

**IN THE MATTER** of the Resource Management Act 1991 (**RMA**)

**AND**

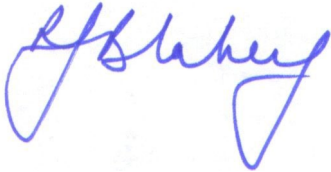
**IN THE MATTER** of **Private Plan Change 74** – Golding Meadows and Auckland Trotting Club Inc to the Auckland Unitary Plan

### **HEARING DIRECTION #1 FROM THE HEARING PANEL**

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the Chair of the Hearing Panel – Richard Blakey. The hearing panel members will be appointed shortly. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change proposal, including any changes to it that are within scope of the notified Plan Change.
2. Plan Change 74, in summary, aims to:
  - (a) Rezone approximately 82.66 hectares of land in south-eastern Pukekohe, bounded by Golding Road, Station Road, Royal Doulton Drive, part of Yates Road and a stream that runs in a roughly southerly direction from Golding Road to Yates Road from Future Urban Zone and Special Purpose – Major Recreation Facility Zone (Franklin Trotting Club Precinct) to a combination of Business - Light Industry Zone (19.974ha), Residential – Mixed Housing Urban Zone (62.356ha) and Neighbourhood Centre Zone (0.3365ha).
  - (b) Introduce a new precinct to the Auckland Unitary Plan (Operative in Part) to manage:
    - noise from the nearby Pukekohe Park motorsport activities
    - traffic generated to the land
    - a new Significant Ecological Area
    - the indicative location of future collector roads
    - key walking and cycle routes.
3. Before the hearing timetable is set down, the Chair directs the applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions. This memorandum should be lodged with the Council's Hearings Advisor, Bevan Donovan, by 5pm, Wednesday 13 July 2022.
4. The reason for this is, in accordance with Part 2 of Schedule 1 of the RMA, any modifications to the plan change application must be made prior to the local authority considering the request under clause 25 of Schedule 1. As this private plan change has

already been notified, the section 42A report will be based on the private plan change as notified. The Chair, in setting the hearing timetable, will take into consideration the extent of any proposed changes to ensure all parties have sufficient time to prepare for the hearing.

5. The reporting planner has indicated that expert conferencing may be useful to narrow issues prior to the hearing. Please inform the Chair if you support expert conferencing to be held, and if so, please specify whether the preference is for this to take place before, or after the circulation of expert evidence. Please note that the applicant would be responsible for any mediator/facilitator costs incurred.
6. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Bevan Donovan, by email at [bevan.donovan@aucklandcouncil.govt.nz](mailto:bevan.donovan@aucklandcouncil.govt.nz).



Richard Blakey, Chairperson  
29 June 2022

## Version Record

Version	Title	Date	Notes
Version 1	Lodged version	June 2021	
Version 2	Notified Version	November 2021	Post clause 23 responses
Version 3	Applicant's updated provisions	July 2022	Response to Hearing Panel Direction 1

## Version 3 track change notes

Red underlined/strikethrough – changes to reflect applicant's submission 17.

Blue underlined/strikethrough – changes proposed to reflect updated applicant position (following submissions).

Blue [Sub XX] –submitter reference where changes have been made to reflect submission points.

Green underlined/strikethrough – changes proposed to reflect updated applicant position based on discussions with Council's Healthy Waters.

## INSERT LIST OF MAP CHANGES TO ZONE, OVERLAYS, CONTROLS

1. Amend Zones as illustrated on drawing by Birch Surveyors Project Number 4294 Zone Plan Revision M. This changes the Future Urban Zone and Special Purpose – Major Recreation Facility Zone (Franklin Trotting Club).
2. Insert Precinct Plan 1 and 2 as illustrated on drawings by Birch Surveyors Project Number 4294 Precinct Plan Revision M.
3. Delete the Special Purpose – Major Recreation Facility Zone (Franklin Trotting Club) Precinct.
4. Insert new Significant Ecological Area as illustrated on drawing by Birch Surveyors Project Number 4294 Overlay Plan Revision M.
5. Insert new Vehicle Access Restriction as illustrated on drawing by Birch Surveyors Project Number 4294 Overlay Plan Revision M.

**AMEND SCHEDULE 3 SIGNIFICANT ECOLOGICAL AREA - TERRESTRIAL SCHEDULE:**

**Table: Significant Ecological Areas – Terrestrial Schedule (SEA\_T) [dp]**

<b>ID</b>	<b>Factor Met</b>
SEA_T_XXXX	1, 2, 3

**AMENDMENTS TO SCHEDULE 10 NOTABLE TREE SCHEDULE**

<b><u>ID</u></b>	<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>	<b><u>Number of Trees</u></b>	<b><u>Location/Street address</u></b>	<b><u>Locality</u></b>	<b><u>Legal Description</u></b>
<u>X1</u>	<u>Dacrydium cupressinum</u>	<u>Kahikatea</u>	<u>1</u>	<u>162 Golding Road</u>	<u>Pukekohe</u>	<u>Lot 5 DP 437089</u>
<u>X2</u>	<u>Dacrycarpus dacrydioides, Dacrydium cupressinum, Prumnopitys taxifolia</u>	<u>Kahikatea (1), Rimu (4), Matai (1)</u>	<u>6</u>	<u>27 Yates Road</u>	<u>Pukekohe</u>	<u>Lot 1 DP 62593</u>
<u>X3</u>	<u>Dacrycarpus dacrydioides</u>	<u>Kahikatea</u>	<u>12</u>	<u>240 Station Road</u>	<u>Pukekohe</u>	<u>Lot 1 DP 443991</u>

