (TPO)[1] (Phil Harrison, Richard Black & Chris Freke) – **Annexure L**
    m. Wastewater (Chris Garton) – **Annexure M**
    n. Stormwater (Martin Meyer) – **Annexure N**
    o. Groundwater take / Bore (Louwrens Le Roux – **Annexure O**
    p. Council Healthy Waters Flood Resilience (Hillary Johnston) – **Annexure P**
    q. Damming Water / Dam Safety – Don Tate - **Annexure Q**
    r. Watercare Services Limited (Anna Jennings) – **Annexure R**
    s. Growth Infrastructure Funding (Brigid Duffield) – **Annexure S**
    t. Air Quality (Marie Meredith) – **Annexure T**

[1] Formerly Auckland Transport

u. Terrestrial Ecology (Luke Stanley) – **Annexure U**
v. Arboriculture (Regine Hoi Gok Leung) – **Annexure V**
w. Freshwater Ecology (Antoinette Bootsma) – **Annexure W**
x. Archaeology (Mica Plowman) – **Annexure X**
y. Noise and Vibration (Duffy Visser) – **Annexure Y**
z. Economics (Shane Martin) – **Annexure Z**
aa. Environmental Monitoring (Christian Greff Turza) – **Annexure AA**
bb. Harbourmaster (Jason Son) – **Annexure BB**
cc. Franklin Local Board - **Annexure CC**
dd. Houkura - **Annexure DD**

6. I am aware that the Panel have also invited comments under s53(2) of the FTAA directly from the Auckland Harbourmaster, Franklin Local Board and Watercare Services Limited. The Watercare Services Limited memo is referenced above, and it is understood that they also intend to provide a formal response directly to the Panel. The Harbourmaster has been involved in a previous consultation meeting with both the Council and the Applicant attending. The Harbourmaster's Maritime Officer Jason Son advised on 16/10/2026 that they will not provide comments directly to EPA and advised to provide their comments from 11/08/2026 as their final comments which includes the Harbourmaster consultation document dated 18/06/2026), referenced above as Annexure BB.

7. A copy of the application and briefing was provided to the Franklin Local Board and Councillor's Greg Sayers, Richard Hills, Josephine Bartley and Andrew Baker on 28 September 2026. The written feedback received on 7 October 2026 is attached at Annexure CC for the Panel's consideration. The issues raised in this feedback have been addressed in the set of Council memoranda and later in this memorandum.

8. Houkura have also provided comments that also referenced above as Annexure DD.

9. The Application as lodged included a set of recommended conditions at their Attachment 0C, that has been subsequently updated with their own tracked changes (shown in **green font**). The Council team have reviewed these updated conditions, with additions / changes recommended by some specialists as set out in their memoranda. To assist the Panel if it is of a mind to approve the Application, this planning memorandum provides Council tracked changed version of conditions (attached in **Appendix 2** with Council changes shown in **purple font**) that either recommend specific changes to the conditions or flag areas where the Council considers additional requirements should be included (as referenced in the Council Specialists memoranda). Council's Environmental Monitoring team have reviewed the conditions and their comments have informed my tracked change version of conditions. The intention is to assist the Applicant in providing an updated set of conditions to the Panel for their consideration. I consider that, in the later stages of the process, expert conferencing would likely further assist in resolving remaining key information gaps, matters of contention and to refine these conditions, if the Panel is of a mind to approve the Application. Please also note for completeness that I have not changed the references to AUP(OP) to AUP, nor Council's preference for "must" rather than "shall", although I recommend this be easily done later in the process (I sought to avoid

additional tracked changes at this stage to ease review). Please also note that the appendix to conditions will need to be updated to reference all of the relevant updated application information.

Qualifications, Experience and Code of Conduct

Brooke Dales

10. I am a Director/Planning Consultant at Dales Consultancy Services Limited acting for the Planning and Resource Consents Department at Auckland Council. I hold the qualification of Bachelor of Planning and have over 30 years of experience in planning practice. I have experience in preparing technical assessments and providing expert evidence for complex resource consent applications, including appearing as an expert witness in Council hearings and Environment Court proceedings.

Adonica Giborees

11. Adonica Giborees is a Principal Project Lead in the Premium Resource Consents Unit of Auckland Council, holds a Bachelor of Planning and has over 21 years' resource management experience in Local Government and the private sector in New Zealand, Canada and the United Kingdom. Her experience includes fast-track consenting, preparing technical assessments, and providing expert evidence for complex large-scale residential, commercial and infrastructure projects. Adonica is an accredited RMA commissioner.

12. Both Brooke and Adonica have visited the site on a number of occasions, including two visits with representatives of both the Applicant and Council teams.

Code of conduct

13. Brooke and Adonica confirm that they have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code) and have complied with it in the preparation of this assessment. They also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. They confirm that the opinions they have expressed are within their area of expertise and are their own, except where they have stated that they are relying on the work or evidence of others, which they have specified.

SECTION B: SITE, BACKGROUND, PROPOSAL AND PLANNING CONTEXT

14. The Applicant has provided detailed and accurate descriptions of the site, background, planning context and proposal in the submitted Assessment of Environmental Effects (AEE) prepared by UNIO. It is not proposed to summarise or repeat those matters and I have no further comments or clarifications to address in this section of the memorandum.

15. The Council has shared the preliminary specialist comments identifying information

gaps with the applicant team following targeted further consultation and engagement. The Applicant have since provided the following additional documents directly to the Council. These documents have been collated as **Appendix 1** to this memorandum for the Panel's review and consideration:

PHLL Water Supply letter	Received 12th October 2026
Open Space Sketchbook	Received 16th October 2026
Response to Groundwater take	Received 16th October 2026
Minutes from meeting between Applicant & Council Economists	Received 16th October 2026
Amended views of coastal apartment building	Received 19th October 2026
Memorandum summarising the additional stormwater modelling and sensitivity analysis	Received 19th October 2026

SECTION C: PLANNING EFFECTS ASSESSMENT

16. The following section outlines the statutory planning assessment drawing on the various inputs provided by Council specialists who have reviewed the application documents and provided memoranda outlining their assessment/comments. The reader is also directed to the detailed analysis provided by the various technical experts in the attached memoranda.

17. The Applicant has addressed the consents required in section 9 of the AEE. The Council team have reviewed this section and some changes have been recommended by Council specialists. The Applicant is invited to confirm the full updated reasons for consent in their response to the Panel.

18. For ease of reference the following assessment will generally follow the effects categories and order as set out in the AEE, with the exception of positive effects that will be addressed last. Overall, I am in general agreement with the overarching planning assessments made in the AEE and the following sections will only raise matters in contention, of difference in opinion or where further information is considered necessary to complete the assessment and/or changes are recommended to the Applicant's proposed conditions. Where Council specialist(s) have made comments relevant to each effects category, the pertinent comments are summarised within each section, noting that the full comments can then be referenced for more detail. Please note that a number of the Council specialists refer to FTAA section 67 requests and responses relating to requests for further information, although Council is aware that section 67 requests are at the sole discretion of the Panel. The Applicant is invited to respond to these requests, with any remaining information gaps ultimately determined by the Panel.

19. The Application seeks a lapse period of 15 years (rather than the standard 5 years). While this length of time is unusual, I consider it to be appropriate in this case, recognising the large-scale scale of the project that will likely be delivered in stages over an extended timeframe.

Land Disturbance effects

20. Council's Geotechnical Specialist John Newsome's review confirms that he is satisfied that there has been sufficient geotechnical investigation and assessment to reliably confirm that the development proposal is a workable proposition for the subject land. In this regard, the depth of analysis and quality of engineering commentary gives Mr Newsome confidence that all relevant geotechnical aspects have been both understood and addressed, and that there are viable engineering solutions available to ensure the success of the project as designed. Furthermore, Mr Newsome considers there is sufficient expertise demonstrated to facilitate the necessary ongoing supervision and monitoring during the construction and final certification phases of the development. Council's Development Engineering Specialist Maria Baring's review confirms that the proposed earthworks conditions have been reviewed and are supported, with no changes recommended.

