

# TOLLEMACHE

## CONSULTANTS LTD.

To: Knight Investments Limited  
From: Tollemache Consultants Ltd, Renee Fraser-Smith and Mark Tollemache  
Date: 16 June 2025  
Subject: **Planning Summary in relation to a referral application for a fast track by Knight Investments Limited.**

---

### **1.0 Introduction:**

- 1.1 We have been asked to provide a planning summary in respect of the proposal for the Pohutukawa Business Park in respect of the relevant planning documents.
- 1.2 This Appendix should be read in conjunction with the application made by Knight Investments Limited in relation to the construction of a business park at 867 and 885 Whitford Maraetai Road.

### **2.0 Previous Fast Track Consent**

- 2.1 In August 2024 consent was approved under the COVID-19 Recovery (Fast-Track Consenting) Act 2020 (FTCA) for a business park on the site. This was a lesser scale and intensity than that now proposed, being 22,200m<sup>2</sup> gross floor area for light industrial activities compared to the current larger proposal for 48,000m<sup>2</sup> (approx.) of retail/commercial and light industrial activities.
- 2.2 There were various matters established through the previous consent which are relevant for the new application and would be largely unchanged for the new application. These include:
  - (a) Geotechnical matters relevant to works over 885 Whitford Maraetai Road and the use of the yard spaces;
  - (b) Stormwater management design principles which would be largely unchanged for the expanded proposal;
  - (c) Acceptance that a new intersection in the proposed location is suitable (subject to detailed design), with road vesting only to occur for the works associated with the new intersection roundabout;

- (d) The suitability of conditions of consent to manage future industrial activities and the effects of those activities (e.g noise, lighting, industrial trade discharges etc).

2.3 One of the key differences was that the approved consent sought to maintain a rural character when viewed from the external boundaries of the site. This was to be achieved through various landscaping, fencing and staging mechanisms.

### 3.0 **Applicable Resource Consents**

3.1 Based on our review of the proposal the works are likely to trigger requirements for resource consents for the following activities:

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
<b>National Environmental Standards</b>				
Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2022	Reg 54	Earthworks, diversion of water and discharge of water into water outside, but within 100m setback, from a natural inland wetland	<b>Non-complying</b>	Areas within 100m of a natural wetland
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (" <b>NESCS</b> ")	Regulation 9	The disturbance of soil and subdivision and proposed change in land use	<b>Controlled</b>	Entire site
<b>Auckland Unitary Plan ("AUP")</b>				
Chapter E39 – Subdivision (Rural)	E39.4.1 (A8)	Subdivision of land within a natural hazard area (1% AEP, land subject to instability; Coastal Inundation + sea level)	<b>Restricted Discretionary</b>	For land adjacent to Whitford Maraetai Road to accommodate vesting of any extra road reserve
	E39.4.1 (A9)	Subdivision not meeting the relevant standards	<b>Discretionary</b>	
	E39.4.2 (A15)	Subdivision in the Rural-Countryside Living Zone not complying with Standard 39.6.5.2	<b>Non-complying</b>	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
	E39.4.4(30)	Subdivision in Special Purpose – Quarry Zone that is not provided for in Table E39.4.1	<b>Discretionary</b>	
Chapter H19 – Rural – Countryside Rural Zone	H19.8.1(A36)	Restaurants and Cafes	<b>Non-Complying</b>	That part of Lot 2 DP 54701 and Lot 2 DP 203289 zoned Countryside Living
	H19.8.1(A37)	Garden/Plant Centre	<b>Discretionary</b>	
	H19.8.1(A40)	Storage and Lock up Facility (Boat/Caravan/Tractor/Truck Storage Yard)	<b>Non-Complying</b>	
	H19.8.1(A42)	Veterinary clinic	<b>Restricted Discretionary</b>	
	H19.8.1(A46)	Community facilities	<b>Discretionary</b>	
	H19.8.1(A47)	Healthcare facilities	<b>Discretionary</b>	
	H19.8.1(A48)	Education facilities	<b>Discretionary</b>	
	H19.8.1(A48)	Emergency services	<b>Restricted Discretionary</b>	
	C1.7	Activities not provided for: - Supermarket, large format retail, trade suppliers	<b>Discretionary</b>	
	C1.7	Activities not provided for:	<b>Discretionary</b>	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
		i.e. "Light Industrial Type" Activities <ul style="list-style-type: none"> <li>- Automotive Service/Repairs;</li> <li>- Tyre Shops;</li> <li>- Panel beaters;</li> <li>- Steel/Engineering workshops;</li> <li>- Rural/Outdoor Equipment Sales/workshop; and</li> <li>- Building Supplies Yard;</li> <li>- Landscape Supplies Yard.</li> </ul>		
Chapter H28 – Special Purpose – Quarry Zone	C1.7	Activities not provided for: i.e. "Light Industrial Type" Activities <ul style="list-style-type: none"> <li>- Automotive Service/Repairs;</li> <li>- Tyre Shops;</li> <li>- Panel beaters;</li> <li>- Steel/Engineering workshops;</li> <li>- Rural/Outdoor Equipment Sales/workshop;</li> <li>- Garden/Plant Centre;</li> <li>- Boat/Caravan/Tractor/Truck Storage Yard;</li> <li>- Building Supplies Yard; and</li> <li>- Landscape Supplies Yard.</li> </ul>	<b>Discretionary</b>	That part of Lot 2 DP 54701 and Lot 2 DP 203289 zoned Quarry Zone
	H28.4.1 (A14) and (A15)	Land Disturbance greater than 2500m <sup>2</sup> and 2500m <sup>3</sup>	<b>Controlled</b>	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter I441 Whitford Precinct	I441.4.1 (A3)	Buildings or accessory buildings located within the specified building area identified in a plan of subdivision	<b>Permitted</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	I441.4.1 (A6)	Buildings or accessory buildings located outside the specified building area	<b>Restricted Discretionary</b>	
	I441.4.1 (A8)	Application for a specific building area	<b>Discretionary</b>	
	I441.4.1 (A11)	Subdivision which does not meet the standards in E39 Subdivision – Rural and the Whitford Precinct subdivision standards	<b>Non-Complying</b>	For land adjacent to Whitford Maraetai Road to accommodate vesting of any extra road reserve
	I441.6.4(3)	Where the CT does to have an attached consent notice specifying a building area, all buildings are discretionary activities	<b>Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E7 Taking, using, damming and diversion of water and drilling	E7.4.1 (A41)	Drilling/construction of a new bore	<b>Controlled</b>	Applies to the location for a new bore
	E7.4.1 (A26)	Taking of groundwater	<b>Discretionary</b>	
Chapter E8 - Stormwater – Discharge and Diversion	E9.4.1 (A10)	All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	<b>Discretionary</b>	Whole site
Chapter E11 – Land Disturbance Regional	E11.4.1 (A8)&(A9)	Earthworks greater than 2,500m <sup>2</sup> within the sediment control protection area and on land that has a slope equal to or greater than 10 degrees, in the Rural - Countryside Living zone and Open Space Zone	<b>Restricted Discretionary</b>	That part zoned Rural - Countryside Living zone and Open Space Zone

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter E12 – Land Disturbance District	E12.4.1 (A6)&(A10)	Earthworks greater than 2,500m <sup>2</sup> and 2,500m <sup>3</sup> in the Rural - Countryside Living zone and Open Space Zone	<b>Restricted Discretionary</b>	
Chapter E15 Vegetation Management	E15.4.1 (A16)	Vegetation Removal within 20m of a rural stream	<b>Restricted Discretionary</b>	Areas within 20m of a stream
	E15.4.1 (A16)	Vegetation Removal within 20m of a wetland	<b>Restricted Discretionary</b>	Areas within 20m of a wetland
	E15.4.2 (A43)	Any vegetation alteration or removal not otherwise provided for	<b>Discretionary</b>	Areas within the mapped SEA
Chapter E16 Trees in Open Space Zones	E16.4.1 (A8)	Works within the protected root not complying with standards	<b>Restricted Discretionary</b>	Area zoned Open Space
	E16.4.1(A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	<b>Restricted Discretionary</b>	Area zoned Open Space
Chapter E17 Trees in Roads	E17.4.1 (A5)	Works within the protected root not complying with standards	<b>Restricted Discretionary</b>	Road zone
	E16.4.1(A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	<b>Restricted Discretionary</b>	Road zone
Chapter E23 Signs	E23.4.2(A53)	Comprehensive development signage	<b>Restricted Discretionary</b>	Whole site
Chapter E25 Noise and Vibration	E25.4.1 (A2)	Activities that do not comply with the permitted standards for noise and/or vibration	<b>Restricted Discretionary</b>	Whole site
Chapter E26 Infrastructure	E26.2.3.1 (A52)	Water Supply activities not meeting the permitted activity standards	<b>Restricted Discretionary</b>	That part to be occupied by industrial buildings/yard spaces

