

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU ROHE**

ENV-AKL-2023-

UNDER the Resource Management Act 1991 (Act)

IN THE MATTER of an appeal under clauses 14 and 29, Schedule 1 of the Act, regarding Private Plan Change 74 to the Auckland Unitary Plan

BETWEEN **NGĀTI TE ATA (IWI)**
Appellant

AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF APPEAL
10 March 2023**

NOTICE OF APPEAL

To the Registrar
Environment Court
Auckland

- 1 Ngāti Te Ata (Iwi) (the **Appellant**) appeals against a decision of the Auckland Council (the **Respondent** or **Council**) on private Plan Change 74 (**PC74**) to the Auckland Unitary Plan requested by Golding Meadow Developments Limited and Auckland Trotting Club Incorporated (together, the **Proponents**).
- 2 The Appellant lodged a submission on PC74 (original submission #5).
- 3 Ngāti Te Ata is mana whenua of the area of PC74. On that basis, the Appellant also prepared a Cultural Impact Assessment in relation to PC74.
- 4 The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**RMA**).
- 5 The decision on PC74 was made on 15 December 2023 and the Appellant received notice of the decision on 26 January 2023.
- 6 The decision was made by Independent Hearing Commissioners (referred to as the Panel) with delegated authority of the Council to decide PC74.

The decision*Background to the decision*

- 7 The Proponents sought to rezone land¹ by way of a private plan change (now referred to as PC74) from Future Urban Zone and Special Purpose - Major Recreation Facility Zone (Franklin Trotting Club Precinct) to a combination of Business – Light Industry Zone, Residential – Mixed Housing Urban Zone and Neighbourhood Centre Zone in the Auckland

¹ Defined in PC74 as “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)”.

Unitary Plan (Operative in Part) (**AUP**). The Proponents also sought to introduce a new precinct to the AUP.

- 8 The Proponents lodged the private plan change request in June 2021.² Further information was sought from the Proponents on 8 July 2021.³ The private plan change request was considered by the Council's Planning Committee on 30 November 2021 and a resolution was passed to accept the private plan change request for public notification under clause 25(2)(b) of Schedule 1 to the RMA.⁴ PC74 was publicly notified on 24 March 2022.⁵
- 9 The Appellant lodged a submission and then subsequently prepared a Cultural Impact Assessment in respect of PC74 dated July 2022. The Cultural Impact Assessment Addendum was prepared, identifying several key issues of concern:
- PC74 will dramatically transform this semi-rural landscape •
 - Archaeological values are unknown
 - Potential adverse impacts on the hydrology - watercourses, wetlands and overland flood paths
 - Stormwater impacts on the Tutaenui catchment • Native trees and vegetation
 - Recharge of the aquifer through an increase of impermeable surfaces
 - Shortfall in Auckland infrastructure funding particularly transport and wastewater
 - The loss of productive food growing land to urban sprawl, an eroded environment under pressure from more cows and increased intensification.

² Section 42A Hearing Report for Proposed Private Plan Change 74: Pukekohe Golding to the Auckland Unitary Plan (Operative in part) at [7].

³ Section 42A Hearing Report for Proposed Private Plan Change 74: Pukekohe Golding to the Auckland Unitary Plan (Operative in part) at [8].

⁴ Section 42A Hearing Report for Proposed Private Plan Change 74: Pukekohe Golding to the Auckland Unitary Plan (Operative in part) at [9].

⁵ Section 42A Hearing Report for Proposed Private Plan Change 74: Pukekohe Golding to the Auckland Unitary Plan (Operative in part) at [10].

- 10 The Panel conducted a site visit on 25 October 2023, heard submissions and evidence on PC74 at a hearing on 27 October 2022, and formally closed the hearing on 15 November 2022.
- 11 By decision dated 15 December 2022, the Panel, with delegated authority of the Council, approved PC74. PC74 was then publicly notified on 26 January 2023.

Parts of the decision appealed against

- 12 The Appellant appeals against the whole decision to approve PC74.

Reasons for the appeal

- 13 The reasons for the appeal are as follows:
- (a) The decision does not adequately address the concerns and recommendations raised in the Cultural Impact Assessment by Ngāti Te Ata. In particular:
- (i) The decision will not promote sustainable management of resources, and will not achieve the purpose of the RMA;
 - (ii) The decision is contrary to Part 2 of the RMA, including sections 6(e), 6(f), 7(a) and 8; and
 - (iii) The decision does not give effect to the relevant higher order statutory instruments, including Chapter B6 of the AUP: Mana Whenua:
 - (iv) The decision does not support the 2020 Local Board Plan's aspiration outcomes that guide their work to make a better community, particularly Outcome 4 Kaitiakitanga and protection of our environment and Outcome 5: Cultural heritage and Māori identity is expressed in our communities.
- (b) The decision does not adequately address the concerns and recommendations raised in the Cultural Impact Assessment by Ngāti Te Ata. In particular:
- (i) The ultimate goal for Ngāti Te Ata is the protection, preservation and appropriate management of natural and cultural resources in a manner that recognises and provides for our interests and values, and enables positive environmental, social and economic outcomes. Engagement

and involvement that respects and provides for our cultural and traditional relationship to these areas, its unique cultural identity, and input into shaping the physical, cultural, social and economic regeneration of the PC74 site. For Ngāti Te Ata it is vital that three key considerations are provided for regarding the engagement process moving forward:

1. That the mana of our people is upheld, acknowledged and respected.
 2. That our people have rangatiratanga (opportunity to participate, be involved and contribute to decision making) over our ancestral taonga.
 3. That as kaitiaki we fulfil our obligation and responsibility to our people (current and future generations) as custodians, protectors and guardians of our cultural interests and taonga.
- (c) PC74 does not ensure for the adequate provision of infrastructure in respect of the land being re-zoned and therefore the decision:
- (i) Is contrary to sections 6(a), (e) and (f) and s 7(a) and s 8 of the RMA; and
 - (ii) Does not give effect to the relevant higher order statutory instruments, including Chapter B3 of the AUP: Infrastructure, transport and energy:
- (d) The decision does not include adequate reasons regarding the issues and relief sought as raised in the submission by Ngāti Te Ata, therefore there is no certainty that the recommendations in the Cultural Impact Assessment by the Appellant, will be achieved through the provisions of PC74; and
- (e) The decision does not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of other reasonably practicable options, and are not appropriate in terms of section 32 and other provisions of the RMA.

Relief sought

14 The Appellant seeks the following relief:

- (a) Provisions be included in the Plan Change to better reflect the relationship of Ngāti Te Ata and their culture and traditions with these ancestral lands, water, sites, wāhi tapu and other taonga.
- (b) Provisions be included Provisions be included in the Plan Change to better enable Ngāti Te Ata to exercise kaitiakitanga.
- (c) Such provisions would include provision to upheld the mana of our people and provide rangatiratanga over ancestral taonga.
- (d) Such further or other relief as may be necessary to address the issues raised above, including any consequential relief as may be appropriate.
- (e) Costs.

Attached documents

15 The following documents are attached to this notice:

- (a) Appendix A: A copy of the submission by Ngāti Te Ata;
- (b) Appendix B: a copy of the Proponents' private plan change request;
- (c) Appendix C: a copy of the decision; and
- (d) Appendix D: a list of names and addresses of persons to be served with a copy of this notice.



.....
Karl Flavell on behalf of Ngāti Te Ata (Iwi)]

Date: 10 March 2023

Address for service of Appellant:

The address for service for the Appellant is PO Box 437 Pukekohe

Documents may be left at that address or emailed to the Appellant at
karl_flavell@hotmail.com

Contact person: Karl Flavell

Telephone: 027 932 8998

Advice to recipients of copy of notice of appeal*How to become a party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

If you wish to become a party to the appeal, you must,—

- (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

**How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not have attached a copy of the appellant's plan change request and the decision appealed. These documents may be obtained, on request, from the Appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Appendix A – A copy of the submission by Ngāti Te Ata



NGĀTI TE ATA

“Ka whiti te ra ki tua o rehua ka ara a Kaiwhare i te rua”

20th April 2022

SUBMISSION REGARDING Auckland Unitary Plan PC 74 (Private): Golding Meadows and Auckland Trotting Club Inc

To: Auckland Council (John Duguid Manager – Plans & Places)
To: Birch Surveyors

Name of Submitter: Ngāti Te Ata (the **Submitter**)

INTRODUCTION

1. This is a submission regarding a proposal that relates to 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. The proposal seeks to rezone the land 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).

SUBMISSION

2. Ngāti Te Ata have a long traditional and historic relationship to the Pukekohe district. We are one of the two manawhenua iwi here.
3. Ngāti Te Ata were never adequately consulted with.
4. Ngāti Te Ata considers that the proposal is inconsistent with the RMA, and in particular Part 2. Specifically, is inconsistent with:
 - a. Section 6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
 - b. Section 6(f) which states that historic heritage is to be protected from inappropriate subdivision, use and development;
 - c. Section 7(a) which requires all persons exercising functions and powers under the RMA to have particular regard to kaitiakitanga; and
 - d. Section 8 which requires all persons exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

e. Section 88 4th schedule (d) which states:

*Matters that must be addressed by assessment of environmental effects (1) An assessment of the activity's effects on the environment must address the following matters: (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including any landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources having aesthetic, recreational, scientific, **historical, spiritual, or cultural value**, or other special value, for present or future generations:*

RELIEF

5. That a Cultural Values Assessment is undertaken by Ngāti Te Ata to ascertain the the Ngāti Te Ata history, cultural values and iwi environmental preferences regarding the proposed plan change development. 5.1
6. The Submitter seeks the following decision from Auckland Council:
 - (a) **Reject the Application** unless the issues addressed in this submission can be adequately addressed.
7. The Submitter wishes to be heard in support of their submission.

20th April 2022



Karl Flavell

Te Taiao (Manager Environment)
On behalf of Ngāti Te Ata (Iwi)
Po Box 437
Pukekohe

Ph: 027 9328998

karl_flavell@hotmail.com



The Pukekohe Sign opening with Ngaati Te Ata Waiohua, Auckland Transport and the Franklin Local Board.

Appendix B – Copy of the Proponents’ private plan change request



PRIVATE PLAN CHANGE REQUEST PUKEKOHE GOLDING PRECINCT

To:
AUCKLAND COUNCIL

On behalf of:
GOLDING MEADOW DEVELOPMENTS LTD &
AUCKLAND TROTTERING CLUB INC

Golding Road and Station Road
Pukekohe

NOVEMBER 2021

BSL REF: 4294

GOLDING ROAD PRIVATE PLAN CHANGE – ASSESSMENT OF ENVIRONMENTAL EFFECTS

REVISION	DATE	PREPARED BY	REVIEWED BY
A	3.6.21	JGO	-
B	8.6.21	JGO	RFS
C	10.6.21	JGO	SWB
D	3.11.21	JGO	-

REPORT PREPARED BY


 JAMES OAKLEY
 PLANNER

REPORT REVIEWED BY


 SIR WILLIAM BIRCH
 REGISTERED PROFESSIONAL
 SURVEYOR

REPORT AUTHORISED BY


 SIR WILLIAM BIRCH
 PROJECT MANAGER

DATE: OCTOBER 2021

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APPENDIX Q: ACOUSTIC ASSESSMENT (STYLES GROUP)

APPENDIX R: CONSULTATION REPORT (BIRCH SURVEYORS)

This Private Plan Change (“**PPC**”) request is supported by the suite of technical reports commissioned by Auckland Council for the Pukekohe-Paerata Structure Plan (“**PPSP**”). These reports are **not attached** but are listed below under the various topic headings and can be provided upon request.

Community Facilities

- Fowler, R., (2019). *Community Facilities Pukekohe-Paerata Structure Plan*. Auckland, New Zealand: Auckland Council

Contaminated Land

- McClean, J., (2018). *Technical Investigation Contamination Assessment Paerata-Pukekohe Future Urban Zone*. Auckland, New Zealand: Riley Consultants Ltd

Ecology

- Sinclair, S., (2019). *Ecology Assessment: constraints and opportunities report*. Auckland, New Zealand: Auckland Council

Economics

- Heath, T., (2018). *West Franklin and Drury Future Business Land Assessment*. Auckland, New Zealand: Property Economics Ltd

Geotechnical

- Price, S., (2018). *Paerata-Pukekohe Structure Plan - Background Investigations - Geotechnical Assessment*. Auckland, New Zealand: Riley Consultants Ltd

Health

- Laird, L., & Kaur, J., (2019). *Health Topic Paper Drury-Opāheke Structure Plan Pukekohe-Paerata Structure Plan*. Auckland, New Zealand: Auckland Council

Heritage

- Auckland Council Heritage Unit (2014). *Pukekohe Heritage Survey*. Auckland, New Zealand: Auckland Council
- Francesco, C., & Freeman, R., (2017). *Historic Heritage Assessment Pukekohe-Paerata Structure Plan*. Auckland, New Zealand: Auckland Council

Landscape/Visual

- Hamilton, C., (2017). *Paerata-Pukekohe Structure Plan Landscape and Visual Assessment Background Investigations for Auckland Council*. Auckland, New Zealand: Opus International Consultants

Mana Whenua

- (2019). *Mana Whenua Engagement Summary*. Auckland, New Zealand: Auckland Council

Neighbourhood Design Statement

- (2018). Southern Structure Plan Area Neighbourhood Design Statement. Auckland, New Zealand: Auckland Council

Open Space

- Noon, S., (2019). *Pukekohe-Paerata Structure Plan Parks and open space report*. Auckland, New Zealand: Auckland Council

Three-Waters

- Allen, C., (2019). Water and Wastewater Servicing Plan Draft Pukekohe/Paerata Structure Plan. Auckland, New Zealand: Watercare Services Ltd
- Reddish, J., (2019). Paerata Pukekohe Future Urban Zone Structure Plan Stormwater Management Plan. Auckland, New Zealand: WSP Opus

Transport

- Winter, L., (2019). Supporting Growth Drury-Opāheke and Pukekohe-Paerata Structure Plan Draft Integrated Transport Assessment and Addendum. Auckland, New Zealand

1 OVERVIEW

TABLE 1-1: OVERVIEW OF THE APPLICATION

To	Auckland Council
Applicants	Golding Meadow Developments Limited & Auckland Trotting Club Incorporated
Application Site Address	Golding Road and Station Road Pukekohe (Refer to Locality map in Appendix C)
Records of Title	Refer to Appendix B
Legal Descriptions	Refer to Appendix B
Plan Change Area	82.66ha (approximately)
District Plan	Auckland Unitary Plan (Operative in Part)
Zoning	Future Urban Zone Special Purpose Zone – Major Recreation Facility
Designations	N/A
Overlays	High-Use Aquifer Management Areas Overlay (Pukekohe Kaawa Aquifer)
Precincts	Franklin Trotting Club Precinct
Controls	Macroinvertebrate Community Index – Rural Macroinvertebrate Community Index – Urban

2 INTRODUCTION

2.1 SUMMARY OF THE PLAN CHANGE REQUEST

Golding Meadow Developments Limited (“**GMDL**”) and Auckland Trotting Club Incorporated (“**ATC**”) (the “**applicants**”) are applying to Auckland Council (“**Council**”) for a Private Plan Change (“**PPC**”). The PPC applies to a group of properties located in Pukekohe East on Golding Road and Station Road (the “**site**”). A schedule of the properties involved in the PPC is enclosed within **Appendix A** with the Records of Title (“**RTs**”) enclosed within **Appendix B**. A locality map of the site is enclosed within **Appendix C**. This PPC request is made to change the Auckland Unitary Plan (Operative in Part) (“**AUP-OP**”) under the First Schedule of the Resource Management Act 1991 (“**RMA**”).

The primary changes sought by the PPC include the following:

- The rezoning of the 82.66ha (approximately) site from Future Urban Zone (“**FUZ**”) and Special Purpose– Major Recreation Facility Zone (“**SP-MRFZ**”) to a combination of the following:

TABLE 2-1: AREAS OF PROPOSED NEW ZONING

ZONE	AREA
Residential – Mixed Housing Urban Zone (“ MHUZ ”)	62.356ha
Business – Neighbourhood Centre Zone (“ NCZ ”)	0.3365ha
Business – Light Industry Zone (“ LIZ ”)	19.9741ha

- The removal of the Franklin Trotting Club (“**FTC**”) Precinct which covers the entirety of the land owned by the ATC and the insertion of the new Pukekohe Golding Precinct across the site.

It is noted that the PPC proposal has been amended in response to the October 2021 announcement and release of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill by Central Government (the “**Bill**”). As such, all PPC documentation has been amended where applicable to align with the direction of the Bill by changing the zoning of land that was initially intended to be Residential – Mixed Housing Suburban Zone to MHUZ. This change in zoning is considered unlikely to significantly change the planning outcomes likely to eventuate on the site.

As a greenfield site that has been subject to a master planning exercise, a wide variety of housing typologies (compact detached, duplex, terraced housing) have always been anticipated in response to the advantageous location close to the Pukekohe Railway Station. This update also included inserting provisions into the proposed Golding Precinct that address the Medium Density Residential Standards outlined in Schedule 3A of the Bill. This will ensure that the PPC gives effect to the Act when it comes into force.

The suite of changes requested by the PPC is enclosed within **Appendix D** with the Section 32 (“s32”) and statutory assessment as required by the RMA enclosed within **Appendix E**.

2.2 THE NEED FOR A PRIVATE PLAN CHANGE

The primary driver behind the PPC request is to rezone the site which comprises land zoned FUZ and SP-MRFZ. The FUZ functions as an interim zoning and does not permit residential/business development (urbanisation) until rezoning takes place. The SP-MRFZ is a bespoke zoning for large recreation facilities (arenas, showgrounds, event centres etc.) and does not enable development outside of that which supports the underlying facility.

The FUZ land has been previously subject to the Council-led process of developing the PPSP. This process commenced in August 2017 with the final PPSP being adopted by the Planning Committee in August 2019. The applicants were active participants in the process making submissions during the consultation phases regarding zoning and timing matters. Workshopping also took place with the structure planning team and other Council bodies. Despite their involvement in the structure planning process, the PPSP ultimately has no statutory weight and requires a plan change to be formally implemented. Rather than wait for a Council-initiated plan change (the timing of which is uncertain), the applicants, whom are the majority landowners are requesting a PPC to expedite the rezoning of the site.

Action is considered necessary given as per the PPSP, Pukekohe is projected to effectively double in population between now and 2040. The PPSP refers to Statistics NZ estimates of Pukekohe’s current population as approximately 32,000 people (pg. 19) and notes that the PPSP provides capacity for an additional 12,500 new dwellings which could accommodate an additional 33,750 people. In addition to the area-specific growth projected for Pukekohe, the policy direction from Central Government is to greatly increase the supply of housing for urban areas in New Zealand. As per the National Policy Statement on Urban Development 2020 (“**NPS-UD**”) Auckland is identified as a Tier 1 urban environment requiring specific intensification policies to be implemented. This has been supplemented by the aforementioned Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill 2021 (the “**Bill**”) which seeks to expedite the implementation of the intensification policies for Tier 1 Councils and requires the application of proposed medium density residential standards. The PPC documentation has been amended and is considered to be consistent with the aforementioned Bill, further comment on the Bill is provided in **Appendix E**.

It is noted that as per the Future Urban Land Supply Strategy 2017 (“**FULSS**”), the proposed timing for the Pukekohe area to be “development ready” is the second half of decade one which is the period of 2023 – 2027. Factoring in the estimated time to progress through the Schedule 1 process, the request does not frustrate the programme for the sequencing of FUZ land in Auckland, specifically Pukekohe. Alternatively, it is considered necessary that the plan change process commence imminently so as to align with the stipulated FULSS timeframe.

Furthermore, given the ATC land is SP-MRFZ, it was outside of the scope of the PPSP exercise. Submissions were made on behalf of the ATC to bring the land into the fold but this did not eventuate. The thrust behind the motive to rezone the ATC land is due to a functional need to relocate activities away from the Pukekohe site due to locality-specific effects and industry-wide change. This is explained in a letter from Mr Rod Croon (CEO of the ATC) enclosed within **Appendix F**.

In summary, the plan change request is necessary for the following reasons:

- The structure planning process for Pukekohe-Paerata has been completed which is the precursor (as per Appendix 1 Structure plan guidelines) to a plan change to rezone the land for urbanisation. Until this occurs, the FUZ land is in limbo and able only to function for rural uses. On this point it is noted that the PPC request does not strictly adhere to the zoning in the approved PPSP. Instead, a tailored approach to zoning is proposed that responds to the location of the site and the surrounding features, notably the Pukekohe Railway Station which has been previously upgraded and is set to have the rail between the station and Papakura electrified.
- The urgent need for development ready residential and industrial land in Pukekohe has been consistently highlighted in the consultation stages of the structure planning process and in previous consultation with Council.
- The SP-MRFZ land (and overarching Franklin Trotting Club Precinct) are bespoke planning provisions that only provide for horse racing and other recreational activities. The land needs to be rezoned if it is to be used for other activities;
- The sequencing of the FULSS for Pukekohe is fast-approaching with the FUZ land expected to be "development ready" within the next two years at the earliest (2023) and the next six years at the latest (2027). Development ready in the FULSS is the stage whereby bulk infrastructure has been provided following rezoning. To reach this stage prior to 2027 it is integral that the rezoning process commence as soon as possible; and
- Pukekohe is identified as a satellite town in the Auckland Plan 2050. To reach this aspiration of a town that can function semi-independently from the main urban area, additional residential/employment opportunities will need to be created.

3 SITE AND LOCALITY DESCRIPTION

3.1 PLAN CHANGE SITE

The site is approximately 82.66ha of land located in south-eastern Pukekohe (refer to the locality map enclosed within **Appendix B**). The site is comprised in 14 separate properties across nine different registered owners. A schedule of all of the properties subject to the PPC request is enclosed within **Appendix A**.

The boundaries of the site are well-defined being Golding Road, Station Road, Royal Doulton Drive, part of Yates Road and a tributary which traverses from Golding Road to Yates Road. This feature is considered to be a defensible natural boundary that avoids the awkwardness posed by strictly following property boundaries. However, as a result of this boundary, small portions of three of the properties subject to the PPC are outside of the extent of the plan change.

The properties with partially excluded land are 158 Golding Road, 160 Golding Road and 49 Yates Road. Together there is approximately 6.65ha of land that is excluded from the PPC request and thus will remain as FUZ. It is anticipated that this excess land will be picked up in a future plan change application along with the other surrounding FUZ properties in this south-eastern corner of Golding Road, Logan Road and Yates Road.

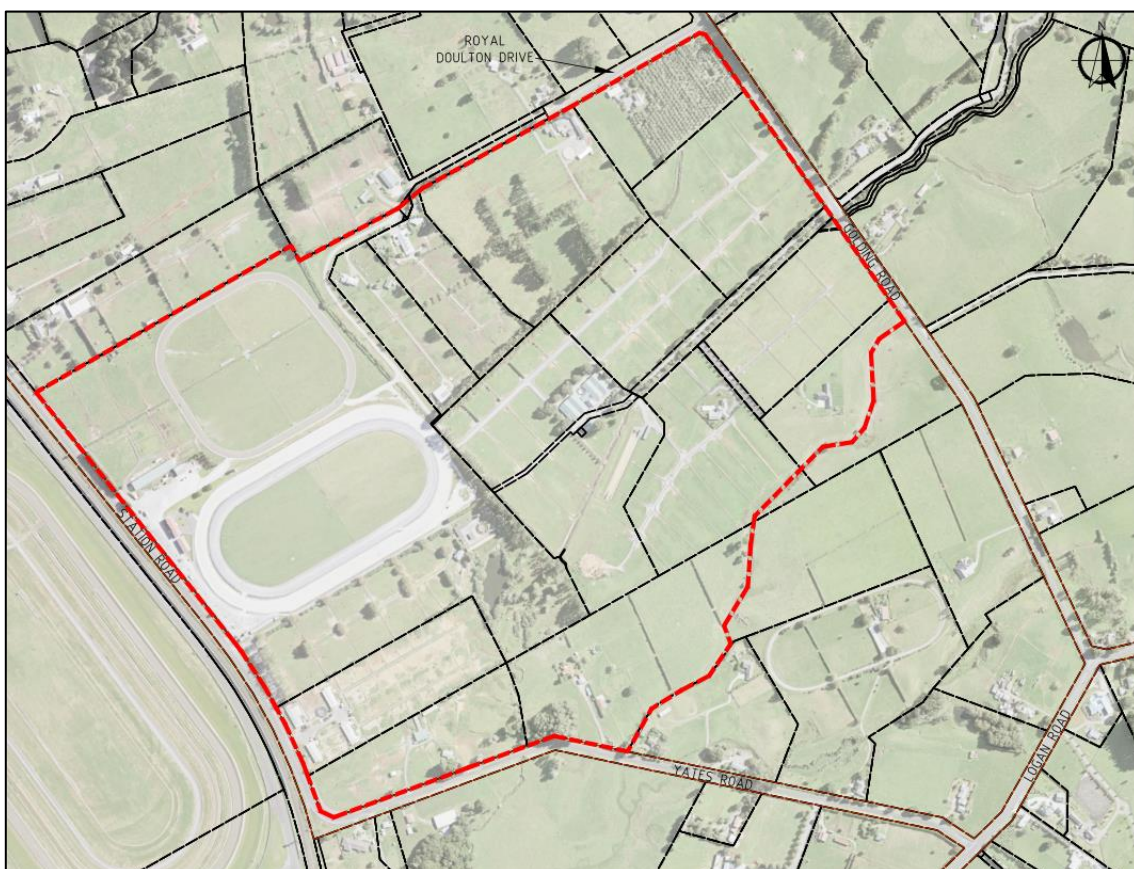


Figure 1: The plan change site in red. (Source: Birch Surveyors)

3.1.1 CURRENT AND PREVIOUS LAND USES

The predominant current use of the site is for harness racing activities associated with the Franklin Trotting Club. This is evident in the notable presence of equine-related structures/buildings such as training tracks, barn/stable complexes and paddocks. Other uses in the area include general rural lifestyle blocks and small-scale rural production activities such as an olive grove (Olivale Grove) on the corner of Royal Doulton Drive and Golding Road. Historically, the site has mainly been in pastoral use and grazing.



Figure 2: View from Golding Road looking south towards the middle of the site. (Source: LA4)



Figure 3: View of the site. (Source: BSL)

3.1.2 TOPOGRAPHY AND GROUND CONDITIONS

A geotechnical feasibility assessment (**Appendix G**) for the site has been prepared by Ground Consulting. The topography of the site generally features a southerly aspect and is primarily comprised of two types of terrain. These are: flat to semi-level areas (gradients of less than 5°) and gentle sloping areas (slope angles of between 5° to 15°).