21. Council's Regional Earthworks Specialist Matt Byrne's review confirms that he supports the proposal on the basis that proposed Erosion and Sediment Control (ESC) measures will ensure the proper management of any potential sediment related effects and that any resulting effects will be less than minor. Mr Byrne's support is subject to his recommended change to condition 43 to align with the precinct provisions and the addition of a Review Condition that he considers necessary noting the requested 25-year expiry date for the earthworks permit. Given the nature and scale of earthworks proposed, I agree with Mr Byrne's proposed changes and they are included in the Council tracked change version of conditions attached to this memorandum.

22. The maximum duration of 25 years with a seasonal restriction for the earthworks, while unusual, is considered appropriate in this case as it relates to the large scale of the project and the extended lapse period of 15 years, recognising that later stages may occur much later.

Coastal Water Quality & Coastal Effects (*NB: Two AEE effects categories combined*)

23. Council's review assesses the water and sediment quality, marine ecological effects, and underwater noise effects associated with the proposed sheet piling required to construct a cofferdam for the proposed works within the Coastal Marine Area (CMA). The proposed CMA works include the discharge of up to 1,383 m^3/day of treated wastewater via an offshore outfall located approximately 2 km offshore during Stage 2 of the development. In addition, residual effects management measures, including ecological compensation and offsetting, are proposed in relation to sediment discharges to intertidal shellbank habitats at Waikopua Shellbanks during the approximately 10-year construction phase of the wider Stage 1 urban development.

24. Dr Sivaguru confirms her support for the proposed construction of the offshore outfall and the discharge of treated wastewater to the CMA via the offshore outfall, subject to the implementation of the recommended consent conditions, including the proposed Marine Monitoring Plan (MMP). This support is contingent upon the proposed wastewater treatment system being fully implemented prior to, or as part of, Stage 2 of the development, and that the discharge volume does not exceed the assessed maximum of 1,383 m³/day. In addition, Dr Sivaguru supports the proposed shellbanks enhancement and mangrove removal works at Waikopua Shellbanks, as outlined in the Ecological Report and the draft Coastal and Biodiversity Management Plan (CBMP), subject to the provision of the outstanding information identified and the implementation of the recommended conditions. The identified information gaps are:

    a. Detailed information on the proposed stormwater outfalls, including the number, design, location, and footprint of any associated energy dissipation and/or riprap structures within the CMA.
    b. Detailed information relating to the Waikopua Island shellbank enhancement works, including the proposed total area of mangrove removal, volume of shell deposition, methodology for deposition, timing, extent of works, and monitoring requirements.

    Dr Sivaguru's recommended changes to conditions (set out in 9.0 of her memorandum) are included in the tracked change version of conditions attached to this memorandum.

25. Dr Sivaguru does not support the implementation of residual effects management measures at the alternative locations identified in the Ecological Report as no information has been provided regarding the ecological values of these sites; the nature and extent of the proposed activities; the potential adverse effects arising from those activities or the likelihood of achieving the anticipated ecological outcomes.

26. Council's Coastal Hazards Specialist Dr. Tola Omidiji's review confirms her support of the application in terms of coastal hazards and does not identify information gaps nor recommend any changes to conditions.

Groundwater Diversion (*NB: Bore/Take is addressed in the following Infrastructure category*)

27. Council's Groundwater Diversion Specialist Hester Hoogenboezem's review advises she is unable to support the application, as insufficient information has been provided to enable a complete assessment of the actual and potential effects associated with groundwater diversion and dewatering. Ms Hoogenboezem requests that the Applicant identify the location, extent, and design of all proposed earthworks, including infrastructure excavations, earthworks drainage, underfill drainage, and retaining wall drainage, and undertake an assessment of the associated groundwater diversion and dewatering effects against AUP Standards E7.6.1.10 (1 to 6) and the relevant matters of discretion under AUP E7.8 for Restricted Discretionary Activities.

28. Ms Hoogenboezem notes in her assessment that "*While I agree that many of the retained excavations appear to be located away from site boundaries, the full extent of*

groundwater diversion and dewatering associated with retaining walls, basements, and other retained structures has not been established. As a result, the application does not provide sufficient information to assess compliance with AUP Standard E7.6.1.10 or to undertake a comprehensive assessment against the matters of discretion in AUP E7.8 for Restricted Discretionary Activities. In addition, wall deflection and mechanical settlement have not been calculated for the proposed retaining structures."

29. The above information is identified as a Key Information gap section later in this memorandum. My planning view having assessed the available information is that even if consent is required, any effects will be able to be contained with the site and appropriately managed. The Applicant is invited to respond to close the technical matters out to enable the Panel to fully assess potential adverse effects from both groundwater diversion and dewatering (consolidation settlement) and from construction of the proposed retaining structures (mechanical settlement), on neighbouring properties and the environment. Ms Hoogenboezem has provided proposed conditions for Groundwater Diversion and Dewatering that I have not included in the tracked change version of conditions attached to this memorandum as it is more efficient for these conditions to be incorporated into the full Applicant's response.

Contamination

30. Council's Contamination Specialist Duffy Visser's review confirms that she supports the proposal and generally agrees with the proposed conditions, noting that changes are recommended, including the separation of conditions for the land use consent and for the discharge permit. I have made these changes in the tracked change version of conditions attached to this memorandum.

Sustainability

31. The Council have no assessment matters to raise under this category.

Landscape / Visual

32. Council's Landscape and Visual Specialist Peter Kensington's review notes that he supports the majority of the proposal and mostly concurs with Stephen Brown's findings. Mr Kensington assesses that the proposed Western Apartment Building (Building C1 / Apartment Type 4) is incongruent with the outcomes anticipated for this sensitive coastal location and will result in significant adverse effects on natural character, and landscape character and values. In Mr Kensington's opinion, given the prominence of the proposed building in the coastal environment, this structure should be redesigned.

33. Mr Kensington acknowledges that the overall proposal is mostly consistent with the AUP provisions and has been informed by very experienced and capable landscape, urban design and architectural professionals. The resulting design response is of a high quality and provides a positive response to the site's opportunities and constraints, within the 'framework' of the relevant statutory provisions, with a strong landscape restoration component through establishing the Ecological Protected Area

Network (EPAN), which will be maintained by a future Residents Society. The application is supported by Ngāi Tai ki Tāmaki (including the provision of a Cultural Values Assessment (Attachment 20).

34. The only area of assessment where Mr Kensington disagrees with Mr Brown's findings is the location, scale and design of proposed Building C1 (also referenced in the application documents as the Western Apartment Building). In Mr Kensington's opinion, Building C1 will not achieve an appropriate integration within the existing and planned coastal environment of the site, being at odds with Beachland's physical and visual integrity and sense of place. At 12-levels (40.1m), this building is 30m higher than the permitted building height standard of 11m for a building in the location proposed, which is a reasonably significant margin. The Brown NZ Assessment reaches similar findings for Viewpoints 9 and 11/12 but tempers these when including a ten-fifteen year 'settling in' period. Mr Kensington does not agree with this assessment approach, with such a lengthy timeframe to allow for mitigation being too great (with three-five years considered more appropriate). From planning perspective, I consider the ten-fifteen year timeframe for mitigation is unreasonable in this context and hence not particularly relevant in managing effects of this over-height building.

35. Mr Kensington assesses that Building C1 is incongruent with the outcomes anticipated for this sensitive coastal location and will likely result in significant adverse effects on natural character and landscape character and values. The proposed form and mass of the building is relatively monolithic and is not mitigated through architectural modulation or elevational elements to help reduce these effects. Given the prominence of the proposed building this structure should be redesigned and possibly reduced in height. Please note that this view stands following the review of the updated photo-simulations that show the actual architecture of the development within the images provided by the Applicant on 19 October 2026 (attached in **Appendix 1**). Mr Kensington acknowledges the building will include quality materials and that he remains unconvinced that these measures will mitigate the overall building bulk and mass to an acceptable degree, remaining a visually prominent anomaly.

36. Having reviewed and weighed all of the material available on this category, I rely on the expert advice of Mr Kensington in forming my position of not supporting the Western Apartment Building (Building C1 / Apartment Type 4) in its current form and scale. The Applicant team have been made aware of this matter of contention on several occasions, including through targeted engagement with Mr Kensington, and it will come as no surprise. This matter is identified in the Key Information Gap table later in this memorandum. The Applicant is invited to respond further to this matter, and the Council would welcome opportunities to provide input into alternative building designs of reduced scale in this location (noting that Council is not seeking full compliance with the permitted building height standard of 11m for a building in this location).