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Chapter E27 Transport	E27.4.1 (A2)	Parking and access which is an accessory activity but does not comply with the standards.	<b>Restricted Discretionary</b>	Whole site
	E27.4.1 (A3)	Any activity or subdivision which exceeds the trip generation standards <i>(10,000m<sup>2</sup> GFA Industrial activities)</i>	<b>Restricted Discretionary</b>	Whole site
	E27.4.1 (A5)&(A6)	Construction, use and establishment of new activity where the vehicle crossing access restriction applies	<b>Restricted Discretionary</b>	Whole site
Chapter E33 – Industrial and Trade Activities	E33.4.2 (A18)	Discharge of contaminants from a new industrial or trade activity area listed as moderate risk in Table E33.4.3 where the permitted discharge standards are not met.  <i>NB: Applies to Motor Vehicle Service Facilities; and Treated Timber Storage (i.e. Building Supply Yard)</i>	<b>Controlled</b>	Lot 2 DP 54701 and Lot 2 DP 203289
Chapter E36 – Natural Hazards	E36.4.1 (A37)	New structures and buildings in the 1% AEP	<b>Restricted Discretionary</b>	Lot 2 DP 54701 and Lot 2 DP 203289
	E36.4.1 (A41)	Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	<b>Restricted Discretionary</b>	
	E36.4.1 (A42)	Any buildings or other structures, including retaining walls located within or over an overland flow path	<b>Restricted Discretionary</b>	
	E36.4.1 (A51)	All other buildings and structures, on land which may be subject to land instability not otherwise provided for  <i>NB: See comment above</i>	<b>Restricted Discretionary</b>	

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
	E36.4.1 (A56)	All other infrastructure not specifically listed, located in a hazard area	<b>Restricted Discretionary</b>	
C1	C1.9(2)	Various infringements to standards	<b>Restricted Discretionary</b>	Whole Site

#### **4.0 Other Consents/Approvals under the RMA**

- 4.1 It is acknowledged that other approvals/variations to existing consents may be required which are not sought under this application. These include:
- (a) Variation to the existing Quarry Consent LUC60270241 to enable associated traffic to utilise the new private road (should Auckland Council require this to be formalised through a change of conditions).
  - (b) Variations to the Water Permit for the Water Take (WAT60325752) to enable the location of the Bore to be relocated onsite (which is currently located adjacent to the quarry site office);
  - (c) Variations to the Land Use consent for the commercial water supply (LUC60370664) to relocate the water treatment plant and water storage tanks and the filling station (which are currently located east of the quarry site office and would be relocated to align with the proposed development layout).
- 4.2 Section 176 Approval for works within the Whitford Maraetai Road designation boundary.

#### **5.0 Assessment of Effects**

- 5.1 The Application for Referral includes a summary of likely environmental effects. Having reviewed this summary, the proposal adopts the most practicable options to avoid and/or mitigate any actual and/or potential effects on the receiving environment resulting from the proposed "light industrial" type development within the site.

#### **6.0 Planning Documents**

- 6.1 The Application for Referral includes a summary against the relevant National Policy Statements. In addition, the assessment below provides commentary with respect to the Auckland Unitary Plan (noting that the relevant zones are Rural Countryside Living, and Special Purpose Quarry).
- 6.2 In summary the proposal would be consistent with the relevant objectives and policies as (generally grouped in themes below):
- (d) There would be provision of adequate infrastructure to service development (including transport and servicing infrastructure). Onsite stormwater disposal



would be designed to maintain quality of all adjacent water sources (streams and ground water). A private access way and upgrades to Whitford-Maraetai Road are proposed to ensure road user safety. Adequate provision for parking and access can be made for the development.