## I4XX. Pukekohe Golding Precinct

### I4XX.1. Precinct Description

The Pukekohe Golding Precinct includes the Business - Light Industry Zone (19.9741 ha), Business – Neighbourhood Centre Zone (0.3365 ha) and Residential – Mixed Urban Zone (62.356 ha).

The Business - Light Industry Zone is located on Station Road. It provides a buffer between the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) to the west of Station Road and the residential development to the east in the Precinct.

To the east of the Business - Light Industry Zone is a small Business – Neighbourhood Centre Zone to provide for the day-to-day convenience needs of the residents and employees of the Precinct. This is located associated with the Collector Road into the Precinct from Station Road.

To the east of the Business - Light Industry Zone is the Residential – Mixed Urban Zone. The Residential – Mixed Urban Zone is identified as the predominant residential zone because of the Precinct's opportunities for new greenfield development in close proximity to the town centre, rail station and employment activities of Pukekohe.

The Precinct includes a Significant Ecological Area ("SEA") (approximately 0.44 ha) associated with a group of kahikatea trees adjoining Yates Road.

The Precinct also includes rules riparian margins and hydrology mitigation. These measures will also will have reciprocal benefits in protecting the ecological values associated with the SEA.

A vehicle access restriction control applies to the southern side of Royal ~~Daulton Road~~ Doulton Drive [SUB26] and the western side of Golding Road to restrict direct vehicle access to these roads, therefore preserving the future arterial road opportunity of these roads from multiple vehicle crossings or from vehicles reverse manoeuvring on to the roads.

The Precinct requires the construction of an acoustic barrier to attenuate noise from the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) prior to or concurrently with the residential subdivision of land between the Business - Light Industry Zone and the 55 dB LAeq noise contour illustrated on the Precinct Plan.

Area A illustrated on the Precinct Plan applies to the first urban residential block in the Residential – Mixed Housing Urban Zone to the east of the Business – Light Industry Zone. Area A is land where additional attenuation measures (building and site design) are required to ensure an appropriate acoustic environment is established following the construction of an acoustic barrier. Area A is based on the implementation of the acoustic barrier.

Refer to planning maps for the location and extent of the precinct. The following underlying zones apply to the precinct:

- Residential - Mixed Housing Urban

- Business – Neighborhood Centre
- Business – Light Industry Zone

~~The Precinct gives effect to the Medium Density Residential Standards ('MDRS') introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment [Act 2021].~~

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

## **14XX.2. Objectives**

- (1) Develop a residential environment to the east of industrial activities which allows for a range of housing densities and typologies and incorporates the opportunity for a neighbourhood centre.
- (2) Enable industrial activities develop on land adjoining Station Road, separating activities sensitive to noise from the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) to the west.
- (3) Provide a well-connected and safe urban road network that supports a range of travel modes and provides a strong definition of public open spaces.
- (4) Transport infrastructure is integrated and coordinated with subdivision and development and provides connections to the wider transport network and upgrades to the road network adjoining the Precinct.
- (5) Subdivision and development is coordinated with the delivery of water, wastewater and stormwater infrastructure.
- (6) Reverse sensitivity effects on the adjacent Special Purpose – Major Recreation Facility Zone (Pukekohe Park) are mitigated.
- (7) The ecological values of streams, wetlands and the significant ecological area are protected and enhanced.
- (8) Stormwater management measures avoid as far as practicable and otherwise mitigate adverse effects of development and enhance the receiving environment.

*Objectives required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021*

- (9) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- (10) A relevant residential zone provides for a variety of housing types and sizes that respond to:
  - (a) housing needs and demand; and

(b) the neighbourhood's planned urban built character, including 3-storey buildings.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I4XX.3. Policies**

#### *Development*

- (1) Enable an intensive urban form and character through a range of dwelling options by applying, including incorporation of the Medium Density Residential Standards introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment [Act 2021], and the provision for local convenience activities to serve the neighbourhood.
- (2) Encourage subdivision layout to achieve legible and walkable urban blocks and for roads to front public open spaces.

#### *Transport*

- (3) Require subdivision and development to provide an interconnected urban road network which includes necessary upgrades to existing infrastructure adjoining the Precinct and connections to existing and future networks outside the Precinct.
- (4) Require subdivision and development to provide walking and cycling networks and connections to existing and future networks outside the Precinct.
- (5) Require vehicle access restrictions for sites adjoining Golding Road and Royal ~~Daulton Road~~ Doulton Drive [SUB26] in recognition that they will become future arterials.