37. Mr Kensington has reviewed the conditions relating to certification of building and landscape design/management; implementation of consented planting; and establishment of a Residents Society for long-term management and considers these to be appropriate; with recommended changes to conditions 100 and 101. These changes are included in my tracked change version of conditions.

Urban Design and Neighbourhood Character

38. Council's Urban Design Specialist Mustafa Demiralp's review confirms his general support of the proposal from an urban design perspective, noting it demonstrates a number of positive urban design outcomes, including a coherent master-planned structure, a strong mixed-use centre, a substantial open-space and ecological network, and a generally logical distribution of residential density and land uses. Overall, the proposal establishes a strong urban design framework for a comprehensively planned coastal community. The key remaining urban design concerns relate to the limited north-south public road connectivity within eastern Marina Point and the extent to which some Commonly Owned Access Lots (COALs) are relied upon as the primary frontage and access environment for a considerable number of dwellings. A more localised concern also remains regarding vehicle-dominated frontage conditions associated with some narrow-frontage typologies. Mr Demiralp's earlier review sought further information on the shading effects, which have been provided and he now has no material shading concerns. He notes that taller buildings are located within relatively low-density settings, including nearby detached residential lots, but defers to Council's landscape specialist on this aspect.

39. Mr Demiralp details key information gaps in section 6.0 of his memorandum which are summarised in the Key Information Gaps table later in this memorandum. Mr Demiralp also makes recommendations for the Applicant's and Panel's consideration at section 6.0 of his memorandum and recognises the proposed condition framework already includes a number of provisions relevant to urban design. Conditions 93–95 provide for architectural certification, dwelling relocation and application of approved housing typologies at detailed design stages; Condition 97 provides for detailed landscape certification for publicly accessible areas; Conditions 102–105 address waste management and lighting in specified circumstances; and Condition 199 addresses the construction of COALs. Mr Demiralp considers this framework generally provides an appropriate basis for subsequent detailed design, however, recommends two additional conditions requiring further COAL Detailed Design and Contextual urban design assessment. Mr Demiralp proposes these conditions to be inserted into the subdivision conditions, but I consider they are more appropriately inserted into the land use consent conditions because they relate to the implementation of the land use activities rather than the subdivision. Please refer to my tracked change version of conditions.

40. Council's Universal Design Specialist Nidhi Nautiyal's review notes that catering to universal design considerations should be embedded within the overall site planning addressing issues of access and pedestrian safety, wayfinding and orientation, CPTED design aspects tied to good urban design principles in general and not seen as a separate layer.

41. Ms Nautiyal notes that no critical information gaps are identified, but that information is required to understand the impact on safe access and overall quality of universal design for this proposal. Additional conditions are recommended requiring the preparation and implementation of a Signage and Wayfinding Design Plan and further details on Universal Design Parameters are included in my tracked change version of

conditions. Other matters raised by Ms Nautiyal can be addressed by the Applicant at later detailed design stage and are not directly referenced in conditions.

42. Council's Waste Specialist Jan Burberry's review does not support waste servicing being addressed via conditions of consent as the consideration of waste matters at the design stage informs roading configuration and truck access, bin location on site and placement at the berm, adequacy of size of communal bin enclosures and efficient collection.

43. Noting the comments of Ms Burberry summarised above, I agree that the early consideration of detailed waste design matters assists, but the nature of proposals of this scale and complexity makes such design detail at this stage difficult or even unrealistic in my opinion. The current design phase of the project has considered waste provision that can be further refined in future design stages. Accordingly, I agree with the Applicant that these matters can be provided later via conditions and prior to any works commencing, with Council certification. The matters relate to timing as opposed to the potential for additional unanticipated adverse effects arising of any consequence.

44. Council's Parks Planner Roja Tafaroji's review concludes that a revised open space configuration, including a more appropriately located Suburb Park, would better achieve the intended outcomes of the Auckland Council Open Space, Sport and Recreation Strategy (OSSRS) and more effectively support the National Policy Statement on Urban Development (NPS-UD) objective of a well-functioning urban environment. This could be achieved by providing a more equitable distribution of open space, improved accessibility, reduced duplication of park functions, and a more efficient and connected park network for existing and future residents. Subject to the matters identified in this memorandum being addressed through plan refinement and recommended conditions, Ms Tafaroji advises that she does not oppose the proposed development. Ms Tafaroji summarises the key matters of contention in her executive summary as follows:

    a. While the proposed open space network broadly aligns with the Master Plan framework and delivers significant open space assets, Ms Tafaroji is not satisfied that the proposed open space network, in its current form, achieves the OSSRS outcomes relating to park hierarchy, equitable distribution, accessibility, functionality, and long-term recreation provision. In particular, Ms Tafaroji has concerns regarding the proposed location and function of the Suburb Park, reliance on school-site open space, the functionality of several neighbourhood parks, and unresolved matters relating to the ownership, management, and resilience of the coastal open space network.

    b. Ms Tafaroji does not accept open space associated with the proposed school site as forming part of the permanent public open space network, as unrestricted public access cannot be guaranteed. Excluding school-site open space from the assessment highlights concerns regarding the distribution of higher-order open space across the development. From Parks perspective, the currently proposed network is overly centralised, resulting in overlapping park

catchments and reduced accessibility for future residents within the southern parts of the development and future growth areas. Council's catchment analysis indicates that an alternative Suburb Park location would provide a more balanced and efficient open space network consistent with OSSRS outcomes.

c. Ms Tafaroji is supportive of the provision of esplanade reserves, coastal access, ecological open space, and civic open space outcomes. However, clarification remains necessary regarding the extent, ownership, vesting arrangements, management responsibilities, and long-term resilience of the coastal open space network, particularly in areas potentially affected by coastal hazards. Additional information is also required regarding neighbourhood park functionality, reserve design, landscape treatment, asset acceptance requirements, and future vesting arrangements.

45. Ms Tafaroji notes in section 63.41 of her memorandum, that the matters can be addressed through a combination of plan amendments, consent conditions, detailed design requirements, and subsequent Council approval processes. From a Parks Planning perspective, the following matters are required to support an acceptable open space outcome:

a. Provision of a dedicated public Suburb Park that appropriately serves the southern catchment and future growth areas.

b. Clarification of the location, size, ownership and function of the proposed Suburb Park.

c. Confirmation of the intended open-space hierarchy and park typologies across the development.

d. Demonstration that proposed neighbourhood parks achieve an appropriate size, configuration and recreational function consistent with the OSSRS.

e. Concurrent delivery of Fairway Reserve lots to ensure the park functions as an integrated recreation space.

f. Provision and vesting of esplanade reserves in accordance with section 236 of the RMA.

g. Clarification of ownership, maintenance and public access arrangements for coastal reserves, ecological areas and other open-space components.

h. Provision of detailed landscape designs, including reserve planting, streetscape planting and CPTED considerations, for assessment through subsequent approval processes.

i. Appropriate treatment of reserve interfaces, retaining structures, outfalls and boundary fencing adjoining public open space.

j. Council acceptance of any assets, structures or infrastructure proposed within land to vest as reserve.

k. Compliance with relevant reserve vesting, asset acceptance and Engineering Approval requirements