Figure 4: Overview of the topography of the site. (Source: Ground Consulting)

The underlying geology of the site is primarily Holocene alluvium (Tauranga Group) and weathered volcanic ash/tuff of the South Auckland Volcanic Field. These are clayey silt and clay-based soils with some areas of peat. The assessment notes that there is potential for liquefaction as a result of the underlying geologies and groundwater conditions. Notwithstanding this, the assessment offers potential engineering solutions to remediate areas where liquefaction might be present.

3.1.3 LANDSCAPE AND VISUAL CHARACTER

An assessment of the landscape and visual effects ("**ALVE**") has been prepared by LA4 Landscape Architects (**Appendix H**). The ALVE notes the existing landscape and visual character of the site is predominantly rural in nature. This is evidenced by the strong presence of shelterbelts, hedgerows, and paddocks/yards. The exception to this is the ATC land which is more built up with harness racing structures/buildings/tracks relating to the Franklin Trotting Club.

There are no formally protected landscapes/features on the site as per the AUP-OP, nor are there any distinct geological features identified in the landscape and visual assessment prepared by Opus for the PPSP. Despite the change in landscape from rural to urban, the Opus LVA identifies the landscape character area ("**LCA**") within which the site (LCA 14) sits as having a low sensitivity to modification.

3.1.4 TRANSPORT NETWORK

An Integrated Transport Assessment (“**ITA**”) has been prepared by Commute (**Appendix I**) which describes the surrounding transport network.

Regarding the road environment, the primary roads surrounding the site are Golding Road, Station Road and Yates Road. These are all currently two-lane non-arterial roads with carriageway widths in the range of 6m-8m. Golding Road has a speed limit of 100km/h whereas Station Road and Yates Road are 80km/h. Overall these are rural-type roads that do not cater to pedestrians/cyclists by way of footpaths or dedicated cycling infrastructure. However, It is noted that in the PPSP transport map, Golding Road is identified as a future arterial road.

Public transport in the environment is primarily comprised of the Pukekohe Railway Station which is some 1.2km away from the site and operates on the Southern Line. It is noted that the Papakura to Pukekohe electrification programme is currently underway with the resource consent application recently lodged under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

There are no bus routes that service the site, the nearest bus stop is located at the railway station.

3.1.5 INFRASTRUCTURE

A Wastewater and Water Supply report has been prepared by Birch Surveyors (**Appendix J**) which describes the availability of these services in the locality. The stormwater management plan (“**SMP**”) is enclosed within **Appendix K**. Currently there is no reticulated wastewater (“**WW**”) infrastructure present along the adjoining roads or contained within the site. The nearest connection is the line running underneath Pukekohe Park which can be connected to by way of a gravity line from the site. WW flows from the site will be managed by the existing Pukekohe pump station on Buckland Road which has sufficient capacity. Water supply (“**WS**”) infrastructure is present along the adjoining roads. The site itself is serviced by the combination of a low-pressure 40mm trickle feed and on-site rainwater tanks collecting roof runoff. Servicing of the site can be provided through extension of the existing infrastructure down Golding Road eventually looping up Station Road.

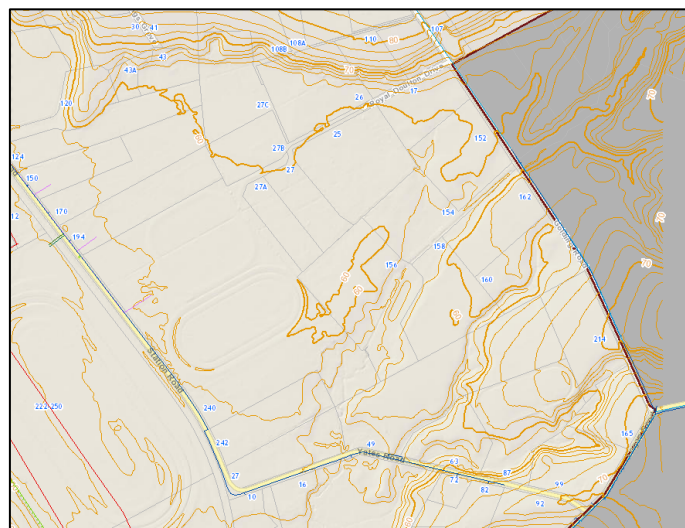


Figure 5: Underground services. (Source: GeoMaps)

3.1.6 FRESHWATER ECOLOGY

An ecological assessment has been prepared by JS Ecology (**Appendix L**) which provides an assessment of the freshwater and terrestrial ecology on the site.

Regarding freshwater, the site is incised with multiple watercourses with varying characteristics. There are two permanent streams which cross through the site as shown on the Figure below. One stream (an unnamed tributary of the Tutaenui Stream) bisects the site whilst the other stream forms the south-eastern boundary of the site. The other streams on-site are intermittent and are primarily channelised drains. The ultimate receiving environment for the site is the Waikato River.

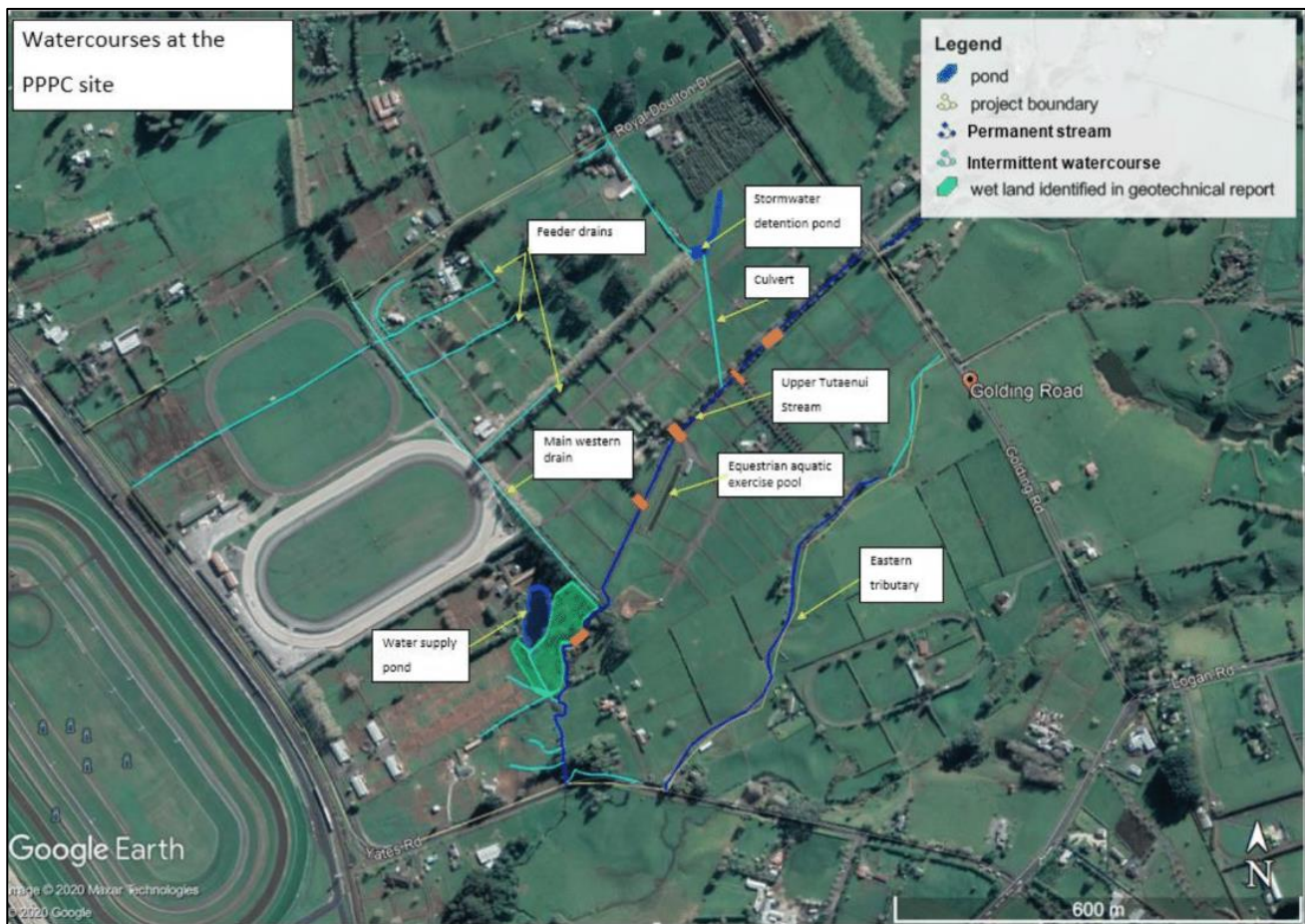


Figure 6: Watercourses, wetland and stream crossings. (Source: JS Ecology)

The site was assessed for the presence of natural wetland in accordance with the Wetland Delineation Protocols and the National Policy Statement for Freshwater Management (2020). The application of the protocols identified the presence of some natural wetland based on the existence of hydrophytic vegetation. The results for other areas were inconclusive based on the vegetation determination.

Overall, the aquatic values of the freshwater features on-site were assessed as being low due to the current land uses and the history of significant modification to the environment. Whilst there are portions of the watercourses that are fenced, there are many unrestricted areas that have become degraded from livestock grazing and pugging. It was also noted that the riparian vegetation around the

watercourses is limited. As such, water quality and aquatic vegetation/habit were generally assessed as low/poor.

3.1.7 TERRESTRIAL ECOLOGY

The terrestrial ecological features of the site are shown on the Figure below. In summary, the bulk of the site is covered in grazing pasture with individual trees, stands of trees and shelterbelts present throughout.

The most notable feature is a approximately 0.44ha stand of remnant Kahikatea (*Dacrycarpus dacrydioides*) at the southern portion of the site along Yates Road. It is intended that the stand will be formally protected as part of the PPC request as a Significant Ecological Area (“SEA”) as the feature meets factor 2 (Threat status and rarity) in Schedule 3 of the AUP-OP.

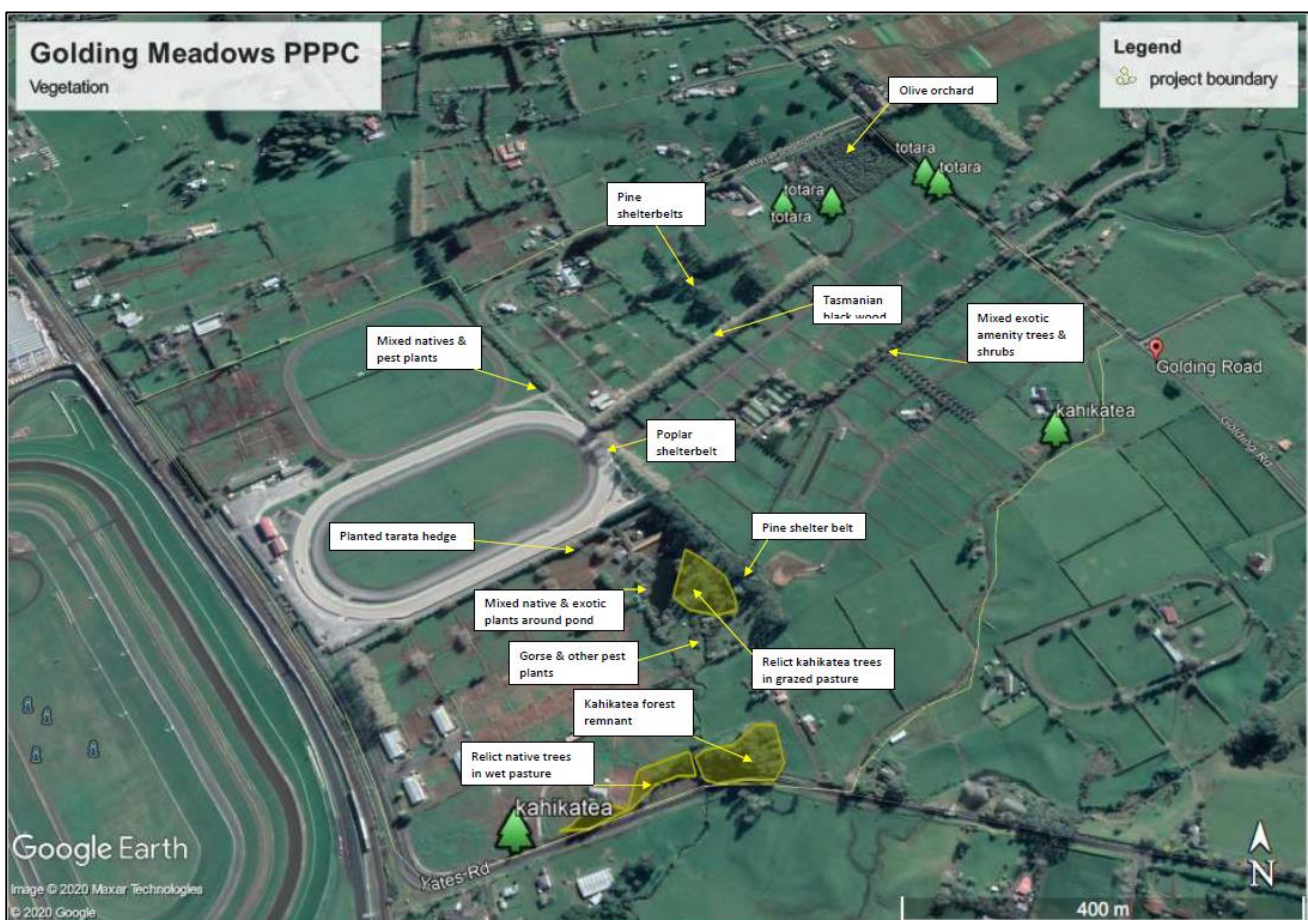


Figure 7: Key vegetation features of the PPC area. (Source: JS Ecology)

Outside of the Kahikatea, the vegetation on site is predominantly exotic such as Monterey pines (*Pinus radiata*), poplars (*Populus deltoides*) and Tasmanian blackwood (*Acacia melanoxylon*). These features are used for amenity purposes (shelterbelts, landscaping for driveways etc.). The maturity of this vegetation is variable.

There are also identified pest plants present on the site. These are primarily localised along the watercourses, drains and a pond. Specific species include Chinese privet, tree privet, blackberry, woolly nightshade, Japanese honeysuckle, pampas, pussy willow and crack willow.



Figure 8: The stand of remnant kahikatea trees at 47 Yates Road. (Source: JS Ecology)

3.1.8 FAUNA/HABITAT

Eels were observed on-site as well as common native fish species such as the banded kokopu. It was noted that common bullies and koura may also be present.

Common native birds such as the white-faced heron (*Egretta novaehollandiae*) and grey warbler (*Gerygone igata*) were observed as present on the site. Tui (*Prosthemadera novaeseelandiae*), wax eye (*Zosterops lateralis*), kingfisher (*Todiramphus sanctus*) and fantail (*Rhipidura fugiginosa*) are expected to frequent the site on a seasonal basis depending on the availability of food resources. None of the aforementioned species is threatened with the assessment being consistent with the PPS ecology report which records no threatened birds being present in the area.

The site was identified as having very limited suitable habitat for native lizards. Therefore, the report concluded that it was unlikely that the green gecko (*Naultinus elegans*) or forest gecko (*Mokopirirakau granulatus*) species would be present. Some areas of habitat for copper skinks (*Oligosoma aeneum*) were identified although this is not a species that is threatened. No formal lizard surveys have been undertaken with key lizard habitat along the watercourses captured in open space areas in the PPC concept plan. It is noted that the PPSP ecology report states that surveying for other species is not considered necessary given the low likelihood of detection at low presence densities.

The likely presence of long-tailed bats (*Chalinolobus tuberculatus*) in small numbers has been noted in the PPSP ecology report. For the site specifically, the central watercourse and the area around Yates Road are identified as areas where bats may be present (see the Figure overleaf). As long-tailed bats are recognised as critically endangered, the protection of potential habitats is important. In this instance, these habitats include native and exotic trees with cavities to roost in. Roost trees may be present in the

remnant kahikatea forest, mature pine shelterbelts and individual mature native trees. No formal bat surveys have been undertaken with the potential roosting area accommodated as open space area in the PPC concept masterplan.

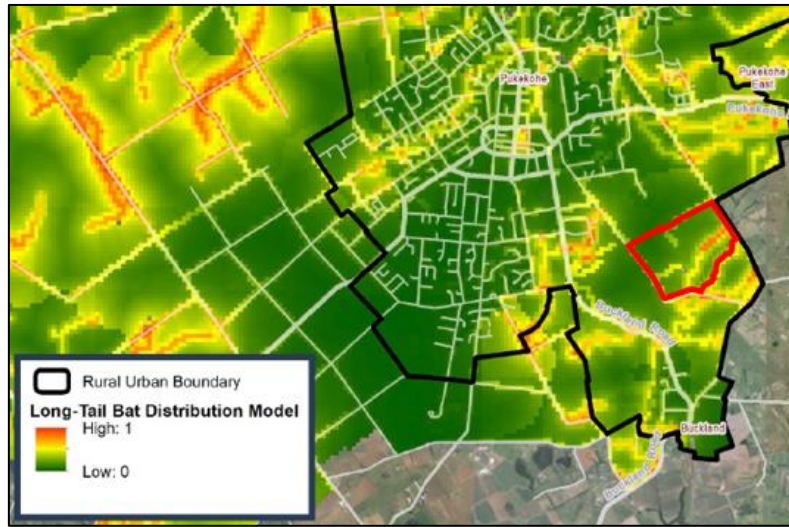


Figure 9: Long-tailed bat distribution model. (Source: Sinclair, S, 2019)

3.1.9 CONTAMINATION

No site-specific contamination assessment has been provided for the PPC. However, to inform the structure planning process, a broad contamination assessment of the FUZ land in Pukekohe-Paerata was prepared by Riley Consultants Ltd in 2018. The methodology of the assessment was a review of historical investigation reports and aerial photographs. The assessment identified that most of the site was historically comprised of production land with a small portion of horticultural land to the north. There are also a number of buildings scattered across the site that were identified as being constructed prior to 1980.

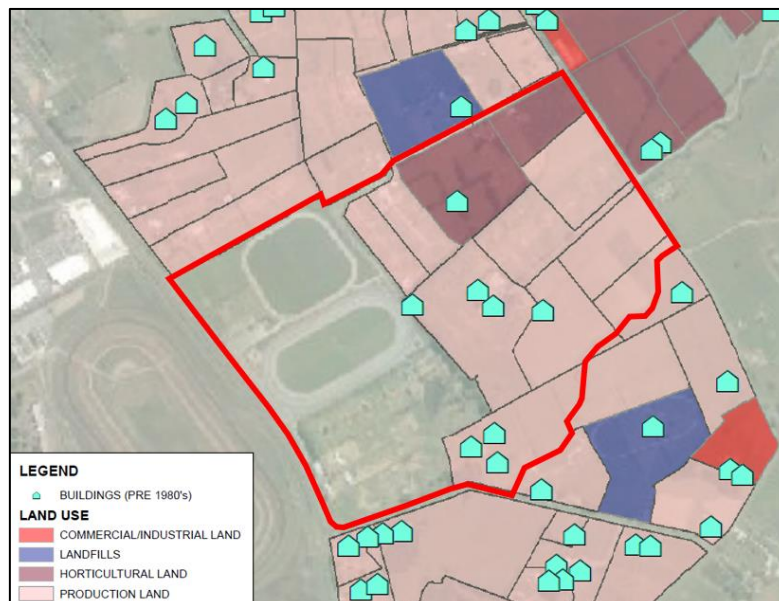


Figure 10: Plan showing the historical land uses of the FUZ part of the site. (Source: Riley Consultants)

The ATC land was outside of the scope of the Riley assessment but historical aerial photographs from Retrolens show that prior to the establishment of the Franklin Trotting Club, the land was in agricultural and pastoral use similar to the bulk of the site. Based on the work done by Riley's it is possible that there are contaminated areas. As such, a Detailed Site Investigation ("**DSI**") can be undertaken at resource consent stage.

3.1.10 ARCHAEOLOGY/HERITAGE/CULTURE

The Historic Heritage Assessment (2017) and Pukekohe Heritage Survey (2014) supporting the PPSP do not identify any items/features/places of significance on the site. In the AUP-OP, there are no scheduled features under the Historic Heritage and Special Character Overlays on or in close proximity to the site.

A Cultural Values Assessment ("**CVA**") addendum to the Mana Whenua Engagement Summary (2019) prepared for the PPSP by Ngāti Tamaoho (**Appendix M**). The CVA identifies that because of previous settlement and occupation, the site is an area of traditional, cultural, historic, spiritual and economic importance.

3.2 SURROUNDING LOCALITY

To the north of the site beyond Royal Doulton Drive is additional FUZ land within the same tranche of FULSS sequencing. As per the adopted PPSP, this area is identified to be MHUZ. This area is significantly more fragmented with regards to land ownership compared to the site subject to this PPC request. Also, within the aforementioned area is the Pukekohe A & P Showgrounds. North-west of the showgrounds is the Pukekohe Town Centre. Opposite the showgrounds on Station Road is the railway station.

Directly west of the site across Station Road and the North Island Main Trunk Line ("**NIMT**") is the Pukekohe Park Raceway which recently undertook its own PPC (PC 30) to rezone 5.8ha of land from SP-MRFZ to General Business Zone.

South of Yates Road is additional FUZ land also within the same FULSS tranche, however this land is identified to be future LIZ. Of note is the established Pukekohe Christian School in this area and the proposed Pukekohe campus for Elim Christian College.

Along Golding Road and Logan Road is the Rural Urban Boundary ("**RUB**") demarcating the edge of the Auckland region with the eastward land contained within the Rural Zone of the Waikato District.

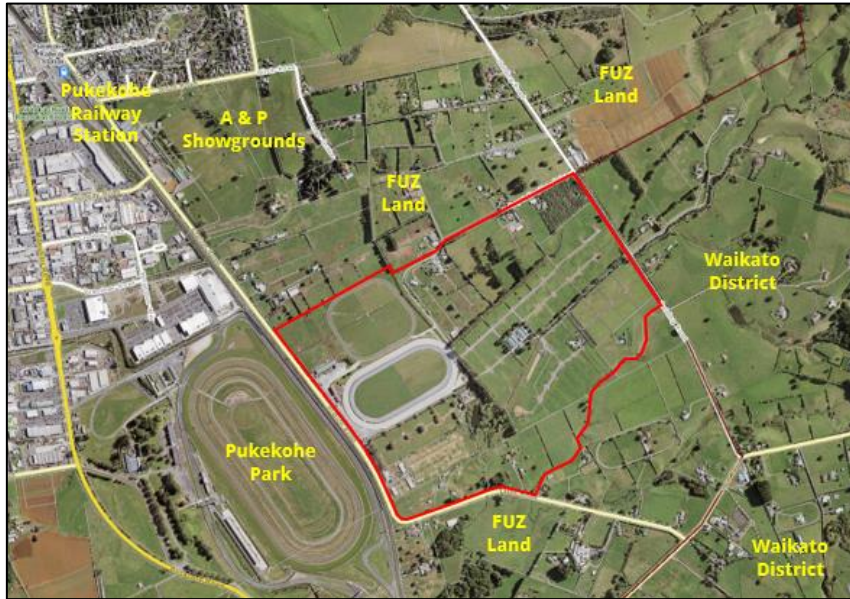


Figure 11: Aerial photograph showing the site in the context of the surrounding locality. (Source: GeoMaps)

3.3 PLANNING CONTEXT

3.3.1 AUCKLAND UNITARY PLAN – OPERATIVE IN PART

The zoning of the site comprises Future Urban Zone (“**FUZ**”) and Special Purpose Zone – Major Recreation Facility (“**SP-MRFZ**”). The purpose of the FUZ is to function as a transitional zone whereby the subject land has been identified as suitable for future urbanisation. Until structure planning and rezoning occurs, the usability of FUZ land is limited to general rural activities so as not to compromise future development.

The purpose of the SP-MRFZ is to provide for the broad management of major recreation facilities with each facility guided on a more granular level by a precinct. In this instance, the Franklin Trotting Club (“**FTC**”) Precinct covers the SP-MRFZ portion of the site. The FTC Precinct provides specific planning controls for the use of the trotting club.



Figure 12: The zoning of the site and the extent of the Franklin Trotting Club Precinct. (Source: GeoMaps)

Other planning controls that apply across the site include the:

- High-Use Aquifer Management Areas Overlay (Pukekohe Kaawa Aquifer);
- Macroinvertebrate Community Index – Rural; and
- Macroinvertebrate Community Index – Urban.

Along Golding Road, the site also adjoins the Rural Urban Boundary (“**RUB**”) representing the edge of the Auckland Region with the Waikato District present on the eastern side of the road.

4 THE PROPOSED PLAN CHANGE

Pursuant to Clause 21(1), Schedule 1 of the RMA, any person may request a change to a district plan. Clause 22(1) stipulates that the purpose and reasons for the plan change request must be identified and that an evaluation report in accordance with s32 of the RMA must be provided. The purpose and reasons are addressed below with the evaluation report addressed in Section 5 and provided in **Appendix E**.

4.1 BACKGROUND TO THE PLAN CHANGE REQUEST

As previously outlined, the background to the PPC request is the need to go through the Schedule 1 process to enable the land to be urbanised. Prior to making this request, the applicants were heavily involved in the Pukekohe-Paerata structure planning process submitting that the ATC land should be included in the structure plan, that the land should be residential zone and allow for higher density outcomes and that it should be unlocked at an earlier stage by way of changes to the FULSS sequencing. A concept master plan (enclosed within **Appendix N**) has been prepared and undergone multiple iterations and is supported by the Urban Design Assessment (“**UDA**”) and Neighbourhood Design Statement (“**NDS**”) by Mr Ian Munro (**Appendix O**).

The approved PPSP and its outcomes for the site are shown in the Figure below. Whilst the PPC request differs from the PPSP, the general outcomes sought for the land are consistent. These include (but are not limited to) the bulk of the site being given residential zoning, open space being provided and protection of on-site watercourses. The inclusion of additional industrial land on the ATC land responds to the close proximity of Pukekohe Park and allows for a continuation of industrial land along Station Road as evidenced in the land to the north and south.



Figure 13: The site as shown in the approved PPSP. (Source: PPSP)

4.2 TECHNICAL ASPECTS OF THE PLAN CHANGE

The specific changes to the AUP-OP requested by the applicants are outlined below.