#### *Infrastructure*

- (6) Require subdivision and development to be co-ordinated with the provision of necessary infrastructure and network utilities, including identified upgrades outside the Precinct.

#### *Stormwater Management and Ecology*

- (7) Require subdivision and development to protect and enhance wetlands, streams and the significant ecological area.
- (8) Require subdivision and development to plant the riparian margin of streams and wetlands and to provide at source hydrological mitigation, attenuation and quality treatment (consistent with an approved stormwater management plan) to prevent stream bank erosion and to enhance in-stream morphology, and stream and wetland water quality.

#### *Reverse Sensitivity*

- (9) Provide for industrial activities on land immediately adjoining Station Road to:
- a. provide a buffer between the residential zones and the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) to the west of Station Road;
  - b. support local employment; and
  - c. avoid activities sensitive to noise on land exposed to noise levels greater than 57 dB L<sub>Aeq</sub> on Category C days.
- (10) Prior to any development within the 55 dB LAeq noise contour in the Precinct, require the establishment of an acoustic barrier(s) to form an buffer between noise from motorsport activities occurring on the Special Purpose – Major Recreational Facility Zone and the Precinct’s residential zones.
- (11) Require dwellings in Area A to be designed with acoustic attenuation and to locate buildings fronting the street and outdoor living areas in the rear yard to provide for reasonable aural amenity for outdoor living.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I4XX.4. Activity table**

The activity tables in any relevant overlays, Auckland-wide and zones apply unless the activity is listed in Tables I4XX.4.1-4 below.

Tables I4XX 4.1-4 specifies the activity status of land use and subdivision activities in the precinct pursuant to sections 9(3) and section 11 of the Resource Management Act 1991.

Note: 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 Tables I4XX.4.1-4.

**Table I4XX.4.1 - Activity table all Zones**

Activity		Activity status
<b>Use and Development</b>		
(A1)	Activities listed as permitted, restricted discretionary, discretionary or non-complying activities in Table H5.4.1 in the Residential – Mixed Housing Urban Zone	
(A2)	Activities listed as permitted, restricted discretionary, discretionary or non-complying activities in Table H12.4.1 in the Business – Neighbourhood Centre Zone	



(A3)	Activities listed as permitted, restricted discretionary, discretionary or non-complying activities in Table H17.4.1 in the Business – Light Industry Zone	
(A4)	Activities that do not comply with any of the standards listed in I4.XX6.1 to I4XX.6.5	D
<b>Subdivision</b>		
(A5)	Subdivision listed in Chapter E38 Subdivision – Urban	
(A6)	Subdivision in accordance with the Precinct Plan	RD
(A7)	Subdivision not in accordance with the Precinct Plan	D
(A8)	Subdivision that does not comply with any of the standards listed in I4XX.6.1 to I4XX.6.5	D

**Table I4XX.4.2 – Residential – Mixed Housing Urban Zone**

~~The rules in activity table H5.4.1 (A3) and (A4) do not apply to the Precinct.~~

Activity		Activity status	Standards to be complied with
<b>Use and Development</b>			
(A1)	Show home	P	Standards in I4XX.6.6
<del>(A2)</del>	<del>Up to three dwellings per site</del>	<del>P</del>	<del>Standards in I4XX.6.6</del>
<del>(A3)</del>	<del>Four or more dwellings per site</del>	<del>RD</del>	<del>Standards in I4XX.6.6</del>

**Table I4XX.4.3 – Business – Light Industry Zone**

Activity		Activity status
<b>Use and Development</b>		
(A1)	Activities sensitive to noise, including workers accommodation	NC

**Table I4XX.4.4 – Business – Neighbourhood Centre Zone**

Activity		Activity status
<b>Use and Development</b>		
(A1)	Activities that do not comply with the standard listed in I4XX.6.5	D

### **I4XX.5. Notification**

- (1) Any application for resource consent for an activity listed in Tables I4XX.4.1, I4XX.4.3 or I4XX.4.4 Activity table above 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).
- ~~(3) Any application for resource consent for the following activities will be considered without public notification:~~
  - ~~(a) up to three dwellings per site in the Residential—Mixed Housing Urban Zone that does not comply with any of the following standards:~~
    - ~~(i) Standard I4XX.6.6.1 Building height~~
    - ~~(ii) Standard I4XX.6.6.2 Height in relation to boundary;~~
    - ~~(iii) Standard I4XX.6.6.3 Setbacks;~~
    - ~~(iv) Standard I4XX.6.6.4 Building coverage;~~
    - ~~(v) Standard I4XX.6.6.5 Impervious area;~~
    - ~~(vi) Standard I4XX.6.6.6. Outdoor living space (per unit); and~~
    - ~~(vii) Standard I4XX.6.6.7 Outlook space (per unit)~~
- ~~(4) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties:~~
  - ~~(a) four or more dwellings per site in a residential zone that comply with all of the following standards:~~
    - ~~(i) Standard I4XX.6.6.1 Building height~~
    - ~~(ii) Standard I4XX.6.6.2 Height in relation to boundary;~~
    - ~~(iii) Standard I4XX.6.6.3 Setbacks;~~

- ~~(iv) Standard I4XX.6.6.4 Building coverage;~~
- ~~(v) Standard I4XX.6.6.5 Impervious area;~~
- ~~(vi) Standard I4XX.6.6.6 Outdoor living space (per unit); and~~
- ~~(vii) Standard I4XX.6.6.7 Outlook space (per unit)~~

### **I4XX.6 Standards**

Except where the following standards apply the zone, ~~The~~ overlay and Auckland-wide standards apply in this precinct in addition to the following standards.

