



**THE PLANNING**  
COLLECTIVE

## **Planning Memorandum for Fast Track Referral**

Warkworth Residential Development at 286A, B, C and D Matakana Road,  
Warkworth

**Applicant Name:** Warkworth RV Limited

**Date:** November 2025

This Planning Memorandum has been prepared by The Planning Collective Limited and forms part of a Fast Track Referral Request for Warkworth Residential Development on behalf of Warkworth RV Limited pertaining to land at 286A, 286B, 286C and 286D Matakana Road, Warkworth (TPC Reference: ARV05825).

This report has been prepared by:



Director | Planner  
The Planning Collective Limited

Dated: 18 November 2025

*“The curves within the circle symbol of our logo are a depiction of the shape the Mahurangi River takes as it weaves its way through Warkworth. This was chosen to illustrate the whenua and landscape of the town that The Planning Collective works so closely with.”*

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# 1. Project Description

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## 1.1 Project Description

The Project is for an integrated residential development to the north of the Warkworth township. The Project involves the construction of approximately 348 standalone dwellings across a range of lot sizes and a comprehensive retirement village development with approximately 198 villas, a care facility, clubhouse and recreational amenities. The Project also includes:

- Transport infrastructure upgrades including the urban upgrade of the frontage of Matakana Road including new intersections for the proposed new roads, bus stops, footpaths and shared paths and internal local roads on the Site;
- An off-road walking and cycling path (and associated landscaping) to enable connections to the north and south;
- Three waters infrastructure associated with the development and interim servicing of the Site (if required);
- Enabling works such as earthworks, retaining walls and associated groundwater diversion and dewatering;
- Stream diversion and culvert removal;
- An earth bund and associated landscaping for noise attenuation;
- A range of offered conditions and easements to secure the proposed development outcomes.

The Project includes a subdivision consent for the boundary adjustment to reconfigure four existing lots to correlate with the three development areas as shown on the proposed scheme plan below as Figure 1. Lots 1 and 3 will subsequently be subdivided into smaller lots. The Project will be developed across the three new lots as follows:

- Lot 1 – Residential block of approximately 264 residential sites ranging in size from approximately 201m<sup>2</sup> (Lot 193) to approximately 493m<sup>2</sup> (Lot 266) and 4 Super Lots for comprehensively designed residential development that will facilitate a further approximately 30 residential dwellings (Lots 264, 265, 266 and 267).
- Lot 2 – A retirement village block with approximately 198 villas, a care centre, clubhouse and associated amenities including communal gardens and open spaces. The Project also includes the construction of parking areas (including EV and bicycle parking) for the retirement village. The retirement village will be constructed in stages.
- Lot 3 – Large lot block with approximately 54 sites ranging in size from approximately 2471m<sup>2</sup> (Lot 18) to approximately 5375m<sup>2</sup>.

The Project will deliver a range of transport and three waters infrastructure (as detailed in the Transport Assessment and Civil Engineering and Servicing Assessment) which is intended to be vested in Auckland Transport, Watercare and Healthy Waters respectively (with the ability to self-service where necessary). The Project will also provide utility and recreation reserves to be vested in Auckland Council.