4.2.1 ZONING

Proposed zoning changes include:

- Rezoning of the 82.66ha site as per the zoning plan contained in **Appendix D**. This results in the zoning changes as per the table below:

TABLE 4-1: AREAS OF NEW ZONING

PROPOSED ZONE	AREA
Mixed Housing Urban Zone ("MHUZ")	62.356ha
Neighbourhood Centre Zone ("NCZ")	0.3365ha
Light Industry Zone ("LIZ")	19.9741ha

The thrust behind the proposed zoning configuration is to utilise the sites close proximity to the Pukekohe Railway Station and the Pukekohe Town Centre hence the request for MHUZ. It is noted that to the east, the land is contained in the Waikato District and is zoned Rural in both the Operative

Waikato District Plan and the Proposed Waikato District Plan (“**PWDP**”) (currently under review with decisions pending). It is noted that in the PWDP, there are submissions seeking to rezone the blocks of land east of (but adjoining) Golding Road to Country Living Zone/Rural Lifestyle Zone.

A small Neighbourhood Centre is identified at the confluence of MHUZ and LIZ land. This centre is intended to provide for the day-to-day needs of residents whilst also supporting light industry employees.

The LIZ is a logical response to the nearby Pukekohe Park and the motorsport events whilst also providing additional employment opportunities for a zoning that is becoming scarcer within Pukekohe. Providing additional LIZ land through this PPC request will plug the gap in supply until such time that other FUZ land is live zoned. This is discussed further in the economic Cost-Benefit Analysis (“**CBA**”) prepared by Urban Economics (**Appendix P**).

When fully built out, the LIZ will assist in functioning as a buffer with the structures contributing to the mitigation of noise. Noise-sensitive activities within the LIZ, NCZ and residential zones are restricted by way of the proposed precinct.

4.2.2 PRECINCT

Proposed precinct-related changes include:

- The removal of the Franklin Trotting Club Precinct over the ATC land and the insertion of the new Pukekohe Golding Precinct across the site, the provisions of which are enclosed within **Appendix D**.
- The precinct plan is also enclosed within **Appendix D** and indicates the following features:
 - New Vehicle Access Restrictions (“**VAR**”) across Royal Doulton Drive and Golding Road. This is to safeguard anticipated changes to the form and function of these corridors in the future;
 - The extent of the Significant Ecological Area (“**SEA**”) comprising the Kahikatea stand sought to be identified;
 - The indicative location of future collector roads and key walking and cycling routes throughout the site to providing connectivity to the surrounding areas and road network;
 - The indicative location of a local road that demarcates the MHUZ and LIZ;
 - Indicative streams and wetland;
 - An intermittent stream that has been the subject of previous modification and is now in an unnatural state being a farm pond and piped;
 - An area (identified as Area A) shows where specific noise-attenuation measures are required for noise-sensitive activities; and

- The 55 dBa L_{Aeq} noise contour produced during a Category C motorsport event at Pukekohe Park without any additional noise barriers erected is shown.

4.3 PURPOSE AND REASONS FOR THE PLAN CHANGE REQUEST

Pursuant to Clause 22(1), the purpose of and reasons for a PPC request must be provided. These are addressed below.

4.3.1 PURPOSE OF THE PLAN CHANGE

The purpose of the PPC is to rezone the site to enable urbanisation of the land for residential/light industrial use. Currently these land uses cannot be undertaken due to the nature of the FUZ as a transitional zone and the SP-MRFZ and Franklin Trotting Club Precinct.

4.3.2 REASONS FOR THE PLAN CHANGE

The reasons for requesting the PPC which support the purpose are:

- To enable the development of the site for residential and industrial use. Pukekohe is projected to experience significant population growth in the future and the FUZ portion of the site is earmarked in the PPSP as an area to help accommodate this growth. The strategic location in close proximity to the railway station and town centre also ensure the rezoning will positively contribute to the aspiration for Pukekohe to develop into a satellite town as per the Auckland Plan 2050.
- Under Appendix 1 of the AUP-OP, the rezoning of FUZ land for urbanisation requires structure planning to have been previously undertaken. The development of the PPSP commenced in August 2017 and concluded in August 2019 when the final version of the plan was approved by the Planning Committee. The next step is the plan change process which can be private-led or Council-led. In this instance, no indication of when Council may seek to formalise the PPSP has been given leading to the applicants requesting the PPC.
- The FULSS identifies the FUZ land in Pukekohe-Paerata to be development ready in the second half of decade one (2023 – 2027). The PPC request aligns with the sequencing of the FULSS given the time estimate to go through the Schedule 1 process.
- Because the land owned by the ATC is not FUZ it was outside of the scope of the structure planning process. As such, even if Council were to initiate a plan change to realise the PPSP it would likely not include the ATC land and any submissions to include the land would raise the question of scope.
- There is a shortage of large live zoned greenfield blocks available for development within Pukekohe. Currently the bulk of growth capacity in the area is contained within Paerata Rise as shown in the Figure below. Further to this, the Auckland Plan 2005 identifies the likely need for another 320,000 dwellings to be built by 2050.



Figure 14: Current development pipeline based on aerial photographs (Source: Urban Economics)

4.4 OPTIONS FOR DEALING WITH REQUESTS

In relation to PPC requests and pursuant to Clause 25 (2), a local authority may either:

- Adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself;
- Accept the request, in whole or in part, and proceed to notify the request, or part of the request;
- Deal with the request as if it were an application for a resource consent; or
- Reject request in whole or in part.

4.5 ACCEPTING THE REQUEST

Pursuant to Clause 25(4) of Schedule 1 of the RMA, Council has the discretion to reject a PPC request in whole or in part. The grounds for rejecting a request are guided by subclauses (4)(a)-(e). These matters are addressed in turn.

4.5.1 (4)(A) THE REQUEST IS FRIVOLOUS OR VEXATIOUS

“Frivolous” and “vexatious” are not defined within the RMA however, an overview of the PPC process is contained within the minutes attachments from the Auckland Council Planning Committee meeting held in March 2019. The following guidance is provided regarding the terms:

- “Frivolous” has evolved through case law to generally mean “trivial” or “without substance” (pg. 48)
- “Vexatious” has evolved through case law to generally mean “harass”, “frustrate” or cause financial cost to their recipient” (pg. 48)

The substance of the PPC request is a relevant matter to the growth and future of Pukekohe and is supported by technical reporting from independent experts in their respective fields. Thereby, the request is deemed to be neither frivolous or vexatious.

4.5.2 (4)(B) PREVIOUS CONSIDERATION OF SUBSTANCE OF REQUEST WITHIN THE LAST TWO YEARS

During the development of the AUP-OP, the zoning of the site was considered. The eventual outcome was the identification of the ATC landholdings with SP-MRFZ contained within a precinct (the Franklin Trotting Club Precinct) with the remainder of the area identified as FUZ.

The planning decisions associated with the ATC landholdings were logical at the time given the need to protect the operation of the trotting activities. However, as outlined by the applicant in the letter from the CEO, Mr Rod Croon (**Appendix F**), these activities have become untenable in that location. As such, the ATC seeking to utilise the land for other activities that are not currently enabled by the existing planning framework and shift the trotting activities to a more suitable location.

The rationale of applying the FUZ is accepted, however, sufficient time has now elapsed whereby the accelerated live zoning of the land can be reasonably considered. The PPSP has been finalised but there is uncertainty on when Council would initiate their own plan change to live zone the FUZ land within Pukekohe and Paerata. Alternatively, PPC requests are enabled for in the AUP-OP with Appendix 1 (Structure Plan Guidelines) outlining the process for the urbanisation of FUZ land.

On this basis it is concluded that the substance of the PPC request has not been considered within the last two years.

4.5.3 (4)(C) SOUND RESOURCE MANAGEMENT PRACTICE

“Sound resource management practice” is not defined within the RMA however, case law such as *Malory Corporation Limited v Rodney District Council* [2010] provide guidance that the term is linked to the

purpose and principles of the RMA (Part 2). As such, if a PPC request is not in accordance with Part 2, it is unlikely that the request will pass the test to be accepted or adopted by Council.

In this instance, the PPC request is considered to be in accordance with sound resource management practice for the following reasons:

- The request is supported by robust technical reporting appropriate to the scale of the request;
- Comprehensive consultation with key stakeholders has been undertaken which has driven ongoing changes on the request. Furthermore, once notified these stakeholders and other interested parties will have additional opportunities to make submissions on the PPC and to provide their input;
- The request does not seek to significantly deviate from the adopted PPSP. The key differences in the proposal are the provision of more intensive residential zoning (MHU) in specified locations and the LIZ on the ATC land (that was not previously subject to the structure planning process). These are both considered to be sound resource management decisions as justified in this application and the supporting technical reports.

4.5.4 (4)(D) INCONSISTENCY WITH PART 5 OF THE RMA

Part 5 of the RMA pertains to standards, policy statements and plans and the function and relationship between these documents. The stated purpose of District Plans (as per Section 72) is to achieve the overall purpose of the RMA with PPCs serving as a mechanism that assist Councils in doing this. Therefore, the proposed PPC would not make the AUP-OP inconsistent with the contents of Part 5 but would instead assist Council with providing for the social, economic and cultural wellbeing of the Pukekohe community and the wider areas in Auckland/Waikato.

4.5.5 (4)(E) OPERATIVE FOR LESS THAN TWO YEARS

The Auckland Unitary Plan (Operative in Part) (AUP-OP) was made operative in part on the 15 November, 2016. Thus, the AUP-OP has been operative (in part) for greater than two years.

4.5.6 SUMMARY

Based on this evaluation of Clause 25 of Schedule 1 of the RMA it is considered that no valid grounds exist for rejecting the PPC request as per Clause 25(4).

4.6 ALTERNATIVE OPTIONS

The previous section addressed the criteria for rejecting PPC request. The alternative options are addressed below.

4.6.1 ADOPTING OR ACCEPTING THE REQUEST

There is no reason why Council cannot choose to either adopt or accept the request.

4.6.2 DEALING WITH THE REQUEST AS IF IT WERE A RESOURCE CONSENT APPLICATION

Given the breadth of changes requested it is not practical that the application be dealt with as a resource consent application. Furthermore, fundamental changes to the planning mechanisms applicable to the site are proposed that are best dealt with through a PPC.

4.6.3 SUMMARY

Based on the above, the applicants are requesting that the PPC be accepted and notified as per Clause 26 of the RMA.

5 SECTION 32 EVALUATION

Clause 22(1) of Schedule 1 of the RMA requires that a PPC request contain an evaluation report for the change prepared in accordance with Section 32 (“s32”) of the RMA. s32 outlines the requirements for preparing and publishing evaluation reports stating in s32(1) and (2) below that:

(1) An evaluation report required under this Act must –

(a) Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –

(i) Identifying other reasonably practicable options for achieving the objectives;

(ii) Assessing the efficiency and effectiveness of the provisions in achieving the objectives;
and

(iii) Summarising the reasons for deciding on the provisions;

(c) Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must –

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The s32 evaluation for this PPC request has been prepared by Tollemache Consultants and is contained within **Appendix E**.

6 ASSESSMENT OF ENVIRONMENTAL EFFECTS

An assessment of the actual and potential environmental effects (“**AEE**”) from the implementation of the PPC is provided in this section in accordance with Clause 22(2) of Schedule 1 of the RMA. For many of the various effects, the AEE only provides a summary of the anticipated effects. Refer to the original technical report for further detail and analysis.

6.1 URBAN DESIGN EFFECTS

An urban design assessment (“**UDA**”) and neighbourhood design statement (“**NDS**”) from Mr Ian Munro (**Appendix O**) has been prepared to support the PPC request. This assessment addresses the urban outcomes that are anticipated from the PPC and the urban design framework (the NDS for the PPSP and the relevant provisions of the AUP-OP Regional Policy Statement (“**RPS**”)),

6.1.1 ANTICIPATED OUTCOMES

As the PPC is comparable to the PPSP in terms of the proposed Mixed Housing zoning for the site, it is anticipated that the general outcomes will also be similar. The primary difference is the provision of MHUZ and LIZ.

With regards to the MHUZ, the impetus behind this is in response to the site’s location in close proximity to the Pukekohe Railway Station and Pukekohe Town Centre. The MHUZ will enable higher density outcomes making better use of the site. This will be boosted by the advent of micro-mobility solutions such as e-scooters which will support trips to and from the site.

The use of the MHUZ will deliver a wider variety of housing typologies providing for greater flexibility in development controls such as increased maximum building height and building coverage.

The LIZ is a response to the motorsport activities undertaken at Pukekohe Park. This is an appropriate zoning that assists in mitigating the adverse noise effects that would be generated on residential zoned land. Where there is residential zoning in the higher noise contours this is addressed by targeted measures in the precinct provisions (**Appendix D**).

Ultimately, Mr Munro concludes in his UDA that the PPC will maintain and enhance the planned character of Pukekohe and that it will reflect the outcomes sought in the PPSP. Mr Munro also notes that development of the site would be reflective of what he terms an informal Transit Oriented Development (“**TOD**”). This aligns with the underlying growth strategy in the AUP-OP to achieve a compact urban form.

Mr Munro notes that there will be adverse urban design effects but these will not be of a significant scale or unusual to those associated with rezoning of land for urbanisation.

6.1.2 ALIGNMENT WITH THE PPSP NDS

Comments on how the PPC aligns with the key themes contained within the NDS prepared for the PPSP is provided in the table below.

TABLE 6-1: ASSESSMENT OF THE PPC AGAINST THE PPSP NDS

COUNCIL DESIRED OUTCOMES	RESPONSE
Theme 1: Neighbourhoods that vary in density and mix of uses according to their locational attributes.	
Sub-Theme 1.1: Provide uses and densities that are appropriate to their location and role within each neighbourhood, these may include: centres, public transport nodes/corridors, living and employment environments	<p>The PPC is generally consistent with the PPSP in the sense that mixed housing is provided for. However, the MHUZ is proposed which allows for a more efficient use of the land and more variation in residential development outcomes due to the differences in development controls such as building height and building coverage.</p> <p>The MHUZ land is located across the site but notably is within close proximity to the railway station, the proposed Neighbourhood Centre and the indicative park.</p>
Sub-Theme 1.2: Promote high-intensity residential, retail and employment uses, and community services, around new centres and public transport corridors.	The proposed residential and business zoning is appropriate to the site and the surrounding locality. Whilst the railway station is nearby, it is not directly adjacent to the site such that the zoning should be of a Terrace Housing and Apartment Building intensity.
Sub-Theme 1.3: Match the intensity of centres with their level of public transport provision.	The proposed NCZ is not in close proximity to the railway station or other public transport infrastructure to warrant being a higher-level centre (Local Centre or Town Centre).
Sub-Theme 1.4: Promote higher intensity of uses along the frequent transit networks (FTN) routes in order to respond to public transport provision.	
Sub-Theme 1.5: Locate lower density development along the periphery and harbour and stream areas of significance.	The MHUZ provides for flexibility in dwelling outcomes and residential typologies which can be utilised in the future for development around stream areas of significance.
Theme 2: Neighbourhoods with many safe choices of movement with good access to services and amenity.	

COUNCIL DESIRED OUTCOMES	RESPONSE
Sub-Theme 2.1: Create safe, attractive, and accessible rail station settings.	No change to the rail network is proposed as the PPC site is already located in close proximity to the established Pukekohe Railway Station. This fact has been recognised by the proposal as the site is sought to rezone the land as entirely MHUZ.
Sub-Theme 2.2: Design development along frequent transit network (FTN) routes that ensures they efficiently serve their catchments while promoting safety, amenity and pedestrian / cycle connectivity.	Pedestrian and cycle connections will be provided at later development stages. Where necessary, the provision of this infrastructure is contained within the precinct provisions (Appendix D) .
Sub-Theme 2.3: Provide a well-connected street network which accommodates all forms of movement, with streets that are designed to reflect their function within the hierarchy.	The street network will be addressed at later development stages. The key streets have been identified in the precinct plan (Appendix D) along with other measures that are considered necessary to ensure appropriate connectivity is provided with the surrounding network.
Sub-Theme 2.4: Provide safe, universally accessible, and well-connected pedestrian and cycle routes to all amenity and services destinations.	Pedestrian and cycle connections will be provided at later development stages. Where necessary, the provision of this infrastructure is contained within the precinct provisions (Appendix D) .
Sub-Theme 2.5: Provide arterials and transport corridors which reconcile movement functionality with the quality of place.	The PPC identifies key transport corridors to provide appropriate connectivity to the surrounding areas and the wider road network. The PPC recognises the anticipated upgrades to the form and function of certain roads such as Royal Doulton Drive and Golding Road.
Sub-Theme 2.6: Provide efficient, resilient and safe connections to employment areas.	The connectivity between the zoning pattern will be resolved at later development stages. The concept masterplan (Appendix N) shows how this outcome could be realised.
Sub-Theme 2.7: Provide parking approaches which contribute to	This is not a relevant PPC matter and can be addressed at later development stages.

COUNCIL DESIRED OUTCOMES	RESPONSE
<p>convenience, safety and retail viability, without undermining the urban character.</p>	
<p>Theme 3: Neighbourhoods with many choices of use and activity that reflect the needs of the community and the sub-region.</p>	
<p>Sub-Theme 3.1: Provide communities with a wide range of choices and experiences.</p>	<p>The PPC contains a number of zonings that will support future neighbourhoods such as:</p> <ul style="list-style-type: none"> • the provision of a Neighbourhood Centre Zone (which was not identified in the PPSP). This will cater to the basic day-to-day needs of the future residents whilst providing for a small amount of additional employment opportunities; • the provision of LIZ areas which will provide sizeable future employment opportunities; and • the two mixed housing residential zones which are similar but provide for slightly different outcomes. <p>Further to the above the zones provide the opportunity to create open space areas.</p>
<p>Sub-Theme 3.2: Co-locate areas of higher density residential where there are a concentration of services, employment and public transport options.</p>	<p>The MHUZ is a higher density zoning compared to the zoning proposed in the PPSP. The MHUZ is identified across the entirety of the site and capitalises on the close proximity to the Pukekohe Town Centre, the LIZ land and the Pukekohe Railway Station.</p>
<p>Sub-Theme 3.3: Consider transport (all modes) and other benefits when locating education, healthcare, and retirement facilities</p>	<p>This is not a relevant PPC matter and can be addressed at later development stages if specific education, healthcare and/or retirement facilities are proposed.</p>
<p>Sub-Theme 3.4: Provide for a range of housing choices and respond to housing needs.</p>	<p>This is achieved through the mixed housing zones which are flexible in their ability to deliver a range of housing typologies/densities.</p>

COUNCIL DESIRED OUTCOMES	RESPONSE
Sub-Theme 3.5: Ensure compatibility between uses.	Compatibility between internal and external uses will be achieved through the zoning pattern, the zone provisions in the AUP-OP and the precinct provisions (Appendix D).
Sub-Theme 3.6: Encourage approaches to adaptability that will allow efficient responses to social, economic, climate, and technology changes.	Adaptability is provided for in the AUP-OP provisions. In the precinct provisions (Appendix D), adaptability is embedded in the precinct for an eventuality where motorsport activities are not undertaken at Pukekohe Park and the Pukekohe Park Precinct becomes redundant.
Sub-Theme 3.7: Attract and accommodate non-retail, 'new economy' employment uses.	The PPC request involves approximately 19.97ha of LIZ land which will enable a significant amount of new employment opportunities. There is the potential for the LIZ land to accommodate 'new economy' uses although this will ultimately come down to the market and what the zone provides for.
Sub-Theme 3.8: Ensure retail contributes to an active public realm and helps in enabling other community and employment activities.	The proposed zoning only enables limited retail opportunities. The LIZ does provide for certain retail activities but the overall intended function of the LIZ is primarily for manufacturing, production, logistics, storage, transport and distribution activities. The Neighbourhood Centre is only small in scale (approximately 0.33ha) and is intended to cater to the day-to-day needs of residents/employees. As such, any retail will be limited and not disrupt the current (and future) hierarchy of centres within Pukekohe.
Sub-Theme 3.9: Design neighbourhood parks which are fit for purpose and safe, in the appropriate locations.	This is not a relevant PPC matter and can be addressed at later development stages.
Sub-Theme 3.10: Promote a range of centres, of varying size, according to their function in the region	See assessment of Theme 1.
Theme 4: Neighbourhoods that celebrate their unique identity and are attractive, safe and easily understood.	

COUNCIL DESIRED OUTCOMES	RESPONSE
<p>Sub-Theme 4.1: Design legible, safe, inclusive and accessible environments for all ages and abilities that offer privacy and security.</p>	<p>Future development has been conceptualised in the concept masterplan (Appendix N). Whilst this is only an indication of how the site could be developed, it shows an urban structure that achieves the outcomes of this sub-theme. For aspects such as privacy/security, future development will be guided by the AUP-OP provisions as a tailored approach on these matters is not generally required except as outlined in the precinct provisions.</p>
<p>Sub-Theme 4.2: Display a strong local identity and appropriate visual character while emphasising visual and function character differences between nodes and communities.</p>	<p>The local identity for the site will be predominantly residential in nature given the large area identified with this type of zoning. On a more granular level, the neighbourhood centre and indicative open space area on the concept masterplan (Appendix N) present the opportunity for a daytime economy node between the MHUZ and LIZ areas.</p> <p>The site will also feature the watercourses being planted up which will be providing natural open space distinct to this area of Pukekohe. This will further enhance the overall landscape.</p>
<p>Sub-Theme 4.3: Respect and celebrate mana whenua values.</p>	<p>Mana whenua values are captured in the engagement that took place over the structure planning process and in the CVA (Appendix M) provided for the PPC request. Further opportunities to achieve this outcome will present themselves at later development stages.</p>
<p>Sub-Theme 4.4: Protect historic heritage and existing character.</p>	<p>The site does not contain any identified heritage features.</p> <p>The existing character of the site is rural/semi-rural. It is not feasible to protect this character whilst also adhering to the underlying zoning which is applied to areas for future urbanisation.</p>
<p>Sub-Theme 4.5: Provide high quality landscaping with a preference for utilisation of native species, preferably diverse and suitable to the area.</p>	<p>This is not a relevant PPC matter and can be addressed at later development stages.</p>

COUNCIL DESIRED OUTCOMES	RESPONSE
Theme 5: Neighbourhoods that protect and enhance the natural environmental while enabling urbanisation.	
Sub-Theme 5.1: Promote urban environments that recognise the intrinsic value of the landscape and respond to natural features, ecosystems, and water quality.	The values of the landscape have been captured in the concept masterplan for the site (Appendix N). Where appropriate the natural features, ecosystems and water quality are responded to through specific precinct provisions (Appendix D). Otherwise, the provisions of the AUP-OP are relied upon.
Sub-Theme 5.2: Improve freshwater quality within the catchment, the marine receiving environment, and the management of riparian margins.	A SMP (Appendix K) has been prepared to achieve the best practicable options for the long-term management of stormwater from the site. The riparian margins will be planted as per the specific precinct provision (Appendix D).
Sub-Theme 5.3: Protect and improve biodiversity and ecologically sensitive areas.	Biodiversity and ecologically sensitive areas on the site are primarily improved through the proposed Kahikatea stand sought to be identified as SEA. Further to the above, the provisions in the AUP-OP are relied on for the outcomes sought.
Sub-Theme 5.4: Reduce energy usage and waste production to support a low carbon development model.	This is not a relevant PPC matter.
Sub-Theme 5.5: Promote water re-use.	This sub-theme is addressed in the SMP.

6.1.3 SUMMARY

In summary, the PPC essentially enables the type of development sought in the PPSP and will positively contribute to the growth of Pukekohe into a satellite town and the overarching intention to maintain a compact urban form. The location of the site near the railway station necessitates the provision of higher-density living options which is achieved in the PPC through the proposal to implement MHUZ across the bulk of the site.

Furthermore, as shown in the previous Table, the anticipated outcomes of the PPC generally align with the broad themes of the NDS prepared for the PPSP. Ultimately, any urban design effects are anticipated

to be less than minor with the PPC able to be accepted on urban design grounds as concluded in the UDA (**Appendix O**).

6.2 LANDSCAPE AND VISUAL EFFECTS

To support the PPC, a landscape and visual effects assessment (“**LVA**”) has been completed by LA4 Landscape Architects (**Appendix H**). This assessment acknowledges the assessment previously done by Opus Consultants in 2017 for the PPSP. The Opus assessment characterised the landscape character area within which the site is located (Landscape Character Area 14) as having low sensitivity to modification. Notwithstanding this, an assessment of the effects is provided:

6.2.1 LANDSCAPE AND VISUAL EFFECTS

As expected, any urbanisation of the site will result in notable changes to the visual environment/landscape. However, for the bulk of the site such changes have been anticipated since the FUZ land was earmarked for eventual urbanisation during the development of the AUP-OP. As such, landscape and visual changes in this area are anticipated.

Notwithstanding the above, the resultant changes to the site will be mitigated through the retention of existing natural features on-site many of which will be subject to enhancement.

6.2.2 ALIGNMENT WITH PPSP LVA

Comments on how the PPC aligns with the desired landscape and visual outcomes identified in the PPSP is provided below:

TABLE 6-2: ASSESSMENT OF THE PPC AGAINST PPSP LVA

COUNCIL DESIRED OUTCOMES	RESPONSE
Overarching development principles and methods	
Establish an integrated landscape framework based on the natural landform and drainage patterns and processes that have shaped the existing landscape and give it its unique identity, by; <ul style="list-style-type: none"> • Developing a comprehensive landscape plan as part of the future structure planning. • Establishing development in a way that minimises earthworks and visible cut and fill. 	The PPC is supported by a site-specific LVA that provides a framework for the existing landscape context in which the site sits and the effects of the PPC on said landscape. Natural landform and drainage patterns/processes have also been factored into the concept masterplan for the site as outlined in the UDA (Appendix O). Earthworks will be managed at later development stages.