#### **I4XX.6.1 Transport Infrastructure Requirements**

- (1) Subdivision and development (including construction of any new road) must be undertaken concurrently with the following planned and funded infrastructure OR must not precede the upgrades outlined in Table I4XX.6.1.1.

**Table I4XX.6.1.1 Transport Infrastructure Requirements**

Transport Upgrade		Trigger
(T1)	Pedestrian connection to Station Road	The first site/dwelling.
(T2)	Footpath connection from the precinct boundary to the nearest existing pedestrian footpath on the eastern side of Station Road	The first site/dwelling.
(T3)	Station Road upgraded as an urban Collector Road  (development side only)	Prior to or in conjunction with any development or subdivision requiring direct or indirect access to Station Road
(T4)	Yates Road upgraded as an urban Collector Road  (development side only)	Any development with frontage to Yates Road.
(T5)	Golding Road – 6m strip to set aside for future widening/vesting for AT works to upgrade Golding Road to an arterial road.	Any development with frontage to Golding Road.

- (2) The above will be considered to be complied with if the identified upgrade forms part of the same consent, or a separate consent which is given effect to prior to release of 224(c) for any subdivision OR occupation of any new building for a land use only.

#### **I4XX.6.2 Riparian and Buffer Planting**

- (1) The riparian margins of any permanent or intermittent stream must be planted at the time of subdivision or land development to a minimum width of 10m measured from the top of the stream bank or, where the stream edge cannot be identified by survey, from the centre line of the stream. This standard does not apply to that part of a riparian margin where a road or public walkway crosses over the stream and/or passes through or along the riparian margin.
- (2) The riparian margins of any natural wetland must be planted at the time of subdivision or land development to a minimum width of 10m measured from the wetland's fullest extent. This standard does not apply to that part of a riparian margin where a road or public walkway crosses over the wetland and/or passes through or along the riparian margin.
- (3) The margin of the Significant Ecological Area must be planted at the time of any subdivision or land development adjacent to the feature to a minimum width of 5m measured from the edge of the canopy.
- (4) The planting required by clauses (1)-(3) above must:
  - (a) use eco-sourced native vegetation where available;
  - (b) be consistent with local biodiversity;
  - (c) be planted at a density of 10,000 plants per hectare, unless a different density has been approved on the basis of plant requirements.

#### **I4XX.6.3 Site Access**

Purpose:

- Maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings
- (1) Where subdivision and development adjoins a road with a 3m shared footpath or protected cycle lane on the site's frontage, rear lanes (access lot) or access from side roads must be provided so that no vehicle access occurs directly from the site's frontage over the 3m shared footpath or the road frontage.

#### **I4XX.6.4 Stormwater Management**

##### **IXX.6.4.1 Hydrological Mitigation**

Purpose: As outlined in E10 for SMAF 1 and 2, to minimise the adverse effects of stormwater runoff on rivers and streams to retain, and where possible enhance, stream naturalness, biodiversity, bank stability and other values.

- (1) All new or redeveloped impervious surfaces (including roads) exceeding 50m<sup>2</sup> must provide:
  - (a) retention (volume reduction) of at least 5mm runoff depth for the impervious area for which hydrology mitigation is required; and
  - (b) detention (temporary storage) and a drain down period of 24 hours for the difference between the predevelopment and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required
- (2) Clause (1) does not apply where:
  - (a) a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there is no area on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and
  - (b) rainwater reuse is not available because:
    - (i) the quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden/crop irrigation or toilet flushing); or
    - (ii) there are no activities occurring on the site that can re-use the full 5mm retention volume of water.
  - (c) the retention volume can be taken up by detention as follows:
    - (i) provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post development runoff volumes from the 95th percentile, 24 hour rainfall event minus any retention volume that is achieved, over the impervious area for which hydrology mitigation is required.
  - (d) For clauses (a) and (b) to apply, the information must have been submitted with a subdivision application preceding the development or a land use application.
- (3) If at the time of subdivision a communal device has been constructed to provide for the above requirements for multiple allotments, a consent notice shall be registered on such titles identifying that compliance with this provision has been met.

#### **IXX.6.4.2 Water Quality**

Purpose: To protect water quality in streams, and the Waikato River Catchment, by avoiding the release of contaminants from impervious surfaces

- (1) .Any new roofing for any building must comprise inert materials.—New buildings and additions to buildings must be constructed using inert cladding, roofing and spouting

building materials that do not have an exposed surface made from contaminants of concern to water quality (i.e. zinc, copper, and lead).