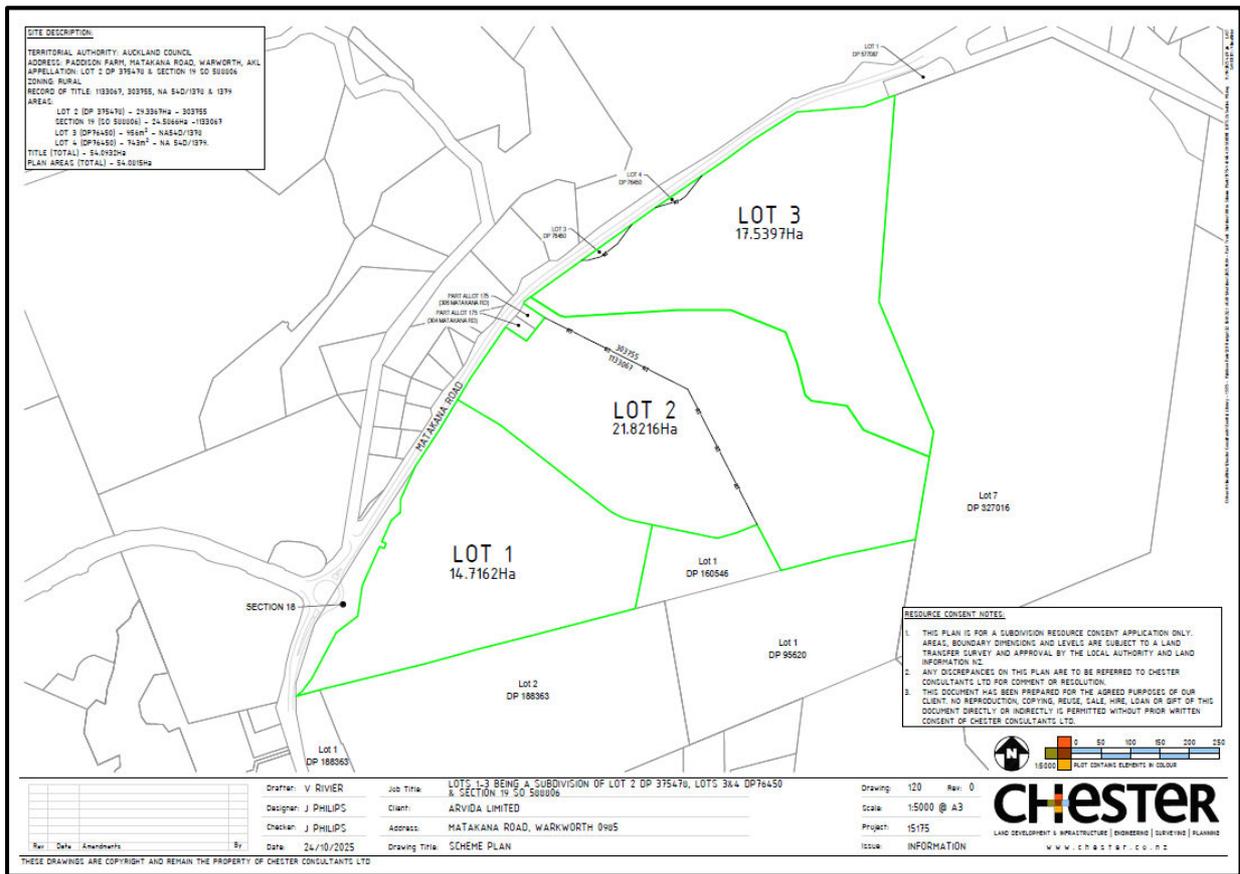


Figure 1 – Proposed scheme plan

## 1.2 Site Description

The Site is located on 286A, B, C and D Matakana Road (Lot 2 DP 375478, Sect 19 SO 588806, Lot 3 DP 76450 and Lot 4 DP 76450) north of the Warkworth Town Centre. The Site is located to the south of the Warkworth Golf Club and Jehovah’s Witness Church, and to the east of the site is the Rodney Co-operative Lime Quarry. The Site is currently used for pasture and grazing and contains permanent and intermittent streams and two small areas of wetlands (see Ecology Assessment).

There are two small lifestyle properties at 304 and 306 Matakana Road adjoining the Site, and several residential properties on the opposite side of Matakana Road in the wedge between Matakana Road and Clayden Road. The Warkworth Ridge residential/urban development is also well underway on both sides of Te Honohono ki Tai Road.

The Site is zoned Future Urban Zone (FUZ) and Rural – Mixed Rural. Part of the Site is subject to the Quarry Buffer Area Overlay. The Auckland Council Geomaps show the site is subject to the Flooding – Flood Plain, Flood Prone Area and Overland Flow Paths overlay and landslide overlay (as introduced through plan change 120). There is a Statutory Acknowledgment for Ngāti Manuhiri that does not affect the Site but is located immediately to the north of the Site.

The ecological values of the Site are detailed in the Ecology Assessment prepared by Viridis and include degraded streams and wetland areas as well as some native vegetation in the southern portion of the site.

### 1.3 Consents Sought

Warkworth RV Limited is applying for all necessary resource consents. The following resource consents are required under the Auckland Unitary Plan (AUP):

Proposed works	Rule reference	Activity Status
<b>Residential development</b>		
Retirement Village and related development in FUZ	C1.7 Integrated Residential Development is not listed in the Activity table H18.4.1 and therefore the provisions of Chapter C of the Unitary Plan apply. There is no other catch all rule stating that any activity not listed in the H18 activity table has a specific activity status, for example non-complying.	Discretionary
Development of new buildings (for development that is not the Integrated Residential Development), with the activity status to be determined based on the activity it is intended to accommodate	H18.4.1(A2)	Non-complying
Development of more than one dwelling per site in the FUZ	H18.4.1(A28)	Non-complying
Residential dwellings not provided for in the Rural – Mixed Rural zone	H19.8.2(A78)	Non-complying
Three or more dwellings per site (when site less than 100ha) in Rural – Mixed Rural Zone	H19.8.2(A77)	Non-complying
Buildings which do not comply with front yard and riparian yard setbacks in FUZ	H18.6.3	Restricted discretionary
Buildings which do not comply with front yard, riparian yard, or side or rear yard setbacks for dwellings within a Quarry Buffer Area Overlay	H19.10.3.1	Restricted discretionary
Setback from arterial road for buildings within 20m of Matakana Road Boundary	Standard H18.6.3.1 and H19.10.3.1	Restricted discretionary
Dwellings within the Quarry Buffer Area Overlay	D27.4.1 (A1)	

Retirement village within the Quarry Buffer Area Overlay	D27.4.1 (A6)	Non-complying
<b>Subdivision</b>		
Subdivision in FUZ	E39.4.3 (A29)	Non-complying
Subdivision of land within the 1% AEP floodplain	E39.4.1 (A8)	Restricted discretionary
Boundary adjustments unable to comply with controlled activity rules and standards	E39.4.1(A10)	Discretionary
Subdivision in Rural – Mixed Rural not provided for	E39.4.3 (A29)	Non-complying
<b>Lakes, Rivers, Streams Wetlands</b>		
Any activities in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for	E3.4.1(A1)	Discretionary
Conservation planting not complying with the standards E3.6.1.2	E3.4.1(A3)	Restricted discretionary
Diversion of a river or stream to a new course and associated disturbance and sediment discharge	E3.4.1(A19)	Discretionary
Structures associated with the enhancement and restoration of lakes, rivers, streams or wetlands not otherwise provided for	E3.4.1(A28)	Restricted discretionary
Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.14 to E3.6.1.23	E3.4.1(A44)	Discretionary
<b>Taking, using, damming and diversion of water and drilling</b>		
Water take to draw 100m <sup>3</sup> / day from the ground water aquifer to provide interim onsite potable and firewater supply	E7.4.1 (A26)	Discretionary
Drill and construct a groundwater bore as a controlled activity; and	E7.4.1(A41)	Controlled
Dewatering or groundwater level control associated with a groundwater diversion	E7.4.1(A20)	Restricted discretionary
Diversion of groundwater caused by any excavation or tunnel that does not meet the permitted activity standards	E7.4.1(A28)	Restricted discretionary
<b>Land disturbance – regional</b>		
Earthworks in the Future Urban Zone greater than 50,000m <sup>2</sup> where land has	E11.4.1(A5)	Restricted discretionary

