
I hereby give notice that a hearing by commissioners will be held on:

Date: Thursday 31 August 2023
Time: 9.30am
Meeting room: Leslie Comrie Board Room
Venue: Second Floor, Franklin: The Centre
12 Massey Road, Pukekohe, Auckland

PRIVATE PLAN CHANGE 87
HEARING REPORT ADDENDUM
301 AND 303 BUCKLAND ROAD, PUKEKOHE
PUKEKOHE LIMITED

COMMISSIONERS

Chairperson Dave Sergeant
Commissioners Michael Parsonson
Nigel Mark-Brown

Sidra Khan
KAITOHUTOHU WHAKAWĀTANGA
HEARINGS ADVISOR

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Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY
PUKEKOHE LIMITED**

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Reporting officer, Jimmy Zhang, Senior Planner

Reporting on proposed Private Plan Change 87 - 301 and 303 Buckland Road, Pukekohe. This private plan change aims to rezone 7.8 hectares of land at 301 and 303 Buckland Road, Pukekohe from the Future Urban Zone to the Business – General Business Zone.

APPLICANT: PUKEKOHE LIMITED

Hearing Report (Addendum) for Proposed Private Plan Change 87: 301 and 303 Buckland Road, Pukekohe to the Auckland Unitary Plan (Operative in Part)

Report to:	Hearing Commissioners
Hearing Date/s:	31 August 2023
File No:	Hearing Report (Addendum) – Proposed Private Plan Change 87 (PC87)
File Reference	S42A Report (Addendum) PC87
Report Author	Jimmy Zhang, Reporting Planner, Plans and Places
Report Approvers	Craig Cairncross, Team Leader Central and South Planning, Plans and Places
Report produced	22 August 2023

1 INTRODUCTION

1. I have reviewed the draft 'Buckland Road Precinct' filed by the applicant in response to Hearing Direction 1 from the Chair of the Hearing Panel. Wes Edwards, the transport expert for the s42A reporting team, has also reviewed the precinct.
2. I have read the principal statements of evidence from the applicant, particularly noting the Section 32AA analysis in the evidence of Robert Scott.
3. In the s42A report I recommended approval to PC87 subject to the introduction of precinct provisions to manage transport related effects and the application of the SMAF1 overlay. Having reviewed the draft precinct, I consider some additional provisions are necessary to address the performance of the Manukau Road/ Buckland Road/ Kitchener Road intersection.
4. An amended version of the draft Buckland Road Precinct is attached to this addendum report as Appendix A.
5. I confirm my recommendation in the s42A report to approve PC87, but with amendment to the draft Buckland Road Precinct provisions (set out in Appendix A).

2 TRANSPORT PROVISIONS

6. Mr Edwards and I generally support the 'Buckland Road Precinct' provisions, with the exception that it should be amended to specifically address the performance of the Manukau

Road/ Buckland Road/ Kitchener Road intersection. This was a matter that was noted in the s42A report as needing to be addressed through the precinct (refer to *'Performance of the proposed roundabout at the Manukau Road/Buckland Road/Kitchener Road intersection at the Saturday peak'* on page 36 of the s42A report).

7. As discussed in the s42A report, Mr Edwards is of the view that the results of the SIDRA modelling show that the capacity of a single lane roundabout (with additional turning lanes) at this intersection is expected to be exceeded during the Saturday peak hour (regardless of whether there is a 'race day' or not at Pukekohe Park) under a high intensity development scenario (i.e. 100% Large Format Retail).
8. In addition, the uncertainties in the composition of activities that could develop in the PC87 area, the timing for delivery of an upgrade to the intersection and the form of this intersection (priority controlled, roundabout or signals) at the time that the PC87 area is developed, are issues which need to be addressed through the precinct.
9. It remains our view that provisions need be included in the precinct to ensure that the scale of activities within the plan change area is commensurate with the capacity of the intersection at the time of development. Such provisions also address the inherent uncertainties in the future development of the site.
10. Mr Edwards and I recommend the following additions to the draft 'Buckland Road Precinct' to ensure that there is sufficient capacity at the Manukau Road/Buckland Road/Kitchener Road intersection to accommodate any proposed development:

I4XX.3. Policies

Transport and Infrastructure

(2) Require subdivision and development to provide for a transport network that:

- (a) Integrates with, and avoids, remedies or mitigates adverse effects on the safety and efficiency of the transport network of the surrounding area by:

...

- (vii) Ensuring sufficient capacity is provided at the intersection of Buckland Road, Manukau Road, and Kitchener Road.

I4XX.6. Standards

...