- (2) Runoff from all impervious surfaces (including roads) other than roofing meeting clause (1) above must provide for onsite quality treatment. The device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)';
- (3) If at the time of subdivision a communal device has been constructed to provide for the above requirements for multiple allotments, a consent notice shall be registered on such titles identifying that compliance with this provision has been met.

#### **IXX.6.4.3 Water Quantity**

Purpose: To manage potential downstream peak flow flooding.

- (1) For any subdivision or development in the "Western Catchment" shown on Precinct "Plan 2 the following applies.
  - (a) In addition to the temporary detention required under IXX6.4.1, detention attenuation must be provided onsite for storm events up to and including the 1% AEP event.
  - (b) If at the time of subdivision a communal device has been constructed to provide for the above requirements for multiple allotments, a consent notice shall be registered on such titles identifying that compliance with this provision has been met.
- (2) For any subdivision or development in the "Eastern Catchment" shown on Precinct Plan 2 the following applies.
  - (a) Attenuation must be provided for the 50% AEP event to accommodate 86% of the unattenuated flow rate.
  - (b) If at the time of subdivision, a communal device has been constructed to provide for the above requirements for multiple allotments, a consent notice shall be registered on such titles identifying that compliance with this provision has been met.

#### **IXX.6.4.4 Operation and Maintenance of devices**

Purpose: To ensure ongoing operational functionality of devices constructed and/or installed to meet standards IXX6.4.2-3 above.

- (1) Stormwater device/s on private land must be maintained and operated by the site owner in perpetuity.
- (2) For any communal device, the stormwater management device must be certified by a chartered professional engineer as meeting the required Standard above, and an operations and maintenance plan must be established and followed to ensure compliance with all permitted activity standards. The operations and maintenance

plan must be provided to the Council within three months of practical completion of works.

#### **14XX.6.5 55 dB L<sub>Aeq</sub> Noise Contour and Area A on the Precinct Plan**

Purpose:

- To provide an acoustic barrier to attenuate noise from the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) prior to, or concurrently with the residential subdivision of land between the Business - Light Industry Zone and the 55 dB L<sub>Aeq</sub> noise contour illustrated on the Precinct Plan.
  - To design dwellings in Area A illustrated on the Precinct Plan to include noise attenuation measures.
  - To manage the location of outdoor living areas in Area A illustrated on the Precinct Plan so that buildings provide acoustic attenuation to outdoor living spaces.
- (1) Either prior to or concurrent with the first subdivision and/or first development for any activity sensitive to noise between the Business - Light Industry Zone and the 55 dB L<sub>Aeq</sub> noise contour illustrated on the Precinct Plan, an acoustic barrier (being a building (including its roof) or structure, or any combination thereof) must be constructed to mitigate noise from motorsport activities within the Special Purpose – Major Recreation Facility Zone to ensure that dwellings are not exposed to noise levels greater than 57 dB L<sub>Aeq</sub> at the western boundary of the Residential – Mixed Housing Urban Zone.
  - (2) The specification of the acoustic barrier must be at a height of no less than 7m and a length which extends from the Precinct's north-western boundary to its southern boundary with Yates Road (excluding roads and the 2m front yard setback – Rule H17.6.4). The acoustic barrier must have no individual gap that is greater than 7m<sup>2</sup>, and must provide a vertical coverage of 93% (as a percentage of the acoustic barriers height and length).
  - (3) Dwellings in Area A illustrated on the Precinct Plan must locate their outdoor living area within and adjoining the rear yard, except that for corner sites dwellings must locate their outdoor living area to adjoin their eastern site boundary.
  - (4) Dwellings in the Neighbourhood Centre Zone must locate their outdoor living area (including balcony, patio or roof terrace) so that it does not orient towards the Light Industry Zone.
  - (5) Any childcare centre must locate the outdoor play area to adjoin their eastern site boundary.
  - (6) Any new building or alteration to an existing building for an activity sensitive to noise in Area A illustrated on the Precinct Plan must:
    - (a) be designed and constructed to achieve an outside-to-inside noise level reduction of at least Rw27dB for all habitable rooms. The Rw assessment must

be in accordance with ISO717-1:1996E Acoustics – Rating of sound insulation in buildings and of building elements Part 1: Airborne sound insulation.

- (b) where compliance with clause (6)(i) above requires all external doors of the building and all windows of these rooms to be closed, the design and construction as a minimum must:
- Be mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C. Mechanical cooling must be available for all habitable rooms provided that at least one mechanical cooling system shall service every level of a dwelling that contains a habitable room; or
  - Provide a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:
    - 6 air changes per hour for rooms less than 30% of the façade area glazed;
    - 15 air changes per hour for rooms with greater than 30% of the façade area glazed;
    - 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.
  - Must be provided with relief for equivalent volumes of spill air.
  - Where mechanical ventilation and / or cooling systems are installed, they must be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system.
- (c) Be certified by a suitably qualified and experienced person as meeting that standard prior to its construction; and
- (d) Compliance must be confirmed as part of any building consent application.
- (7) The above rules must not apply in the event that the Special Purpose – Major Recreation Facility Zone (Pukekohe Park) is rezoned [or the Pukekohe Park Precinct Rule 1434.6.1 is deleted](#).