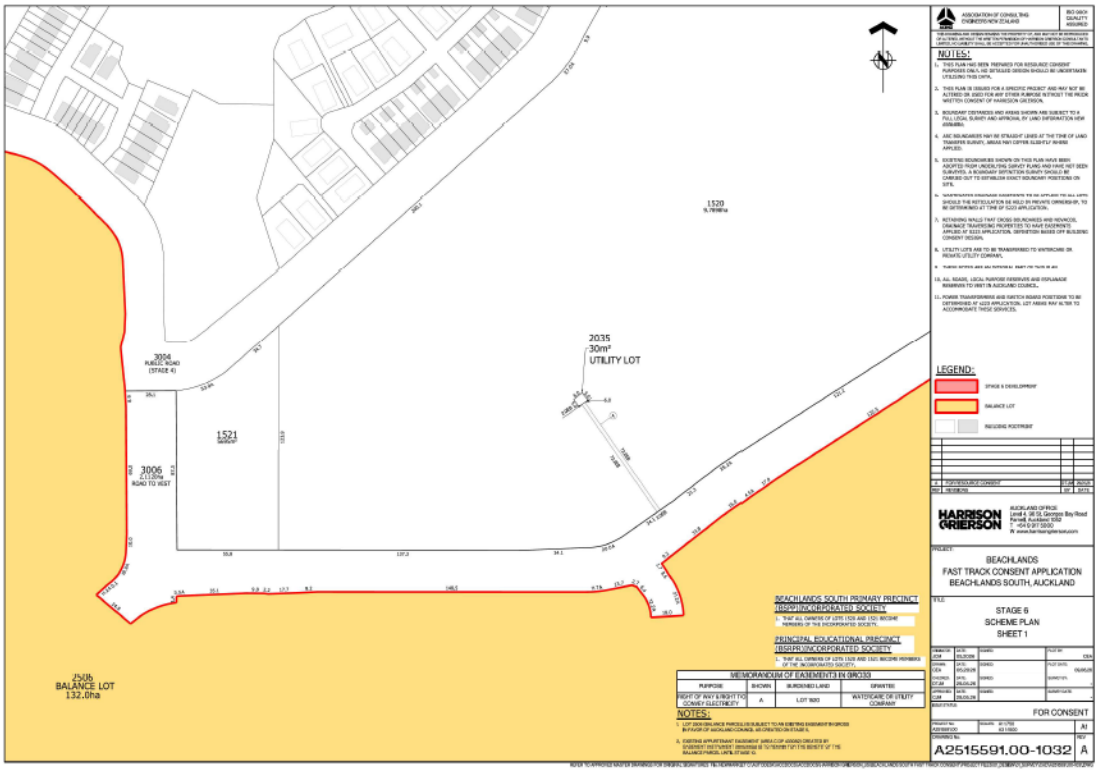
Ms Tafaroji also recommended changes to conditions in a document attached to her memorandum that have either been included or flagged for consideration in my tracked change version of conditions.

46. The matters raised in Ms Tafaroji's comments have been discussed in previous consultation between Parks and the Applicant. I recognise that this proposal is relatively unique in the context of a FTAA application as the land has already been through an extensive plan change process delivered via iterations of master-planning, meaning there is understandable reluctance of the Applicant to make changes to the open space strategy / spatial planning (such as relocating the Suburb Park further south within the subject land) that is supported by operative plan provisions. From an overarching planning consideration, my concerns relate more to the securing of an appropriately sized Suburb Park and to a lesser extent the Neighbourhood Parks. The Applicant has advised in our consultation that there is also an option being explored in the community of providing a Suburb Park at the Pony Club land (owned by others) located east of the proposal on the eastern side of Whitford-Maraetai Road north of Jack Lachlan Drive. However, this alternative is by no means secured. While I note Ms Tafaroji's concerns about the shared-use of the Suburb Park land with a future school, I see this as a potentially positive compromise. I also note there currently is ambiguity in the application in showing the 2.79ha Suburb Park in the open space drawings, but this is not carried through the subdivision scheme plans where only a 0.5695ha Lot 1521 is shown with eastward land showing as a balance lot, ear-marked for the future school (refer to the following Figure 1). My recommendation is that a further lot is created on the balance/school land adjacent to the 0.5695ha Lot 1521 at the approx. 3ha combined size and that this lot is secured for co-use by way of a consent notice – without the need to be vested in Council if it does not meet the Council criteria for vesting. My past experience with schools is once they secure land they are often not willing to facilitate free shared use by the wider community (outside of formal scheduled school uses). I have flagged this matter for consideration in my tracked change version of conditions and request that the applicant propose options for the Panel's consideration. If these matters are addressed, I am supportive of the open space aspects of the proposal from an overarching planning perspective. It is noted that no agreement has been reached for the Council ownership (vesting) of the Suburb Park or Neighbourhood Parks.

Figure 1 overleaf shows the 2.79ha Suburb Park in top Open Space Drawings but only a 0.5695ha Lot 1521 shown on the bottom Scheme Plan




EPAN Network + Coastal Path
Strategic Open Space
Stormwater Parks
Golf Course
Suburb Park
Neighbourhood Parks
Streetscapes + other moments
Walkways and Cycleways
Nature Play + Ecology
Recreation + Flexible Space
Play Spaces
Play-along-the-way


2035
30m²
UTILITY LOT
1520
1521
3004
3006
2506
BALANCE LOT
132.0ha
NOTES:
LEGEND:
BEACHLANDS
FAST TRACK CONSENT APPLICATION
BEACHLANDS SOUTH, AUCKLAND
STAGE 6
SCHEME PLAN
SHEET 1
FOR CONSENT
A2515591.00-1032
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Transportation

47. Transport Performance & Optimisation's (TPO) (Phil Harrison, Richard Black & Chris Freke) review recognizes the previous consultation undertaken and their memorandum records what remains outstanding and is summarised as the principal issues in the executive summary. TPO concludes that two matters are considered critical information gaps, being the road width departures (in respect of those required in the Precinct provisions) and the school frontage road layout. Two further information gaps are also identified, being whether safe layouts can be achieved at the external intersections within the land available, and the ferry demand information required by I458.9(4)(e). The other outstanding matters can be managed through conditions and are addressed in sections 6 and 9 of their memorandum. Overall, TPO does not oppose the application in principle but does not support it on the basis of the information available. The road width departures and the school frontage layout are critical information gaps (section 7). Most other matters can be resolved through the conditions in section 9 of their memorandum. Council does not support omitting the Whitford Bypass unless the traffic-based trigger (N1) is imposed.

48. TPO's recommended conditions are set out in full in section 9 of their memorandum, with key matters summarised below:
    a. A traffic-based Whitford Bypass trigger (N1), with Condition 117 amended to count traffic at the Whitford roundabout and require certification, and a cap on dwelling yield (N12);
    b. Delivery of collector roads, the bus route and walking and cycling links by stage (N10 and amended Condition 5);
    c. School bus and drop-off layouts approved before the frontage roads are designed (amended Condition 119A);
    d. Road safety audits for the external intersections and Road 20 (N2), and a crossing at Site A and pedestrian works in Whitford Village (amended Condition 122);
    e. JOAL speed management, cycle priority on Jack Lachlan Drive, bus-capable roads and certified driveway designs (N3, N5, N4, and amended Conditions 96A and 121A); and
    f. Monitoring that replicates the Precinct's special information requirements, as an evidence base for any future change to the upgrade thresholds, including the timing of the Whitford Bypass (N14), a 50 km/h design speed through the Site A roundabout (N15), and an active mode crossing near Trig Road West if Site C is omitted (N16).

49. The Specialists' recommended changes to conditions have informed the preparation of my tracked change version of conditions.

Infrastructure Capacity and Servicing / Stormwater Management (*NB: Two AEE effects categories combined*)

50. Council's Wastewater Specialist Chris Garton's review concludes that he cannot support the application due to the issues raised in his technical memorandum, but notes it is expected that the Applicant can resolve these issues. Mr Garton seeks

further details relating to:

a. The supply of parts for the 'Combined Works' treatment system to demonstrate a secure and stable supply chain;
b. A comprehensive odour mitigation strategy;
c. Details on how the wastewater system will be owned, operated, and made financially stable;
d. Details of where wastewater will flow in the event of an extended period of electricity (or other) failure in the network or at the wastewater treatment plant; and
e. Move the disposal field to be at least 10m away from surface water features.

Mr Garton does not comment on discharge to the coastal marine area as this is outside his area of expertise (noting this is covered by Ms Sivaguru, as discussed above). The Applicant is requested to respond to the matters raised by Mr Garton.

51. Council's Regional Stormwater Discharge (& ITA) Specialist Martin Meyer's review concludes that the AUP E9 matters are adequately met, and so are the hydrological NES-F matters. Since Mr Meyer's assessment, further information has been supplied to Healthy Waters & Flood Resilience (HWFR) on stormwater management and potential flooding effects and a meeting has been held, whereby HWFR confirmed they will likely be satisfied that the proposal will not increase any downstream flooding effects as reflected in their updated memorandum. Mr Meyer notes that if HWFR consider the site appropriate for authorisation under the Regionwide Network Discharge Consent (RWNDC), then a private diversion and discharge consent is not required for this portion of the site. Mr Meyer also considers the conditions proposed under the stormwater discharge to be adequate with no changes recommended.