COUNCIL DESIRED OUTCOMES	RESPONSE
<p>Maintain and enhance the integrity of volcanic features as distinctive elements of the local landscape character, by;</p> <ul style="list-style-type: none"> Identifying where development should be avoided and establishing a public open space network in these areas. Creating block layouts and road alignments that afford public views to important volcanic features. Avoiding built form in proximity to the most sensitive and highly distinctive volcanic features. 	<p>The only landscape feature that is partially visible from the site is the Pukekohe Hill Shield Volcano which is recognised as a distinct geological feature in the Opus LVA. This feature is over 5km away from the site and is not clearly visible given the separation distance and the underlying topography.</p> <p>There are no formally identified landscapes/viewshafts (Outstanding Natural Landscapes) that are present on or near the site.</p> <p>The site is not located in close proximity to the most sensitive and highly distinctive volcanic features in Pukekohe-Paerata.</p>
<p>Maintain and enhance high visual amenity within the study area, by;</p> <ul style="list-style-type: none"> Strengthening the visual quality of waterways including major streams and tributaries by revegetating with contiguous swathes of riparian planting. Connecting patches of significant ecological areas into an integrated urban forest. Developing a constructed nature typology for centres and neighbourhoods. Protecting views to distant landmarks including ridgelines, and local landmarks including escarpments and knolls, tuff craters and rims and volcanic cones. 	<p>The primary watercourses on-site are sought to be protected and enhanced with riparian planting.</p> <p>The stand of kahikatea trees has been identified as having notable ecological value and is sought to be protected as an SEA. All other vegetation in the site will be subject to the relevant provisions in the AUP-OP and relevant National Policy Statements.</p> <p>The detailed design for the proposed Neighbourhood Centre will be addressed at later development stages.</p> <p>The presence of landmarks in the receiving environment to which views should be protected is limited. Notwithstanding this, it is likely that views to the Pukekohe Hill Shield Volcano will be present at various parts of the site.</p>

COUNCIL DESIRED OUTCOMES	RESPONSE
<p>Establish an integrated network of public open space to provide high amenity for the local community and enhanced natural and biodiversity values;</p> <ul style="list-style-type: none"> • Connecting open spaces along natural features including gullies and ridges. • Utilising streets as places as well as movement corridors. 	<p>The PPC will set the tone for the establishment of an open space network in south-east Pukekohe. Indicative open space has been identified around the watercourses on-site on the with a potential neighbourhood park also identified (Appendix N). Future rezoning of other FUZ land will be able to take these features into account when planning for open space and considering how a green network could look and function.</p>
<p>Maintain and enhance sustainability and liveability within the new urban environment by;</p> <ul style="list-style-type: none"> • Establishing an urban forest green network throughout the entire structure plan area and connecting to the wider landscape to support broad sustainability objectives including wild links, community and individual wellbeing, and global sustainability. • Integrating sustainability principles throughout all landscape infrastructure. • Connection of patches of indigenous vegetation to create contiguous tracts 	<p>A stand of Kahikatea on-site has been recommended to be protected as an SEA and further enhanced. Other vegetation will be subject to the relevant provisions of the AUP-OP.</p> <p>Further open space planning will occur at later development stages.</p>
<p>Establish a landscape transition between urban and rural around the boundaries of the new urban areas to create a distinct edge and avoid the appearance of sprawl;</p> <ul style="list-style-type: none"> • Establishing a legible and connected public open space network where possible at the edges of the new urban areas. • Establishing a planting programme featuring signature tree species to 	<p>The transition between the urban and rural environment is provided for in the flexibility of the MHUZ. Further to the above.</p> <p>Indicative open space areas are identified on the concept plan (Appendix N). This will be further refined at later development stages.</p> <p>On-site planting for landscaping purposes will occur at later development stages.</p>

COUNCIL DESIRED OUTCOMES	RESPONSE
<p>delineate and integrate the different land uses.</p>	
<p>Promote high amenity open space hubs centred around cultural and natural attractions, by;</p> <ul style="list-style-type: none"> • protection and promotion of high value landscapes, open spaces and heritage sites to enhance sense of place and distinctiveness. 	<p>Indicative open space has been identified on the concept masterplan (Appendix N) around the watercourses as well as an indicative park space near the Neighbourhood Centre.</p> <p>There are no identified high value landscapes or heritage sites present on the site.</p>
<p>Landscape Opportunities and Constraints: Landscape Character Area 14: Pukekohe Southeast</p>	
<p>Opportunities within LCA-14 include the protection of native vegetation, and of natural stream corridors in the area.</p>	<p>Both of these outcomes are realised by the PPC. A stand of Kahikatea is sought to be protected as SEA. The natural stream corridors on-site are proposed to be retained and enhanced. Specifically, the central corridor is proposed to be returned a more natural geometry. Both corridors are proposed to be subject to riparian planting (Appendix D).</p>

6.2.3 SUMMARY

In summary, the PPC is considered to have landscape and visual effects that are minimal as the proposed zoning (and the activities enabled by such zoning) are generally contemplated by the PPSP. In the case of the LIZ, this is consistent with the surrounding zoning identified in the PPSP and is a logical response to the presence of Pukekohe Park.

Whilst visual changes will undoubtedly occur, these are anticipated changes that will occur gradually over time during the development/construction process. In turn, this will assist with the acceptance and comfortability of such changes by the viewing audience.

6.3 ECONOMIC EFFECTS

To support the PPC request an economic cost-benefit analysis (“**CBA**”) of the proposal has been provided by Urban Economics (**Appendix P**). The key conclusions from the report as they relate to economic effects are addressed in the following sub-sections:

6.3.1 CONTRIBUTION TO THE FUTURE GROWTH OF PUKEKOHE

As per the PPSP, Pukekohe is projected to grow to a population of some 50,000 people by the year 2040. Currently, the population is at approximately 26,650 according to Statistics NZ. This highlights the need to advance the provision for future growth. The PPC would make a positive contribution to Pukekohe as:

- The PPC can accommodate a sizeable share of this growth through the provision of a variety of dwelling typologies at various price points. The site is benefitted by the fact that other FUZ land in Pukekohe-Paerata is predominantly lifestyle blocks (the average parcel size is 6ha). In this instance, the PPC presents the opportunity to create a masterplanned development on a large tract of land. This comes with its own benefits such as: an incentive by the developer to produce a higher quality development, provide more diverse housing stock and to better manage housing design and road layout.
- The CBA identifies a disparity between the residential capacity provided for by the PPSP and the FULSS. This indicates there is the potential for an investment in service infrastructure that may not be fully realised by the pipeline of development.
- The CBA identifies low-moderate potential for infill development in Pukekohe showing that future growth will likely be satisfied in greenfield areas. Currently Paerata Rise makes up 97% of planned development in the Pukekohe-Paerata residential land market. This is problematic as on its own it makes for a highly concentrated land development market. With the addition of the PPC this would dilute the anti-competitive market that currently exists and would contribute to meeting Objective 2 of the National Policy Statement on Urban Development (“**NPS-UD**”) (Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.)

6.3.2 THE PROVISION OF ADDITIONAL LIGHT INDUSTRY ZONING IN PUKEKOHE-PAERATA

The application of LIZ over the ATC land has not been previously anticipated by Council as this land is not FUZ and therefore has not been structure planned. As such, it is necessary to assess what impact LIZ in this area would have on Pukekohe-Paerata. From the CBA it is concluded that Pukekohe-Paerata is projected to have an above average demand for LIZ land in the future. Currently Pukekohe-Paerata is facing a shortage in supply that is unlikely to be met by existing vacant industrial sites as the bulk of these have been assessed as commercially unfeasible to develop.

Whilst the PPSP provides approximately 120ha (net) of additional LIZ, this requires its own plan change to be realised, the timing of which is currently uncertain. Therefore, the provision of LIZ as part of the

PPC provides a stopgap to satisfy the demand until such time that a wider plan change for Pukekohe-Paerata is lodged and processed.

Other benefits of the proposed LIZ include the presence of similarly zoned land in the PPSP to the north and south allowing for the formation of an industrial cluster. This will create positive agglomeration effects such as adding to the local market, the supply of labour and the exchange of knowledge/human capital between firms.

The LIZ aspect of the PPC is also benefitted by the absence of fragmentation with regards to land ownership as the identified extent falls exclusively within land owned by the ATC. The same cannot be said for the LIZ land to the north and south which exists as numerous fragmented lifestyle blocks.

6.3.3 THE EFFECT OF THE NEIGHBOURHOOD CENTRE ON THE PUKEKOHE TOWN CENTRE

Whilst the PPSP does not identify a neighbourhood centre in this location, it is a logical planning response to cater to the day-to-day needs of the surrounding residents and workers. It is noted that the PPC enables the critical mass to support a centre of this scale. In this instance the NCZ is advantageously located relative to the surrounding land uses being close to both the LIZ, MHUZ and an indicative open space area.

Furthermore, the small scale of the NCZ is such that no threat posed to the vitality and function of the existing Pukekohe Town Centre Zone or large format retail offerings (such as the General Business Zone areas on Manukau Road).

6.3.4 SUMMARY

In summary, the proposed composition of zoning has been assessed to have positive effects on the wider environment providing for the social and economic well-being of Pukekohe. The residential zoning will help accommodate the immense growth Pukekohe is projected to experience whilst the business zoning will provide additional employment opportunities plugging the gap in the market that exists due to high demand for this zoning.

6.4 OPEN SPACE, COMMUNITY/SOCIAL FACILITIES AND PATHS

A parks and open space report was prepared internally by Council in 2019 to outline the parks and open space policy for Pukekohe-Paerata.

6.4.1 PPSP PARKS

With regards to the PPSP, a potential new neighbourhood park (0.3ha – 0.5ha) is identified on the site. An indicative neighbourhood park has been identified on the concept masterplan (**Appendix N**) of a consistent size (approximately 3500m²). The acquisition of land for parks and open space is a Local Government Act 2002 matter that will be resolved outside of the Schedule 1 PPC process.

6.4.2 PUKEKOHE-PAERATA PATHS PLAN

The Pukekohe-Paerata Paths Plan (2018) is a “visionary and guiding document” for the purpose of planning proposed local paths. In this instance, there are two paths of note both of which are generally accommodated. As per the Integrated Transport Assessment (“ITA”) (**Appendix I**) it is recommended that a formal footpath be established on the Station Road frontage to connect to the existing footpaths closer to the railway station.

The connection in yellow on the Figure below follows the southern-boundary of the site alongside the watercourse. This area will be subject to riparian planting and will act as an informal open space along which public access will likely be available.



Figure 15: Proposed connections over the site. (Source: Pukekohe-Paerata Paths Plan 2018)

6.4.3 SUMMARY

In summary, as the PPC generally aligns with the PPSP/Pukekohe-Paerata Paths Plan (2018), it is considered that the provision of open space/community facilities/paths is appropriate.

6.5 TRANSPORT EFFECTS

To support the PPC, an Integrated Transport Assessment (“ITA”) has been prepared by Commute (**Appendix I**). The ITA examines what the existing transport environment is like currently and how this will be impacted by the implementation of the PPC.

Reference in the Commute ITA is made to the ITA prepared by the Supporting Growth Alliance (“SGA”) for the PPSP. The SGA ITA provides further details on potential transportation upgrades, future networks and the effects associated with the PPSP.

6.5.1 ACTIVE MODES OF TRANSPORT (WALKING AND CYCLING)

The site is well-located in relation to the Pukekohe railway station and town centre. However, there is limited existing infrastructure for connectivity via walking and cycling. There are footpaths on the section of Station Road north of Birch Road that the ITA recommends linking to with footpaths from the site. This will be achieved through the precinct provisions (**Appendix D**) which sets the trigger for pedestrian connections to be provided.

Cycling facilities are anticipated in the upgrades to the surrounding road network. The SGA ITA contains indicative cross-section drawings for urban arterial road and urban collector road typologies, both of which feature dedicated cycle lanes. The Commute ITA considers these section drawings are generally appropriate but notes that Station Road/Yates Road is a special case as the western side is adjoined by the rail corridor. In this instance, pedestrian/cycling facilities should only be provided on the PPC site side (the eastern side) of these roads with a suggested cross-section contained in the ITA.

6.5.2 PUBLIC TRANSPORT

With regards to public transport, the Pukekohe railway station is some 1.2km away from the site which is an attractive option to be utilised by the site given the sizeable walking and cycling catchments.

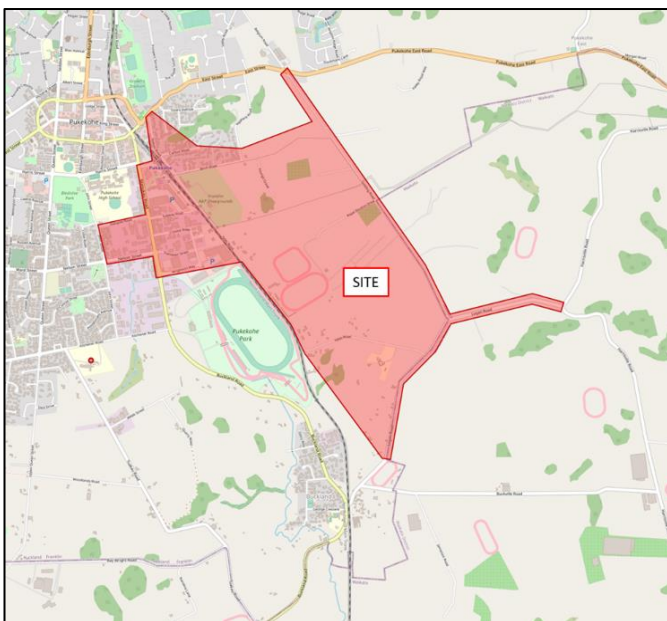


Figure 16: Walking catchment. (Source: Commute)

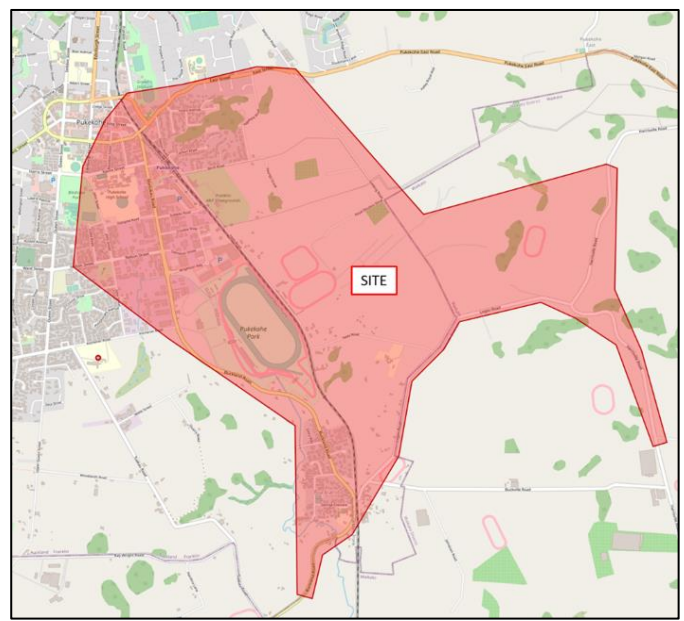


Figure 17: Cycling catchment. (Source: Commute)

The addition of pedestrian connections to the railway station would add to patronage whilst enabling a more sustainable means of travel. This is boosted by the addition of micro-mobility options (e.g. e-scooters) that are becoming more prevalent. It is also noted that the Papakura to Pukekohe electrification programme is currently underway with the resource consent application recently lodged under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Given the estimated time it will take for the upgrades to be completed, this could positively align with the timing of the PPC. As such, it is possible that future development could readily utilise the upgraded

system. Without this, it is possible that the upgrades could take shape with no nearby FUZ unlocked to reap the benefits.

Currently there are no bus routes which run on any of the roads adjoining the site. The SGA ITA identifies a potential bus route on Golding Road as shown by the Figure below. This service would be beneficial to ensure the site is sufficiently connected to other areas in Pukekohe.

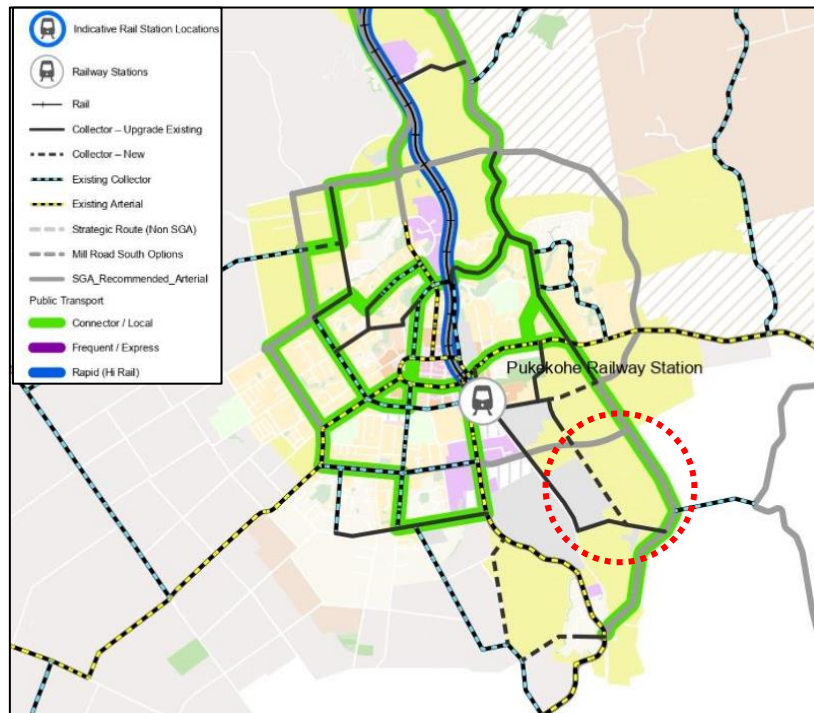


Figure 18: Potential extent of public transport network in Pukekohe.

(Source: Drury-Opaheke and Pukekohe-Paerata Structure Plan ITA, 2019)

6.5.3 EFFECTS ON THE WIDER NETWORK

The ITA concludes that the effects of the proposed increase in vehicles generated from the PPC is anticipated to be minimal if the recommended upgrades are implemented. The suite of recommended upgrades to be undertaken in the future is contained in the ITA (**Appendix I**) and summarised below:

- The upgrading of Station Road to an urban Collector Road standard (development side only);
- The upgrading of Yates Road to an urban Collector Road standard (development side only); and
- Setting aside a 6m wide strip on properties with frontage to Golding Road. This will allow for future widening/vesting for Auckland Transport works to upgrade Golding Road to an Arterial Road standard. To support the future upgrade a Vehicle Access Restriction (“**VAR**”) along the extent of Golding Road is also proposed.

The aforementioned upgrades are integral to the wider network accommodating the future traffic impacts enabled by the proposed zoning. As such, triggers for these upgrades to occur prior to or concurrently with future development are provided in the precinct provisions (**Appendix D**). Whilst not a strict rule, the precinct contains a special information requirement requiring traffic assessments for

every 100 dwellings/lots created within the site. This will ensure that any effects on the key intersection and roundabout with East Street are monitored.

It is noted that other upgrades are anticipated as part of the work done by the SGA. This includes the upgrade of Golding Road and the provision of a new arterial road from Svendsen Road west of the NIMT to Royal Doulton Drive.

6.5.4 SUMMARY

The ITA concludes that the effects of the PPC on the existing and future transport network will be acceptable. Upgrades to the network will be required to ensure these outcomes but this will be provided by the precinct provisions (**Appendix D**) and the AUP-OP.

6.6 ECOLOGICAL EFFECTS

An ecological assessment of the terrestrial and freshwater features on-site has been provided by JS Ecology (**Appendix L**). The assessment comprised both desktop analysis and site visits to undertake ecological surveys. The effects of the PPC on the freshwater and terrestrial ecologies of the site are addressed in the following sub-sections:

6.6.1 FRESHWATER ECOLOGY

The existing state of the freshwater environment on-site is generally low. This is due to the historical use of site for farming activities which has resulted in unrestricted access to these freshwater features by stock. Whilst some areas are fenced-off, stock have generally been free to graze the site. Other features have been the subject of the human modification resulting in interventions such as the channelisation of streams, piping of streams and creation of ponds. The PPSP ecology report confirms the previous observations stating that *"remaining watercourses are generally severely degraded with low habit diversity (low hydrological heterogeneity), low biodiversity, and contain extensive areas of aquatic weed species."*

Because of the previous use of the site, the aquatic values are assessed in the report as low-moderate with sparse riparian shading, evidence of sediment loading, warm temperatures, turbidity and high nutrient/pollutant levels. Regarding freshwater fauna, no rare or threatened species were observed. Only eels were observed with other common species (banded kokopu, common bullies and koura) suggested as likely present.

Given the generally degraded condition of the freshwater environment there are numerous opportunities for enhancement. This will be realised through the precinct provisions (**Appendix D**) and the relevant chapters of the AUP-OP. Specifically, the precinct proposes objectives and policies that will guide the protection and enhancement of streams and wetlands. Regarding rules, the precinct requires the riparian margins of any permanent or intermittent stream and any natural wetland will be planted to a minimum width of 10m which is consistent with the AUP-OP.

6.6.2 PPSP ECOLOGY REPORT (FRESHWATER)

The ecology report prepared for the PPSP outlines the desired freshwater ecological outcomes for Pukekohe-Paerata. An assessment of how these outcomes are addressed is provided below.

TABLE 6-3: ASSESSMENT OF THE PPSP ECOLOGY REPORT (FRESHWATER ECOLOGY)

COUNCIL DESIRED OUTCOMES	RESPONSE
Freshwater	
1. Avoid any loss of wetted habitat, enhance and increase wetted habitat as a primary principle.	<p>The protection of wetted habitat is already covered by the following:</p> <ul style="list-style-type: none"> • The National Policy Statement for Freshwater Management (2020); • The National Environmental Standards for Freshwater (2020) ("NES-FW"); and • Chapter E3 (Lakes, rivers, streams and wetlands) and Chapter E15 (Vegetation management and biodiversity).
2. Retain all orders of watercourses i.e. including tributaries whether perennial or intermittent. Protect overland flow paths so that intermittent watercourses remain.	
3. Retain natural topography to promote ground water recharge and natural watercourse form.	<p>Stormwater matters are covered by:</p> <ul style="list-style-type: none"> • Heathy Water's Stormwater Network Discharge Consent; and • The SMP (Appendix K) prepared for the PPC which has taken into account the best practicable options for stormwater management. These measures are reflected in the precinct provisions (Appendix D) as specific rules.
4. Require best practice stormwater design that contains stormwater soakage on site per lot.	
5. Introduce and integrate wetland and riverine elements into developments and use these spaces as opportunities for providing green corridors and recreational walkways and linkages.	<p>Integration between freshwater features and open space areas will be developed at resource consent stage when detailed designs are proposed. The provisions of Chapter E38 (Urban subdivision) of the AUP-OP provide sufficient scope to address these matters. No further rules are necessary.</p>

COUNCIL DESIRED OUTCOMES	RESPONSE
6. Require fencing and planting of riparian margins to a minimum width of 20m on both sides of watercourses.	The precinct provisions propose a 10m riparian planting margin which is consistent with the riparian yard requirements in the AUP-OP.
7. Keep development footprints outside of the natural flood plain, not only outside of the 1% AEP.	Development in floodplains is covered by Chapter E36 (Natural hazards and flooding).
8. Remove online ponds when subdivision provides opportunity.	Modification of ponds is covered by Chapter E3 (Lakes, rivers, streams and wetlands). No further rules are necessary with this matter to be considered at later development stages.
9. Seek repatriation of wetlands and modified watercourse channels to their natural state during development.	Works in watercourses are covered by Chapter E3 (Lakes, rivers, streams and wetlands) and the NES-FW. No further rules are necessary.
10. Protect spawning areas from modification and implement long term pest animal control.	<p>Modification of these areas is covered by Chapter E3 (Lakes, rivers, streams and wetlands) and the NES-FW.</p> <p>Pest animal control can be addressed at later development stages when there is greater certainty on land ownership.</p>
11. Remove barriers to fish passage and ensure infrastructure design creates long term fish passage.	Fish passage is covered by covered by Chapter E3 (Lakes, rivers, streams and wetlands) and the NES-FW. No further rules are necessary.
12. Ensure any watercourses that form part of the PPSP area boundary are protected as per recommendations above.	None of the watercourses on-site form part of the PPSP area boundary.
13. Any works in watercourses to adhere to hygiene protocols to avoid spreading aquatic weed species.	Works in watercourses are covered by Chapter E3 (Lakes, rivers, streams and wetlands) and the NES-FW. No further rules are necessary.
14. Map and delineate watercourses prior to developing any scheme plans or yield	The watercourses on-site have been delineated as per Chapter J (Definitions) of the AUP-OP.

COUNCIL DESIRED OUTCOMES	RESPONSE
calculations to identify constraints and achieve maximum watercourse protection.	Watercourse protection is covered by Chapter E3 (Lakes, rivers, streams and wetlands) and the NES-FW. No further rules are necessary.

6.6.3 TERRESTRIAL ECOLOGY

The botanical values of the site in its current state are limited. There is a combination of sparse native vegetation (predominantly individual relict trees), planted native/exotic shelterbelts, amenity vegetation and pest plants. The PPSP ecology report confirms the current state of terrestrial ecology stating that *“the area covered by the Pukekohe-Paerata Structure Plan is highly modified with little native vegetation remaining, yet with reasonable intact watercourse. Market gardens are present on elite soils and agriculture occupies the remainder.”*

Of particular ecological note is a stand of remnant Kahikatea forest sought to be identified as an SEA. The ecology report in **Appendix L** states *“the botanical values of this small forest stand are high when considered in the context of the wider site and the landscape beyond, which is depauperate of native vegetation...This forest type has an IUCN threat rating of “Critically Endangered” brought about mainly by drainage for agricultural land development. Historic aerial photographs show that the extent of this remnant has not changed over the last 70-80 years. The area would meet the Significant Ecological Area criteria.”* The remnant Kahikatea forest is the feature with the most prominent ecological value which is recognised in the proposal for it to be formally identified as a SEA.

To further protect this feature, the precinct (**Appendix D**) provisions require that buffer planting occur (a minimum 5m in width) around the perimeter. This will protect the SEA from the potential adverse effects of edge effects. This is where vegetation on the outer edge of small areas of vegetation have increased exposure to light, wind, heat, cold and the presence of weeds. The buffer planting will provide a protective layer against the core Kahikatea forest which is the more ecologically valuable.

6.6.4 PPSP ECOLOGY REPORT (TERRESTRIAL)

The ecology report prepared for the PPSP outlines the desired terrestrial ecological outcomes for Pukekohe-Paerata. An assessment of how these outcomes are addressed is provided below.