a slope less than 10 degrees outside of the Sediment Control Protection Area		
Greater than 2,500m <sup>2</sup> of earthworks where land has a slope equal to or greater than 10 degrees in the FUZ and rural zones.	E11.4.1(A8)	Restricted discretionary
Greater than 2,500m <sup>2</sup> of earthworks within the Sediment Control Protection Area in the FUZ and rural zones	E11.4.1(A9)	Restricted discretionary
<b>Land disturbance – district</b>		
Earthworks greater than 2500m <sup>2</sup> in FUZ and Rural Zone	E12.4.1(A6)	Restricted discretionary
Earthworks greater then 2500m <sup>3</sup> in FUZ and Rural Zone	E12.4.1(A10)	Restricted discretionary
Works in riparian yards not complying with standards	C1.9(2)	Restricted discretionary
<b>Vegetation management and biodiversity</b>		
Vegetation alteration or removal within 20m of rural streams, other than those in the Rural – Mixed Rural Zone	E15.4.1(A16)	Restricted discretionary
Works and associated vegetation removal within 10m of streams	E15.4.1(A17)	Restricted discretionary
Works and associated vegetation removal within 20m of a natural wetland and in the bed of a river or stream (permanent or intermittent).	E15.4.1(A18)	Restricted discretionary
Tree trimming or alteration that does not comply with Standard E17.6.1	E17.4.1(A6)	Restricted discretionary
Works within the protected root zone that do not comply with Standard E17.6.3	E17.4.1(A8)	Restricted discretionary
Tree removal of any tree greater than 4m in height or greater than 400mm in girth	E17.4.1(A10)	Restricted discretionary
<b>Transport</b>		
Parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access (Standard E27.6.4.3).	E27.4.1(A2)	Restricted discretionary
Trip generation (Plan Change 79 Amendment) where a new Residential – Integrated residential development	E27.4.1(A3)	Restricted discretionary

exceeds the threshold of 100 units/dwellings set out in Standard E27.6.1		
Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)	E27.4.1(A5)	Restricted discretionary
Subject to PC120: Parking, loading, access, and electric vehicle supply equipment which is an accessory activity and does not comply with all transport standards	E27.4.1(A2)	Restricted discretionary
<b>Stormwater discharge and diversion</b>		
Diversion and discharge of stormwater runoff from impervious areas up to 5,000m <sup>2</sup> of road	E8.4.1(A5)	Restricted discretionary
All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	E8.4.1(A10)	Discretionary
Wastewater discharge for interim wastewater treatment and disposal system	E5.4.1	Discretionary
<b>Signs</b>		
Comprehensive development signage	E23.4.2(A53)	Restricted discretionary
<b>Noise and Vibration</b>		
Construction Noise and Vibration	E25.4.1(A2) in relation to Standards E25.6.27 Noise and E25.6.30 (1) (a)	Restricted discretionary

Overall, the Project requires resource consent as a **non-complying** activity under the AUP.

The following activities trigger resource consent under the National Environmental Standards:

Proposed works	Regulation reference	Activity Status
<b>National Environmental Standards for Freshwater</b>		
Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development	Regulation 45C(2) – Urban Development	Restricted discretionary
<b>National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health</b>		

Soil disturbance on a piece of land is that in which it is more likely than not that an activity or industry described in the <i>HAIL</i> is being or has been undertaken on it	Regulations 5(7) and 9(1)	Controlled
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The Project requires resource consent as a **restricted discretionary** activity under the National Environmental Standards for Freshwater and as a **controlled** activity under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health.

Overall, the activity status of the Project is **non-complying**.

### Other consents / approvals

Auckland Transport has already granted approval under section 176 and 178 of the Resource Management Act for earthworks within the Matakana Road and Sandspit Link Road designations.

## 2. Assessment of Effects on the Environment

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### Effects Assessment

- 2.1 Positive Effects
- 2.2 Economic Effects
- 2.3 Construction Effects
- 2.4 Ecological Effects
- 2.5 Effects Associated with Servicing
- 2.6 Effects on the Productivity of Rural Land
- 2.7 Urban Design, Rural Character and Landscape Effects
- 2.8 Reverse Sensitivity and Noise Effects
- 2.9 Transport Effects
- 2.10 Cultural Effects

#### 2.1 Positive Effects

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The Project will generate a range of positive effects for the Site, immediately surrounding area and the town of Warkworth, contributing a high quality and well-functioning urban environment.

The Project will provide high quality living options, including for the ageing population, in close proximity to a wide range of amenities on and offsite. It contributes to a supply of housing options and will have positive effects on housing choice in the Warkworth area.

It represents an appropriate and efficient response to the planned urban expansion of Warkworth. There will be public amenities delivered by way of the proposed off-road trail, urban upgrades to Matakana Road to provide walking and cycling connections; ecological enhancement through the protection of wetlands and stream improvements; extensive riparian planting and landscaping within the village and alongside the boundary to Warkworth Golf Club.

#### 2.2 Economic Effects

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The Economic Impact Assessment prepared by Property Economics sets out the regional benefits of the Project. The report identifies that the Project will generate significant *economic benefit in terms of business activity and also generate a wide range of (non-monetised) qualitative economic benefits for the wider regional market and communities extending well beyond Warkworth local market including:*

- *Increased senior housing supply and residential land capacity*
- *Improved residential care facility supply*

- *Freeing up existing housing stock for younger families*
- *Increased and diversified choice of housing location and price point*
- *Increased economic activity and employment*
- *Will contribute to meeting demand for retirement village living*
- *Impetus for greater levels of local and regional growth*
- *Increased amenity.*

Overall, the Economic Impact Assessment concludes that the Project provides *clear economic benefits through the generation of significant direct expenditure and employment opportunities both during construction and permanent jobs related to the retirement village. The Project enables residential development to respond to growing demands and facilitate future growth in the Warkworth area, as well as catering for the region's ageing population. In light of these economic benefits, Property Economics considers that advancing the proposed development would represent a significant benefit to the Auckland regional economy and senior community.*

## 2.3 Construction Effects

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### Contaminated Land:

A Detailed Site Assessment has been completed, which assesses the risk as low with any contamination able to be remediated through the earthworks process. The assessment will be provided in the substantive application.

### Earthworks:

Effects associated with the earthworks will be managed via measures such as application of an approved Erosion and Sediment Control Plan, Construction Management Plan and staging of works as required.

### Dust:

Standard conditions of consent will be proffered such as requiring water carts will ensure that dust effects are effectively managed.

### Noise and Vibration:

Conditions of consent including pre-construction and post-construction assessments of adjacent dwellings as well as mitigation measures for construction noise such as fencing and hours of operation when working proximate to existing dwellings, will ensure adverse effects associated with construction noise are acceptable.