52. Council's Development Engineering Specialist Maria Baring's "high-level engineering" review refers to the HWFR review that addresses flooding, overland flowpaths and stormwater management and reticulation and Council's Wastewater specialist assessment in terms of Wastewater reticulation. Vector has confirmed by email that the Applicant may proceed with the design and construction of the internal electricity reticulation network for the development. While existing feeders currently have limited capacity, Vector has advised that full network capacity is expected to be available following the commissioning of the new feeders, anticipated within approximately two years. The Applicant has also provided correspondence from Chorus confirming that connection to the Ultra-Fast Broadband (UFB) fibre network is available for the proposed development.

53. In terms of the proposed Water Reticulation Network, Ms Baring notes that the Beachlands area is not currently serviced by Watercare as a utility operator. For the Beachlands South Project, some of the bulk water supply will be provided by Pine Harbour Living Limited as a non-utility water supplier. The development is proposed to be serviced by an additional groundwater bore together with the existing Formosa bore. The water supply system, including dedicated storage and reticulation infrastructure, is designed to meet the firefighting water supply requirements of SNZ PAS 4509:2008. Drinking water suppliers are required to comply with the Water Services Act 2021, including the obligation to provide safe and reliable drinking water.

Appropriate management systems and controls must be implemented to identify, assess, and manage risks to drinking water quality. Pine Harbour Living Limited is registered with Taumata Arowai and is responsible for meeting the requirements of the Water Services Act 2021. As the proposed water reticulation network will remain in private ownership, Council will not certify the completed works. Accordingly, the consent holder must submit as-built plans for all private water supply infrastructure, accompanied by certification from a Suitable Qualified and Experienced Professional such as a Chartered Professional Engineer. The certification must confirm that the works have been constructed generally in accordance with the approved engineering plans. Subject to the proposed changes to conditions recommended by Ms Baring, she confirms her support of the proposal. The recommended changes to conditions have been included my tracked change version of conditions, noting there is cross-over with the Watercare proposed changes.

54. Council's Groundwater Take / Bore Specialist Louwrens Le Roux's review raised no issues with the continuation of the use of the existing Formosa Bore (ID 20758) and active water take (WAT60276020 or the water supplied by local water services provider Pine Harbour Living Limited (PHILL). Mr Le Roux notes that he does not have sufficient information to support the proposed groundwater take application associated with the recently consented Bore 620 (Bore ID 31755) at this stage. Mr Le Roux recognises that the Applicant has generally demonstrated a legitimate demand for water associated with the proposed development, and the requested allocation is currently within the available groundwater allocation limits for the Beachlands Greywacke / Waitemata aquifer system. Significant information gaps remain concerning the reliability of the proposed water supply; the production capability of Bore ID 31755; potential interference effects on neighbouring groundwater users from the proposed take at Bore ID 31755; and groundwater quality and potential saline intrusion. These matters introduce significant uncertainty regarding the availability and long-term sustainability of the proposed take and whether it may have adverse effects on neighbouring groundwater users and the environment. Hence with available information, the effects of proposed take, especially from Bore ID 31755, cannot be considered acceptable on the receiving environment at this stage. The Applicant has not appropriately addressed the previous requests for further information which may have addressed these key information gaps.

55. Mr Le Roux's review recommends that, should consent be granted by the Panel, that further conditions be imposed to ensure that the resulting water take (which may not necessarily be what is currently being sought) is sustainable in the long term, and that the effects on the environment and neighbouring users are acceptable. These conditions have been flagged in my tracked change version of conditions, where I recommend replacing the section H and I conditions with Mr Le Roux's recommended conditions.

56. HWFR Hillary Johnston's review concludes that HWFR does not oppose the proposed development from a stormwater and flooding perspective, subject to the satisfactory resolution of the outstanding key information gaps identified and compliance with the recommended conditions of consent. Ms Johnston notes that significant engagement has occurred with the Applicant's Engineers, and additional information provided during

this process has identified that there are feasible additional flood mitigation measures that can potentially be implemented within the proposed development extents to address the potential downstream flooding effects of the development. In particular, additional mitigation has been identified that could avoid increases in flooding of the existing dwellings' habitable floors downstream. While aspects of this mitigation remain subject to further design and validation, HWFR considers that the intended outcomes could potentially be secured through conditions of consent. Ms Johnston considers that residual matters remain including the proposed reliance on the existing Jack Lachlan Drive embankment and culvert for peak flow attenuation, and the detailed management of overland flow paths. The Applicant is requested to respond to close out these matters for the Panel. HWFR have commented on conditions relating to the management of private stormwater assets in respect of compliance with the overarching SMP and RWDNC and request the opportunity to review any further conditions that are put forward by the Applicant.

55. Ms Johnston's review queries whether the Jack Lachlan Drive embankment and culvert are considered a dam, and whether additional consent/s are required. Council's Damming Water / Dam Safety Specialist Don Tate's review notes that the AUP defines a dam as *"a structure which temporarily impounds surface water as its primary function"* and further notes that the definition specifically excludes culverts and their headwalls, which are generally considered appurtenant structures to a dam embankment. In my planning opinion, the primary function of the embankment and culvert relates to the roading function, allowing water to pass under the road rather than over it and hence does not meet the AUP definition of a Dam (and hence no consent matters appear to arise for Dams). Notwithstanding this, the Council requests the Applicant provide a condition assessment of the existing embankment and culvert, and an assessment of the potential downstream effects if the embankment and culvert were to fail, resulting in a sudden and uncontrolled release of ponded water with potential risk to people, property and infrastructure. The recommended changes to conditions have been included my tracked change version of conditions, noting there is cross-over with the Mr Meyer and Watercare proposed changes.

56. Mr Tate's review identifies that *"the proposed works are shown to increase peak flood depths by 300mm to 500mm, within the embankment 2 reservoir upstream of Jack Lachlan Drive. The proposed works are therefore relying on the ability of embankment 2 to retain additional water (over and above what would currently inadvertently be present). It therefore appears that the proposed works intend to use embankment 2 as a dam, and to also store additional water, at a higher level behind the embankment."*

57. It is suggested that, should consent be granted, the Panel should be satisfied that the proposed works would not add a primary function to the embankment, of temporarily impounding / attenuating / throttling water, which would in turn mean that the embankment would meet the definition of a Dam under the AUP and require resource consent. The Panel may wish to also refer to Waikato Regional Council's summary of "*what you need to know about dams and consents*":
    https://www.waikatoregion.govt.nz/services/consents-and-compliance/dams-safety-requirements-and-building-consents/what-you-need-to-know-about-dams-and-consents/

This information highlights that:

"*A dam is defined in the Building Act 2004 (section 7) as an artificial barrier and its appurtenant structures that are constructed to hold back water or other fluids to form a reservoir that is used for storage, control or diversion of that water or fluid.*

It includes:

a. A flood control dam

b. A natural feature that has been modified to function as a dam

c. A canal

d. Stormwater detention dams

e. Dams associated with roading.

It excludes:

a. Stopbanks designed to control floodwaters

Examples of other fluid are effluent, tailings from mining operations or other industrial waste in a liquid form.

…

An appurtenant structure is defined in the Building Act 2004 (section 7) as a structure that is integral to the safe functioning of the dam as a structure for retaining water or other fluid.

Examples of appurtenant structures to dams are spillways, penstocks, intake towers and outlet tunnels."

The Applicant is invited to respond to these matters for the Panel's further consideration.

58. Watercare's Anna Jennings' review concludes that Watercare is progressing public wastewater upgrades in Beachlands and considers the Applicant's wastewater servicing should remain coordinated with this programme. This includes reassessment of public network connection opportunities before committing to private solutions. Consent conditions should preserve a practicable future public connection and provide for ongoing coordination with Watercare. Any future connection or vesting would remain subject to available capacity, Watercare's technical requirements, and separate approval and asset acceptance processes. Watercare remains available to work with the Applicant and Auckland Council as the Project and Watercare's wastewater infrastructure programme progress.