#### **14XX.6.6 Development Controls Show Home**

- (1) In addition to compliance with the development controls listed in this precinct:

A show home in the Residential - Mixed Housing Urban zone must comply with standards as listed for activity (A3) Up to Three Dwellings per site in Table H5.4.1 Activity table in the Residential – Mixed Housing Urban Zone

#### **~~14XX.6.6 Development Controls – Residential – Mixed Housing Urban Zone – Medium Density Residential Standards~~**



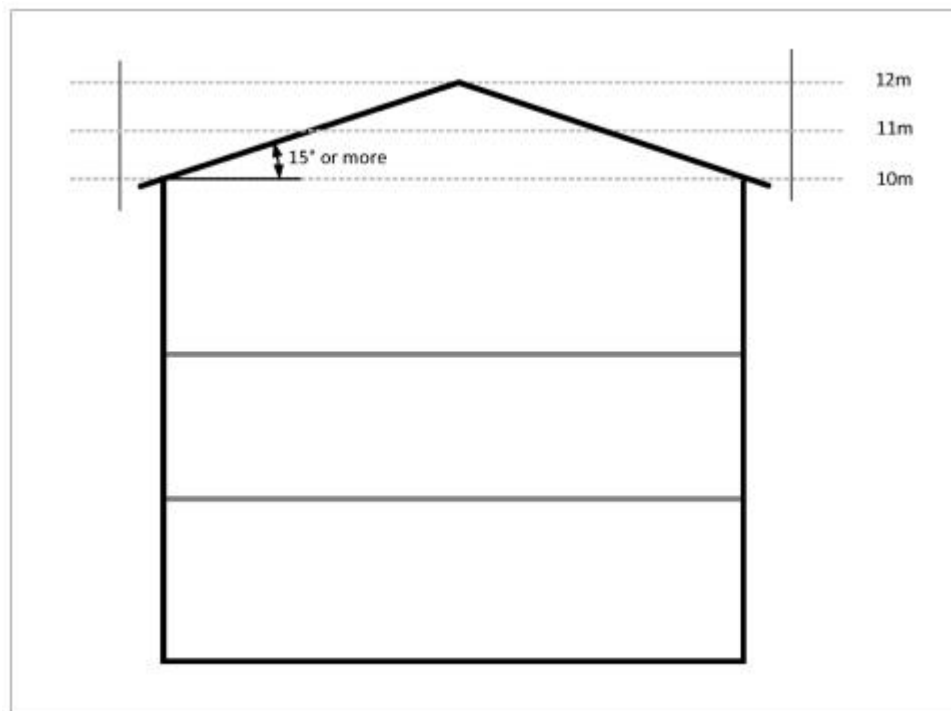
~~The following development controls apply to activities listed in Activity Table I4XX.4.2 of this precinct and Activity Table H5.4.1 of the Residential—Mixed Housing Urban Zone instead of the development standards listed in Standard H5.6.3 to H5.6.16.~~

~~For the purposes of the following standards:~~

- ~~(a) Any definitions listed in Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment [Act 2021] shall apply instead of those listed in Chapter J.1~~
- ~~(b) Any definitions listed in section 77E of the Resource Management (Enabling Housing Supply and Other Matters) Amendment [Act 2021] shall apply instead of those listed in Chapter J.1~~
- ~~(c) Any definitions listed the national planning standards shall apply instead of those listed in Chapter J.1~~