TABLE 6-4: ASSESSMENT OF THE PPSP ECOLOGY REPORT (TERRESTRIAL ECOLOGY)

COUNCIL DESIRED OUTCOMES	RESPONSE
Terrestrial	

COUNCIL DESIRED OUTCOMES	RESPONSE
1. Retention of all remnant forest patches.	The Kahikatea stand is the only remnant patch of forest. The ecology report has assessed the stand as meeting at least one of the factors used for qualifying SEA. The identification of this feature as an SEA will ensure it is protected.
2. Enhancement of remnant forest patches through buffer planting, creation of green corridors and pest control	A provision in the precinct (Appendix D) is proposed to require that the SEA is enhanced with buffer planting. This will support the ability of the SEA to thrive and will protect against edge effects.
3. New plantings should align with the original vegetation types of either WF7 puriri forest or WF9 taraire/tawa/podocarp forest as these are most suited for the soil types present. All plants are to be eco-sourced from within the Manukau Ecological District.	No bespoke planting rules are required for the site. Future planting will be guided by Appendix 16 (Guideline for native revegetation plantings) in the AUP-OP and best practice guidelines.
4. Newly planted areas should be protected in perpetuity either through covenants or vestment with Council.	This is not a relevant PPC matter and can be addressed at later development stages.
5. Covenants must be maintained with adequate weed and pest animal control to ensure the establishment and survival of all native flora and fauna.	
6. Planting of watercourse margins to create a natural green corridor and allow for colonisation and/or movement of flora and fauna. Vegetated watercourse margins will also function to reduce nutrient and sediment runoff from surrounding land.	All vegetation on-site (not proposed to be qualified as SEA) will be managed by Chapter 15 (Vegetation management and biodiversity) of the AUP-OP.
7. Mature tree species to be retained regardless of whether native or exotic to provide bat roosting habitat.	

COUNCIL DESIRED OUTCOMES	RESPONSE
8. Retention of rank grass or low growing native vegetation to provide habitat for native skinks.	

6.6.5 SUMMARY

Overall, the ecology report prepared for the PPC (**Appendix L**) and the report prepared for the PPSP confirm the site is in a highly modified/degraded environmental state. Whilst the urbanisation of the site enabled by the rezoning will significantly change the environment in the future, it also provides the opportunity to enhance and restore many ecological features.

The riparian planting of the watercourses, wetlands and SEA will generate positive ecological effects and will help to transform the health of these features. Other positive flow-on effects will occur for fauna that inhabit these areas. These changes (and others that are implemented) will be guided by the precinct provisions (**Appendix D**), the AUP-OP and the relevant national statutory instruments. Together these provisions provide a robust framework that will positively change the site and its ecology.

6.7 INFRASTRUCTURE EFFECTS

Birch Surveyors has prepared a report addressing wastewater (“**WW**”) and water supply (“**WS**”) (**Appendix J**). Specifically, the report outlines where WW/WS infrastructure is present in the locality, what existing or planned capacity is available to service the site, specific details on how the site could be serviced and how this will likely be funded. An earlier draft of the report has been previously circulated to Watercare for comments with the feedback they provided enclosed within the final version of the report. This report is supported by the Water and Wastewater Servicing Plan prepared by Watercare for the PPSP.

6.7.1 WASTEWATER

As the site is generally rural in nature it is not currently serviced by a WW network. The PPSP confirms this stating *“there are currently no constructed assets in the draft structure plan area.”* Regarding capacity, the PPSP report notes that capacity to accommodate WW flows has been enabled by the recent development of the Pukekohe Transmission Pump Station (“**PTPS**”) at Pukekohe Park. The report states *“the recently constructed Pukekohe transmission pump station has been constructed to accommodate ultimate future flows from Pukekohe/Paerata, and has capacity for the flows from the structure plan area, as well as the live zoned undeveloped land and forecast intensification within the existing urban area.”*

In terms of potential reticulation options, establishing a gravity network to existing infrastructure has been identified as the most preferable option. The nearest WW infrastructure to which a connection could be made is located in Pukekohe Park which is in close proximity to the PTPS. This is a feasible option that would also be economic and would be able to meet the standards required by Watercare’s

Code of Practice for Land Development. The feedback from Watercare (**Appendix J**) concurs that this is a viable solution but further detailed designs will be required at the consenting stage.

It is acknowledged that the PPSP identifies a potential new pump station directly south of the site past Logan Road. The development of this asset is not required for WW servicing of site.

6.7.2 WATER SUPPLY

The site is provided with WS however this only comprises a low pressure 40mm trickle feed which operates in conjunction with water tanks on the various properties. Given the feed is low pressure, WS for firefighting purposes is not provided.

From the PPPS report, it is made clear that the existing WS network is fraught with issues including “low pressure areas, high pressure areas, high headlosses, high velocities, high water age estimates and security of supply concerns.” To rectify these issues a number of upgrades are underway (or have been completed) including:

- A new local reservoir to service Paerata;
- A new transmission service reservoir and boost pump station to service growth in western Pukekohe; and
- The new Runciman Road reservoir.

To provide the site with WS, the watermain connected to the junction of East Street and Golding Road can be extended southwards. To provide for continued supply and network resilience, a second watermain from Station Road (with sufficient capacity) and looping would be required. This is inline with the feedback provided from Watercare (**Appendix J**) and their preferred WS solution.

6.7.3 SUMMARY

In summary, the ability for the site to be serviced with WW and WS infrastructure has been determined as feasible with any effects able to be appropriately addressed. Whilst current servicing of the site is limited, there is infrastructure in the locality that can be extended and upgraded as necessary to provide for various zonings sought. The feedback from Watercare verifies that the proposed servicing solutions are viable and that any deviation from the PPSP report is not inappropriate.

6.8 STORMWATER MANAGEMENT

Birch Surveyors has prepared a Stormwater Management Plan (“**SMP**”) (enclosed in **Appendix K**) for the PPC. The SMP aligns with the requirements of the Stormwater Network Discharge Consent (“**SW-NDC**”) and the SMP prepared by Opus in 2019 for the PPSP.

The guiding objectives for SW management in the site include:

- Providing for efficient urban development within the plan change area;
- Maintaining and enhancing the existing natural habitat;

- Connecting communities with the waterways;
- Minimising the discharge of contaminants into the receiving environment; and
- Protecting people and places from the effects of flooding and not worsening downstream flooding.

Regarding the actual on-site management of stormwater, the precinct provisions (**Appendix D**) contain the specific standards for hydrological mitigation, water quality, water quantity and the operation and maintenance of devices. This is supported by the Golding Road Plan Change Stormwater Toolbox which identifies the best practice options for managing SW from various runoff sources. The toolbox is tailored to the various zonings proposed and will provide guidance for future developers on the best method to manage SW.

In summary, the SMP outlines the best practicable options for dealing with SW on the site. The proposed SW devices and treatment approach is consistent with the best practice guidance framework with the detailed design of the devices to be provided at resource consent stage. The development of the SMP has also been the product of multiple workshops with Healthy Waters and general agreement has been reached on how to manage SW on the site. Ultimately, the SMP shows that SW generated from urbanisation of the site can be appropriately managed and that net ecological gains can be produced from its implementation.

6.9 EFFECTS ON CULTURAL VALUES

The potential effects on cultural values from the PPC have been considered in two ways:

- the Mana Whenua engagement summary prepared by Council for the PPSP has been reviewed and is adopted for this PPC request; and
- separate discussions with local iwi have been held as detailed in the consultation report (**Appendix R**).

These are both discussed in the following sub-sections:

6.9.1 PUKEKOHE-PAERATA STRUCTURE PLAN MANA WHENUA ENGAGEMENT SUMMARY

The stated purpose of the mana whenua engagement summary is to summarise “the southern structure planning engagement process between mana whenua and the council, and the feedback received from mana whenua during this engagement.” The key matters from the engagement are identified in the table below with brief comments provided on how the key themes/concerns/interests are addressed:

TABLE 6-5: COMMENTS ON MANA WHENUA ENGAGEMENT SUMMARY

KEY THEMES/CONCERNS/INTERESTS	RESPONSE
Water	
<ul style="list-style-type: none"> Protecting and enhancing waterways/waterbodies. Implementing best practice stormwater treatment methods. Not discharging contaminants into waterways and the location of streams in relation to future built development to protect access/amenity e.g., through park edge roads. 	<p>Activities involving waterways and waterbodies is subject to Chapter E3 (Lakes, rivers, streams and wetlands) of the AUP-OP. Where necessary, specific provisions to address these matters are proposed for the precinct (Appendix D).</p> <p>The implementation of best practice SW treatment methods is addressed in the SMP (Appendix K).</p>
Heritage protection and recognition	
<ul style="list-style-type: none"> The effects of development on physical features: e.g., viewshafts, tuff rings, ridgelines, hill tops, maunga, streams, floodplains, wetlands, estuaries and coastlines; and The effects of development on the ability of iwi to access these features and undertake their customary activities. The reinstatement of traditional Māori names was highlighted as being of interest. 	<p>There are no formally identified cultural heritage features (Sites and Places of Significance to Mana Whenua) identified on the site in the AUP-OP. However, it is acknowledged in the engagement summary that the mana whenua involved made a conscious decision not to put any wāhi tapu (or other sites of significance) on the PPSP maps.</p> <p>Other matters such as the naming of spaces will be addressed at later development stages.</p>
Soil, earthworks, erosion and sediment control	
<ul style="list-style-type: none"> Potential effects on food production. The potential pressure of development on areas with high-quality soils to be developed on. Minimising earthworks and retaining natural ground levels where possible. 	<p>The site is not located on high quality soils or near the primary areas in Pukekohe-Paerata where food production takes place.</p> <p>The area and volume of earthworks will be determined at later development stages with the necessary resource consents to be applied for.</p>

KEY THEMES/CONCERNS/INTERESTS	RESPONSE
<ul style="list-style-type: none"> Potential erosion and sediment controls and protecting waterways and water bodies through riparian planting/restricting vegetation removal. 	<p>Erosion and sediment controls will be implemented as per Guidance Document 05.</p>
Biodiversity	
<ul style="list-style-type: none"> Ensuring no further net loss of valuable ecosystems. Restoring, enhancing and expanding valuable ecosystems. Allowing for mana whenua kaitiaki to undertake their responsibilities e.g., monitoring. Restoring the natural function of degraded wetlands/floodplains. 	<p>Based on the ecological assessment (Appendix L), the area with the most ecological value is the remnant kahikatea forest which is sought to be qualified as an SEA. The protection of the SEA is enhanced through the precinct provision (Appendix D) requiring additional buffer planting.</p> <p>The assessment recommends that the two primary watercourses on-site receive riparian planting. This has been adopted and is contained within the precinct provisions.</p> <p>The ability for mana whenua kaitiaki to undertake their responsibilities is not affected by the PPC request.</p> <p>Any natural wetland on-site is subject to enhancement planting as per the precinct provisions.</p>
Urban design, open space and transport networks	
<ul style="list-style-type: none"> Encouraging the use of Te Aranga Māori design principles. Creating people friendly environments (e.g., through focusing on active modes of transport). Encouraging the use of park edge roads, open space buffer zones and internal neighbourhood parks. 	<p>The implementation of the Te Aranga Māori design principles can be explored at later development stages.</p> <p>The concept masterplan (Appendix N) shows how the site can be developed to cater to focus first on people and vehicles second. This is supported by the urban design assessment and neighbourhood design statement (Appendix O).</p>

KEY THEMES/CONCERNS/INTERESTS	RESPONSE
<ul style="list-style-type: none"> • Providing open spaces that adjoin waterways/waterbodies. 	<p>Park edge roads are proposed as well as a single indicative neighbourhood park which aligns with the PPSP.</p> <p>Open space areas and pedestrian/cycling movement networks has been identified around the waterways on-site as per the concept masterplan.</p>
Sustainability and natural hazards	
<ul style="list-style-type: none"> • Implementing low impact design/water sensitive design. • Avoid creating or increasing the risk of natural hazards. • Avoiding development in flood prone areas. • Using 'soft' rather than 'hard' engineering solutions. 	<p>Water sensitive design is incorporated into the SMP (Appendix K). The SMP also discusses the use of 'soft' engineering solutions.</p> <p>Development in areas where there is the risk of natural hazards or in flood prone areas is subject to Chapter E36 (Natural hazards and flooding) of the AUP-OP .</p>
Economic development	
<ul style="list-style-type: none"> • Providing economic opportunities for Māori. 	<ul style="list-style-type: none"> • A key part of the PPC is to rezone land to LIZ. This will create jobs for which the local Māori will have the opportunity to apply.

6.9.2 SPECIFIC CONSULTATION

Further consultation was undertaken with Ngāti Tamaoho who undertook a site visit and prepared a Cultural Values Assessment ("**CVA**") addendum to the mana whenua engagement prepared for the PPSP. The impact assessment section of the CVA notes that "*with regards to the proposed private plan change, Ngāti Tamaoho are concerned about impacts to the study area's land and soils, freshwater, wetlands and former flood-plains, natural heritage, cultural heritage, flora and fauna, and air.*" The identification of these matters is generally consistent with those raised in the mana whenua engagement process that occurred during the development of the PPSP.

6.9.3 SUMMARY

In summary, any effects on cultural values are generally accounted for in the engagement summary prepared for the PPSP and in the further consultation undertaken. The key matters of interest have been

identified and are considered to be reflected in the SMP, the precinct provisions (**Appendix D**) or covered by existing provisions in the AUP-OP.

6.10 GEOTECHNICAL EFFECTS

A geotechnical report has been prepared by Ground Consulting Ltd (**Appendix G**) to assess the underlying ground conditions.

6.10.1 SLOPE STABILITY

Due to the predominantly semi-level topography across the site the report concludes that the overall risk of slope instability potential is low.

6.10.2 SETTLEMENT POTENTIAL

For the two dominant geologies underlying the site (Holocene Alluvium and South Auckland Volcanic Field Ash/Tuff), the potential for settlement varies considerably due to differences in relative geological age, depositional history and shear strengths. In the area identified as development Zone A (refer to report in **Appendix G**), the settlement potential is low. Alternatively, in development Zone B, the settlement potential is high. There are viable engineering solutions to address land with high settlement potential including:

- restrictive limits on proposed development fill and building loads;
- pre-loading; and
- deep foundations embedded into competent ground at depth.

6.10.3 LIQUEFACTION POTENTIAL

Similar to settlement potential, the liquefaction potential of the two geologies varies considerably with Zone B having moderate-high potential and Zone A having low potential. Where there is liquefaction potential, remediation measures include specified foundation designs in accordance with Ministry for Business, Innovation and Employment ("**MBIE**") guidelines.

6.10.4 SUMMARY

The report concludes that overall, the site is generally suitable for the type of development enabled by the rezoning of the land. However, for development Zone B there are potential development constraints that have been identified. Notwithstanding this, there are viable remedial measures that can be implemented to remedy the less favourable geotechnical conditions.

In general terms, these measures include: installing sub-soil drainage, pre-loading of the medium-high load areas, embedding deep foundations and gravel foundation rafts/engineered building platforms. The report acknowledges that the implementation of such measures will provide suitable subdivision development conditions and also notes that "*similar remedial measures have been successfully utilised in other regions of the Pukekohe area of similar ground conditions*". Further geotechnical investigations will be conducted at resource consent stage as recommended by the report.

6.11 NOISE AND REVERSE SENSITIVITY EFFECTS

The consideration of noise and reverse sensitivity effects arising is necessary due to the presence of Pukekohe Park in the locality. As such an acoustic assessment by Styles Group (**Appendix Q**) has been prepared to support the PPC request.

6.11.1 NOISE EFFECTS

The potential for adverse noise effects on the LIZ land is not considered to be a significant issue as Styles Group note that “the LIZ is an appropriate zone to create a buffer from the PPP provided that activities sensitive to noise provided for in this zone are adequately insulated from the potential noise effects of other activities in the LIZ zone according to the standards in E25. This will ensure that the majority of noise from the PPP would be mitigated. Any remaining effects would be relatively minor.” In this instance, the precinct provisions in **Appendix D** propose that noise sensitive activities (including workers accommodation) in the LIZ be a Non-Complying Activity. This is an appropriate activity status that does not prohibit these activities but instead provides sufficient discretion to ensure that adverse noise effects are not received for these specific activities. The other activities enabled by the LIZ are not an issue given they can involve noisy environments.

As previously noted, the assessment acknowledges that the LIZ is a suitable buffer. However, the full build-out of LIZ is uncertain from a timing perspective as well as the physical form this development will take. Given the existing noise barrier on the eastern boundary of Pukekohe Park provides only a modest effect on noise levels, Styles Group have done their own modelling on the motorsport events factoring in a notional noise barrier erected in the LIZ area. The inclusion of this barrier in the acoustic modelling provides a tested solution for making noise levels in the MHUZ more acceptable (in conjunction with other measures).

Based on the assessment undertaken by Styles Group, it is considered that any adverse noise effects on the MHUZ area can be appropriately mitigated. The options for achieving this are explained below. (Note: references to a specific noise contour is based on motorsport Category C events).

- The construction of an acoustic barrier (to at least the minimum specifications provided) has been shown in the modelling to produce a positive effect on shifting the relevant noise contours westward. Constructing the barrier is not required from the outset but only prior to or concurrently with the first subdivision and/or development for any activity sensitive to noise. The spatial trigger for the construction of a barrier is proposed for the area between the western-most edge of the LIZ and the 55dB L_{Aeq} noise level contour;
- Mechanical ventilation and/or cooling systems for noise sensitive activities (either in a new building or an alteration to an existing building) is proposed for the area west of the 55dB L_{Aeq} noise level contour in the MHUZ. Note that this extent is based on the contours resulting from the acoustic barrier being in place. The area requiring mechanical ventilation and/or cooling systems is shown on the precinct plan as “Area A”. Area A is MHUZ land that could be subject to noise levels between 55dB – 57dB.

- Outdoor living areas for dwellings in Area A will be required to locate their outdoor living area within and adjoining the rear yard. For corner lots the area will be required to adjoin their eastern site boundary and this will also apply to any childcare centres. Dwellings in the NCZ will be required to locate their outdoor living area (including balcony, patio or roof terrace) so that it does not orient towards the LIZ.
- A covenant registered on the Records of Title of properties created within the residential zones would help set expectations for incoming residents, create awareness of the potential noise effects from Pukekohe Park. It would also ensure all prospective residents are informed of the nature, frequency and duration of noise levels that may be experienced on-site. I note that the use of covenants for mitigation purposes in PPCs is a private matter and is not required by the RMA.

As a mitigation package, the bulk of the interventions are accepted and contained in the precinct provisions. The assessment by Styles Group confirms that the future noise sensitive activities within the site will experience reasonable levels of noise and not contravene s16 (Duty to avoid unreasonable noise) of the RMA. It is noted that this conclusion is subject to the mitigation measures being followed which is accepted. However, the covenant recommendation is not a precinct provision and will be addressed at the time of development/subdivision.

6.11.2 OTHER MITIGATING FACTORS

Other matters that are relevant to the noise environment and addressed in the acoustic assessment are discussed below:

- The motorsport noise standards for Pukekohe Park are contained within Table I434.6.1.1 of Chapter I434 Pukekohe Park Precinct. Whilst this table outlines the maximum frequency, volume and duration of motorsport events, across the year it is unlikely that Pukekohe Park will be used to its full extent.
- The acoustic assessment notes that “the maximum permitted level of noise effects is unlikely to be reached on many motorsport days, and especially for the Category B and C days. The limitations include rain, less than a full field of race cars, breaks in the race across the day and warm and practice sessions generating less noise than the racing itself.”
- The acoustic assessment notes that “the computer noise modelling process assumes that the meteorological conditions enhance the propagation of noise in all directions away from the PPP including towards the PPC Site. It is likely that there will be a considerable number of motorsport days where the meteorological conditions may impede propagation of noise towards the PPC Site. Meteorological conditions that impede the propagation of noise towards the PPC would be present when winds blow generally from the east, (NNE to SSE). Based on our experience in Auckland, winds generally from the east are relatively common in Auckland during the summer months... Given that motorsport is most-commonly undertaken during the summer months also,

the likelihood of meteorological conditions reducing the motorsport noise levels into the PPC Site are considerable”

6.11.3 REVERSE SENSITIVITY

Reverse sensitivity is addressed in Objective I434.2(1) and Policy I434.3(5) of the Pukekohe Park Precinct (“**PPP**”). Based on the acoustic report, Styles Group are able to conclude that the noise levels that receivers on the PPC site will be exposed to will be no greater than reasonable. The previous comments on noise effects and how these can be mitigated shows that the PPC will not constrain the ability of Pukekohe Park to function in line with the PPP.

6.11.4 SUMMARY

In summary, it is considered that the combination of the proposed zoning pattern and the precinct provisions (**Appendix D**) are sufficient to manage any potential noise and reverse sensitivity effects. The approach to managing noise effects in this instance is comparable with established approaches such as that implemented for the residential areas surrounding the Auckland International Airport.

6.12 LAND CONTAMINATION EFFECTS

With regards to the previous land uses and potential constraints on development it is mentioned in the Riley Consultants contamination assessment for the PPSP that the land is “*likely to be suitable for residential development subject to a PSI and/or DSI*”. On this basis, it is considered that potential land contamination effects do not constrain the ability for the land to be rezoned as per the PPC. These matters can be addressed at consenting stage.

Whilst the contamination assessment is high-level, it is considered that it provides a suitable basis to support the rezoning of the site. The Riley Consultants land use plans do identify historical land uses with potential contamination risks. However, as per the recommendation of the assessment these matters can be addressed at the consenting stage through the provision of a PSI or DSI.

The aforementioned approach is consistent with the administration of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011). The PPSP assessment does not preclude the land from being rezoned with further investigations able to be

provided at consenting stage. This will allow for any potentially contaminated land to be identified and appropriate remediation measures devised before actual development occurs.

6.13 HERITAGE EFFECTS

To support the PPSP, a historic heritage assessment was commissioned internally by Council’s own built/historic heritage specialists. A review of the assessment (and its appendices), the AUP-OP and relevant archaeology/heritage databases (ArchSite and Heritage NZ) reveals that there are no recognised heritage or archaeological features on or near the site.

In light of this, it is concluded that the potential for effects on such features is limited. Whilst the PPC seeks to enable significant changes to the site, these are generally in-line with the PPSP and as the FUZ land has been previously earmarked for development such changes are anticipated. If any heritage items/sites are uncovered these will be subject to the Accidental Discovery Protocols of the AUP-OP and the Heritage New Zealand Pouhere Taonga Act 2014.

6.13.1 ALIGNMENT WITH PPSP HISTORIC HERITAGE REPORT

The historic heritage report prepared for the PPSP outlines opportunities for Pukekohe-Paerata. An assessment of how these are addressed is provided below.

TABLE 6-6: COMMENTS ON PPSP HISTORIC HERITAGE REPORT

ISSUES	OPPORTUNITIES	COMMENTS
Places with potential historic heritage value are unidentified or unrecorded	Compile and prioritise a study list of unidentified and unrecorded places based on site visits, thematic studies and community and iwi consultation	This is not a relevant PPC matter and has already been addressed in the PPSP which did not identify any historic heritage sites/features on the site.
	Update non-statutory databases to ensure robust record-keeping	
The area has been identified for future urban development. This leaves vulnerable the rural landscape and historic context.	Progress places and areas on the study list for further research, and where warranted, formal protection	This is not a relevant PPC matter. No historic heritage sites/features have been identified on the site.
	Consider ways that historic heritage places and values can shape and enhance new development and be incorporated meaningfully within it (e.g. through place-naming,	These matters can be addressed at later development stages when detailed designs for the site are proposed.

ISSUES	OPPORTUNITIES	COMMENTS
	<p>interpretation, colour scheme, design references, etc)</p> <p>Urbanisation will irretrievably alter the rural environment. Consider ways to recognise and incorporate this legacy into new development through heritage interpretation (e.g. story sticks, photo panels, artworks, heritage walks, etc)</p>	
<p>The interface between “upzoned” areas and surrounding areas could have negative impacts on the setting and context of historic heritage places outside the study area</p>	<p>Consider introducing design guidelines or controls that help shape development in sensitive areas (e.g. a “buffer” or height and density controls between areas with intensive zoning and their surroundings)</p>	<p>There are no historic heritage places in the immediate locality outside of the site that might be affected by the proposed zoning. Therefore, no specific design guidelines or controls are necessary. Future development will be subject to the precinct provisions (Appendix D) and the relevant chapters of the AUP-OP.</p>
<p>The community may be unsure about the amount of change proposed for this area and the impacts it may have on the places they value</p>	<p>Engage with the community, iwi and key stakeholders and involve them in local area planning (e.g. structure plan) and any decisions on the timing and location of future zoning. Find out what places are valued and why – respect these local values when planning new development</p>	<p>The community, iwi and key stakeholders have previously had the opportunity to be involved in the structure planning process.</p>

6.13.2 SUMMARY

In summary, any heritage effects will be limited. There are no recognised heritage sites/items on the site or in the immediate locality that could reasonably be affected by the PPC. If such features are discovered there are established processes (Accidental Discovery) in place to ensure that appropriate protection is provided. As for the PPSP heritage report, many of the opportunities are not relevant to the plan change process as they are more specific to later development stages

6.14 POSITIVE EFFECTS

The primary positive effects from the PPC will be enabling the expansion of Pukekohe providing for the future growth of the town whilst maintaining a compact urban form. The proposed zoning and overarching precinct enable future development that responds to the underlying context of the site and that will deliver quality environmental outcomes. In turn, the PPC will support the aspiration for Pukekohe to develop into a satellite town as outlined in the Auckland Plan 2050.

6.15 OVERALL SUMMARY OF EFFECTS

As demonstrated in the previous sections, the actual and potential effects that may arise from the PPC have been duly considered. This has been done with support from the reports/assessments prepared by the various technical experts. To support the assessment, reference has been made to the desired opportunities/outcomes contained within the technical reports supporting the PPSP to evidence the general alignment of the PPC with the structure plan.

In summary, the PPC is considered to be a beneficial proposal that will produce positive effects for the Pukekohe community and their ability to provide for their social, economic and cultural well-being. Any adverse effects from the PPC are considered to be appropriately managed by the proposed precinct provisions/plan as well as the existing provisions in the AUP-OP.

7 ASSESSMENT OF STATUTORY AND NON-STATUTORY DOCUMENTS

Section 75(3) of the RMA states that a District Plan must give effect to any national policy statement; any New Zealand coastal policy statement; and any regional policy statement. Section 75(4) of that RMA states that a District Plan must not be inconsistent with a water conservation order; or a regional plan for any matter specified in section 30(1).

The following assessment sets out how the PPC gives effect to the statutory and non-statutory documents set out below:

7.1 RELEVANT STATUTORY DOCUMENTS – NATIONAL

- National Policy Statement on Urban Development 2020;
- National Policy Statement for Freshwater Management 2020.