59. Ms Jennings' review lists the following matters that are required to be addressed through the Application and consent framework:
    a. Public servicing strategy;
    b. Decision and monitoring framework;
    c. Transition methodology to enable connection to the public wastewater network;
    d. Asset assurance and acceptance where future vesting is contemplated; and
    e. Ongoing coordination between the Applicant and Watercare.

60. I have attended meetings with the Applicant and Watercare on this project and confirm that both parties have worked towards a mutual servicing outcome for the project and the wider Beachlands area. In my observations, the issue relates to the timing and certainty of wastewater infrastructure for the Applicant. Watercare have provided their

own tracked changes version of conditions that is attached to their memorandum that I invite the Applicant to consider alongside my tracked change version of conditions in preparing their response package to the Panel.

61. Council's Chief Advisor Growth Infrastructure Funding and Finance Brigid Duffield's review advises that the proposal should demonstrate that the 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. 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. Please note I have not proposed any changes to the conditions in response to this memorandum, but some may changes may be required following the Applicant's response to Council's s53 comments.

Air Quality

62. Council's Air Quality Specialist Marie Meredith's review concludes that air discharges from the proposed wastewater treatment plant are able to be sufficiently managed if the protocols of an approved Air Quality Management Plan (AQMP) and draft and recommended conditions are adhered to. In reaching this conclusion Ms Meredith notes that the AEE concludes that the WWTP is not anticipated to generate significant adverse air discharge or odour effects, with appropriate mitigation and operational measures proposed to avoid impacts on the surrounding community. The additional information provided by the Applicant confirms that the assessment has been undertaken for the ultimate design capacity of the WWTP, backup generators are proposed to maintain critical odour control systems, emergency storage capacity is incorporated to manage abnormal operating conditions, and post-commissioning odour surveys are proposed to verify performance. These measures provide additional confidence that odour effects can be effectively managed. Notwithstanding the above, Ms Meredith notes the assessment remains based on a concept-level design and does not include quantitative odour dispersion modelling or detailed odour control system design information. Accordingly, Ms Meredith's conclusion that adverse effects are likely to be no more than minor is contingent upon implementation of the proposed odour control measures, preparation and certification of an AQMP and Emergency Response Plan, and compliance with conditions of consent requiring post-commissioning odour surveys and ongoing management of odour emissions.

63. Mr Meredith has reviewed the proposed conditions and considers that they are similar to Council standard conditions. Mr Meredith recommends an additional condition to require routine odour surveys that was proposed in the Application Air Quality assessment but not carried through to the Application proposed conditions. I note that the Applicant has already included this condition in their updated conditions.

Ecosystems and Ecology

64. Council's Terrestrial Ecology Specialist Luke Stanley's review concludes he supports application, noting that the permanent vegetation removal of 1.23 ha and temporary loss of 0.76 ha within the Ecological Protected Area Network (EPAN) is adequately addressed through remediation and mitigation of the 0.76 ha to be replanted and an additional 2.6 ha of adjacent planting. Fauna management for vegetation removal in these areas and other sensitive areas is appropriately covered under the Fauna Management Plan (FMP). The Biodiversity Management Plan (BMP) sets out the proposed planting species, planting densities, planting zones, site preparation requirements, weed and pest management measures, protection and a five-year monitoring programme for the EPAN, riparian margins wetlands. Mr Stanley has reviewed the proposed conditions and recommends one addition to condition 78 to place an exception to not allow vegetation removal to form pedestrian and cycle paths within 10m of a stream. This change is included in my tracked change version of conditions.

65. Council's Arboriculture Specialist Regine Leung's review concludes she supports the proposed tree works noting that the majority of EPAN have been avoided from the proposed development with only 2.5% of the EPAN to be developed to accommodate the infrastructure. Ms Leung considers that the impacts on protected trees are acceptable, taking account of the majority of the protected trees being impacted are pioneer tree species within Kanuka dominated scrubland and isolated exotic amenity trees which are not substantial tree specimens. With restoration replanting within EPAN and riparian margins, and these replanted areas under legal protection of perpetuity through covenant mechanisms and implementation of the BMP, there will be a net gain in the overall EPAN areas within the site and the overall amenity, ecosystem services and functions within the site will be enhanced and sustained over time. The recommended requirement for a Construction Tree Management Plan is included within condition 80 (forming part of the Biodiversity Management Plan) in my tracked change version of conditions.

66. Council's Freshwater Ecology Specialist Antoinette Bootsma's review concludes she supports application, noting that the permanent loss of 646m of intermittent stream (330.3m² of streambed area) and 2,907m² of natural inland wetland has been adequately addressed through the proposed aquatic compensation measures. The aquatic compensation includes enhancement of retained riparian corridors within the site and the EPAN area, as well as restoration of 2.943ha of coastal fringe wetland at the ecotone between tidal flats, saltmarsh, wetland, stream, and terrestrial vegetation along the southern extent of the site. This area is contiguous with the EPAN and is located adjacent to saltmarsh, tidal flats, and coastal habitats that support threatened and at-risk indigenous fauna. Ms Bootsma has recommended minor changes to the Freshwater Ecology conditions that I have included in my tracked change version of conditions.

Archaeology

67. Council's Archaeology Specialist Mica Plowman's confirms that having reviewed the application documentation, the conditions outlined in conditions of HNZPT Act Authorization (conditions 1-14) in conjunction with the Archaeological Management Plan (Attachment 17b) and the Vegetation Management Plan (Attachment 17a) she is satisfied that these are sufficient to mitigate the potential risk of archaeological discovery and give effect to s6 (f) of the RMA. Ms Plowman also confirms that no amendments or additions to the proposed conditions are necessary.

Construction

68. The Council have no assessment matters to raise under this category.

Noise and Vibration

69. Council's Noise and Vibration Specialist Duffy Visser's confirms support of the proposal and recommends conditions that I have included in my tracked change version of conditions..

Subdivision

70. The Council have no assessment matters to raise under this category, noting that a number of changes are proposed to the conditions as set out in my tracked change version of conditions.

Natural Hazards

71. I have previously provided assessment on flooding, coastal hazards, acoustic amenity and underwater noise referencing the Council memoranda from Martin Meyer, HWFR, Duffy Visser and Dr Kala Sivaguru. The Council have no assessment matters to raise under this category.

Cultural, Social and Economic Effects

72. I note in the Applicant's assessment that Ngāi Tai ki Tāmaki are a development partner for the Project and the relevant iwi authorities consulted have not expressed any objection to the project. It is considered that the ecological enhancements proposed are aligned with mana whenua values so that adverse effects on cultural values will be avoided or mitigated and the overall effects will be positive. The Application acknowledges that this proposal represents change to the current community but these changes are anticipated and addressed through the plan change process which provides for the 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.

73. Economic benefits are addressed later in this memorandum. I agree that there are no anticipated adverse economic effects associated with this proposal.

Positive effects

74. The AEE assesses positive effects as follows:
    a. *The Project promotes sustainability through supporting modal shift to public transport, walking and cycling network, implementation of water sensitive design principles (including rainwater harvesting) and promoting low-carbon development with on-site carbon sequestration and enhanced biodiversity values through native tree planting and ecological restoration. The Project will establish and progressively regenerate the approximately 75 hectare EPAN across the project area which will act as an on-site carbon sink consisting of proposed planting of extensive native forest and bush. The project area also has capacity for 20ha of significantly enhanced open space and road planting measures to provide further carbon sequestration. This equates to an estimated sequestration value that has potential - over a 100-year period - to offset the estimated carbon emissions of dwelling construction anticipated by the zoning for the land.*
    b. *Creation of public transit-adjacent, compact neighbourhoods to reduce car dependency and encouraging a modal shift to active mobility and the greater uptake of public transport by creating attractive, connected and walkable urban environments. The planned walking and cycling paths encourage mode shift especially for short trips, in addition to providing additional capacity to the existing ferry services.*
    c. *Extensive ecological restoration through the establishment of the EPAN comprising approximately 75 hectares of land being replanted, restored, maintained and enhanced including preservation of streams, wetlands and their margins. In addition, the freshwater compensation package includes the restoration and enhancement of approximately 2.943 ha of wetland habitat within the site and alongside the CMA. This will result in positive outcomes for terrestrial and freshwater habitats and ecosystems as well as riparian and intertidal margins.*

75. The AEE also references the Economic Impact Assessment (EIA) that highlights a range of qualitative economic benefits that are likely to be achieved from the Project beyond the direct economic activity such as employment and economic output generated. The Council Economics Specialist Shane Martin's review confirms that he has no issues with the Application-EIA which is accepted as adequate evidence under Section 32(2) of the Resource Management Act 1991 (RMA). In Mr Martin's opinion, however, the Fast-track Approvals Act 2024 (FTAA) requires more than this to determine whether a proposed project is likely to be beneficial and the information/assessment provided is inadequate under the FTAA. This will be addressed in the following sections of this memorandum.

