

Lucy Fleming

From: Kate Madsen <kate@pauaplanning.co.nz>
Sent: Wednesday, 22 April 2026 12:49 pm
To: Lucy Fleming
Cc: Brendan Coghlan
Subject: RE: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats
Attachments: AEE .docx

Hi Lucy,

There is no mention in the AEE of any draft consent notices? For clarity sake, I have added the following to the AEE using tracked changes (see attached & below). I have reminded Brendan to activate the process to register these variations against the title documents with LINZ.

For clarity, the Matakana Country Park Character & Design Manual was submitted as contextual information to assist assessment against the Matakana 2 Precinct objectives and policies under s104(1)(b) and as an “other relevant matter” under s104(1)(c). It was not proposed to give effect to any standard, including I522.6.10(2), nor was it intended to be implemented through a consent notice or condition of consent. I have added a clarifying paragraph in section 6.2.10 of the AEE (attached).

Addition to AEE Section 4.1:

There are several previously granted variations to the existing consent notice 11288436.1 which have not yet been registered with LINZ (process is underway). These will be ‘carried down’ onto both proposed new lots 1 & 2 as follows:

- LUC60394187/VCN70020533 (29 June 2022, by Duty Commissioner) – relevant to Activity Area 1 on Lot 1 DP 519220, which enabled the Adventure Playground and Ninja course to operate within Activity Area 1. The wording of the Consent Notice:

Activities allowed Each lot can only be used for the activities shown in the corresponding Activity Area of the Auckland Unitary Plan Matakana 2 precinct overlay, Precinct plan 1, specifically:

Lot	Activity Area	Activity/ies allowed
Lot 1	Activity Area 1	Function centre, dance/exercise fitness class, café, playground, petting zoo, aviary, memorial garden and pet garden, staff accommodation, adventure playground/ninja course

- LUC60403942 & VCN70020860 (28 February 2024, by Hearings Panel) – relevant to Activity Area 1 on Lot 1 DP 51922, which granted land-use consent for the Early Learning Centre for 99 children and 24 FTE staff, and varied Consent Notice 11288436.1 to allow a childcare activity within Activity Area 1. The wording of the Consent Notice:

Activities allowed: Each lot can only be used for the activities shown in the corresponding Activity Area of the Auckland Unitary Plan Matakana 2 precinct overlay, Precinct plan 1, specifically:

Lot	Activity Area	Activity/ies allowed
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Lot 1

Activity Area 1

Function centre,
dance/exercise fitness
class, café, playground,
petting zoo, aviary,
memorial garden and pet
garden, staff
accommodation, adventure
playground/ninja course,
care centre (childcare).

- SUB60451226 VCN70025970 (28 November 2025) Lots 1-5 & 7-8 - Removed the outdated “no further subdivision” restriction from Consent Notice 11288436.1 for Lots 1-5 and 7-8. The wording of the Consent Notice:
No further subdivision No further subdivision of lot 6 is allowed. (Note – this removes this clause from the Consent Notice for lots 1-5 & 7-8)

I trust this clarifies things to your satisfaction. Note – no additional variations or new consent notices are proposed with this application.

Kind Regards,

Kate

From: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
Date: Tuesday, 21 April 2026 15:04
To: Kate Madsen <kate@pauaplanning.co.nz>
Cc: Brendan Coghlan <coastalproperties@xtra.co.nz>
Subject: RE: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats

Hi Kate,

I am a little confused by the response for query 2. The original question asked for the draft consent notices as referred to in the AEE, while the latest response to further questions regarding the wording suggested, the applicant is now seeking to rely on existing consent notices for compliance against Matakana 2 Precinct standards (I522.6.10). Please provide the proposed draft consent notices as referred to in the AEE, if relying on the wording on current consent notices (including any varied by previous s221 consents) please provide this wording as proposed.

It would also be helpful to clarify the purpose of the Character & Design Manual consent notice. I had assumed this was to support the inclusion of the '*Matakana Country Park Character & Design Manual*' which was submitted with the application, rather than to Matakana 2 Precinct standard I522.6.10(2)(c)

Kind regards,

Lucy Fleming | Senior Planner
 Department of Planning & Resource Consents
 Waea pūkoro / Mob 021 197 9195 | Phone 09 301 0101
 Hawiti, 6-8 Munroe Lane, Albany

Visit our website: www.aucklandcouncil.govt.nz

From: Kate Madsen <kate@pauaplanning.co.nz>
Sent: Monday, 20 April 2026 4:51 pm
To: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
Cc: Brendan Coghlan <coastalproperties@xtra.co.nz>
Subject: RE: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats

Hi Lucy,

Please see clarifications as requested below. I trust this will now close out all matters and the application can be notified.