- (e) 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. Any contaminated land will be managed within the site in accordance with best practice methodologies.
- (f) Specific stability measures can be employed (e.g retaining walls etc) to ensure stability of sites and to enable the future industrial activities, and the proposed infrastructure.
- (g) Where works are proposed that result in buildings/structures, infrastructure in a hazard zone, the capacity of the overland flowpaths and flood plains and/or stability of these features can be appropriately addressed through engineering techniques as part of the detailed design. Future land uses will employ precautionary practices to suitably contain any hazardous substances.
- (h) There will be adequate provision for undergrounding utilities and provision of utilities to service the development.
- (i) Stormwater water quality treatment and quantity controls for conveyance, treatment and to mitigate climate change and flood hazards will be employed.
- (j) Cultural values will be taken into account and enabled and provided for through the ongoing consultation with the relevant Mana Whenua groups.
- (k) Future industrial activities will utilise onsite management systems, processes and containment, treatment and disposal practices to ensure their discharges to the environment are avoided.

6.3 With specific regard to the *Whitford Precinct (Chapter 1440)* objectives and policies:

- (a) The development will suitably respond to the stability concerns identified on the precinct plan (i.e. land which has have a gradient of 15 degrees or more) through the use of retaining structures, adherence to all potential geotechnical recommendations and planting of these slopes).
- (b) The proposed land uses would not constrain any rural production activities in the wider area, nor existing adjacent land uses. Due to the nature of the activities (and separation distances to any rural production activities) reverse sensitivity effects are unlikely to result.
- (c) Stormwater and wastewater will be suitably collected, managed and treated. Land modification works would be undertaken in accordance with

best practices for sediment control, and (including where in proximity to streams and any wetlands) ensuring that discharges during works were kept to best practice to avoid adverse effects on freshwater qualities.

- 6.4 With specific regard to the *Special Purpose – Quarry Zone (Chapter H28)* objectives and policies, it is not surprising that these relate almost entirely to the use of the land for quarrying (and related) uses and managing resulting effects. The development is not for a mineral extraction activity, however, is consistent in so far as the proposal is able to mitigate adverse effects; specifically, noise, vibration, dust, illumination, traffic, and land modification (as has been commented on in above sections). Policy 2 enables land uses which would be compatible with the mineral extraction activities. Light industrial activities would not be incompatible with the remaining rehabilitation works for the quarry that would be occurring during the staged development.
- 6.5 The proposal would not be consistent with all of the Whitford Precinct or Rural Zone objectives and policies. This is due to these seeking to maintain a “predominantly working rural environment”, maintenance and enhancement of rural character and amenity values, and avoidance of buildings of an urban scale and a general absence of infrastructure of an urban type and scale. These include:
- (a) Policy H19.2.4(1) (and related Objective (H19.2.3(1))) for “Rural Zones” which seeks to maintain a “predominantly working rural environment”, with fewer buildings of an urban scale and a general absence of infrastructure of an urban type and scale.
  - (b) Objective H17.7.2(1) and (2) and Policy H19.7.3(1) of the Countryside Living Zone provisions, which specifically seek the maintenance and enhancement of rural character and amenity values.
  - (c) Objective I441.2.(1)(a) of the Whitford Precinct provisions (for that part of the Project located in the RCLZ), as it requires development to maintain and enhance landscape character and rural amenity values.
- 6.6 The proposal is not rural in character, and it is an urban type of activity with an urban built form and character. It is an urban expansion of employment and service activities to support a town.
- 6.7 The proposal's consistency with the Auckland Regional Policy Statement (“RPS”) has also been considered and is deemed to be generally consistent with the relevant provisions of this document. It has been determined that the policy approach of the RPS, specific to the growth and expansion within rural coastal towns and villages, provides for a resource consent pathway to achieve the proposal. Specifically, Policy B2.6.2(4) enables small scale growth in rural and coastal towns and villages to occur (along with the provision of employment and services associated with them). This can eventuate where such growth is consistent with policies B2.6.2(1) and (2), which the proposal is. Specifically the proposal:
- (a) Can integrate with the character of the existing and adjoining Beachlands Centre;