### Construction Traffic:

Construction traffic effects will be temporary and can be appropriately and effectively managed by way of standard Construction Traffic Management Plan conditions.

## 2.4 Ecological Effects

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Viridis has assessed the freshwater and terrestrial ecological effects of the Project, setting out that the *Site contains a range of ecological features, including a tōtara stand of moderate-high ecological value,*

*as well as generally low-value vegetation such as scattered patches of mixed exotic–native scrub along watercourses, exotic shelterbelts, and managed pasture. The Site also includes a network of moderate-to low-value streams, wetlands, and modified overland flow paths.*

The assessment identifies that there are substantial opportunities for ecological restoration and enhancement. Any adverse ecological effects of the Project can be avoided, or otherwise appropriately mitigated using the effects management hierarchy.

## 2.5 Effects Associated with Servicing

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The Civil Engineering and Servicing Assessment prepared by Chester Consultants (Chesters Report) confirms that the development can be appropriately serviced for water, wastewater and stormwater.

### *Water supply*

As set out in the Chesters Report, the programme of development for the Project aligns with the planned sequencing of Watercare's water supply infrastructure. There is current capacity for north-east Warkworth, with further upgrades to be completed in 2028. The 2028 upgraded water supply network will be servicing 8,585 people, when there is capacity to service 12,500 people. This provides capacity for 3915 additional people leaving headroom for growth. Additional Stage 3 upgrades are planned for 2036 providing even more capacity. All areas will provide firefighting water in line with SNZ PAS 4509 (FW2).

There are interim options for the retirement village and large lot residential developments in the unlikely event pressure/capacity is constrained, including a private bore and treatment plant, or on-site storage with booster pumps. Overall, the development can be serviced from 2028 (which aligns with the Project programme), with pragmatic interim solutions available if network pressure or capacity in the reticulated network is delayed. The Chesters Report and Tonkin & Taylor assessments demonstrate that the interim servicing options proposed for Stages 1 to 6 of the retirement village are appropriate and can be delivered.

To facilitate the interim option (if required for the Project), a groundwater take consent is being sought as part of the application. As set out in the Tonkin & Taylor report, there is currently groundwater allocation in Mahurangi-Waitematā Aquifer Management Area for a groundwater take consent for at least 10 years. The Tonkin & Taylor report confirms the feasibility of the proposed water take subject to further investigation, field testing and to confirm that the predicted drawdown effects from the proposed take are acceptable. Detailed analysis will be provided as part of the substantive application through the next stage of detailed design.

### *Wastewater servicing*

There are no wastewater capacity constraints identified by Watercare in this area. As set out in the Chesters Report the Project will be serviced by a coordinated wastewater strategy aligned with Watercare's upgrades, leveraging the new Snells Beach Wastewater Treatment Plant and the Warkworth North-West Growth Servicing Pipeline (staged to enable connections from late 2026–2027).

In the unlikely event there is a delay in the planned public infrastructure, the Chesters Report confirms there is sufficient land area to enable onsite wastewater disposal for stages 1-6 of the retirement village, with on-site options also available in the interim for the large-lot residential sites. This approach provides immediate servicing, future-proofs for Watercare’s connection points, and maintains flexibility through defined interim measures.

The Chesters Report and the Tonkin & Taylor report confirm the interim onsite wastewater discharge can be appropriately designed, installed and managed to ensure no adverse effects on the receiving environment including freshwater systems, groundwater or reverse sensitivity effects on adjacent land. The system can be decommissioned and the land reinstated for urban uses once connection to the reticulated wastewater system is available.

#### *Stormwater*

The Project adopts a Site-wide Stormwater Management Plan that meets Auckland Council GD01 and GD08, combining at-source treatment, SMAF mitigation and peak-flow control. These measures ensure compliance with council performance objectives, maintain stream stability, and prevent adverse effects on the receiving environment.

## 2.6 Effects on the Productivity of Rural Land

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Auckland Council has not yet undertaken any region-specific classification, but 29ha of the Site is classified under the New Zealand Land Resource Inventory (NZLRI) as LUC3 land. The NZLRI is a high level tool based on an assessment of the whole of New Zealand and has been carried out at a scale of 1:50,000. A site-specific soil assessment has confirmed that only a very small area – circa 0.81 ha – is actually LUC3 land and this is primarily located in proximity to wetland and stream areas.

The impact of the Project on the remaining HPL will be negligible. It is already at a small and insufficient scale to be economic, as indicated by financial analysis. The Project meets the relevant criteria set out in clause 3.10 in the NPS HPL. Both the site-specific soil assessment and assessment against the NPS-HPL will be provided as part of the substantive application.

## 2.7 Urban Design, Landscape and Rural Character Effects

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The assessments completed by Boffa Miskell confirm that the development is an appropriate response to the context of the Site. Its location within the north-eastern area of Warkworth will positively contribute to maintaining the planned urban character of Warkworth.

## 2.8 Reverse Sensitivity and Noise Effects

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Detailed acoustic and reverse sensitivity effects with respect to noise and adjacent activities such as arterial roads and the limestone quarry have been undertaken.

There are simple mitigation measures available that form part of the Project including the planted earth bund adjacent to Matakana Road and noise attenuation in the built form design.

20-metre setbacks and landscaping from the Warkworth Golf Club boundary ensure any potential reverse sensitivity impacts related to the driving range or other activities at the Golf Club will be appropriately and effectively managed.

## 2.9 Transport Effects

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The Flow Traffic assessment concludes that:

- the Project aligns well with relevant transport strategies, including the upgrading of Matakana Road for a safer transportation system. This will include gateway treatment, corridor urbanisation fronting the subject site, speed reduction, and the introduction of new facilities for pedestrians, cyclists, and additional public transport infrastructure adjacent to planned public transport upgrades, such as the proposed Warkworth Transport Hub;
- with the completion of significant roading projects, such as Ara Tūhono – Pūhoi to Warkworth and Te Honohono ki Tai Road, and the upgrade of Matakana Road as part of the Project, vehicle access to the Site is safe and efficient and integrates with existing, recently constructed infrastructure that has been planned to cater for future anticipated growth;
- access to existing public transport services is available, with upgrades to public transport facilities (bus stops) to be included as part of the Project to encourage the use of existing services for all residents;
- the Project contributes to the Matakana Trail project and extends facilities for active modes, providing excellent connectivity across the Site.