2.	Please provide the proposed draft consent notices as referred to in the AEE.	<p>The AEE refers to a number of consent notices intended to secure compliance with the Matakana 2 Precinct framework, ongoing integrated management of Matakana Country Park, and long-term character outcomes. For clarity, the proposed draft consent notices are set out below.</p> <p>1. Matakana 2 Precinct Activity Restriction (I522.6.10(2))</p> <p>Consent Notice: Activity Restriction <i>(a) There shall be no residential activity on the site, except for manager’s accommodation permitted within Activity Areas 3, 4 and 9 under the Matakana 2 Precinct.</i></p> <p><i>(b) The site may only be used for the activities provided for within Activity Area 1 of the Matakana 2 Precinct under the Auckland Unitary Plan (Operative in Part).</i></p> <p>2. Management Agreement & Covenant (I522.6.10(3))</p> <p>Consent Notice: Management Agreement <i>A land covenant shall be registered on the title requiring the owner of the site to enter into and comply with the Matakana Country Park Management Agreement</i></p>	<p>Out Ma Res and is re bot ’site</p> <p>1(a) act (are con the upo acco</p> <p>1(b) to c I522 unc wou</p>
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		<p><i>administered by the owner of Activity Area 3 (Lot 3), for the purpose of enabling enforcement of Activity Area controls under the Matakana 2 Precinct.</i></p> <p>3. Council Enforcement Encumbrance (I522.6.10(4))</p> <p>Consent Notice: Council Enforcement <i>An encumbrance in favour of Auckland Council shall be registered on the title recognising Council’s right to enforce the land covenant required under I522.6.10(3).</i></p> <p>4. Character & Design Manual</p> <p>Consent Notice Character & Design Manual <i>Any future buildings, structures, or site works shall be undertaken in a manner that is generally consistent with the Matakana Country Park Character & Design Manual, except where an alternative outcome is authorised by a resource consent or required to achieve compliance with the Auckland Unitary Plan (Operative in Part).</i></p>	<p>cou the wor not Are</p> <p>If co ach rea pro</p> <p>Cha The buil des aut con AU with req Ple from</p>
3.	<p>The AEE advises there have been several variations to consent notices as part of the consent history, while there does not appear to have been registered against the title. Please confirm of the variation</p>	<p>AEE confirms VCN70025970 (28 Nov 2025) removed “no further subdivision” from Lots 1-5 and 7-8, retained for Lot 6. The proposal does not alter or require further amendment to the varied consent notice. C&R Surveyors have lodged s223 with Auckland Council.</p>	<p>Out</p> <p>Ple will con title</p>

to consent notices will be registered against the title,

and if the proposal would affect or require changes to these variation to consent notices

Consent Notices on Record of Title 815180

Instrument No.	Statutory Basis	Date Lodged / Registered	Affected Land	Related Consent	Key Conditions / Restrictions (summary)
11288436.1	Consent Notice pursuant to s221(4)(a) Resource Management Act 1991	15 February 2019 (4:35 pm)	Lots 1–10 DP 519220 (including Lot 1)	Subdivision consent CCT90070695 (R67771 / SUB60036409A)	<ul style="list-style-type: none"> • No general residential use; only limited, specified staff/manager accommodation • No further subdivision of Lots 1-8 • Lots restricted to specific Activity Areas under the Matakana 2 Precinct overlay (Lot 1 may only be used for activities allowed in Activity Area 1, namely: <i>Function centre, dance/exercise fitness classes, café, playground, petting zoo, aviary, memorial garden, pet garden, and staff accommodation.</i>) • Wetlands, waterways and ponds (Areas R–Z) to be protected in perpetuity • Minimum habitable floor levels apply to buildings • Management Agreement, land covenants and encumbrances required to enforce precinct controls

	Consent Notice variation	2022	Activity Area 1 on Lot 1 DP 519220	S221 VCN70020533	Varied Consent Notice 11288436.1 to enable the Adventure Playground and Ninja course to operate within Activity Area 1
	Consent Notice variation	2024	Activity Area 1 on Lot 1 DP 519220	LUC60403942 & VCN70020860	Granted land-use consent for the Early Learning Centre for 99 children and 24 FTE staff, and varied Consent Notice 11288436.1 to allow a childcare activity within Activity Area 1.
	Consent Notice variation	2025	Lots 1-5 & 7-8	SUB60451226 VCN70025970	Removed the outdated “no further subdivision” restriction from Consent Notice 11288436.1 for Lots 1-5 and 7-8.