I4XX.6.1.2 Transport

Purpose:

- Mitigate the adverse effects of traffic generation on the surrounding local and wider transport network.
- Achieve the integration of land use and transport.

...

- (2) Any development or subdivision within the Precinct must be accompanied by a transport assessment to demonstrate that there is sufficient capacity at the Kitchener Road / Manukau Road / Buckland Road intersection to accommodate the traffic generation from the proposal in a safe and efficient manner.

I4XX.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

(1) Subdivision and development:

...

- (e) The extent to which the intersection of Kitchener Road / Manukau Road / Buckland Road intersection operates in a safe and efficient manner.

I4XX.8. Special information requirements

I4XX.8.1 Traffic Assessment

- (1) Any application for development or subdivision must provide a transport assessment prepared by a suitably qualified person confirming that the capacity and efficiency of the intersection of Buckland Road, Manukau Road, and Kitchener Road will be sufficient having regard to the following:
- (i) traffic volumes passing through the intersection on weekdays between 7 and 9am, weekdays between 4 and 6pm, and Saturdays between 11am and 1pm;
 - (ii) growth in traffic volumes likely to occur over the following ten years;
 - (iii) traffic actually and/ or likely to be generated by development within the Precinct;
 - (iv) for traffic signals, cycle times not exceeding 140 seconds including allowance for pedestrian movements; and
 - (v) intersection performance of Level of Service D or better.
- (2) Where the assessment in (1) identifies changes to the intersection are required to provide sufficient capacity, a Transport Design Report in accordance with I4XX.8.2 must also be provided.

11. Mr Edwards and I also recommend that Precinct Plan I4XX.9 is amended to identify the Buckland Road/ Manukau Road/ Kitchener Road intersection as a 'key' intersection as it is a key piece of infrastructure which could be affected by development in the PC87 area.
12. The provisions above reflect the assessment undertaken by Mr Edwards in his transport report (Appendix 5 to the s42A report) and section 5.2 (Transport effects) of the s42A report.
13. Aside from the amendments set out above, I have made some changes to the precinct provisions to fix what I see as editorial errors and to address the drafting of Table I4XX.4.1 as discussed below.
14. It is my view that an additional activity is required under the 'Use and Development' heading of Activity table I4XX.4.1 to address any non-compliance with the standards under I4XX.6.1. This would ensure a consistent approach with the Subdivision activities in the Table. I recommend the following amendment:

Table I4XX.4.1 Activity table

Activity		Activity status
Use and Development		
(A1)	Activities listed as permitted, restricted discretionary, discretionary, or non-complying activities in Table H14.4.1 in the Business – General Business Zone	
<u>(A2)</u>	<u>Any activity not complying with the standards under I4XX.6.1</u>	<u>RD</u>

15. With respect to Activities A2 and A3 under the subdivision heading of Activity table I4XX.4.1, I'm unclear as to the reasons for the differing activity status for the activities (Activity A2 is a Restricted Discretionary Activity and Activity A3 is a Discretionary Activity) given that they seek to achieve the same purpose (i.e. to manage any infringement of the standards I4XX.6.1). I recommend that Activity A3 is deleted as the matters of discretion (I4XX7.1) seem to indicate that the intention was to apply the Restricted Discretionary activity status. The amendment is shown below:



Subdivision		
(A23)	Subdivision not complying with the standards under I4XX.6.1	RD
(A3)	Subdivision not in accordance with the Precinct Plan or not complying with the standards I4XX.6.1	D

16. In my view the remainder of the draft 'Buckland Road Precinct' provisions provides for the implementation of required transport upgrades (as discussed in the s42A report) at the time of development and appropriately manages any effects of development on the local transport network.
17. I can now confirm all the 'to be confirmed' recommendations made in the s42A report on Auckland Transport's submission points (section 6.6 of the s42A report). In my view, the additional provisions proposed in this report do not affect the relief sought by Auckland Transport in any of its submission points.

3 RECOMMENDATIONS

18. I confirm the recommendations made in the s42A report (including to submissions), subject to the to the provisions as contained in Appendix A to this report.

9 SIGNATORIES

Name and title of signatories	
Author	 Jimmy Zhang, Reporting Planner, Central and South Planning, Plans and Places
Reviewer / Approver	 Craig Cairncross, Team Leader Central and South Planning, Plans and Places

APPENDIX 1

AMENDED BUCKLOAD ROAD PRECINCT PROVISIONS

I4XX. Buckland Road Precinct

I4XX.1. Precinct Description

The Buckland Road Precinct covers approximately 7.8 hectares of land at 301 and 303 Buckland Road and is located to the south of the Pukekohe Town Centre.