Overall, the Project's transportation effects are positive in that the Project will deliver and significantly contribute towards planned urban upgrades resulting in a safer and more optimal transport network.

## 2.10 Cultural Effects

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Ongoing engagement with Ngāti Manuhiri has been undertaken for all aspects of the Project including the plan change and prior resource consent for the retirement village. No cultural effects of an adverse nature have been identified. A positive relationship has been formed, and the engagement will be ongoing.

## Summary of Effects

Overall, any adverse effects on the environment relating to this Project can be appropriately managed by conditions of consent. The approval of the Project on such conditions will be positive for the planned urban growth and development of Warkworth.

## 3. Statutory Planning Framework

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### 3.1 Fast Track Approvals Act

This Project will deliver significant regional economic benefits as set out in the Economic Impact Assessment.

The Project will deliver housing supply that will address the housing needs of retired people and others seeking housing options and those seeking larger residential sites. The Site is directly connected to existing residential development to the west and therefore facilitates the planned future growth in the Warkworth area. The Project represents efficient development, connected to the existing urban area of Warkworth and in proximity to major transport infrastructure, existing shops and community facilities, and transport hubs. It is a natural continuation of the urban development of Warkworth and Warkworth North, primarily on land already identified for urban development and will achieve a well-functioning urban environment.

The Project will also assist in delivering planned upgrades and extensions to roading and other infrastructure such as wastewater and transport upgrades. The proposed off-road walking and cycling network will provide public benefits, and the Project will improve amenity through landscape outcomes and urban road upgrades.

The Project proposes a robust stormwater management system and will deliver important ecological enhancement including riparian planting along stream margins to ensure water quality is enhanced and protection of the native terrestrial vegetation identified as being of value. Planned riparian and wetland buffer planting will further enhance terrestrial habitat values and ecological linkages. Other ecological benefits of the Project include the removal of farm culverts and targeted native planting to improve vegetation connectivity, species diversity and buffering capacity across the Site. The Project provides a valuable opportunity to achieve a net gain in biodiversity within the area and provide increased ecological connectivity.

The Project is in keeping with local and regional planning documents and spatial strategies. The Project achieves a quality compact urban form, well-functioning urban environment that will deliver a higher quality urban environment and generate greater productivity and economic growth. The location of the Project facilitates the efficient use, extension and upgrade of infrastructure. The Project is directly accessible to the Warkworth Show Grounds and the sporting and community activities that occur there.

The Project appropriately manages all environmental benefits and will deliver several positive outcomes. The Project is resilient to climate change effects and minimises impacts in terms of greenhouse gas emissions given its proximity to existing walking and cycling networks and the transport hubs.

### 3.2 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management (NPS – FM) was amended in October 2024. The fundamental concept is *Te Mana o te Wai* – the fundamental importance of water. The Project aligns well with the NPS FM through its riparian planting, which will improve the ecological values of streams and wetlands within the Site.

Conditions of consent will appropriately manage stormwater discharges, earthworks, erosion and sediment control to ensure any adverse effects on water quality are minimised.

The Project is in keeping with the objective and the relevant policies of the NPS FM. Specifically:

- The Project prioritises the health and wellbeing of water bodies and freshwater ecosystems
- The proposed enhancement of riparian areas and wetlands give effect to *Te Mana o Te Wai*.
- An integrated approach has been taken to the management of freshwater resources.
- The health and wellbeing of the streams is being enhanced.
- Wetlands are protected and enhanced.
- Freshwater will be used efficiently and there will be no over allocation of the freshwater resource in the Mahurangi Waitemata aquifer.
- Freshwater habitats are being protected and restored.

Given the positive outcomes for freshwater resources the Project achieves the outcomes sought by the NPS FM.

### 3.3 National Policy Statement for Highly Productive Land

The NPS HPL is relevant because Clause 3.5 (7) states that until such time as a *regional policy statement containing maps of highly productive land in the region is operative, such relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:*

- (a) *is*
  - *zoned general rural or rural production; and*
  - *LUC 1, 2, or 3; but*
- (b) *Is not:*
  - (i) *Identified for future urban development; or*
  - (ii) *Subject to a council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.*

Part of the Site is zoned Rural – Mixed Rural, which is consistent with the general rural or rural production zone.

The Policy aims to protect Highly Productive Land from inappropriate use and development unless there are long term constraints on the land which means land based primary production is not economically viable. Auckland Council has not yet undertaken any region specific classification, but

under the New Zealand Land Resource Inventory (NZLRI) 29ha of the Site is classified LUC3 land. However, a site specific assessment has confirmed that only a very small area – circa 0.81 ha – is actually LUC3 land and this is primarily located in proximity to wetland and stream areas.

The NPS-HPL allows for development of highly productive land where criteria set out in clause 3.10 are met:

*(1) Territorial authorities may only allow highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9 if satisfied that:*

*(a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and*

*(b) the subdivision, use, or development:*

*(i) avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and*

*(ii) avoids the fragmentation of large and geographically cohesive areas of highly productive land; and*

*(iii) avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based primary production from the subdivision, use, or development; and*

*(c) the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

The Project meets the pathway for development under Clause 3.10 of the NPS-HPL:

- The potential economic benefits of using the rural land for urban development will significantly outweigh the potential economic costs;
- Site-specific soil/LUC mapping shows only very small, fragmented LUC 3 land pockets with limited practical productivity;
- The highest and best use of the land if it remained rural, being beef finishing, is not economically viable and there are permanent or long-term constraints that preclude viable land-based production over at least 30 years;
- The Project does not fragment any large, geographically cohesive HPL block (the affected land sits at the urban edge), and reverse-sensitivity risks to surrounding rural production are avoided or mitigated through layout, buffering and design;
- Ngāti Manuhiri have identified their desire for green buffers and measures that protect and enhance the Taiao. The environmental, social, and/or cultural costs of the loss of a very small area of HPL are outweighed by the long-term benefits associated with the Project's proposed protection and enhancement of the streams, wetlands and their riparian areas, and the provision of public off-road walking and cycling trails that will deliver significant long-term public amenity.

