

BEFORE THE PANEL CONVENER

IN THE MATTER

of the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER

of an application for approvals by Beachlands South Limited Partnership ("**Applicant**") to develop a comprehensively planned community at 110 Jack Lachlan Drive, and 620, 712, 758 and 770 Whitford-Maraetai Road, Beachlands ("**Project**")

**MEMORANDUM OF COUNSEL FOR THE APPLICANT
RESPONDING TO MINUTE 2 OF THE PANEL CONVENER**

24 AUGUST 2026

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MAY IT PLEASE THE PANEL CONVENER:

Introduction

1. This memorandum is prepared on behalf of the Applicant in relation to the Project and addresses the matters set out in Schedule 1 to the Panel Convener's Minute 2 ("**Minute**") dated 10 August 2026.
2. By way of introduction, and as the Panel Convener will be aware, the Project comprises a large-scale comprehensive residential development and supporting activities in Beachlands, Auckland. The Project area has already been the subject of a comprehensive private plan change process which rezoned the land for urban development, and the potential effects of urbanisation were robustly assessed and tested through that process and the subsequent Environment Court appeals. The application reflects the Beachlands South Precinct purpose and its anticipated outcomes.
3. The Project is included in Schedule 2 of the FTAA as a Listed Project and the Applicant lodged a substantive application for the Project on 26 June 2026.

Schedule 1 matters

Approvals

4. The approvals sought are primarily resource consents which would otherwise be applied for under the Resource Management Act 1991 ("**RMA**"). A range of land use, subdivision, water and discharge consents are being applied for under the Auckland Unitary Plan, Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 and Resource Management (National Environmental Standard for Freshwater) Regulations 2020.
5. The application also seeks wildlife approval for the capture, handling, temporary holding and relocation of indigenous lizards including any incidental injury or mortality, and archaeological authority for the proposed modification and destruction of archaeological sites.
6. The details of the approvals sought are outlined in Sections 15, 16 and 17 of the Assessment of Environmental Effects.¹

¹ Beachlands South, *Fast Track Approval Substantive Application Assessment of Environmental Effects and Statutory Analysis*, dated 26 June 2026.

Complexity

7. Overall, while it includes a range of approval types, the application for the Project is not considered to be novel or unusually complex for a development of this nature and scale, particularly given the land is already live zoned for the proposed development. In terms of the specific areas of complexity set out in the Minute:
- (a) **Legal complexity:** It is not anticipated the Project will involve any novel legal issues beyond the standard considerations typically associated with the FTAA.
 - (b) **Evidentiary complexity:** Although the application for the Project is accompanied by a range of expert reports and draft management plans, the information is typical of a residential-led development of this nature and scale, expressly anticipated by the planning framework.
 - (c) **Factual complexity:** Aside from the scale of the Project, there are no unique or complex factual issues that have not already been assessed.

Issues

8. A summary of the engagement undertaken by the Applicant prior to lodgement is set out in Attachment 22 of the substantive application, including engagement with Auckland Council (including its Council-controlled organisations) and iwi.² Engagement on the Project builds on the extensive engagement that was undertaken with stakeholders as part of the earlier private plan change process.
9. Consultation with the Council regarding the Project remains ongoing with meetings occurring on a weekly basis. While engagement on consent conditions remains in its early stages and is iterative in nature, we anticipate that it will follow a similar collaborative process. A summary of the Applicant's engagement to date, including further engagement undertaken post-lodgement, is attached at **Appendix 1**.
10. The Applicant intends to continue engaging with relevant parties, in particular with the Council, with a view to refining the issues and conditions prior to the Panel inviting parties to comment on the Project.

² Beachlands South, *Consultation Summary Report*, dated 25 June 2026.

11. In particular, the Applicant is in the process of summarising the queries raised by Council and others and is tabulating these matters so that they can be addressed as engagement progresses with Council, iwi and other parties. This is expected to significantly narrow or reduce any issues relevant to the application and the decision that the Panel is required to make. This will also enable the identification of any differences of opinion between the Applicant and any other party as well as identify any principal environmental effects.
12. As a result of the engagement to date, the Applicant anticipates the key issues may be:
 - (a) The landscape effects of the western apartment building.
 - (b) The proposed outfall structure and coastal discharge of treated wastewater.
 - (c) The proposed approach to managing ecological impacts.
13. The Applicant wishes to advise that it will be providing additional information, including some updates to technical reports following further engagement with parties, which will be provided in advance of the Panel commencing its work.
14. The application does not concern an activity that is the same or similar to one that has been previously lodged with a consent authority. Therefore, there have been no requests for information under section 92 of the RMA, or other statutory processes that have a bearing on timing.

Panel membership

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

Procedural requirements

16. The Applicant is willing to engage with the Panel as necessary to advance the Project and considers it would be useful for the Applicant to provide the Panel with a briefing on the Project early on in the Panel's assessment.

17. At this stage, the Applicant considers:
- (a) mediation is not required;
 - (b) any matters that the Panel requires clarification on can be addressed through requests for further information and a hearing is not required; and
 - (c) any matters relating to conditions can be addressed through the statutory process for providing comments on draft conditions.

Estimated timeframe

18. The Applicant considers in the order of 55 to 60 working days to be sufficient in deciding the application (being an additional 25-30 working days beyond the statutory minimum timeframe), taking into account the level of complexity of the Project and limited number of issues.

Conclusion

19. The Applicant appreciates the opportunity to comment on the matters set out in the Minute and looks forward to discussing this further with the Panel Convener at the conference set down for 10 am on Thursday 3 September 2026.

DATED: 24 August 2026



D J Minhinnick | W S Loutit
Counsel for Beachlands South Limited Partnership

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.
20 April, 4 May, 10 August 2026	Meetings and presentations to Watercare to present Beachlands South proposed wastewater treatment solution and understand the status of Watercare's proposed upgrade of the Okaroro Road Treatment Plant
23 Feb to 24 August 2026	On-going engagement with Ngai Tai ki Tamaki. Letter of support received 5 May 2026. Note, no other iwi groups and MACA parties have registered interest in the application.
7 May 2026	Engagement with Healthy Waters.
12 May to August 2026	Engagement with Ministry of Education. Letter of Support received August 2026.
13 May 2026	Engagement with Auckland Transport re delivery of ferry upgrades and terminal upgrade.
14 May 2026	Engagement with and presentation to Franklin Local Board.
18 May 2026	Consultation Letter to all iwi groups and MACA parties.
20 May 2026	Consultation Letter to Heritage New Zealand Pouhere Taonga.
20 May 2026	Consultation Letter to Department of Conservation.
28 May 2026	Notification of application and invitation to comment letter sent to all adjoining and adjacent neighbours.
5 June 2026	Received Letter of Intent from Watercare.
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 on 10 August 2026, the remainder to be issued w/c 24 August 2026.
3 August 2026	Meeting with Council specialist on Water Allocation.
15 August 2026	Further engagement with Whitford Maraetai Road owners re works to be undertaken on these sites.
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 will 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 address ecological matters.