The Buckland Road Precinct is zoned Business – General Business Zone and enables a wide range of business and employment related activity to complement existing Business zoned land to the northeast and opposite at Pukekohe Park. It also complements planned Business - Light Industrial zoning identified in the Pukekohe-Paerata Structure Plan. Other than the precinct provisions set out below, the activity and development standards for the Business-General Business Zone has not been changed.

The purpose of the precinct is to ensure that subdivision and development of land:

- is coordinated with upgrades necessary to avoid, remedy or mitigate adverse effects on the local and wider transport network; and
- recognises the need for safe, efficient, and effective access to the Precinct; and
- provides for the comprehensive and integrated development of the sites within the Precinct, to ensure the efficient use of land resources and infrastructure.

The transport network in the wider area will be progressively upgraded over time to support planned urban growth in this part of Pukekohe as identified in the Pukekohe-Paerata Structure Plan.

The zoning of land within this Precinct is the Business – General Business Zone.

I4XX.2. Objectives [rp/dp]

- (1) Provide a well-connected and safe urban transport network that supports a range of travel modes.
- (2) Transport infrastructure is integrated and coordinated with subdivision and development and provides safe and efficient connections to the wider transport network and upgrades to the transport network adjoining and/or immediately beyond the Precinct.

I4XX.3. Policies [rp/dp]

Subdivision and development

- (1) Require that the design of any subdivision and development within the precinct is undertaken in general accordance with the Buckland Road precinct plan.

Transport and Infrastructure

- (2) Require subdivision and development to provide for a transport network that:
 - (a) Integrates with, and avoids, remedies or mitigates adverse effects on the safety and efficiency of the transport network of the surrounding area by:
 - (i) Providing for a road between Webb Street and Buckland Road as fixed by the Buckland Road Precinct Plan.

- (ii) Providing for a controlled access intersection on Buckland Road in the location as fixed by the Buckland Road Precinct Plan.
 - (iii) Providing a safe internal transport network within the site and providing for safe intersections onto collector and arterial roads.
 - (iv) Delivering an urban standard of frontage to Buckland Road including at a minimum, footpaths and cycling connectivity.
 - (v) Providing for active mode connections beyond the precinct and where identified in the Precinct Plan.
 - (vi) Restricts or manages vehicle access directly off Buckland Road.
 - (vii) Ensuring sufficient capacity is provided at the intersection of Buckland Road, Manukau Road, and Kitchener Road.
- (b) Facilitates transport choices by providing for pedestrians, cyclists, public transport facilities, and vehicles, including (as far as practicable given the local area's constraints and characteristics) to the Pukekohe Town Centre
- (c) Is designed and constructed in a manner that is appropriate having regard to the requirements of Auckland Transport's relevant code of practice or engineering standards.

I4XX.4. Activity table

The activity tables in any relevant overlays, Auckland-wide and zones apply unless the activity is listed in Table I4XX.4.1 below.

Table I4XX 4.1 specifies the activity status of land use and subdivision activities in the precinct pursuant to sections 9(2), 9(3) and section 11 of the Resource Management Act 1991.

Note 1

A blank cell in the activity status means the activity status of the activity in the relevant overlays, Auckland-wide or zones applies for that activity unless that activity is specifically listed in Table I4XXX.4.1.

Table I4XX.4.1 Activity table

Activity		Activity status
Use and Development		
(A1)	Activities listed as permitted, restricted discretionary, discretionary, or non-complying activities in Table H14.4.1 in the Business – General Business Zone	
(A2)	<u>Any activity not complying with the standards under I4XX.6.1</u>	<u>RD</u>
Subdivision		

(A23)	Subdivision not complying with the standards under I4XX.6.1	RD
(A3)	Subdivision not in accordance with the Precinct Plan or not complying with the standards I4XX.6.1	D

I4XX.5. Notification

- (1) Any application for resource consent for an activity listed in Table I4XX.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I4XX.6. Standards

All relevant overlay, Auckland-wide and zone standards apply to the activities listed in Activity Table I4XX.4.1.

All activities listed in Table I4XX.4.1 Activity Table must comply with the following standards.

I4XX.6.1 Precinct Plan and infrastructure requirements

All development and subdivision must comply with the following standards:

I4XX.6.1.1 Precinct Plan requirements

- (1) All roads, lanes and active mode connections must be as fixed in the Buckland Road: Precinct Plan 1 such as to achieve the same level of connectivity to adjacent sites and roads as shown on the Precinct Plan.