### 3.4 National Policy Statement for Indigenous Biodiversity

The National Policy Statement Indigenous Biodiversity (NPS-IB) came into effect at the end of July 2023. This NPS applies to the indigenous biodiversity in the terrestrial environment.

The effects of this Project on terrestrial ecological values are addressed in the Ecological Assessment.

Clause 1.5 of the NPS-IB sets out decision making principles. These prioritise the mauri and intrinsic values of indigenous biodiversity and also recognise people's connections and relationships with indigenous biodiversity.

The NPS-IB recognises that the health and wellbeing of people and communities are dependent on the health and wellbeing of indigenous biodiversity and that in return people have a responsibility to care for and nurture indigenous biodiversity. The interconnectedness between indigenous species, ecosystems, the wider environment, and the community, at both a physical and metaphysical level are acknowledged in the NPS-IB.

The Project is in keeping with the NPS IB because overall terrestrial vegetation is protected and additional planting with native species in riparian areas and wetland buffers will improve biodiversity values and contribute to a high quality and high natural amenity environment for future residents.

### 3.5 National Policy Statement on Urban Development

Auckland Council is a Tier 1 local authority as defined in the National Policy Statement on Urban Development (NPS-UD). There are specific Requirements for Tier 1 local authorities to provide urban land in their area to ensure positive outcomes for urban environments now, in the medium and in the long term.

The Project achieves the outcomes sought by the NPS-UD because it will:

- deliver a well-functioning urban environment;
- assist in delivering the planned and required urban land capacity for Warkworth in the short, medium and long term;
- reduce greenhouse gas emissions because the site is in close proximity to transport hubs and is connected to existing walking and cycling paths;
- deliver further connections through on road and off road options;
- achieve economies of scale with respect to the delivery of the planned and required infrastructure upgrades.

### 3.6 Auckland Unitary Plan

#### *Regional Policy Statement*

The relevant sections of the Auckland Regional Policy Statement (RPS) are:

- Chapter B2 Urban Growth and Form
- Chapter B3 Infrastructure, Transport and Energy
- Chapter B6 Mana Whenua
- Chapter B7 Natural Resources
- Chapter B9 Rural Environment

In summary the Project is consistent with the relevant objectives and policies (generally grouped in themes below) because:

- The Project is a comprehensive design for the full urban build out of the site. The Project will deliver, rather than hinder or prevent the urban development of the land.
- The Project is efficient in terms of the upgrades and extensions to all required infrastructure and is connected to the existing and under development urban areas of Warkworth.
- All required infrastructure will be delivered in conjunction with the various stages of development and interim solutions are available if necessary and proposed to ensure development can commence whilst the necessary infrastructure extensions and upgrades are being completed.
- The transport upgrades proposed to be delivered in conjunction with the development will enable growth and integrate with and support a quality compact urban form by way of the Matakana Road frontage upgrade that connects walking and cycling facilities to Te Honohono ki Tai Road and enables public transport connections through the provision of a pair of bus stops and shelters.
- The Site is situated on the northern side of Warkworth towards Matakana, close to amenities such as the Golf Club, East Coast beaches and Matakana Village. The land is identified for urban development and is the next logical extension from Warkworth Ridge to the west, ensuring an efficient and compact urban form is achieved.
- Potential reverse sensitivity effects associated with the adjacent golf course and driving range and the operational limestone quarry are avoided and otherwise appropriately mitigated by the conditions and design of the Project.
- The Project design provides a quality transition to the rural environment with larger setbacks from boundaries and landscaping and will deliver a quality entrance to Warkworth from Matakana.
- The land is largely free from identified hazard risk and the civil engineering design addresses any potential flood hazard risk to the urban development.
- The Project ensures ecological values are maintained and enhanced with improvements to biodiversity and freshwater values.
- Stormwater water quality treatment and quantity controls for conveyance, treatment and to mitigate climate change and flood hazards will be employed.
- Cultural values will be taken into account and enabled and provided for through the ongoing consultation with Ngāti Manuhiri.
- Land modification works would be undertaken in accordance with best practice for sediment control, and (including where in proximity to streams and any wetlands) ensuring that discharges during works avoid adverse effects on freshwater qualities

The Project is inconsistent the rural environment policy that states urbanisation is to be avoided. However, the Project achieves the outcomes sought in the RPS because it will achieve a quality compact urban form, a well-functioning urban environment and a higher quality urban environment through the delivery of extensive riparian planting and ecological improvement, a connected network of on road and off road walking and cycling trails, and is in proximity to existing and proposed transport hubs, sports and community facilities, the town centre and supermarkets. The Matakana Link Road (Te Hono Hono ki Tai Road) and the Puhoi to Warkworth motorway are immediately to the west.

#### *Future Urban Zone and Rural – Mixed Rural zone*

At a zone level the FUZ and Rural – Mixed Rural zoned land is subject to the rural zones policy framework. FUZ Objectives H18.2(1) and (2) provide FUZ land is only to be used and developed to achieve the objectives of the Rural – Rural Production zone until land has been rezoned for urban purposes and that rural activities and services are provided for to support the rural community until land is rezoned for urban purposes. Notwithstanding this, the FUZ and Rural Mixed Rural zone provide for a range of activities, many of which could be described as urban in nature.

To ensure the use of FUZ land does not compromise urban development in the future, the Project has been subject to detailed and comprehensive planning. This will ensure the Project will not compromise, hinder or prevent the efficient and effective urban development of the FUZ land to the south of the site. The development is designed to provide roading and reticulated service connections to the adjacent land; ensure that natural features can be protected and enhanced to the greatest extent possible; ensure reverse sensitivity effects are appropriately managed; achieve coordinated and efficient development outcomes with respect to earthworks, service provision and transport connections, and ensure an appropriate transition to the Rural – Mixed Rural zone now and into the future.