7.2 STATUTORY DOCUMENTS – OTHER ACTS

- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

7.3 RELEVANT STATUTORY DOCUMENTS – REGIONAL

- The Regional Policy Statement (“RPS”) provisions from the AUP.

7.4 STATUTORY AND NON-STATUTORY DOCUMENTS – OTHER

- Auckland Plan 2050;
- Pukekohe Paerata Structure Plan 2019 (“PPSP”);
- Future Urban Land Supply Strategy 2017 (“FULSS”);
- Supporting Growth – Delivering Transport Networks;
- The Ten Year Budget/Long Term Plan 2018-2028;
- Franklin Local Board Plan 2017;
- Auckland Transport Alignment Project 2018;
- Regional Land Transport Plan (2018-2028);
- Regional Public Transport Plan (2018-2028);
- Watercare Asset Management Plan (2018-2038);
- Stormwater Network Discharge Consent; and
- Iwi Planning Documents.

The assessment of statutory and non-statutory documents has been prepared by Tollemache Consultants and is contained within **Appendix E**.

8 CONSULTATION

Considerable consultation was undertaken prior to the lodgement of the PPC request. This comprised multiple workshops, meetings, site visits and general communication (emails/phone calls) with various parties. A summary of the consultation that transpired is enclosed within **Appendix R**. The report outlines who were consulted, when this occurred and briefly what was discussed. Where there is any relevant correspondence or meeting minutes these has been provided.

Given there was lengthy consultation on the PPSP in which the applicants were involved, this consultation is adopted as it captures the wider views of the community.

9 CONCLUSION

This report has been prepared on behalf of Golding Meadow Developments Limited and Auckland Trotting Club Incorporated who are seeking to change the Auckland Unitary Plan (Operative in Part) provisions as they relate to landholdings owned by themselves and by other neighbours in Pukekohe East. The thrust of the change sought is the rezoning of Future Urban Zone and Special Purpose – Major Recreation Facility Zone land to a mixture of residential and business zoning and the removal of the existing precinct and replacement with a new precinct.

The request and the supporting technical reports accord with the requirements of the following documents:

- Schedule 1 of the RMA;
- Section 32 of the RMA; and
- Appendix 1 (Structure Plan Guidelines) of the Auckland Unitary Plan (Operative in Part).

Reviewing the outcomes of the technical reporting and the Assessment of Environmental Effects enclosed within, it is clear that any actual or potential adverse effects can be appropriately managed. It has also been demonstrated that the request would generate numerous positive effects that would greatly benefit Pukekohe.

An evaluation of the alternative options as per Section 32 of the RMA also highlights that the objectives of the plan change request are the most appropriate way to achieve Section 5 (Purpose) of the RMA. Based on the above, it is concluded that the proposed plan change should be accepted by Council and approved.

Appendix C – Copy of the Decision

Decision following the hearing of a Plan Change to the Auckland Unitary Plan under the Resource Management Act 1991

Proposal

The proposal is a plan change to the Auckland Unitary Plan (Operative in Part) to re-zone 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).

The plan change also seeks to introduce a new precinct to the Auckland Unitary Plan 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; and key walking and cycling routes.

This plan change is **APPROVED**. The reasons are set out below.

Private Plan Change:	74 - Golding Meadows and Auckland Trotting Club Incorporated
Applicant:	Golding Meadow Developments Limited & Auckland Trotting Club Incorporated
Hearing commenced:	27 October 2022, 10:30am
Hearing Panel:	Richard Blakey Bridget Gilbert Vaughan Smith
Appearances:	<u>For the Applicant:</u> Jeremy Brabant, Barrister Mark Tollemache, Planning Ian Munro, Urban Design Leo Hills, Transportation Jon Styles Acoustics (MS-Teams) Kelly Bosgra, Engineering Rob Pryor, Landscape Jennifer Shanks, Ecology (MS-Teams) Matthew Paul, Arborist Luke Kennedy, Geotech (provided written answers to the Panel's questions) Adam Thompson, Economics (MS-Teams)

	<p><u>For the Submitters:</u> Christina Montagna for Save Pukekohe Park Petition and own submission YLH Holdings represented by Daniel Sadlier, Legal counsel (MS-Teams) and Monique Kimber, Planner Watercare Services Limited represented by Mark Iszard Auckland Council as submitter represented by Ian Blundell Auckland Transport represented by: Matthew Allan, legal counsel Ruby Taurau, legal counsel Catherine Absil-Couzins, Corporate Tim Segedin, Transport Chris Freke, Planning</p> <p><u>For the Council:</u> Craig Cairncross, Team Leader Peter Reaburn, Planner (consultant) Martin Peake, Traffic Engineer (consultant) Rue Statham, Ecologist Bevan Donovan, Kaitohutohu Whakawātanga/Hearings Advisor</p>
Hearing adjourned	27 October 2022
Commissioners' site visit	25 October 2022
Hearing Closed:	15 November 2022

INTRODUCTION

1. This decision is made on behalf of the Auckland Council (**the Council**) by Independent Hearing Commissioners Richard Blakey, Bridget Gilbert and Vaughan Smith, appointed and acting under delegated authority under ss.34 and 34A of the Resource Management Act 1991 (**RMA**).
2. The Commissioners have been given delegated authority by the Council to make a decision on Plan Change 74 (**PC 74**) to the Auckland Council Unitary Plan (Operative in Part) (**AUP(OP)**) after considering all the submissions, the s.32 evaluation, the reports prepared by the officers for the hearing and evidence presented during and after the hearing of submissions.
3. PC 74 is a private plan change that has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).

THE SITE AND EXISTING PLAN PROVISIONS

4. The site is subject to the Future Urban Zone (**FUZ**) and Special Purpose – Major Recreation Facility Zone (Franklin Trotting Club Precinct) (**MRFZ**) in the AUP(OP). The FUZ is a transitional zone applying to greenfield land that has been identified as

suitable for urbanisation (through the Pukekohe-Parerata Structure Plan). The purpose of the MRFZ is to appropriately manage facilities within the Auckland region capable of hosting large-scale sports, leisure, entertainment, art, recreation, or events and cultural activities. It is noted that land in the FUZ may be used for a range of general rural activities, with urban activities either enabled by a plan change that rezones the land for urban purposes, or which are authorised by a resource consent.

5. The land within the plan change area comprises 14 separate properties with nine separate owners. A stream that runs from Golding Road to Yates Road has been adopted as a natural boundary to the southern extent of the plan change area which results in small portions of three properties being outside of the extent of the plan change. The s.42A report advises that it is anticipated that this excess land will be the subject of a future plan change application along with the other surrounding FUZ properties to the south-east, abutting Golding Road, Logan Road and Yates Road.
6. The site is also subject to the following AUP(OP) overlays and controls:
 - Natural Resources: High-Use Aquifer Management Areas Overlay – Pukekohe Kaawa Aquifer; and
 - Controls: Macroinvertebrate Community Index – Rural and Urban.
7. It is also noted that the land to the immediate north is also zoned FUZ, as well as land further north again which fronts onto East Street and is subject to a separate plan change process (Plan Change 76). The s.42A report notes that the immediately surrounding land contains similar land uses, with the notable exceptions being the North Island Main Trunk Railway and Pukekohe Park Raceway which lie just to the south-west of Station Road, opposite the plan change area. Pukekohe Park Raceway recently undertook its own private plan change (Plan Change 30) to rezone 5.8ha of its land to General Business Zone.

SUMMARY OF PLAN CHANGE

8. The proposed plan change is described in detail in the application materials and the Council's s.42A hearing report prepared by Peter Reaburn, the Council's Consultant Planner. In summary, the plan change seeks to apply three 'standard' zones under the AUP(OP) to the land, being the Residential - Mixed Housing Urban Zone (**MHUZ**), Business – Light Industry Zone (**LIZ**) and Business – Neighbourhood Centre Zone (**NCZ**), within an overall precinct (described as the 'I4XX Pukekohe Golding Precinct'), which is comprised of two precinct plans, with Precinct Plan 1 illustrating indicative collector and local roads, walking / cycling routes, the location of wetlands and streams and, in respect of noise mitigation proposals, a noise contour and noise control area ('Area A'). A proposed Significant Ecological Area (**SEA**) is also shown on a separate overlay plan. Precinct Plan 2 shows stormwater catchments. The abovementioned overlays and controls would remain applicable to the plan change area.
9. The s.42A report advises that the approach taken in the proposed precinct provisions is that the standard AUP(OP) zones adopted for the plan change are cross-referenced, with the only difference being to provide for show homes as a permitted activity in the MHUZ.

10. The Applicant has proposed bespoke precinct provisions relating to transport infrastructure requirements, riparian and buffer planting, site access, stormwater management and noise. The reasons for these provisions are as follows:
- (a) Noise from Pukekohe Park motorsport activities is proposed to be managed by a number of special provisions relating to the requirement for a 7m high acoustic wall that would run all of the way through the LIZ (mid-way within the zone), as well as specifying activity restrictions in that zone and design and layout of buildings in the MHUZ within 'Area A'.
 - (b) There are traffic generation thresholds that will require investigation of the capacity of specified road intersections.
 - (c) The precinct plan specifies the extent of a SEA (comprising a stand of Kahikatea trees), the indicative location of future collector roads and key walking and cycling routes, the indicative location of a local park and a local road that demarcates the proposed zones and the indicative streams and wetland.
 - (d) Natural features, ecosystems, water quality and stormwater management are also responded to through the precinct provisions.
11. It is noted that the plan change has occurred at the same time that changes have arisen as a result of mandated changes to the AUP(OP) under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), and in particular those relating to the Medium Density Residential Standards (**MDRS**) which are included within the RMA as Schedule 3A. The s.42A report advised in this regard that:¹

When putting their notification documents together the applicants were aware of the forthcoming changes and attempted to address the mandates by making specific reference to the MDRS in the provisions. It is recognised that this will need to change to align with the changes to standard zones, and in a manner that is consistent with how like matters are being addressed, including in other AUP precincts. The council's NPSUD [National Policy Statement – Urban Development] plan change will be notified after the date that this report is required to be prepared, which is not ideal timing. However in my view it is clear at this stage, because of the Amendment Act's mandates, that the MDRS will apply in any residential zone introduced at this location.² The provisions as notified will need to be amended, and that is part of [what] the applicants have amended in their Version 3 of the provisions. This then leaves the precinct provisions only having to relate to matters specific to, or affected by, the plan change area.

12. The s.42A report also references the reasons for the plan change request, as set out in the application Assessment of Environmental Effects report. This provides useful

¹ Agenda, at p.21

² Noting that "Apart from the small area of SEA proposed (addressed later in this report), this is not an area where a "qualifying matter" will apply, and any new residential zone will therefore be a "relevant residential zone" under the Amendment Act provisions".

background as to the purpose and rationale for the plan change, and we therefore include it here:³

- *The structure planning process for Pukekohe-Paerata has been completed which is the precursor (as per Appendix 1 Structure plan guidelines) to a plan change to rezone the land for urbanisation. Until this occurs, the FUZ land is in limbo and able only to function for rural uses. On this point it is noted that the PPC request does not strictly adhere to the zoning in the approved PPSP. Instead, a tailored approach to zoning is proposed that responds to the location of the site and the surrounding features, notably the Pukekohe Railway Station which has been previously upgraded and is set to have the rail between the station and Papakura electrified.*
- *The urgent need for development ready residential and industrial land in Pukekohe has been consistently highlighted in the consultation stages of the structure planning process and in previous consultation with Council.*
- *The Special Purpose Zone land (and overarching Franklin Trotting Club Precinct) are bespoke planning provisions that only provide for horse racing and other recreational activities. The land needs to be rezoned if it is to be used for other activities;*
- *The sequencing of the FULSS for Pukekohe is fast-approaching with the FUZ land expected to be “development ready” within the next two years at the earliest (2023) and the next six years at the latest (2027). Development ready in the FULSS is the stage whereby bulk infrastructure has been provided following rezoning. To reach this stage prior to 2027 it is integral that the rezoning process commence as soon as possible; and*
- *Pukekohe is identified as a satellite town in the Auckland Plan 2050. To reach this aspiration of a town that can function semi-independently from the main urban area, additional residential/employment opportunities will need to be created.*

13. Specific amendments sought to the plan change following notification were summarised in the evidence of Mark Tollemache (the Applicant’s consultant planner), as follows:⁴

- (a) *Addition of a collector road and key walking/cycling route from the east-west collector road along the boundary of LIZ and MHU Zone to Yates Road. This is to provide an internal pedestrian and cycle route, along with vehicle access from Yates Road north south through the Precinct as generally sought by the PPSP. As outlined by Mr Munro and further in this evidence, the alignment of the north south collector road from the PPSP cannot be readily achieved in its illustrated*

³ Agenda, p.22, with reference to section 2.2 of the AEE

⁴ Tollemache, EV10F at [2.10]

alignment because of the presence of a wetland and the requirement for 3 stream crossings. The proposed alternative avoids these constraints and complements the access arrangement proposed in the Precinct Plan adjoining the FUZ to the south-east of the precinct;

- (b) Indicative roundabouts and key intersections which relate to new Special Information Requirement I4X.8.3;*
 - (c) Key walking/cycling route to Station Road in the north-western corner of the Precinct;*
 - (d) Splay for future road widening at the intersection of Royal Doulton Drive and Golding Road in anticipation of a future intersection upgrade to accommodate the east-west arterial road illustrated on the PPSP;*
 - (e) Arrows associated with the north-south collector road and key walking/cycling route providing clarity that these are connections between property boundaries.*
14. Additional minor amendments referred to in the Applicant's reply are discussed later in this decision.

RELEVANT STATUTORY PROVISIONS CONSIDERED

15. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. These requirements were set out in the Applicant's Plan Change Request (including an evaluation pursuant to s.32) and in section 2 of the Council's s.42A report.
16. In particular, s.32(1)(a) requires an assessment of whether the objectives of a plan change are the most appropriate way for achieving the purpose of Part 2 of the RMA. Section 72 also states that the purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA. In addition, s.74(1) provides that a territorial authority must prepare and change its district plan in accordance with the provisions of Part 2. While this is a private plan change, these provisions apply as it is the Council that is approving the private plan change, which will in turn change the AUP(OP).
17. We also note that s.32 clarifies that analysis of efficiency and effectiveness of the plan change is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposed re-zoning. Having considered the evidence and relevant background documents, we are satisfied that PC 74 has been developed in accordance with the relevant statutory requirements.
18. Clause 10 of Schedule 1 also requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with s.32AA. This further evaluation must

be undertaken at a level of detail that corresponds to the scale and significance of the changes. In this case, the changes relate to:

- amendments to address the MDRS;
- inclusion of notable trees to Schedule 10 of the AUP(OP);
- stormwater and transportation provisions; and
- arterial road noise and other acoustic provisions.

19. We consider that the evidence presented by Mr Tollemache⁵ on behalf of the Applicant effectively fulfils the requirements of this assessment and satisfies our s.32AA obligations, and that that material should be read in conjunction with this decision.

NOTIFICATION PROCESS AND SUBMISSIONS

20. The plan change was publicly notified on 24 March 2022 following a feedback process involving Iwi, as required by cl.4A of Schedule 1. Notification involved a public notice as well as letters to directly affected landowners and occupiers alerting them to the plan change. The latter step was aimed at ensuring that landowners and occupiers of properties affected by potentially significant changes were made aware of the changes.
21. The submission period closed on 26 April 2022. A summary of submissions was notified for further submissions on 26 May 2022 (with the one late submission notified on 10 June 2022). A total of 28 submissions (including one late submission) and 12 further submissions were made on the plan change (including one late further submission).
22. The late submission was made by YLH Holdings Ltd (submission #28) and was accepted under delegated authority by a Council manager.
23. The main themes raised by submissions (as summarised in the Council's s.42A report) were as follows:⁶
- Transport
 - Infrastructure funding
 - Extend plan change area
 - Zoning
 - Cultural issues
 - Noise
 - Infrastructure
 - Stormwater
 - Ecology / trees / open space
 - Trotting activities
 - Other effects
 - Plan change provisions
 - Support for the plan change

⁵ Tollemache, EV10F at Appendix 3

⁶ Agenda, at p.71

24. Notwithstanding this range of issues raised by submissions, the matters remaining in contention by the time the hearing commenced had been narrowed considerably, with only minor, if any, differences between the parties and the relevant experts, save for the submission by Christine Montagna. We summarise the remaining matters later in this decision.
25. It is also noted that two directions were issued by the Panel prior to the hearing as follows:
- (a) Direction #1 directed the Applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes were in response to which submissions. The Applicant filed an email and a revised set of provisions in response to this direction on 13 July 2022.
 - (b) Direction #2 gave directions in relation to the staged provision of the s.42A report and evidence and, in response to a request made by the Applicant, directed facilitated conferencing after the circulation of expert evidence. It was envisaged the conferencing would take place on (at least) planning and transportation matters.
26. An outline of the witness conferencing that occurred is provided in our summary of evidence below.

SUMMARY OF EVIDENCE

Introduction

27. As previously noted, the Council's s.42A report was prepared by Mr Reaburn. His report was based on the plan change as notified and addressed the relevant statutory requirements, the relevant environmental effects and the issues raised by submissions. Mr Reaburn's overall conclusions were that:⁷

At a strategic level I consider the plan change to be generally in accordance with the direction that has been established to enabling growth in this area, including through the AUP's Future Urban zoning and the PPSP. There are inconsistencies with the PPSP which are assessed in this report, however with some modification my assessment concludes that the plan change is consistent with what could reasonably be expected, taking into account events that have occurred since the AUP and PPSP were prepared – including the MDRS and the decision by one of the applicants – Auckland Trotting Club Incorporated Limited that the Special Purpose zoning and precinct is not now appropriate in view of the bespoke nature of those provisions and the desire to now accommodate other activities.

28. It was Mr Reaburn's draft recommendation that the plan change be approved, but that his recommendation "*is subject to the applicant addressing a number of issues that*

⁷ Section 42A report, at [15]

*are raised in this report including further analysis that is required in relation to effects the plan change will have on the local roading network”.*⁸

29. The evidence presented by the Applicant at the hearing responded to the issues and concerns identified in the s.42A report, the application itself and the submissions made on the application. Overall, we have had the benefit of a significant amount of information on which to consider this plan change request.
30. Given the information received and the point where we ended up prior to the hearing (i.e., with no areas of contention remaining between the parties save for those concerns raised by Ms Montagna) and in order to reduce repetition and noting our obligations under the RMA to reduce delays, we do not propose to provide a detailed summary of the evidence we received. All the information, evidence and submissions are available on the Council’s internet site using the plan change reference and site address listed above. However, for completeness, and to provide context for the decision we have reached, we provide a brief overview of the evidence and submissions, and outcomes of the joint witness conferencing, below.

Local Board Comments

31. We note that the s.42A report included a summary of the comments received from the Franklin Local Board from its business meeting of 26 July 2022.⁹
- i) request that consideration of plans for Golding Road as a future bypass route to accommodate growth and industry in Pukekohe is taken into account and suggest that the views of the Supporting Growth alliance is sought to ensure that this risk to the Pukekohe transport network is understood*
 - ii) note with concern that walking and cycling connections to the town centre and train station/transport centre do not appear to adequately support pedestrian safety. Greater planning and provision for creation of adequate pedestrian and cycling connection to existing pathways on Station Road should be required as part of the plan change*
 - iii) note that any development should address existing rail-crossing limitations noting that the current Subway Road underpass on Station Road is problematic for vehicles and unsafe for walking and cycling. A new pedestrian and cycling opportunity connecting Station Rd to Subway Rd should be a requirement for the plan change and future resource consent.*
32. The Local Board declined the opportunity to appear at the hearing.

⁸ Ibid, at [18]

⁹ Franklin Local Board Meeting 26 July 2022, Resolution FR/2022/118

Expert Conferencing

33. As previously noted, and following the receipt of the s.42A report and the evidence for both the Applicant and submitters, we directed that expert conferencing be facilitated.¹⁰ This occurred as follows:
- Planning 1 (including Urban Design and Parks), 23 September 2022; and
 - Planning and Transport, 27 September 2022.
34. The outcome of the Planning and Transport expert conferencing included a revised set of precinct provisions (Version 8) and associated Precinct Plan 1 map.
35. The process of expert conferencing was extremely constructive in both narrowing and resolving issues, particularly with respect to transport matters. We have, to a large extent, relied on the outcome of the respective JWS and subsequent evidence to address a range of issues raised in submissions and to establish the precinct provisions that we have adopted. We thank all of the participants who took part in the expert conferencing, which made the hearing and decision-making process much more efficient and effective.

Section 42A Addendum

36. Mr Reaburn prepared a s.42 Addendum report following expert conferencing. His addendum report also included Version 10 of the Precinct provisions which incorporated “*further changes to add clarity, to add amendments sought in the reply evidence for Auckland Transport from Mr Freke and to address issues raised by Monique Kimber, planner for YHL*”.¹¹ These amendments were advised to have addressed the main issues addressed through the JWS process, being:
- Transport provisions (and funding);
 - Urban design and form;
 - Noise (including that associated with use of Royal Doulton Drive);
 - Notable trees;
 - Activity status for subdivision; and
 - National Policy Statement for Highly Productive Land.
37. Through his addendum report, Mr Reaburn affirmed his earlier draft recommendation, and recommended that the plan change be approved, subject to his amendments to the Precinct provisions.

¹⁰ Direction No.2, 28 July 2022

¹¹ Section 42A Addendum, at [10]

Applicant evidence

38. Legal submissions were provided by Jeremy Brabant, counsel for the Applicant. Mr Brabant addressed the legal framework and statutory matters relevant to a plan change request, and an overview of the primary matters to be addressed through the evidence. In this respect, however, he highlighted that:

The relatively straight forward nature of planning outcomes and effects resulting from PC74 is reflected in the level of agreement between Council as regulatory authority (through the s 42A report) and the expert witnesses supporting PC74.

39. In this regard, he drew attention to the recommendations of the s.42A report that the plan change be approved, and that:

The section 42A Report identifies potential issues that were anticipated to be the focus of some attention at the hearing. Those matters were the subject of additional assessment, facilitated conferencing between witnesses, further consultation and amendments to proposed provisions. Subsequently the issues identified have been resolved.

40. Mr Brabant referred to the issues raised in the evidence of Ian Blundell, for Auckland Council as Submitter (**ACS**), as at that stage it was unclear whether Mr Blundell remained opposed to the plan change, as indicated in his evidence. Because Mr Blundell attended the hearing and subsequently confirmed that his concerns had been addressed (as set out below), we do not further address Mr Brabant's submissions in this regard.

41. It was Brabant's overall submission that:¹²

- The plan change provisions give effect to the applicable higher order planning instruments and the proposed rules will appropriately implement the policies.
- In terms of s.32, the proposed objectives are the most appropriate means of achieving the purpose of the RMA, and the provisions will achieve the objectives of the AUP(OP).
- Approving the plan change would accord with the Council's functions under s.31, and would be consistent with and promote the sustainable management of resources under s.5, because:
 - i. *Potential adverse effects are appropriately avoided, remedied or mitigated;*
 - ii. *The proposed use and development of the PC74 land represents an efficient use of the site and its natural and physical resources, which can be undertaken in a manner that maintains or enhances the environmental values of the site;*

¹² Legal submissions, EV1 at [61]

- iii. *PC74 will enable communities to provide for their social, economic, and cultural wellbeing and for their health and safety; and*
 - iv. *Development of the land can be undertaken in a manner that will ensure amenity values and the quality of the environment can be maintained or enhanced*
42. Evidence had been prepared by a number of witnesses for the Applicant that addressed various areas of expertise and topics to be addressed as part of the plan change. As most of the topics were no longer in contention by the time of the hearing, we focus here on the reply evidence of Mr Hills (transportation) and Mr Tollemache (planning) that was received prior to the hearing and which addressed the evidence of submitters with reference to the joint witness conferencing and incorporated a further version of the precinct provisions.¹³ Rebuttal evidence was received from various submitter witnesses, including statements to be tabled at the hearing.
43. In terms of transport matters, the areas of disagreement were in respect of the evidence of Matt Collins (for submitter John Harris) and two issues that remained in contention following the JWS process. These related to the use of “*special information requests*” in future resource consent applications, and the upgrade of Golding Road (outside the site boundary). Mr Hills’ reply evidence concluded that these issues were fully resolved by the proposed Precinct provisions and/or are considered to be unfounded.¹⁴
44. Mr Tollemache’s reply evidence also referred to the abovementioned transport matters, along with the evidence of Karin Lepoutre (for the Ministry of Education), Mr Blundell (ACS) and Monique Kimber (for YHL Holdings Ltd). It was Mr Tollemache’s view that, having considered the matters raised in the aforementioned evidence, that “*the PC74 provisions (version 9) are efficient, effective and optimal*” and that “*PC74 can be accepted and approved*”.¹⁵

Submitter evidence

45. Ms Montagna appeared both for herself and on behalf of the ‘Save Pukekohe Park Petition’. Ms Montagna set out her understanding of the history of the Franklin Trotting Club’s use of the site, and the significance of its activities to the surrounding area and the horse training and trotting industry generally. She also raised concerns as to the environmental effects associated with urbanisation, including on wildlife and natural waterways, and the geotechnical suitability of the land for development. In her view, demand for residential housing was being adequately provided for elsewhere in the Franklin district, and that the loss of productive rural land would be a permanent impact on the character of the area.
46. Ms Montagna presented a petition signed by 1,695 persons in opposition to the plan change and which supported the existing activities undertaken on the site. However,

¹³ This was Version 9, which was further amended (Version 10) as part of Mr Reaburn’s s.42A addendum

¹⁴ Hills, EV16 at [27]

¹⁵ Tollemache, EV16A at [6.1]

we record here our agreement in this regard with the opening submission by Mr Brabant that “[i]t is trite law that RMA decision making is not a ‘numbers game’ and therefore the Save Franklins Green Belt’ Petition has no special or elevated status”.¹⁶

47. We also heard from several other submitter parties (YHL Holdings Ltd, Watercare Services Ltd and ACS) who confirmed that they had no opposition to the plan change. In particular:
- (a) Ms Kimber advised that she had considered Mr Reaburn’s s.42A addendum report and revised (Version 10) Precinct provisions and considered these to provide for “*an efficient approach for the Precinct while ensuring that a coordinated and integrated greenfield development is achieved*”.¹⁷
 - (b) Mr Iszard (for Watercare) confirmed Watercare’s submission and overall support for the plan change. He noted in respect of the Panel’s questions to the Applicant’s experts regarding the need for pumping of water in the upper part of the site, and the inclusion of the Special Purpose Area, that these were all matters that can be addressed at the subdivision stage, and by way of development agreements.
 - (c) Mr Blundell (for ACS) advised that on review of the Applicant’s reply evidence and Mr Reaburn’s s.42A addendum report (and revised Precinct provisions) that the issues raised in his evidence had been resolved and that he no longer opposed the plan change.
48. Auckland Transport (**AT**) were represented by Matt Allan and Ruby Taurau (legal counsel), Catherine Absil-Couzins (Corporate), Tim Segedin (Transport) and Chris Freke (Planning). Their combined presentation to the Panel provided an update with respect to the alignment of the new west-east road (near or along Royal Doulton Drive) which was to be notified imminently and confirmed AT’s agreement to the revised provisions generally.