- (b) Includes appropriate infrastructure relating to stormwater, water, wastewater and transportation (including pedestrian and cycle provision and intersection design);
  - (c) Is able to manages risks associated with natural hazards (via geotechnical and stormwater management techniques to be employed);
  - (d) Does not involve soils capable of food production, nor create reserve sensitive effects;
  - (e) Can enhance natural structures of the adjoining stream networks (through additional landscaping); and
  - (f) Involves direct access to an arterial road which provides excellent connections to Beachlands, and includes provisions for pedestrians and cyclists along this road network.
- 6.8 Consistency with B2.6.2(1) and (1) contrasts with the RPS provision for the Future Urban Zone, which specifies that a plan change is mandatory.
- 6.9 The National Policy Statement Urban Development ("NPS-UD") is relevant to the proposal, given Beachlands meets the definition of an "urban environment". Several existing constraints are present within this urban environment, which undermine the NPS's objective of achieving a well-functioning urban environment. These constraints relate to:
- (a) A high reliance on private motor vehicle use;
  - (b) Infrequent and limited capacity public transport services;
  - (c) Congestion generated by residents requires travelling on Whitford - Maraetai Road to access employment, education and community services;
  - (d) No significant transport infrastructure is planned for Beachlands; and
  - (e) Limited service and employment activities in Beachlands itself.
- 6.10 The proposal seeks to address some of the above, through the employment opportunities generated both during the construction and operation of the business park. Such employment opportunities will positively affect the local community, given that it would reduce the need to travel outside the Beachlands / Maraetai area and mitigate traffic volumes on Whitford-Maraetai Road. The Proposal's investment in walking and cycling infrastructure will also improve travel choice and local connectivity.
- 6.11 It is also noted that Policy 6 of the NPS-UD highlights that planning decisions in urban environment should have particular regard to "(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity". In this regard, the proposal enables

- development capacity at Beachlands to be realised, reduces longer distance motor vehicle trips and contributes to local employment.
- 6.12 Objectives 4 and 6 as well as Policy 1 of the NPS-UD are relevant to the Application.
- 6.13 Objective 4 states *"New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations"*.
- 6.14 The NPS-UD acknowledges that urban growth can have effects on amenity and other environmental values. However, such concerns must also be balanced against the need to provide for the changing needs of the community, both currently and in the future.
- 6.15 The proposal will contribute to an urban environment that provides for the economic needs of communities in Beachlands and Maraetai who are currently limited in their access to business land. This lack of business land adversely affects access to employment and other services that are not otherwise able to be established locally.
- 6.16 Objective 6 of the NPS-UD details that:
- "Local authority decisions on urban development that affect urban environments are:*
- a. Integrated with infrastructure planning and funding decisions; and*
  - b. Strategic over the medium term and long term; and*
  - c. Responsive, particularly in relation to proposals that would supply significant development capacity"*
- 6.17 The Proposal is integrated with local infrastructure planning and capacity, specifically with the wastewater network (which has capacity to service the development for up to 80m<sup>3</sup> per day and agreement with Watercare to work with the applicant on solutions to enable capacity beyond this flow rate). Further, there is a deficit in business land at Beachlands-Maraetai. The Project will in response offer significant development capacity over time, noting that employment generation must be viewed within the context of the local area rather than necessarily the wider Auckland Region.
- 6.18 Policy 1 of the NPS-UD is also relevant, which states:
- "Planning decisions contribute to well-functioning urban environments which are urban environments that, as a minimum: ... (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport ..."*

- 6.19 The proposal will provide good accessibility to jobs for the local community. There is an apparent lack of business land in the local area, which impacts the functioning of the urban area and results in increased traffic volumes on Whitford-Maraetai Road as people travel to access employment and services. The Project provides improved active transport links such as walking and cycling connection across and along Whitford -Marateai Road.
- 6.20 Therefore, while the proposal will not meet the zone related objectives and policies of the AUP, the project can meet the RPS policies related to the growth and expansion of rural towns and villages and will not be contrary to any objective or policy of the NPS-UD and is consistent with the core purpose the NPS-UD.