SECTION D: STATUTORY STRATEGIES AND POLICIES ASSESSMENT

76. The following is a summary of the key statutory strategies and policies that are relevant to the Application. These correspond to the documents identified in Schedule 5 of the FTAA:
    a. National Environmental Standard: Contaminated Soil (NES-CS)
    b. National Environmental Standard for Freshwater 2020 (NES-FW)
    c. National Policy Statement: Urban Development (NPS-UD)
    d. New Zealand Coastal Policy Statement
    e. Hauraki Gulf Marine Park Act
    f. National Policy Statement for Natural Hazards
    g. National Policy Statement: Freshwater Management (NPS-FM)
    h. National Policy Statement for Infrastructure
    i. National Policy Statement on Indigenous Biodiversity (NPS-IB)
    j. National Policy Statement for Renewable Electricity Generation (NPS-REG)
    k. National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 (NPS-IGHG)
    l. Auckland Unitary Plan: Regional Policy Statement (AUP RPS)
    m. Auckland Unitary Plan (AUP)
    n. Proposed Plan Change 120 (PC120) to the AUP

77. The Applicant has provided a detailed assessment of the application against the above provisions in Section 9 of the AEE. I have focused my review to areas where there are key points of difference in the assessment of the relevant policies (not repeating areas of contention already addressed in the preceding effects assessment), or where additional commentary is considered necessary for the Panel's consideration.

78. Having reviewed the assessments provided in the Application AEE and the preceding effects assessment (and associated Council specialist memoranda) I confirm that I concur with the UNIO assessment, and I am satisfied, overall, that the proposal will be consistent with the key statutory strategies and policies that are relevant to the Application, subject to the following matters being addressed:
    a. Targeted changes made to the proposal to address key issues identified in the Council specialist memoranda;
    b. The provision of further information summarised in the following table and identified in the Council specialist memoranda; and
    c. Reaching agreement in principle on a final suite of conditions informed my tracked change version of conditions.

SECTION E: SUMMARY OF ASSESSMENT OUTCOMES AND PROPORTIONALITY CONCLUSIONS

Overview

79. This concluding section provides a brief overview of the outcome of the overall Council assessment of the application, based on an objective assessment of the application material as at 27 October 2026.

80. The section is structured as follows:

    a. **Section 85 adverse impacts / proportionality assessment**: Analysis under section 85(3) of the FTAA, examining whether adverse impacts are sufficiently significant to potentially be out of proportion to the project's regional or national benefits.

    b. **Key information gaps**: Identification of residual information deficiencies and their implications for decision-making by the Panel.

    c. **Key findings**: As at the date of providing these comments, with our recommendation to the Panel.

Section 85 adverse impacts / proportionality assessment

81. Under section 85(3) of the FTAA, the Panel may decline an approval where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.

82. This assessment requires consideration of:

    a. The nature and significance of adverse impacts identified through the section 81(2) process;

    b. The project's regional or national benefits as assessed under section 81(4);

    c. Whether proposed conditions or Applicant modifications could adequately address adverse impacts;

    d. Whether the proportionality threshold is met even after accounting for mitigation measures, compensation etc.

83. For the avoidance of doubt, the Council's assessment has not identified any reasons why the application must be declined in terms of section 85(1) of the FTAA.

<u>Overall assessment of the Project adverse impacts</u>

84. Overall, I am satisfied that the nature and significance of adverse impacts that could be generated by the proposal can be appropriately managed so that they are acceptable, subject to the following matters being addressed:
    a. Targeted changes made to the proposal to address key issues identified in the Council specialist memoranda and set out in previously in my planning memorandum;
    b. The provision of further information summarised in the following table and identified in the Council specialist memoranda; and
    c. Reaching agreement in principle on a final suite of conditions informed by my tracked change version of conditions,

Project benefits assessment

85. The AEE in section 15 addresses the project's consistency with the purpose of the FTAA and states that as a listed project, Beachlands South is described in Schedule 2 as a *"project with significant regional or national benefits"*. This indicates that it has already been established that Beachlands South has regional or national benefits that are significant through the parliamentary decision to list the Beachlands South project in the FTAA.

86. The AEE further notes that as the Panel has to consider the extent of benefits, consideration in Section 22(2)(a) have been used as a reference point for the purposes of this analysis. Taking into account the effects assessment in the AEE, the AEE assesses that the proposal is consistent with the purpose of the FTAA for reasons I summarise as follows:

    a. The Project will have significant regional economic benefits. This will be addressed further later in this memorandum taking into account the review of the Council Economics Specialist Shane Martin.
    b. The Project will enable residential development to respond to growing housing demand and support future growth within both the local Beachlands market and the wider Auckland Region, with a range of supporting amenities (commercial centre, employment land, recreational activities and schools). These elements will provide ongoing benefits to the wider Beachlands community by improving local access to services, employment opportunities, education, and community infrastructure, and will support a well-functioning urban environment. These economic and community benefits are expected to generate wider flow-on effects and are considered significant in a regional economic context.
    c. The Project promotes sustainability through supporting modal shift to public transport, walking and cycling network, implementation of water sensitive design principles (including rainwater harvesting) and promoting low-carbon development with on-site carbon sequestration and enhanced biodiversity values through native tree planting and ecological restoration.
    d. Creation of public transport and compact neighbourhoods to reduce car dependency and encouraging a modal shift to active mobility and the greater uptake of public transport by creating attractive, connected and walkable urban environments. The planned walking and cycling paths encourage mode shift especially for short trips, in addition to providing additional capacity to the existing ferry services.

    Overall, I concur with the above summarised assessment provided by UNIO, subject to the requested proposal changes, further information and updated conditions that are required to be resolved.

87. Notwithstanding the above, the key matter in contention for Council in the above assessment is the delivery of significant economic benefits for this application. I refer to the economics specialist review by Mr Shane Martin (Annexure Z) who in his recommendation states:

    Based on the above assessment of the EIA provided and the clear intentions of the

FTAA in terms of what is required, I cannot recommend that this application be approved. It is entirely possible that the project could be beneficial, but the analysis has not shown this. The panel has not been given adequate information to determine if the proposal is likely to have overall benefits.

88. I see no value to the Panel in summarising Mr Martin's assessment as it is relatively brief and can be efficiently read in full. I note that the economic effects versus economic benefits debate has arisen in other FTAA applications and the issue has been previously discussed in meetings with the Council and Applicant teams in terms of this current FTAA application. I invite the Applicant and their experts to respond accordingly to assist the Panel in their assessment. In considering Mr Martin's economics assessment I make the following overarching planning observations:
    a. Mr Martin's expert review does not advise that no economic benefits will arise as part of the proposal, but requests further information and assessment.
    b. The assessment of Property Economics provides expert advice that overall, the proposed development will generate significant regional economic benefits in the context of the FTAA and the Resource Management Act 1991 (RMA).
    c. My review of the technical assessments is there is no disagreement that overall regional benefits will be generated by the proposal (and this is not limited to economic benefits only). I do not consider that agreement on the quantum is material for the consideration of the application at this stage of the process, but it is important to have sufficient information to understand the scope and degree of a project's regional or national benefits to form a view on the extent of their significance, and whether the proposal meets the purpose of FTAA.

89. My overall assessment, noting further information requested by Mr Martin on the assessment of economic benefits, is that the proposal will not result in any adverse effects being out of proportion to the project's benefits. The benefits, while requiring further quantification, will be regionally significant to an extent that I can conclude that the project aligns with the purpose and intent of the FTAA.