Reply evidence and submissions

49. We heard from several Council officers in reply to the evidence heard, being Mr Peake (traffic), Rue Statham (ecology) and Mr Reaburn (who also spoke on behalf of Lea van Heerden, the Council’s Parks Planner). No changes to their recommendations or to the proposed Precinct provisions were made as part of those responses.
50. The Applicant’s reply was received on 14 November 2022. This incorporated reply submissions prepared by Mr Brabant, with a memorandum from Mr Paul (and survey plan depicting the SEA and associated buffer area) and a revised version of the Precinct provisions (Version 11). Mr Brabant’s reply addressed the opposing statement from Ms Montagna, and questions raised by this Panel. As these remained the only matters of contention, we discuss these further in the following section of this decision.

¹⁶ Legal submissions, EV1 at [59]

¹⁷ Kimber, EV5B at p.2

51. We note that Version 11 of the Precinct provisions provided with the Applicant's reply included the following proposed changes:
- Precinct Plan 1 – identification of the SEA 5m buffer area and identification of a group of proposed Notable trees (Group 3);
 - Schedule 10 Amendment, to include the Group 3 trees;
 - Illustration of a local road on the Precinct Plan adjoining the pedestrian link in the north-western corner of the Precinct; and
 - A new pedestrian walkway associated with the central stream.
52. Following the Panel's consideration of the Applicant's reply, it determined that there were no matters outstanding. The hearing was closed on 15 November 2022.

FINDINGS AND REASONS FOR APPROVING THE PLAN CHANGE

53. The following section addresses our overall findings on PC 74, having heard and considered all of the material and evidence before us. In this regard, we acknowledge the submission point made by Mr Brabant in his reply that, in reiterating his opening submissions, little opposition remained to the plan change and that *"during the hearing that position crystallised further, in that both Auckland Council (as submitter) and YLH Holdings confirmed they no longer took issue with the Applicant's position"*. As referred to above, that left the reply to address the matters raised by Ms Montagna, and the questions raised by this Panel.
54. We note in summary form Mr Brabant's reply to the three main issues raised by Ms Montagna:
- (a) The ATC decision to seek a re-zoning of its land has been approved by the ATC Board, and at its recent AGM it has approved the sale of the land subject to the plan change being granted. To the extent that this is relevant to the decision we must make, we accept Mr Brabant's submissions in this regard.
 - (b) In terms of the geotechnical suitability of the land for residential and light industry purposes, and while we appreciate that Ms Montagna may hold concerns in this regard, we accept the evidence provided by the Applicant's geotechnical expert, Luke Kennedy.¹⁸ We would further note that the Panel's own queries on this topic were addressed through a further memorandum from Mr Kennedy that was provided prior to the hearing.¹⁹ We also consider that the other matters as to environmental effects raised by Ms Montagna had all been addressed by expert evidence for the Applicant and through the reviews by Council specialists. We therefore accept the summary of the plan change in this respect by Mr

¹⁸ Kennedy, EV10E

¹⁹ Kennedy, EV16C

Tollemache that the effects associated with future development will be appropriately addressed through a combination of:²⁰

- the requirements of the Precinct Plan provisions;
 - the suite of relevant National Environmental Standards; and
 - the Auckland-wide regional and district plan provisions of the AUP(OP).
- (c) In respect of the suggestion that the economic activity of building homes was short-term whereas rural activity “[lasts] a lifetime”,²¹ Mr Brabant’s submission highlighted that the land is subject to the FUZ and is committed towards urbanisation rather than enduring rural activities. The plan change therefore responds to changing circumstances and growth in Auckland, and “*not only will contribute to shorter term economic activity by way of [construction], but it will also provide for new and ongoing employment by reference to the light industrial and neighbourhood centre development enabled*”.²² We agree with and accept that submission.

55. Mr Brabant also addressed the questions raised by the Panel during the hearing regarding identification of the neighbourhood centre and collector roads on the Precinct Plan, and the extent of protected trees and SEA provisions. To a large extent, these were less matters of contention than matters for which we sought further clarification to understand the approach adopted in respect of these aspects, having regard to the particular features and characteristics of the site. We generally accept the Applicant’s approach to the issues raised, and we again record Mr Brabant’s responses in summary form as follows:

- (a) The position of the proposed collector roads is accepted and supported by submitters, and no defects with the proposed alignments have been identified. These alignments have been tested through the urban design evidence of Ian Munro and changes could result in difficult design challenges, including in respect of providing local roads along the edges of park areas. The removal of collector roads from the Precinct Plan entirely, to provide greater flexibility, could lead to difficulties at the subdivision stage through having to resolve their location with the Council and AT, potentially leading to greater uncertainty and delay. In this regard we also acknowledge that the rules, standards and criteria of the Precinct Plan are intended to work in conjunction with the depiction of the collector roads in the Precinct Plan maps, and a significant change to the maps would require a substantial re-working of these associated provisions. We accept that this would not be justified in light of the broad consensus that has been arrived at in respect of these provisions between the parties.
- (b) The identification of the NCZ on the maps is also noted by Mr Brabant as a highly desirable aspect of the Precinct Plan (with reference to the evidence of Messrs Munro and Tollemache), and that “[p]roviding for a mechanism whereby this

²⁰ Tollemache, EV10F at [4.45]

²¹ Montagna, EV3A at p.4

²² Reply submissions, EV19 at [10]

might float or be less likely or certain is not sought by the Applicant or any submitter".²³ He also noted that there is benefit in knowing that a future neighbourhood centre will eventuate, even if not developed as part of the first stage.

- (c) The 'Area 3' trees had been proposed to be scheduled by Mr Paul, but this had not been supported by the Council's heritage arborist. The Applicant's reply included a memorandum from Mr Paul clarifying his continued support for scheduling this area of trees. It was Mr Brabant's submission that:²⁴

If the Commissioners agree with the Applicant's submission that existing kahikatea and other trees identified for scheduling in the submission are worthy of protection, then they should simply accept that submission (it is the Council's expert that is opposing the scheduling of those additional trees).

This approach was noted as not requiring any change to the proposed Precinct Plan, as Version 11 as provided with the reply includes the trees both in the provisions and the plans.

- (d) Mr Paul's memorandum also addressed the extent of buffer around the SEA, and the questions the Panel raised as to whether a 5m buffer was sufficient, and how this would be determined 'on the ground'. Mr Paul's memorandum included reference to a survey plan, prepared by Birch Surveyors (reference 4294), which depicted the extent of the 5m buffer and the additional land that would be incorporated by a 10m buffer. It was Mr Paul's opinion that:²⁵

- A 5m planted buffer as proposed would be appropriate to adequately protect the existing trees from any potential earthworks *"and enhance the existing environment by minimising future fringe effects and accidental machinery damage if works are proposed near to the future SEA"*.
- If further confidence as to the extent of the 5m buffer was required, then this could be depicted on the Precinct Plan (as has now been shown).
- The 5m buffer should *"be planted as soon as practical to ensure [that] maximum tree and plant establishment occurs prior to any earthworks occurring as part of any future scheme"*, noting Mr Paul's understanding that the planting rule is triggered by subdivision within the subject property.

We note that the 5m buffer as shown in the Precinct Plan is based on the aforementioned survey plan by Birch Surveyors. Therefore, should there be any doubt as to the extent of the buffer area as part of any future development (including through any errors as a result of scale), this plan should be referred to.

- (e) In terms of whether additional trees within the site should be protected, either by way of notation or through additional rules or criteria, it was Mr Brabant's

²³ Ibid, at [22]

²⁴ Ibid, at [28]

²⁵ Paul, EV19A

submission that such protection “*would not be lawful*” (where they are presently able to be removed),²⁶ and further:

- a. *It would not be efficient, effective or appropriate to include criteria or other plan provisions which have the potential to hinder or undermine the efficient and effective achievement of redevelopment on the site (both by reference to undertaking physical works on the site, in particular earthworks, and by reference to achieving a suitable and successful physical layout).*
- b. *Redevelopment of the site undertaken in accordance with best practice urban design will involve appropriate landscaping and planting.*
- c. *Significant areas of vegetation on the site are protected by the proposed SEA and identification of notable trees (including the applicant’s submission to schedule group 3). In addition, an important ecological corridor will be established on the subject land through planted riparian margins, which Mr Tollemache identified has an area of 3.4 ha which is not by any means inconsequential*

56. We have accepted these submissions and additional evidence and consider that the provisions as presented through the Applicant’s ‘Version 11’ are acceptable, and that no further substantive changes are necessary in respect of the matters raised by Ms Montagna, or any other submitter, nor in response to the questions we raised during the hearing. We have, however, amended several of the rules (A1), (A2), (A4) and (A6) in the 14XX.4.1 Activity Table to clarify that these rules apply where “*one or more of the standards*” are not achieved, rather than where they do not comply with “*any of the standards*”. We have also added reference to 14XX.6.7 at (A1) and (A4) so that non-compliance with that standard would require assessment as a restricted discretionary activity and the relevant matters of discretion and assessment criteria. Other changes are of a minor editing nature.
57. By way of overview, we record our agreement that the proposed extent and level of residential density is appropriate for the plan change area. We also agree that the provision of employment opportunities through the inclusion of the LIZ is appropriate in its location and will assist with the sustainable development of Pukekohe as it evolves over time. We also agree that the position reached between the Applicant and AT on the plan change provisions in respect of the development of transport infrastructure will enable the plan change to proceed without adversely impacting on the surrounding road network.
58. Overall, we accept Mr Reaburn’s recommendation that PC 74 should be adopted, and that the plan change and associated change in the zoning of the land will:
- assist the Council in achieving the purpose of the RMA;
 - give effect to the NPS-UD;
 - be consistent with the RPS; and
 - be consistent with the Auckland Plan.

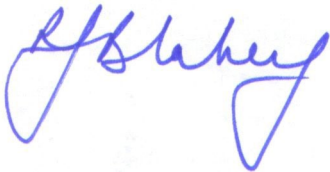
²⁶ Reply submissions, EV19 at [35]

59. It is also necessary for us to set out our decisions with respect to the submissions received on the plan change. We have set out our decision on the submissions, and the relief sought in those submissions, at **Attachment 1** and these are based on our findings set out above in respect of those matters addressed at the hearing, and our overall decision to approve the plan change. In terms of the further topics raised in submissions, we accept Mr Brabant's general comment in his opening submission that "*[t]he subsequent additional modelling work undertaken by Mr Hills, amendments to provisions and formal and informal caucusing, have resolved these issues to the extent there were issues raised with respect to them by Mr Reaburn and/or Council specialists*".²⁷
60. For the purposes of our Attachment 1, and in accordance with cl.10(2) of the RMA, we have grouped the submissions together under the headings that were used in the s.42A report for consistency (and in the same order).
61. We also note in this regard that further submissions can only support or oppose an initial submission. Our decisions on the further submissions reflects our decisions on those primary submissions having regard, of course, to any relevant new material provided in that further submission. For example, if a further submission supported a submission(s) that opposes the plan change and we have recommended that the initial submission(s) be rejected, then it follows that the further submission is also rejected.
62. We also note that we must include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with s.32AA of the RMA. With regard to that section, and as previously noted, we are satisfied that the evidence presented by Mr Tollemache, on behalf of the Applicant, effectively represents that assessment.
63. For all of the reasons set out in this decision, we are also satisfied the matters set out in ss.6, 7 and 8 of the RMA have been addressed. PC 74 and its provisions, as amended, have recognised and provided for, have had particular regard to and taken into account those relevant ss.6, 7 and 8 matters.
64. In terms of s.5 of the RMA, it is our finding that the provisions of PC 74 are consistent with, and are the most appropriate way, to achieve the purpose of the RMA. PC 74 will enable the efficient development of the site for residential and light industrial activities while also protecting certain existing values (arboricultural, ecological and hydrological) as well as avoiding, remedying, or mitigating any adverse effects on the environment.
65. Having considered all the evidence and relevant background documents, we are satisfied, overall, that PC 74 has been developed in accordance with the relevant statutory and policy matters with regard to ss.32 and 32AA and Part 2 of the RMA. The plan change will clearly assist the Council in its effective administration of the AUP(OP).

²⁷ Applicant opening submissions, EV1 at [51]

DECISION

66. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 74 to the Auckland Unitary Plan (Operative in Part) be **approved**, on the basis of that version of the Plan Change and associated maps as provided with the Applicant's reply (Version 11).
67. Submissions on the plan change are accepted and rejected in accordance with Attachment 1 to this decision. In general, these decisions follow the recommendations set out in the Council's s.42A report, except as otherwise identified in the joint witness conferencing statements and our decision above in relation to matters in contention.
68. In addition to the reasons set out above, the overall reasons for the decision are that Plan Change 74:
- (a) will assist the Council in achieving the purpose of the RMA;
 - (b) is consistent with the Auckland Regional Policy Statement;
 - (c) is supported by necessary evaluation in accordance with s.32; and
 - (d) will help with the effective implementation of the plan.



Richard Blakey
Chairperson



Bridget Gilbert



Vaughan Smith

15 December 2022

ATTACHMENTS

Attachment 1 Table of Decisions on Submissions

Attachment 2 I4XX Pukekohe Golding Precinct

ATTACHMENT 1

Table of Decisions on Submissions

Transport

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
15.1	Auckland Transport	Decline unless deficiencies in the plan change assessments and information are addressed and that there is an appropriate assessment of the impact on yields, potential network effects or network mitigations arising from the application of the medium density residential standards enabled by recent legislative amendments. Modelling and assessment of the transport effects of the plan change's proposed rezoning and intensification needs to be based on a more realistic trip rate and the impact on yields, potential network effects or network mitigations and consequential amendment or addition of the precinct mechanisms and / or provisions required to give effect to the delivery of them including their timing or staging	FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of further assessment by the Applicant and amendments supported by AT
15.3	Auckland Transport	Decline on the basis that the provisions in the plan change have not correctly or adequately provided for identified future network upgrades or (if not declined) incorporate robust provisions and / or appropriate mechanisms to provide for: any network upgrades required on Royal Doulton Drive and	FS06 John Harris (support) Waka Kotahi New Zealand Transport Agency	Accept in Part	Plan change is approved on the basis of amendments supported by AT

		<p>Golding Road (including intersections and road construction standards); integration of precinct networks and improvements with the identified but as yet undefined supporting networks comprising an east-west route from Golding Road over the rail line to Manukau Road, including the intersection with Golding Road and intersection of Royal Doulton Drive and Golding Road; precinct provisions to address road noise from future East-West Arterial; application of vehicle access restrictions as required on Golding Road and Royal Daulton Drive; removing the requirement to vest a 6m strip on Golding Road and replacement with any appropriate provisions which provide for the future transport improvements outlined above; addition of Golding Road and Royal Daulton Road to a road construction standards table with the required detail; Alignment of the proposed North-South collector in an optimal location which is readily capable of being extended northward as part of development of the land it is located on, to connect with the proposed Arterial Ring Route</p>	<p>FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)</p> <p>FS08 YLH Holdings Limited (oppose)</p>		
15.4	Auckland Transport	<p>Amend the Precinct Plan to include provisions to ensure that subdivision and development is integrated with the delivery of the transport infrastructure and services required to provide for the</p>	<p>FS06 John Harris (support)</p> <p>FS07 Golding Meadows and Auckland</p>	Accept in Part	Plan change is approved on the basis of amendments supported by AT

		transport needs of the precinct, connect with the surrounding network and avoid, remedy or mitigate adverse effects. Concerns include staging, the feasibility of key connections where they cross multiple landowners and streams, construction of the future Arterial Ring Route, and inappropriate amounts of business traffic travelling through the proposed residential areas to access the proposed light business area. Provisions required may include thresholds or triggers, or clear assessment and consenting processes, aligned to related objectives and policies	Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)		
15.6	Auckland Transport	Decline, unless amendments are made or mechanisms are put in place to address concerns relating to the proposed network, including overprovision of collector roads where local roads could be built; key connections' feasibility where they cross multiple landowners and streams; the North-South collector road's indirect route and not giving effect to the structure plan. requirement for connection through to Yates Road; no indication as to the required treatment for collector/collector or collector/arterial intersections and at what development stage this may be required; risk of business traffic travelling through the residential areas to access light business area.	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject in part	Plan change is approved on the basis of amendments supported by AT

		Also noting mapping inconsistencies: ITA easternmost collector road not shown on precinct plan map, Local Road on master plan not aligned on precinct plan			
15.7	Auckland Transport	Decline, unless provisions are included relating to minimum road reserve widths and key design elements and functional requirements of new and existing roads (example given in Appendix A of the submission)	FS08 YLH Holdings Limited (oppose)	Reject in Part	Plan change is approved on the basis of amendments supported by AT
15.8	Auckland Transport	Decline, unless there are provisions addressing frontage upgrade requirements to Royal Doulton Drive, Golding Road, Station Road and Yates Road, and provisions or mechanisms (including on the Precinct Plan) addressing walking and cycling connections to Pukekohe Station and on Station Road, Yates Road and Golding Road	FS06 John Harris (support) FS08 YLH Holdings Limited (oppose)	Accept	Plan change is approved on the basis of amendments supported by AT
15.9	Auckland Transport	Decline unless interventions for walking and cycling (w&c) are clearly shown in the precinct provisions including: Showing w&c connections to Station Rd (towards Pukekohe Station); Showing walking and cycling facilities on Station Rd, Yates Rd and Golding Rd; Amending provisions to clearly show who is responsible for delivering infrastructure and provide appropriate thresholds to ensure development does not continue without w&c infrastructure	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of amendments supported by AT

15.11	Auckland Transport	Confirmation sought about whether any protected wetlands will affect the proposed precinct network or zoning	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of amendments supported by AT
16.4	John Harris	Decline, unless matters addressed in the submission are addressed including whether the location and capacity of the proposed roading network, roading upgrading and trigger rules are the most appropriate and will also best serve other Future Urban zoned land in the vicinity	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of amendments addressing the matters in the submission
18.1	The New Zealand Transport Agency (Waka Kotahi)	Neutral, noting the need to ensure multi-nodal connectivity and reduction in reliance on private car-based travel		Accept	Plan change is approved
23.3	Wobinda Farms Limited Attn: Peter Fuller	Accept, subject to confirmation of adequate and appropriate provisions for cycling and walking linkages, widening of Golding Road and further consideration of the number of road linkages to Golding Road	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose/support) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of amendments to the provisions addressing the matters in the submission
28.2	YLH Holdings Limited	Accept but oppose Precinct Plan 1 unless amended to delete Indicative Collector Road and Indicative Key Walking/Cycling Route or to show Indicative Collector Road and Indicative Key Walking/Cycling Route	FS12 Golding Meadows and Auckland Trotting Club Inc (oppose)	Reject	Plan change is approved on the basis that it is appropriate to retain provisions that address the matters in the submission

		following the boundary between 152 Golding Road, Pukekohe and its neighbour to the north along Golding Road, to avoid bisecting north-western corner of the land and impeding its future development or plan is otherwise deleted.			
28.3	YLH Holdings Limited	Accept but opposes provisions relating to the protection and enhancement of streams and wetlands and also the requirement for 10m minimum riparian planting, as these are inappropriate and impractical. Instead a more flexible approach is required that considers the individual values of streams and wetlands in consideration of the existing AUP provisions and other relevant statutory documents (relevant NPSs and NESs).	FS12 Golding Meadows and Auckland Trotting Club Inc (oppose)	Reject	Plan change is approved on the basis that it is appropriate to include in the provisions measures for the protection and enhancement of streams and wetlands.

Infrastructure Funding

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
15.2	Auckland Transport	Decline, unless funding and financing concerns are resolved and that enabled growth makes a proportionate contribution towards the future transport infrastructure it will benefit from in the wider planned strategic road network. At this time there is no appropriate growth funding mechanism developed	FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved on the basis of further assessment by the applicant and amendments supported by AT

24.1	Auckland Council	Decline unless Auckland Council's concerns around infrastructure funding, financing and delivery and any other relevant matter are addressed (approve if they are addressed)	FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan change is approved on the basis of further assessment by the applicant and amendments supported by Auckland Council
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Extend Plan Change Area

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
1.2	Jason Wu	Accept, subject to the land at 25, 26A and 27B Royal Doulton Drive (includes land outside the current plan change area) being rezoned as part of the plan change	FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS02 Auckland Regional Public Health (oppose) FS10 Auckland Transport (oppose)	Reject	Plan Change is approved (on basis of area as proposed in the plan change request - consideration of the additional area is out of scope)
12.1	Anil Sachdeva	Accept, subject to additional land (outside the current plan change area) at 120, 124, 150, 170 and 194 Station Road being rezoned as part of the plan change	FS01 Anil Sachdeva (support) FS06 John Harris (support)	Reject	Plan Change is approved (on basis of area as proposed in the plan change request - consideration of the

			<p>FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)</p> <p>FS02 Auckland Regional Public Health (oppose)</p> <p>FS10 Auckland Transport (oppose)</p>		additional area is out of scope)
16.1	John Harris	Decline, unless matters addressed in the submission are addressed including establishing a defensible boundary, and extension of the boundary of the plan change area between the proposed area and the existing Pukekohe Urban area (including 26 Royal Doulton Drive)	<p>FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)</p> <p>FS08</p> <p>YLH Holdings Limited (oppose)</p> <p>FS02 Auckland Regional Public Health (oppose)</p> <p>FS10 Auckland Transport (oppose in part)</p>	Reject	Plan Change is approved (on basis of area as proposed in the plan change request - consideration of the additional area is out of scope)
19.3	Heather Isabel Clark	Neutral, with concerns about whether the plan change should be extended northwards to include properties on the northern side of Royal Doulton Drive	<p>FS06 John Harris (support)</p> <p>FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)</p> <p>FS08</p>	Reject	Plan Change is approved (on basis of area as proposed in the plan change request - consideration of the additional

			YLH Holdings Limited (oppose) FS10 Auckland Transport (oppose)		area is out of scope)
22.1	Station Road Residents Group	Accept, subject to additional land (outside the current plan change area) as specified in the submission being rezoned as part of the plan change. The sites are at 120, 124, 150/152, 170 and 194 Station Road	FS04 SFH Consultants Limited (support) FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS02 Auckland Regional Public Health (oppose) FS10 Auckland Transport (oppose in part) FS 11 Watercare Services Limited (oppose)	Reject	Plan Change is approved (on basis of area as proposed in the plan change request - consideration of the additional area is out of scope)

Zoning

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
1.1	Jason Wu	Accept, subject to land proposed to be zoned LIZ being zoned MHUZ on the basis that the area is best suited to this	FS07 Golding Meadows and Auckland	Reject	Plan Change is approved on the basis that LIZ is the

		zoning in an area close to the Pukekohe Town Centre and Pukekohe Train Station	Trotting Club Inc (oppose) FS10 Auckland Transport (oppose)		most appropriate zone for the area adjacent to Station Road
15.5	Auckland Transport	If not declined, support the proposed LIZ in providing for employment and reducing the need for people to travel to work	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose / support in part) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved on the basis that the MHUZ and LIZ are the most appropriate zones for the site
16.2	John Harris	Decline, unless matters addressed in the submission are addressed including whether the proposed zoning / activities are most appropriately located or whether they may be more appropriately located on other FUZ land	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved on the basis that MHUZ and LIZ are the most appropriate zones for the site
26.2	Jenny Maree Walter	Decline, on the basis of inappropriate zoning, in particular at the Golding Road interface	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved on the basis that MHUZ and LIZ are the most appropriate zones for the site

Cultural Issues

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
5.1	Ngāti Te Ata	Decline until completion of a Cultural Values Assessment which adequately addresses effects on Ngāti Te Ata history,	FS03 Ngāti Tamaoho	Accept in Part	A CVA has been prepared

		cultural values and iwi environmental preferences	Trust (support) FS08 YLH Holdings Limited ("YLH") (oppose)		
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Noise

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
13.1	Auckland Regional Public Health Service	Decline, or if not declined address specific relief raised in the submission in relation to the proposed provisions being inadequate to address the potential effects of motorsport noise on public health. Specific relief includes amendments to provisions relating to protection from (rather than mitigation of) adverse health effects due to motorsport noise, the proposed acoustic barrier (including when required and height, and associated road design) additional attenuation measures, 55dB LAeq threshold (rather than 55dB LAeq), replacement of the proposed Area A to cover the whole of the Residential-Mixed Housing Urban Zone, amendments to the dwelling internal noise standards	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose) FS10 Auckland Transport (support in part)	Accept in part	Plan Change is approved (on the basis of the Applicant's proposed measures to address noise)
26.3	Jenny Maree Walter	Decline, on the basis of inappropriate provisions made for addressing for addressing the adverse effects of noise	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved (on basis of the Applicant's proposed measures to address noise)

Infrastructure

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
14.1	Watercare Services Limited	Accept, subject to provisions as proposed in the plan change being adopted, on the basis that the proposed water and wastewater capacity and servicing requirements have been adequately assessed as part of the plan change and are technically feasible.	FS06 John Harris (support in Part) Golding Meadows and Auckland Trotting Club Inc (support)	Accept	The submitter has confirmed that it is feasible to provide sufficient water and wastewater capacity to serve the site
16.5	John Harris	Decline, unless matters addressed in the submission are addressed including appropriate provisions to ensure infrastructure (including power, water and wastewater) takes into account surrounding Future Urban Zone land	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved (noting WSL support per above)
19.2	Heather Isabel Clark	Neutral, with concerns about whether there are appropriate provisions relating to the adequacy and location of transport, water and wastewater infrastructure	FS06 John Harris (support) FS07 Golding Meadows and Auckland Trotting Club Inc (oppose / support in part) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved (noting WSL support per above)
25.1	Fire and Emergency New Zealand	Accept the plan change on the basis that water supply will be in accordance with the New Zealand Fire Service Fire fighting Water Supplies Code of Practice SNZ PAS 4509:2008		Accept	The water supply will comply with the Code of Practice identified in the submission