I4XX.6.1.2 Transport

Purpose:

- Mitigate the adverse effects of traffic generation on the surrounding local and wider transport network.
- Achieve the integration of land use and transport.

- (1) Subdivision and development (including construction of any new road) must comply with the standards in Table I4XX.6.1.2.1

Table I4XX.6.1.2.1 Transport Infrastructure Requirements

Transport Infrastructure Upgrade		Trigger
(T1)	New Collector Road between Buckland Road and Webb Street along the full length of the shared boundary of 301 and 303 Buckland Road and as fixed in Precinct Plan 1.	Any subdivision or development with frontage to 301 or 303 Buckland Road.
(T2)	Establish a key intersection with Buckland Road as fixed in Precinct Plan 1	Any subdivision or development with frontage to 301 or 303 Buckland Road.

(T3)	Upgrading of Buckland Road to an urban standard (west side/site frontage) including the footpath and cycling facilities.	Any subdivision or development with frontage to 301 or 303 Buckland Road.
(T4)	Development of cycle facilities and extension of the pedestrian footpath on Buckland Road are to continue north, beyond the plan change boundary to Kitchener Road as shown on the Precinct Plan 1.	Any subdivision or development with frontage to 301 or 303 Buckland Road.

- (2) Any development or subdivision within the Precinct must be accompanied by a traffic assessment to demonstrate that there is sufficient capacity at the Kitchener Road / Manukau Road / Buckland Road intersection to accommodate the traffic generation from the proposal in a safe and efficient manner.

I4XX.7. Assessment – restricted discretionary activities

I4XX.7.1 Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application for activities listed in Table I4XX.4.1 Activity Table, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Non-compliance with the standards I4XX6.1
 - (a) Consistency with the Buckland Road Precinct Plan I4XX.9
 - (b) Safe and efficient operation of the current and future transport network.
 - (c) Consistency with the objectives and policies of the Precinct.

I4XX.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

- (1) Subdivision and development:
 - (a) The extent to which frontage along Buckland Road is designed and constructed to an urban standard, including at a minimum footpath, and connectivity to the footpath network, including on the necessary connection required north of the precinct boundary to connect to Kitchener Road
 - (i) (b) The extent to which the collector road connection known as PU-NS-2 (Buckland Road to Webb Street) is provided along the full length of the shared boundary with 301 and 303 Buckland Road in the location fixed on Precinct Plan 1 to achieve a well-connected street layout that integrates with the transport network and is to Auckland Transport standards.
 - (b) (c) The extent to which the intersection of Buckland Road / PU-NS-2 operates

safe and efficient manner.

- (e) (d) The extent to which the active mode connections are provided for as shown in the Precinct Plan:
 - (ii) Along the frontage of the Precinct boundary.
 - (iii) North, beyond the Precinct to connect to the Kitchener Road / Manukau Road / Buckland Road intersection.
- (e) The extent to which the intersection of Kitchener Road / Manukau Road / Buckland Road intersection operates in a safe and efficient manner.