The objectives of the FUZ are supported by policies, in particular Policy H18.3 (6) which states subdivision, use and development of FUZ land is to be avoided where it may result in one or more of the following:

- (a) structures and buildings of a scale and form that will hinder or prevent future urban development;*
- (b) compromise the efficient and effective operation of the local and wider transport network;*
- (c) require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure;*
- (d) inhibit the efficient provision of infrastructure;*
- (e) give rise to reverse sensitivity effects when urban development occurs;*
- (f) give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or*
- (g) undermine the form or nature of future urban development.*

The policy requires avoidance where it **may result in** specified adverse outcomes. For the reasons set out above, the Project will not result in the adverse outcomes set out in Policy H18.3(6).

Whilst the Project is urban development, it is a comprehensive urban outcome for the land which is located adjacent to urban development and is part of the developing Warkworth North Area. For the land beyond the AUP's Rural Urban Boundary, the larger residential sites create a quality, spacious transition to the rural land beyond, noting that the character of the golf course, church and dwellings in that vicinity do not display the highest level of rural character. The development proposed by the Project on the Rural – Mixed Rural zoned land represent an efficient use of the land resource and a comprehensive outcome for land that would otherwise likely be subject to ad hoc development pressure.

The Ag First Assessment explains that productive rural uses on the land are no longer economically viable and there is very limited productive value on the soils. I therefore consider the Project is not in conflict with the rural policy framework because the long term use of the land for rural productive uses will become increasingly unlikely. The current rural land use is a land maintenance practice, rather than an economic and long term viable land use.

The objectives and policies for the Rural – Mixed Rural zone seek to utilise the existing subdivision pattern, continue rural production activities and ensure those activities and non-residential activities are not compromised by rural lifestyle activity.

Objective H19.4.2 (3) states that *rural character and amenity values of the zone are to be maintained while anticipating a mix of rural production, non-residential and rural lifestyle activities.*

The Project will change rural character and amenity values of the Rural- Mixed Rural portion of the land. However, the Project will result in significant ecological enhancement and the provision of off-road walking and cycling trails that will positively contribute to a significant and long-term improvement in amenity values. Reverse sensitivity effects are managed. The proposed development in the Rural – Mixed Rural zone will deliver significant ecological protection and enhancement that will improve water quality, stream and wetland habitat and ecological values.

The Project is inconsistent with those objectives and policies that seek to avoid the urbanisation of rural land, and land within the FUZ before that land is rezoned under the AUP and RMA.

### *Conclusion*

When considered holistically, the Project is broadly consistent with the RPS and the relevant district and regional plan objectives and policies. While there is a degree of inconsistency with provisions that seek to avoid urbanisation of FUZ and rural land prior to rezoning, the Project is not contrary to those provisions because it will not result in the adverse outcomes those policies. The Project delivers a well-functioning urban environment, protects and enhances freshwater systems, manages reverse sensitivity to the adjacent quarry and Matakana Road, integrates with planned infrastructure, and assists with transport upgrades and active mode connections.

## 4. Conclusion

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The Project represents an opportunity to efficiently and effectively deliver a range of housing choices for Warkworth.

The Project will deliver a well-functioning urban environment with a higher quality urban outcome, delivered through landscape outcomes, off-road walking and cycling connections, efficient delivery of infrastructure upgrades, ecological improvements to existing freshwater resources, wetlands, and terrestrial vegetation.

The Project will deliver significant regional economic benefits now and into the future.

# Appendix 1. The Planning Collective- Statement of Experience

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The Planning Collective is owned by s 9(2)(a) has previously operated under O'Connor Planning Consultants and OPC. The Planning Collective provides independent, professional planning services to a wide range of clients including local government clients, developers, individuals, and community groups. Please refer to s 9(2)(a) Statement of Experience for specific Projects she has been involved in – **Appendix 2.**

The Planning Collective was the planning lead for two Fast Track applications under the COVID 19 – legislation, the Botanic retirement village Project at Riverhead and a Residential development in Browns Bay.

s 9(2)(a) also initiated a community spatial planning exercise for Warkworth to encourage Auckland Council to commence its structure planning process, which was successfully completed in 2019.

*Strategic Planning, Policy Advice and Development Consenting / Plan Changes and Notices of Requirement:*

The Planning Collective provides strategic planning advice and inputs to developer clients and local authorities for Plan Changes and plan review processes.

We prepare and secure resource consents for a wide range of Projects – land development, coastal consents, water takes, subdivision, housing and rural land.

The Planning Collective has been involved in many small, medium, and larger scale plan changes with rezoning successfully achieved. Of specific relevance is Plan Change 25 – Warkworth North to the Auckland Unitary Plan.

*Expert Evidence / Consultation, Mediation, Negotiation:*

Burnette has extensive experience in preparing and presenting expert evidence at Council hearings and the Environment Court including, expert conferencing as well as mediation and negotiation skills.

*Expert Code of Conduct*

In preparing this preliminary assessment, the report authors have read and made themselves familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023. Other than where stated, we confirm that the matters addressed in this preliminary report / memo are within our areas of expertise and that we have not omitted to consider material facts known to us that might alter or detract from our assessment and the opinions we express.



# Appendix 2. s 9(2)(a) - Statement of Experience

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s 9(2)(a)

Planner / Director  
The Planning Collective Limited



THE PLANNING  
COLLECTIVE

s 9(2)(a)

P O Box 591  
Warkworth

M: s 9(2)(a)

E: s 9(2)(a)

Bachelor of Resource and Environmental Planning (BREP) (hons), Massey University  
Member of NZPI (Full) and RMLA

s 9(2)(a) has over 30 years' experience in resource management including resource consenting, plan change requests, policy advice and being an expert witness at council and Environment Court hearings. s 9(2)(a) excels at project delivery. She has a pragmatic, positive and proactive approach focussed on achieving positive outcomes for clients, the community and the environment. s 9(2)(a) has extensive experience in project management of all types and scale of resource management projects. Having worked as a Team Leader and Consent Planner for Far North District Council and the former Rodney District Council, s 9(2)(a) possesses distinct comprehension of the council process and rural, coastal, and urban environments. s 9(2)(a) has provided advice to various local authorities over the years on policy matters, including undertaking two reviews of planning functions within Kaipara District Council.