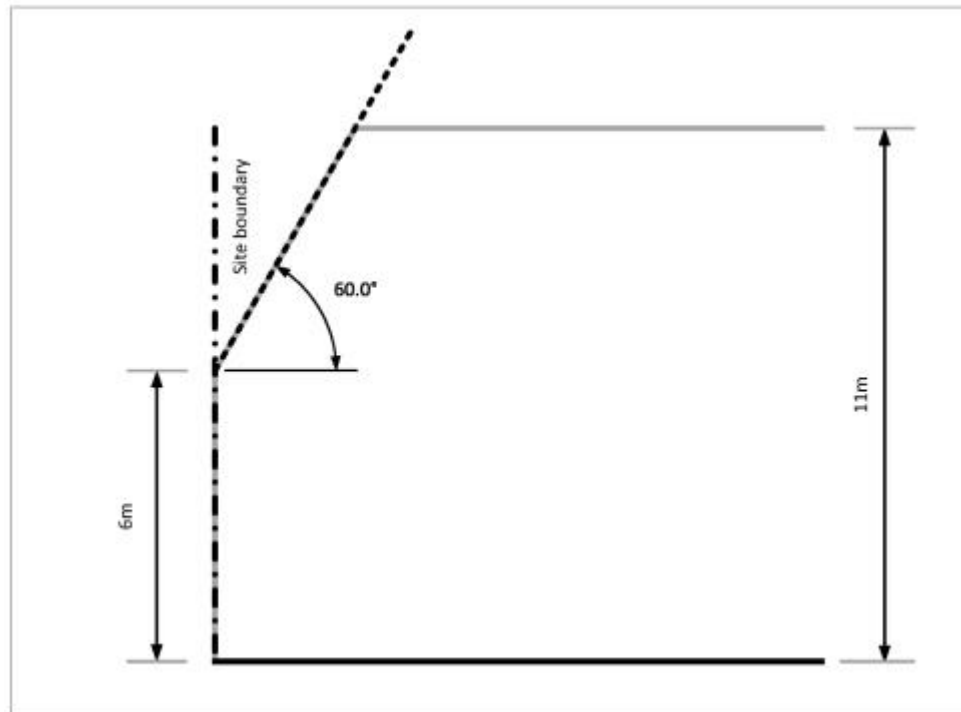
#### **I4XX.6.6.1. Building Height**

- ~~(1) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram.~~



**14XX.6.6.2. Height in relation to boundary**

(2) Buildings must not project beyond a 60° recession plane measured from a point 6 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



(3) This standard does not apply to:

- (a) a boundary with a road;
- (b) existing or proposed internal boundaries within a site;
- (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

**14XX.6.6.3. Setbacks**

(4) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

Yard	Minimum depth
Front	2.5 metres
Side	1 metre

Rear	1 metre (excluded on corner sites)
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~~(2) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.~~

#### ~~14XX.6.6.4. Building coverage~~

~~(5) The maximum building coverage must not exceed 50% of the net site area.~~

#### ~~14XX.6.6.5. Impervious area~~

~~(6) The maximum impervious area must not exceed 60% of the site area.~~

#### ~~14XX.6.6.6. Outdoor living space (per unit)~~

~~(7) A residential unit at ground floor level must have an outdoor living space that is at least 15 square metres and that comprises ground floor or balcony or roof terrace space that:~~

~~(a) where located at ground level, has no dimension less than 3 metres; and~~

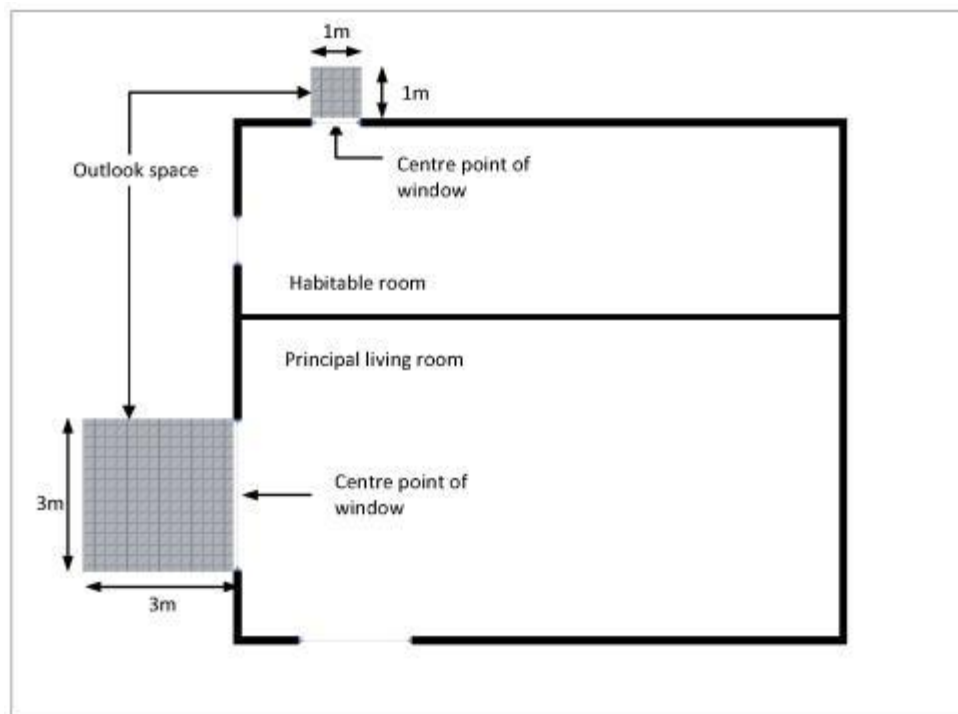
~~(b) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and~~

~~(c) is accessible from the residential unit; and~~

~~(d) is free of buildings, parking spaces, and servicing and manoeuvring areas.~~

#### ~~14XX.6.6.7. Outlook space (per unit)~~

~~(8) An outlook space must be provided from habitable room windows as shown in the diagram below. Where the room has 2 or more windows, the outlook space must be provided from the largest area of glazing.~~



- ~~(9) — The minimum dimensions for a required outlook space are as follows:~~
- ~~(a) — a principal living room must have an outlook space with a minimum dimension of 3 metres in depth and 3 metres in width; and~~
  - ~~(b) — all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.~~
- ~~(10) — The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.~~
- ~~(11) — Outlook spaces may be within the site or over a public street or other public open space.~~
- ~~(12) — Outlook spaces required from different rooms within the same building may overlap.~~
- ~~(13) — Outlook spaces must:~~
- ~~(a) — be clear and unobstructed by buildings; and~~
  - ~~(b) — not extend over an outlook space or outdoor living space required by another dwelling~~