I4XX.8. Special information requirements

I4XX.8.1 Traffic Assessment

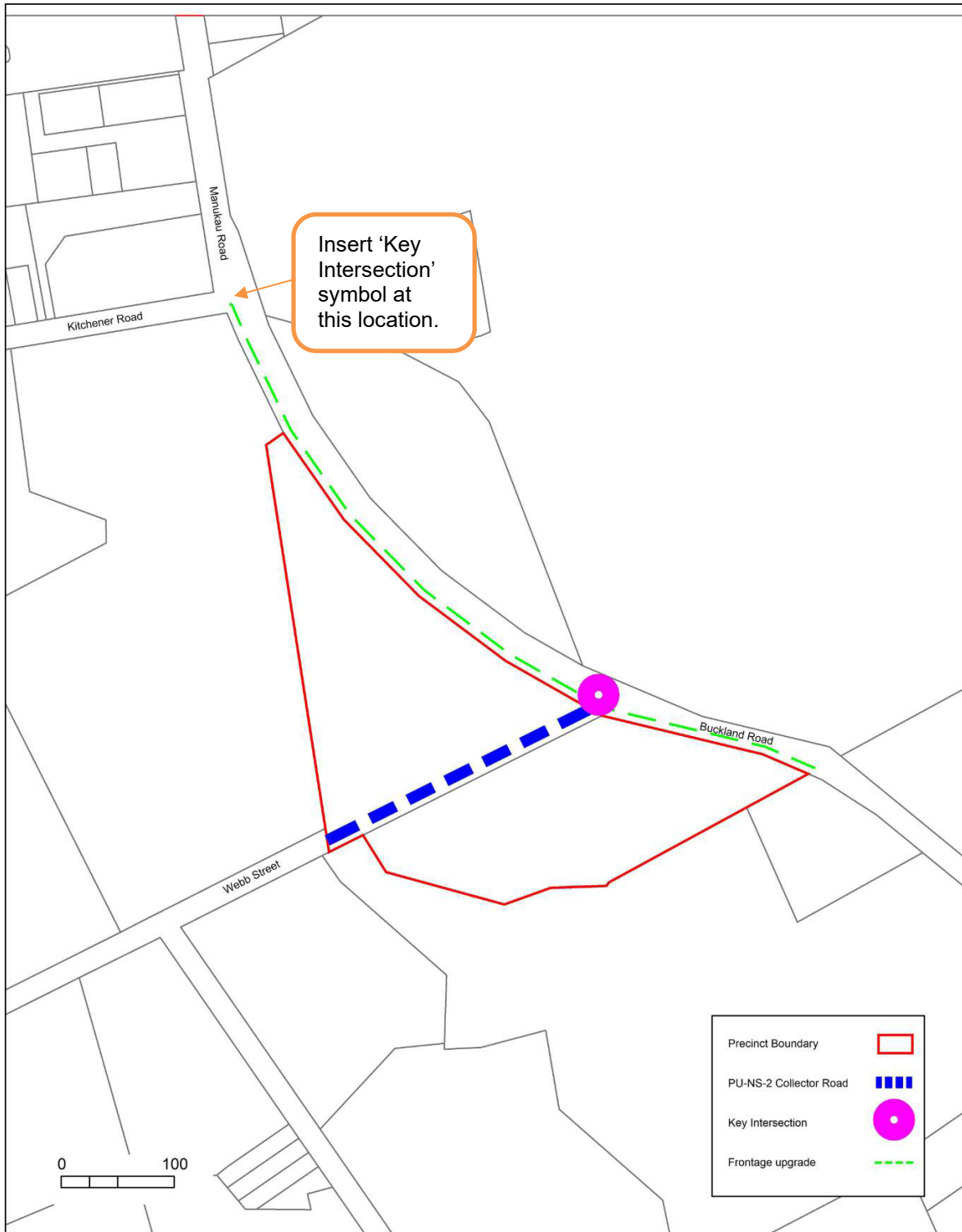
- ~~(1) At the first stage of subdivision or development of any site existing at (date of plan change approval); and~~
- (1) Any application for development or subdivision must provide a transport assessment prepared by a suitably qualified person confirming that the capacity and efficiency of the intersection of Buckland Road, Manukau Road, and Kitchener Road will be sufficient having regard to the following:
 - (i) traffic volumes passing through the intersection on weekdays between 7 and 9am, weekdays between 4 and 6pm, and Saturdays between 11am and 1pm;
 - (ii) growth in traffic volumes likely to occur over the following ten years;
 - (iii) traffic actually and/ or likely to be generated by development within the Precinct;
 - (iv) for traffic signals, cycle times not exceeding 140 seconds including allowance for pedestrian movements; and
 - (v) intersection performance of Level of Service D or better.
- (2) Where the assessment in (1) identifies changes to the intersection are required to provide sufficient capacity, a Transport Design Report in accordance with I4XX.8.2 must also be provided.

I4XX.8.2 Transport Design Report

- (1) Any proposed new key intersection or upgrading of existing key intersections, and, any proposed new key roads or upgrading of existing key roads are illustrated on the Precinct Plan must be supported by a Transport Design Report and Concept Plans (including forecast transport modelling and land use assumptions), prepared by a suitably qualified transport engineer confirming that the location and design of any road and its intersection(s) supports the safe and efficient function of the existing and future (ultimate) transport network and can be accommodated within the proposed or available road reserves. This may be included within a transport assessment supporting land use or subdivision consents.

In addition, where an interim upgrade is proposed, information must be provided, detailing how the design allows for the ultimate upgrade to be efficiently delivered.

I4XX.9 Buckland Road Precinct Plan 1



Appendix 1 – Minimum Road Width, Function and Required Design Elements

Name	Role and function of road	Minimum Road Reserve	Total no. of lanes	Design Speed	Median	Cycle provision	Pedestrian provision	Freight or heavy vehicle route	Access Restrictions	Bus Provision
Buckland Road	Arterial Road	30m	2	50km/h	No	yes	yes	yes	yes	yes
PU-NS-2 (Proposed Collector)	Collector, unless Auckland Transport issues a notice of requirement for an arterial.	22m	2	50km/h	No	No	Yes	Yes	No	No