### Key Skills

- Preparation and Processing of Plan Changes and Notices of Requirement
- Project Management of larger scale projects and multidisciplinary project teams
- Resource consents, environmental planning, due diligence assessment and risk analysis
- Presentation of expert evidence for Council and Environment Court Hearings
- District Plan Appeals
- Environment Court mediation and Alternative Dispute Resolution
- Rural Character and Landscape studies
- Rural planning and policy advice
- Land development.
- Mana whenua and stakeholder consultation and engagement
- Mentoring of Graduate and Intermediate Planners.

### Career Experience / Background

- Aug 2019 – Present Planner/Director at The Planning Collective Ltd
- Sept 2017 – Aug 2019 Senior Associate – Barker & Associates

- Feb 2001 – Sept 2017 Planner/Director at OPC Ltd
- April 1998 – Sept 2000 Team Leader Resource Consents – Rodney District Council
- Sept 1996 – April 1998 Resource Consents Planner – Rodney District Council
- Nov 1994 – Aug 1996 Resource Consents Planner – Far North District Council

### Plan Changes

s 9(2)(a) has been involved in both preparing and assessing Plan Changes including the preparation of s32 analyses. Notably s 9(2)(a) was the project lead and expert planner for Plan Change 25 Warkworth North and has also obtained zone changes for land holdings at Snells Beach and the Karaka Growth Nodes in South Auckland. She is currently project managing several larger scale rezoning projects.

### Resource Consents and Designations

s 9(2)(a) has prepared and obtained many landuse, subdivision and coastal resource consents for clients who include district and regional council's as well as individuals and companies. Notices of Requirement have also been prepared and processed including for Requiring Authorities such as Ministry of Education and New Zealand Transport Agency. This work has also included lodging submissions, preparing expert evidence, and attendance at Council hearings and the Environment Court. Additionally, s 9(2)(a) has experience with the COVID-19 Recovery (Fast-track Consenting Act) 2020.

### District Plan Process

s 9(2)(a) was closely involved in the writing hearing and decision reports for rural and coastal matters for the Rodney District Plan 2000. She also undertook a capacity analysis and drafted provisions for the Countryside Living zone, including transferable title right subdivision options for the draft Auckland Unitary Plan and was responsible for the identification of the Rural – Mixed Rural zone in the north of the Auckland region.

### Rural Character and Landscape Studies

- Rural character studies of the Rodney District and the Hauraki District for the Council's District Plan reviews.
- A landscape study of the Waikato Region as part of the Environment Waikato RPS review.

### Environment Court Appeals/Mediation

Extensive expert evidence to the Environment Court relating primarily to rural and coastal planning matters. Expert evidence has also been provided in respect of a road stopping matter and various urban planning issues.

s 9(2)(a) has been involved in the settlement of many appeals through the mediation process both on behalf of private and public sector clients.

### Commissioner Work

s 9(2)(a) is a qualified Independent Hearings Commissioner and Chair. She has been appointed as a Commissioner for Kaipara and Whangarei District Councils. s 9(2)(a) has acted as a Commissioner on private plan changes, subdivision and landuse hearings and resource consent hearings.

### Mentoring

s 9(2)(a) has acted as a mentor for First Foundation assisting scholars to achieve goals through work

experience and tertiary education. She has also been a mentor for the New Zealand Planning Institute programme to mentor graduate planners and has offered planning work experience to students considering undertaking a planning degree or requiring work experience.

### **Summary**

**s 9(2)(a)** is highly experienced in all aspects of planning. She is very familiar with planning environments; Councils; rural and urban communities particularly in Auckland and Northland.

### **Relevant Experience / Key Projects**

- Obtaining consent for a Retirement Village in Riverhead, Auckland through the COVID-19 Recovery (Fast-Track Consenting) Act pathway (2023) – (subsequently appealed)
- Expert witness at the Dome Valley Landfill Hearing (2023) and other Environment Court cases
- Warkworth North Private Plan Change (Plan Change 25) – application to rezone approximately 100 hectares of land from Future Urban to a range of urban land uses.
- Rural Plan Changes to Whangarei District Plan
- Proposed Auckland Unitary Plan (PAUP) – policy advice to Auckland Council on rural land use and subdivision including transferable title rights; private client work, rezoning, air quality and related matters
- Review and advise on the Rural Chapter and Coastal Chapter of the Rodney District Plan review (2000) and undertake Section 32 analysis of Rural Character and Landscape to inform the District Plan review (2008)
- Environment Waikato Landscape Study – Section 32 Landscape analysis for Outstanding Natural Landscapes for the Environment Waikato RPS review (2009)
- Planner – Carrington Farms vs Far North District Council and Te Runanga a Iwi o Ngāti Kahu regarding issues with subdivision near urupā
- Alteration to Designation – Te Kura Kaupapa o Whangaroa
- Karaka North Village Growth Node rezoning rural to urban
- Warkworth Community Centre
- Redevelopment of heritage buildings in Devonport, Parnell and Warkworth including the Town Hall, BNZ Bank building, Anglican Church, and the former Rodney Motors building
- Two private plan changes in Snells Beach rezoning land from Residential – Large Lot to Residential – Single House
- Rezoning and development of land at Silverdale, Auckland from rural to urban. The development included a Retirement Village
- Kerikeri / Waipapa Gateways
- Expert witness for a range of Far North and Whangarei District Environment Court appeals
- Shakespeare Regional Park Predator Fence to create a mainland island
- Rural and Highly Valued Natural Resources Chapters of Rodney District Plan 2000 – hearings reports, decision reports and appeals
- Obtained subdivision consent in Lytton West, Gisborne to create 155 residential sites and associated JOAL's and roads to vest (2021)
- Obtained subdivision consent in Warkworth, Auckland (Rockford Point) to create 41 residential lots and associated roads, esplanade reserve to vest, etc (2021)