#### ~~14XX.6.7 Vacant Sites Subdivision – Residential – Mixed Housing Urban Zone~~

- ~~(14) — Compliance with the E38 standards for lot size and/or shape factor is not required for any allotment where it is practicable to construct one dwelling in accordance with the applicable permitted activity standards listed in Rule 14XX.6.6.~~

## **I4XX.7. Assessment – restricted discretionary activities**

### **I4XX.7.1 Matters of discretion**

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

- (1) All activities (excluding development standard infringements):
  - (a) Consistency with the objectives and policies of the precinct.
  - (b) Consistency with the precinct plan.
- (2) Subdivision
  - (a) Transport including development of road, access, walking and cycling infrastructure, and traffic generation
  - (b) Naturalising of the stream morphology and integration with stormwater management

### ~~(3) Residential – Mixed Housing Urban Zone – Medium Density Residential Standards~~

~~(a) For development standard infringements the council will restrict its discretion to the following matters (and the matters listed in C1.9 do not apply):~~

- ~~(i) any policy which is relevant to the standard;~~
- ~~(ii) the effects of the infringement of the standard;~~
- ~~(iii) the effects on the urban built character of the zone;~~
- ~~(iv) the effects on the amenity of neighbouring sites;~~
- ~~(v) the effects of any special or unusual characteristic of the site which is relevant to the standard;~~
- ~~(vi) the characteristics of the development;~~
- ~~(vii) any other matters specifically listed for the standard; and~~
- ~~(viii) where more than one standard will be infringed, the effects of all infringements.~~

~~(4) For four or more dwellings per site the council will restrict its discretion to the following matters (and the matters listed in C1.9 do not apply):~~

~~(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:~~

~~(i) building intensity, scale, location, form and appearance;~~

~~(ii) traffic; and~~

~~(iii) location and design of parking and access.~~

~~(b) Infrastructure and servicing~~

#### **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 overlay, Auckland-wide and zone provisions.

- (1) All activities (excluding development standard infringements):
  - (a) The extent to which the proposal is consistent with the objectives and policies of the precinct or achieves the equivalent or better outcome.
  - (b) Whether subdivision and development is in general accordance with the precinct plan.
- (2) Subdivision:
  - (a) Whether the collector roads are provided generally in the locations on the precinct plan.
  - (b) Whether a high quality and integrated network of local roads is provided within the precinct that provides a good degree of accessibility and supports a walkable road network.
  - (c) Whether roads are aligned with the stream network, or whether pedestrian and/or cycle paths are provided along one or both sides of the stream network, where they would logically form part of an integrated open space network (which includes opportunities to vest the stream network).
  - (d) Whether subdivision and development provides for collector roads and local roads to the site boundaries to coordinate with neighbouring sites and support the integrated completion of the network within the precinct over time.
  - (e) The design and layout of the roading network including urban blocks, connections, and walking and cycling infrastructure.
  - (f) The design to restore natural banks, meanders and patterns of the stream
  - (g) Design and integration of stormwater management requirements with the open space network.

~~(3) Residential – Mixed Housing Urban Zone, Medium Density Residential Standards~~

~~(a) For development control infringements the council will consider the criteria listed in H5.8.2.~~

~~(b) for four or more dwellings on a site the council will consider the criteria listed in H5.8.2.(2) (b), (c), (d), (e)(f), (g) and (h).~~

## **I4XX.8 Special information requirements**

### **I4XX.8.1 Riparian Planting Plan**

- (1) An application for any subdivision or development that requires the planting of a riparian or buffer margin under I4XX.6.2 must be accompanied by a planting plan prepared by a suitably qualified person. The planting plan must:
  - (a) Identify the location, species, planting bag size and density of the plants;
  - (b) Confirm detail on the eco-sourcing proposed for the planting
  - (c) Take into consideration the local biodiversity and ecosystem extent.

### **I4XX.8.2 Acoustic Report**

- (1) The first subdivision and/or first development for any activity sensitive to noise between the Business - Light Industry Zone and the 55 dB L<sub>Aeq</sub> noise contour illustrated on the Precinct Plan must be accompanied by an acoustic design report to ensure that the acoustic barrier will meet the requirements listed in Rule I4XX6.5 and that it will perform as an effective acoustic barrier. The acoustic report must include noise modelling outputs and demonstration of how the noise model has been calibrated to the noise level contours set out in the Precinct Plan.

### **I4XX.8.2 Traffic Assessment**

- (1) For every 100 dwellings/lots (based on a cumulative total within the Precinct) a Traffic Assessment must be provided which assesses the need for:
  - (a) Any upgrade of the Station Road / East Street intersection
  - (b) Any upgrade of the Golding Road / East Street existing roundabout

As triggered by the traffic related effects of development within the Precinct.

## **I4XX.9 Precinct plan**