<u>Conclusion</u>

90. Having noted the above matters, I consider it unlikely that there will be a proportionality concern with the application, however there are currently outstanding matters required to reach a definitive conclusion in this regard.

91. The potential effects of concern can be adequately avoided or mitigated subject to the requested proposal changes, further information and updated conditions to substantiate the Applicant's assessment. If these matters can be adequately resolved through the provision of the identified proposal changes, additional information and conditions, then I do not foresee there being a proportionality concern in this regard.

Key Information Gaps

92. The Council team has identified information gaps within the application material that are summarised in the table below. Some information gaps have been resolved in

previous consultation, however the following key information gaps remain outstanding. The Panel is referred to the relevant specialist memos for more detail on the key gaps which I have summarised within the following table.

Information gap	**Nature of deficiency**	**Decision-making impact**	**Risk**
Coastal Water Quality and Marine Ecological Effects Specialist (Dr. Kala Sivaguru)	Detailed information on the proposed stormwater outfalls, including the number, design, location, and footprint of any associated energy dissipation and/or riprap structures within the CMA. Detailed information relating to the Waikopua Island shellbank enhancement works, including the proposed total area of mangrove removal, volume of shell deposition, methodology for deposition, timing, extent of works, and monitoring requirements.	Combination of further information and updated conditions for Council certification.	Low
Groundwater Diversion Specialist (Hester Hoogenboezem)	Groundwater Diversion reasons for consent not clarified. Drainage and retaining wall plan not provided. Require assessment of effects of drainage and groundwater diversion activities.	Combination of further information and updated conditions for Council certification.	Low
Landscape and Visual Specialist (Peter Kensington)	Western Apartment Building (Building C1 / Apartment Type 4) is not supported in its current form and scale	Changes to design or decline in part.	High
Urban Design Details (Mustafa Demiralp)	Details of the controls that will govern architectural, landscape, private street/JOAL and public-realm design. Movement Network and Connectivity' COAL Design and Function Vehicle Crossings and Pedestrian Continuity Height, Built Form and Interfaces.	Combination of further information and updated conditions for Council certification	Low

Parks (Roja Tafaroji)	Equitable distribution of open space, improved accessibility, reduced duplication of park functions, and a more efficient and connected park network for existing and future residents.	Combination of further information/changes and updated conditions for Council certification.	High
Transport Performance & Optimisation's (TPO) (Phil Harrison, Richard Black & Chris Freke)	Critical - Road width departures and the school frontage road layout. Non-critical: whether safe layouts can be achieved at the external intersections within the land available, and the ferry demand information required by I458.9(4)(e).	Combination of further information/changes and updated conditions for Council certification.	High
Wastewater Specialist Chris Garton's	The supply of parts for the 'Combined Works' treatment system to demonstrate a secure and stable supply chain; A comprehensive odour mitigation strategy; details on how the wastewater system will be owned, operated, and made financially stable; Details of where wastewater will flow in the event of an extended period of electricity (or other) failure in the network or at the wastewater treatment plant. Move the disposal field needs to be at least 10m away from surface water features.	Combination of further information/changes and updated conditions for Council certification.	Medium
Groundwater Take (Bore) (Louwrens Le Roux)	reliability of the proposed water supply; the production capability of Bore ID 31755; potential interference effects on neighbouring groundwater users from the proposed take at bore ID 31755; and groundwater quality and potential saline intrusion	Combination of further information and updated conditions for Council certification	Medium
Healthy Waters & Flood Resilience (HWFR) (Hillary Johnston)	Condition assessment of the existing embankment and culvert and an assessment of the potential downstream effects if the embankment and culvert were to fail resulting in a	Combination of further information and updated conditions for Council certification.	Medium

	sudden and uncontrolled release of ponded water with potential risk to people, property and infrastructure.		
Watercare	• Public servicing strategy. • Decision and monitoring framework. • Transition methodology to enable connection to the public wastewater network. • Asset assurance and acceptance where future vesting is contemplated. • Ongoing coordination between the Applicant and Watercare.	Combination of further information and updated conditions for Council certification.	Medium
Infrastructure funding, operations, maintenance and renewal (Brigid Duffield)	Uncertainty on long-term operational resilience.	Combination of further information and updated conditions for Council certification.	Medium-High
Economics (Shane Martin)	Economic impacts are not equivalent to economic benefits. Assessment if the project is beneficial, must have economic benefits enumerated / identified.	Further information	Low

Section 85(4) consideration

93. This assessment has considered the direction in section 85(4) of the FTAA, which provides that adverse impacts cannot be found to meet the section 85(3)(b) threshold solely because they are inconsistent with provisions of specified Acts or other documents. The proportionality assessment above is based on the substantive significance of impacts relative to benefits, not on policy inconsistency.

Relevance of information gaps to assessment

94. The Council has identified a number of requested changes to the proposal and information gaps, as detailed in the preceding table, which create a level of uncertainty in the assessment.

95. Collectively the adverse impacts identified previously are unlikely, in my opinion, to meet the section 85(3) threshold, should the information gaps identified be addressed and adequate information provided in response. However, in my opinion it is essential that the recommended proposal changes and information gaps are addressed in order for the Panel to reach a definitive conclusion with respect to the proposal.

Recommendation and Conclusion

96. The proposal has the potential to generate significant adverse impacts as identified in this memorandum. Based on my review of the information provided by the Applicant to date, and the Council's specialists' reviews thereof, I am currently unable to make a recommendation on the Application until the key information gaps have been addressed. I do, however, foresee being supportive of the application based on these potential adverse impacts not proving to be out of proportion with the significant regional benefits with provision of this information, and subject to the provision of the requested proposal changes, further information and updated conditions.

97. Council's review has been made in accordance with the FTAA. In particular, the review has had regard to all matters identified through the section 81(2) process and has been guided by the statutory purpose of the FTAA to facilitate infrastructure and development projects with significant regional or national benefits. While that purpose directs decision-makers to place greatest weight on enabling such projects, it does not override the requirement to assess whether adverse impacts are sufficiently significant to outweigh those benefits.

98. I consider the position at this stage to be consistent with the purpose of the FTAA, which is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits, and not those where adverse impacts are so significant as to outweigh the benefits.

99. I have also given consideration to the purpose and principles in sections 5 to 7 of Part 2 of the RMA. In doing so, I have taken into account that the RMA's purpose is afforded lesser weight than the FTAA's purpose (in section 3, FTAA).

100. It is my assessment that the proposal has not yet demonstrated that it can meet the purpose of the RMA which is to promote the sustainable management of natural and physical resources. The proposal has also not yet demonstrated that it will avoid or mitigate adverse effects resulting from the activities on the environment to a sufficient extent. However subject to the provision of further information to address the requested proposal changes, further information and updated conditions identified in this memorandum, it is likely the Applicant will be able to demonstrate that it does achieve the purpose of the RMA.

101. Subject to the requested proposal changes, further information and updated conditions, I agree with the Application AEE sub-section 15.3.1 assessment that the proposal will be consistent with Section 6 of the Act that sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

102. Section 7 of the RMA identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. Subject to the

requested proposal changes, further information and updated conditions, I agree with the Application AEE assessment that the proposal is consistent with the matters in section 7, in particular, it enables and facilitates the efficient use and development of land, will not compromise the visual amenity of the environment and will protect natural water resources. Regard is given to the effects of climate change through the location of the development within the site and assessment of natural hazards.

103. Overall, the application is considered to have the potential to meet the relevant provisions of Part 2 of the RMA and achieve the purpose of the RMA, being sustainable management of natural and physical resources. However, this has not yet been definitively demonstrated by the Applicant due to insufficiencies in the information provided (and reviewed) to date. While I acknowledge that Part 2 of the RMA is afforded lesser weight than the FTAA's purpose, the potential issues in respect of consistency of the proposal with the RMA's purpose and a number of important principles that arise through insufficiencies in the information, reinforces the assessment of the importance of the outstanding information identified.

DATED 27 October 2026



Brooke Dales
Planning Consultant for Auckland Council



Reviewer
Adonica Giborees
Principal Project Lead at Auckland Council