Kind Regards,

Kate Madsen

Director – Paua Planning

021944583



From: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>

Sent: Friday, 17 April 2026 3:17 pm

To: Brendan Coghlan <coastalproperties@xtra.co.nz>

Cc: Kate Madsen <kate@pauaplanning.co.nz>

Subject: RE: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats

Hi Brendan,

Indeed it has.

Please find the attached feedback on the s92 response. Once the items 2-3 are resolved then can get to notifying.

Kind regards,

Lucy Fleming | Senior Planner
Department of Planning & Resource Consents

Waea pūkoro / Mob 021 197 9195 | Phone 09 301 0101
Hawiti, 6-8 Munroe Lane, Albany

Visit our website: www.aucklandcouncil.govt.nz

From: Brendan Coghlan <coastalproperties@xtra.co.nz>
Sent: Friday, 17 April 2026 10:10 am
To: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
Cc: Kate Madsen <kate@pauaplanning.co.nz>
Subject: Re: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats

Hi Lucy

Another week has passed.

Please advise on Notification.

Thanking you

Brendan

> On 10 Apr 2026, at 2:44 PM, Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz> wrote:

>

> Hi Brendan,

> I am just needing to clarify a few things with internal specialists before confirming if there is anything outstanding from the s92 request at this stage. I'll try let you know next week. Hope you have a good weekend and stay safe in the arriving bad weather.

> Kind regards,

> Lucy Fleming | Senior Planner

> Department of Planning & Resource Consents

> Waea pūkoro / Mob 021 197 9195 | Phone 09 301 0101

> Hawiti, 6-8 Munroe Lane, Albany
> Visit our website: www.aucklandcouncil.govt.nz
> From: Brendan Coghlan <coastalproperties@xtra.co.nz>
> Sent: Friday, 10 April 2026 2:37 pm
> To: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
> Cc: Kate Madsen <kate@pauaplanning.co.nz>
> Subject: Fwd: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats
> Hi Lucy Can you please advise when this application will be notified.
> Regards
> Brendan.
>
>
> Begin forwarded message:
> From: Brendan Coghlan <coastalproperties@xtra.co.nz>
> Subject: Fwd: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats
> Date: 8 April 2026 at 10:46:12 AM NZST
> To: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
> Cc: Kate Madsen <kate@pauaplanning.co.nz>
> Hi Lucy Can you please advise when this application will be Notified.
> Thanking you
> Brendan.
>
>
> Begin forwarded message:
> From: Kate Madsen <kate@pauaplanning.co.nz>
> Subject: RE: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats
> Date: 25 March 2026 at 4:32:51 PM NZDT
> To: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
> Cc: Brendan Coghlan <coastalproperties@xtra.co.nz>
> Hi Lucy,
> Please find attached s92 response, and link below to attachments :)
> <image001.png> Post Lodgement
> thanks
> Kind Regards,
> Kate Madsen
> Director – Paua Planning
> 021944583<image002.png> From: Lucy Fleming <lucy.fleming@aucklandcouncil.govt.nz>
> Sent: Wednesday, 18 February 2026 3:51 pm
> To: Kate Madsen <kate@pauaplanning.co.nz>
> Subject: S92 Request SUB60460558 - 1153 Leigh Road, Omaha Flats
> Hi Kate,
> SUB60460558 – 1153 Leigh Road, Omaha Flats
> Thank you for your recent resource consent application which we have reviewed and assessed. To help us better understand the application, please find the attached s92 letter requesting more information for the resource consent application.
> If you have any queries or wish to discuss matters please do not hesitate to contact me. In the meantime, I look forward to hearing from you.
> Kind regards,
> Lucy Fleming | Intermediate Planner
> Department of Planning & Resource Consents
> Waea pūkoro / Mob 021 197 9195 | Phone 09 301 0101

> Hawiti, 6-8 Munroe Lane, Albany

> Visit our website: www.aucklandcouncil.govt.nz

> <image003.jpg>CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

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