Stormwater

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
15.10	Auckland Transport	Decline, unless provisions are amended to consider the whole of life costs and effectiveness of treatment of publicly vested stormwater assets	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved (on the basis of amended provisions)
23.3	Wobinda Farms Limited Attn: Peter Fuller	Accept, subject to satisfactorily addressing downstream water quantity and quality effects	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose / support) FS08 YLH Holdings Limited (oppose)	Accept	Plan Change is approved – water quality and quantity effects have been satisfactorily addressed

Ecology / Trees/ Open Space

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
17.2	Golding Meadows and Auckland Trotting Club Inc	Accept, subject to specified amendments to the Auckland Unitary Plan tree schedule (trees at 162 Golding Road, 27 Yates Road and 240 Station Road)	FS08 YLH Holdings Limited (support) FS05 Shaojie Zheng (support)	Accept	Plan Change is approved (with inclusion of notable trees)
23.1	Wobinda Farms Limited	Accept, subject to confirmation of adequate provision of parks and green corridors and riparian margins	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose / support)	Accept in Part	Plan Change is approved (on the basis that the planting of riparian margins is

			FS08 YLH Holdings Limited (oppose)		required by the provisions)
			FS10 Auckland Transport (oppose)		
28.4	YLH Holdings Limited	Accept but opposes provisions relating to the protection and enhancement of streams and wetlands and also the requirement for 10m minimum riparian planting, as these are inappropriate and impractical. Instead a more flexible approach is required that considers the individual values of streams and wetlands in consideration of the existing AUP provisions and other relevant statutory documents (relevant NPSs and NESs).	FS12 Golding Meadows and Auckland Trotting Club Inc (oppose)	Reject	Plan Change is approved (on the basis that the protection and enhancement of streams and wetlands is appropriate)

Trotting Club Activities

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
3.1	Christine Montagna	Decline, on the basis that the trotting activities create jobs and removal of it will be a massive loss to Franklin	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)	Reject	Plan Change is approved (for reasons set out in decision)
			FS08 YLH Holdings Limited (oppose)		
4.1	Bronwyn McLean	Decline, on the basis that the trotting activities maintain needed large green spaces, and are needed for trotting trainers most of whom will lose their livelihoods	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose)	Reject	Plan Change is approved (for reasons set out in decision)
			FS08 YLH Holdings Limited (oppose)		

9.1	Save Pukekohe Park Petition Attn: Christine Montagna/ Robert Hart	Decline, on the basis of opposition to residential development and support for the equine, farming and rural activities in this environment which are supported or facilitated by the Auckland Trotting Club (the submission is accompanied by a petition with approximately 160 signatories)	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved (for reasons set out in decision)
11.1	Patricia Makene	Decline, on the basis of concern about employment and export industry effects and that trotting activities should be retained	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved (for reasons set out in decision)

Other Effects

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
10.1	Peter Francis Montagna	Decline, on the basis that existing fertile soils, flora and fauna, rural lifestyle, rural activities and rural amenity should be maintained	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved (for reasons set out in decision)
16.3	John Harris	Decline, unless matters addressed in the submission are addressed including potential adverse effects on surrounding Future Urban Zone land	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan Change is approved (for reasons set out in decision)
19.1	Heather Isabel Clark	Neutral, with concerns about whether there should be more appropriate provisions relating	FS06 John Harris (Support)	Accept in Part	Plan Change is approved (for reasons

		to avoidance, remedying or mitigating adverse effects	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)		set out in decision)
23.4	Wobinda Farms Limited	Accept, subject to satisfactorily addressing reverse sensitivity effects including dust and spray drift	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose / support) FS08 YLH Holdings Limited (oppose)	Accept in Part	Plan Change is approved (for reasons set out in decision)

Plan Change Provisions

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
17.1	Golding Meadows and Auckland Trotting Club Inc	Accept, subject to specified amendments to the AUP(OP) to achieve alignment with the Medium Density Housing Standards. Amendments include objectives, policies and rules, and any subsequent amendments that may be required	FS08 YLH Holdings Limited (support) FS05 Shaojie Zheng (oppose) FS10 Auckland Transport (oppose)	Accept	Plan change is approved (including through incorporating alignment with requested standards)
20.1	Ministry of Education	Neutral, with concerns relating to adequate planning for schools, including associated safe walking and cycling connectivity - amendments to provisions are proposed		Accept in Part	Plan change is approved (incorporating provisions for schools)

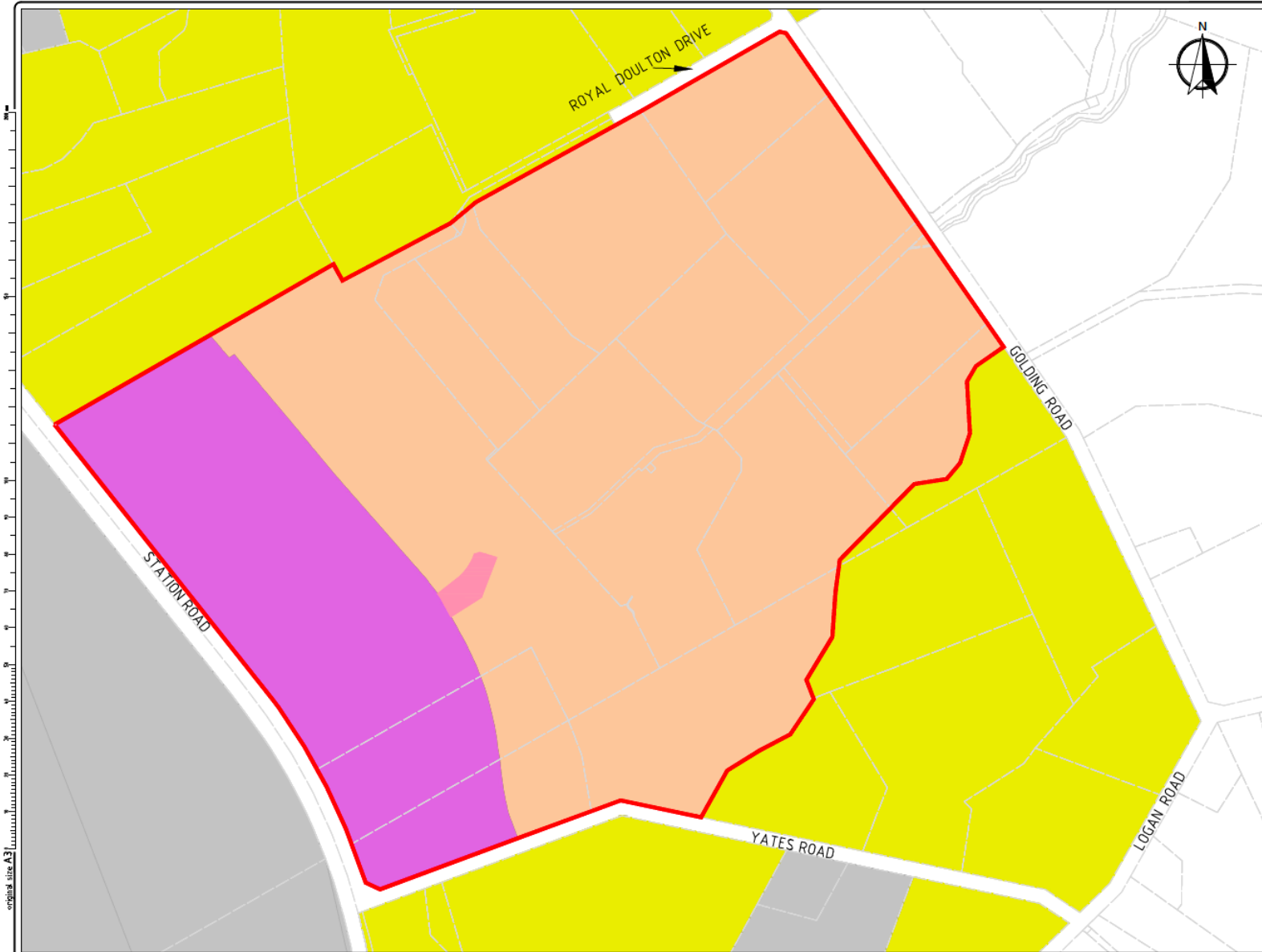
21.1	KiwiRail Holdings Limited	Accept, subject to provisions as proposed in the plan change being adopted - includes precinct description, Objectives 3 and 4, Policy 4, activity table	FS08 YLH Holdings Limited (oppose in part)	Accept	Plan change is approved (incorporating the provisions identified in the submission)
26.1	Jenny Maree Walter	Decline, on the basis of inappropriate provisions made for addressing the urban-rural interface at Golding Road and inadequate provisions made for addressing the adverse effects of noise	FS07 Golding Meadows and Auckland Trotting Club Inc (oppose) FS08 YLH Holdings Limited (oppose)	Reject	Plan change is approved (on the basis that the surrounding land is zoned FUZ and appropriate provision is made for addressing noise effects)
28.1	YLH Holdings Limited	Accept, however oppose the inclusion of MDRS provisions into the precinct as duplicative and unnecessary at this stage, when they could be addressed later under the statutory provisions provided by the Act.	FS12 Golding Meadows and Auckland Trotting Club Inc (oppose)	Accept in part	Plan change is approved (including through incorporating alignment with relevant standards)

Accept the Plan Change

Sub. No.	Submitter	Summary of the Relief Sought	Further Submissions	Decision	Reasons
2.1	Zhi Hui Zhong	Accept the plan change, no amendments sought		Accept in Part	Plan Change is approved (with amendments)
6.1	Shaojie Zheng	Accept the plan change with no amendments on the basis that the area and current and future generations will benefit from the zonings as proposed	FS08 YLH Holdings Limited (support in part, oppose in part)	Accept in Part	Plan Change is approved (with amendments)
7.1	Vicky Maree Roose (Jamieson)	Accept the plan change in its current form	FS08 YLH Holdings Limited (support in part, oppose in part)	Accept in Part	Plan Change is approved (with amendments)
8.1	Franklin A & P	Accept the plan change as it will be an indirect benefit to the Society	FS08	Accept	Plan Change is approved

	Society	including visibility and foot traffic and facilities at the grounds	YLH Holdings Limited (support in part, oppose in part)		(with amendments)
27.1	Jason Woodyard	Accept the plan change, no amendments sought		Accept in Part	Plan Change is approved (with amendments)

PLAN CHANGE 74 MAPS



KEY

Abutal Boundaries	---
Plan Change Boundary	---
Residential - Mixed Housing Urban Zone	Orange
Business - Neighbourhood Centre Zone	Pink
Business - Light Industry Zone	Purple
Future Urban Zone	Yellow
Special Purpose Zone	Grey

NOTES:

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LIGHT INDUSTRY ZONE - 19.9741ha
 MHUZ - 62.356ha
 NEIGHBOURHOOD CENTRE ZONE - 0.3365ha

original size A3



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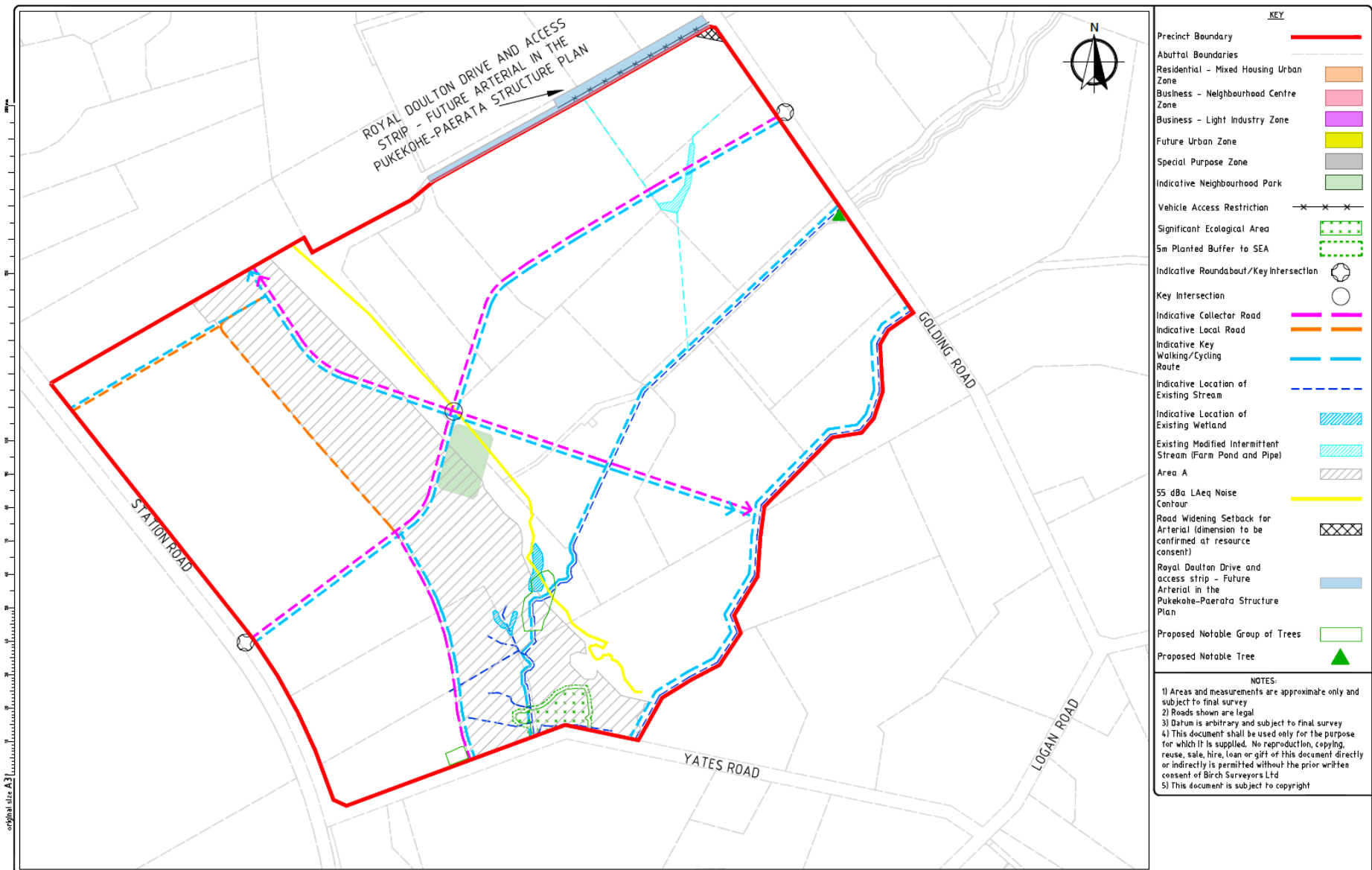
LOCAL AUTHORITY	AUCKLAND COUNCIL
PLANNING MAP	-
ZONING	FUTURE URBAN ZONE & MAJOR RECREATION FACILITY ZONE
ACTIVITY	-
COMPRISED IN	-
TOTAL AREA	82.6690ha
REGISTERED OWNERS	-

PROJECT NAME
PRIVATE PLAN CHANGE PUKEKOHE GOLDING PRECINCT

GOLDING ROAD
 PUKEKOHE

Surveyed	-	Date	-	Project No.	4294
Designed	GRPC	Date	2019	Scale	Hz: 1:5000 @ A3
Drawn	BEL	Date	01/2019	REVISED DATE	COMMENTS
Approved	-	Date	-	L 15	10/21 Overlay Updates
Project Manager	-	Date	-	M 14	11/21 Catchment Update
				N TR	08/22 Product Update

TITLE		ZONE MAP	
Drawing Name	F:_CAD\PC 4294 N.dwg /Zone Map	SUBJECT TO FINAL SURVEY	Rev. M



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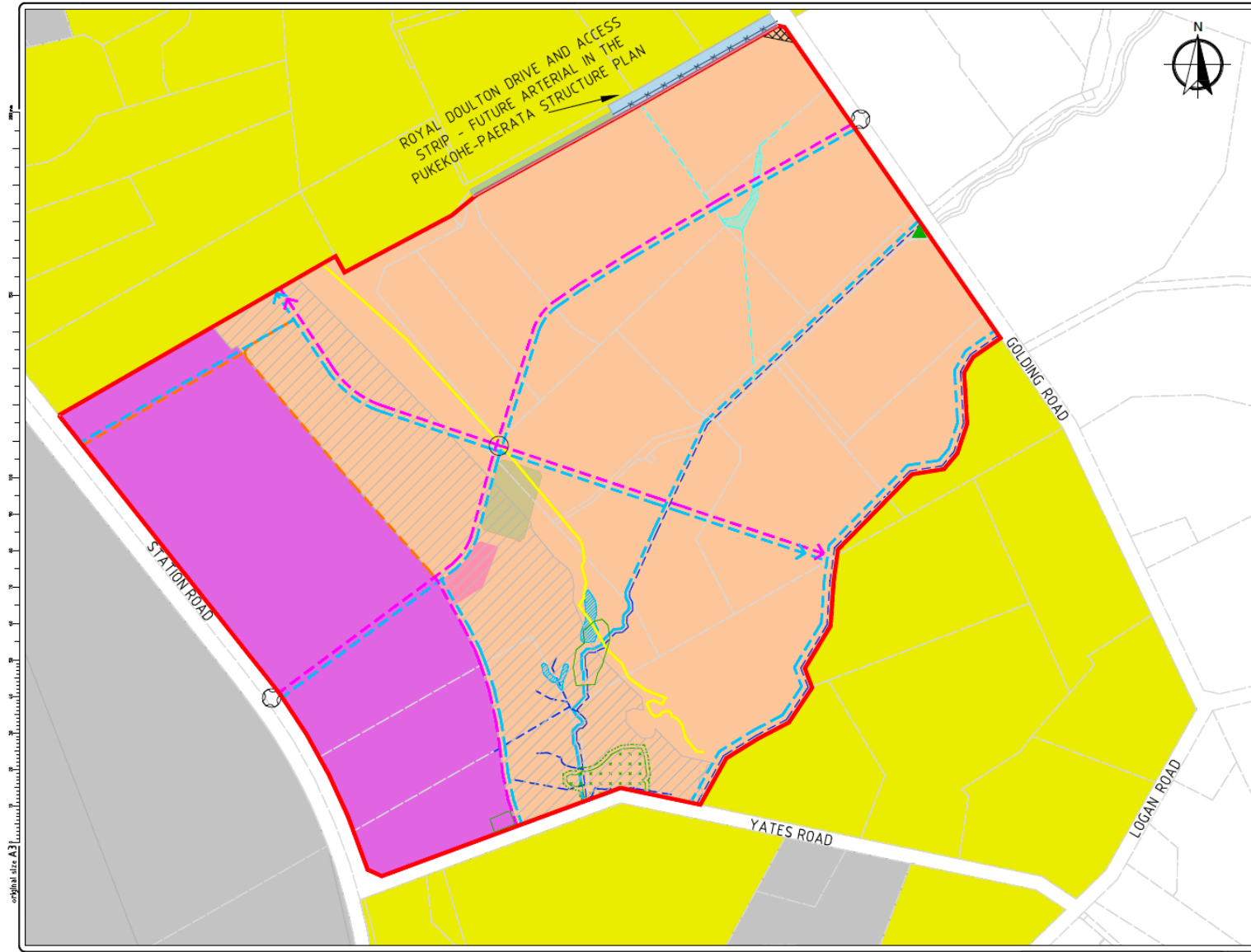
LOCAL AUTHORITY	AUKLAND COUNCIL
PLANNING MAP	
ZONING	FUTURE URBAN ZONE & MAJOR RECREATION FACILITY ZONE
ACTIVITY	
COMPRISED IN	
TOTAL AREA	62,666m ²
REGISTERED OWNERS	

PROJECT NAME
PRIVATE PLAN CHANGE PUKEKOHE GOLDING PRECINCT

**GOLDING ROAD
PUKEKOHE**

Surveyed	Date	Project No.	4294
Designed	Date	Scale	Hzr 1:5000 @ A3
Drawn	Date	REV. BY DATE	COMMENT
BSL		P. RUD 11/22	Precinct Update
Approved	Date		
Project Manager			

TITLE	PRECINCT PLAN 1
Drawing Name	PL_CAD/C/4294 P.dwg / Precinct Plan 1
	SUBJECT TO FINAL SURVEY
Rev.	P



KEY

- Precinct Boundary —
- Abuttal Boundaries
- Residential - Mixed Housing Urban Zone
- Business - Neighbourhood Centre Zone
- Business - Light Industry Zone
- Future Urban Zone
- Special Purpose Zone
- Indicative Neighbourhood Park
- Vehicle Access Restriction x x x
- Significant Ecological Area
- 5m Planted Buffer to SEA
- Indicative Roundabout/Key Intersection
- Key Intersection
- Indicative Collector Road
- Indicative Local Road
- Indicative Key Walking/Cycling Route
- Indicative Location of Existing Stream
- Indicative Location of Existing Wetland
- Existing Modified Intermittent Stream (Farm Pond and Pipe)
- Area A
- 55 dBA LAeq Noise Contour
- Road Widening Setback for Arterial (dimension to be confirmed at resource consent)
- Royal Daulton Drive and access strip - Future Arterial in the Pukekohe-Paerata Structure Plan
- Proposed Notable Group of Trees
- Proposed Notable Tree ▲

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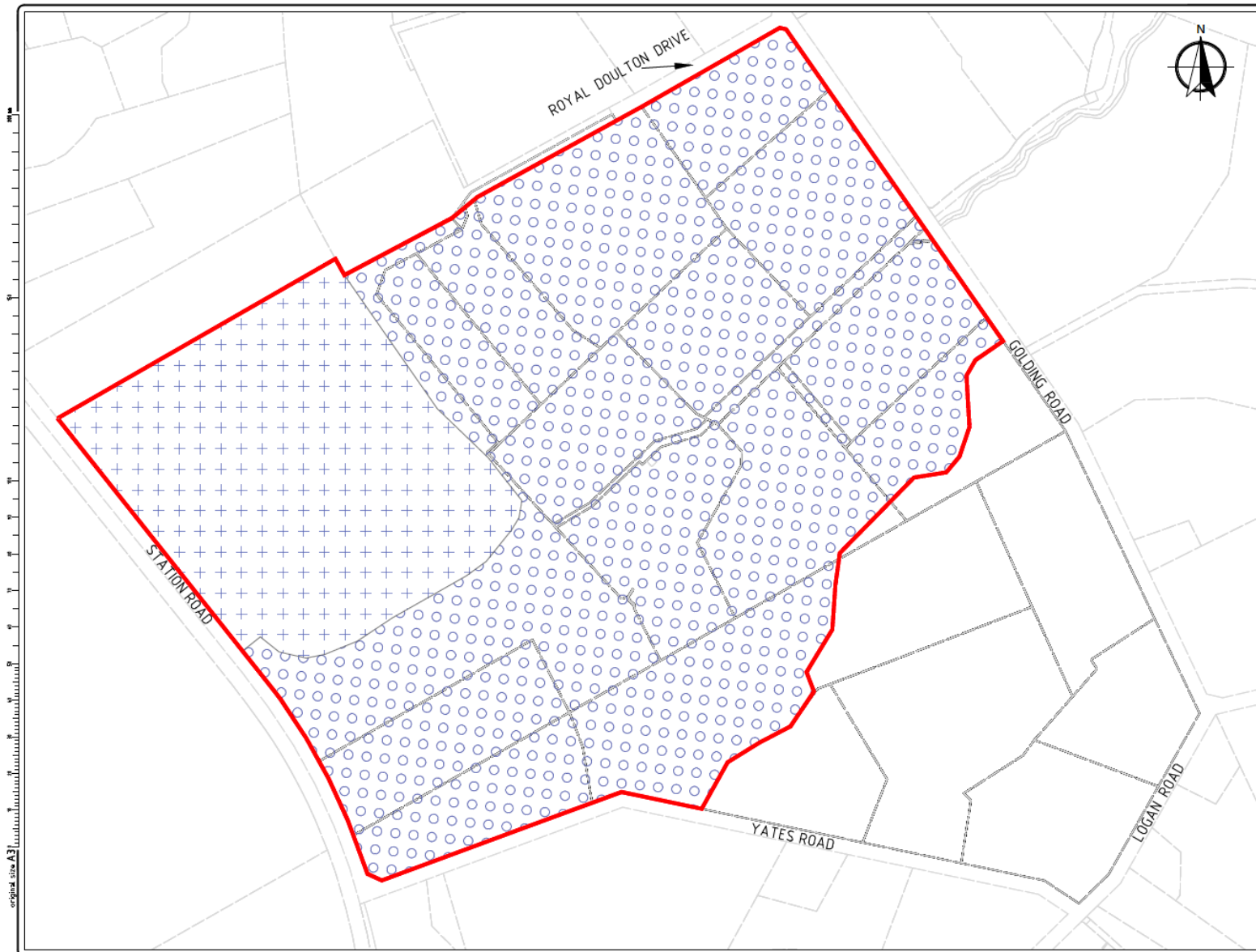
LOCAL AUTHORITY	AUKLAND COUNCIL
PLANNING MAP	
ZONING	FUTURE URBAN ZONE & MAJOR RECREATION FACILITY ZONE
ACTIVITY	
COMPRISED IN	
TOTAL AREA	82.666ha
REGISTERED OWNERS	

PROJECT NAME
 PRIVATE PLAN CHANGE PUKEKOHE GOLDING PRECINCT

**GOLDING ROAD
 PUKEKOHE**

Surveyed	Date	Project No.	4294
Designed	Date	Scale	Hzr 1:5000 @ A3
Drawn	Date	REV BY DATE COMMENT	
Approved	Date	P. 106 (11/22) Precinct Update	
Project Manager	Date		

TITLE	
PRECINCT PLAN 1	
Drawing Name	P1_CAD/CP 4294 P.dwg /Precinct Plan 1
Subject	SUBJECT TO FINAL SURVEY
Rev.	
P	



KEY

Precinct Boundary ———

Abuttal Boundaries

Western Catchment ++

Eastern Catchment oo

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LOCAL AUTHORITY	AUKLAND COUNCIL
PLANNING MAP	
ZONING	FUTURE URBAN ZONE & MAJOR RECREATION FACILITY ZONE
ACTIVITY	
COMPRESSED IN	
TOTAL AREA	82.8699ha
REGISTERED OWNERS	

PROJECT NAME

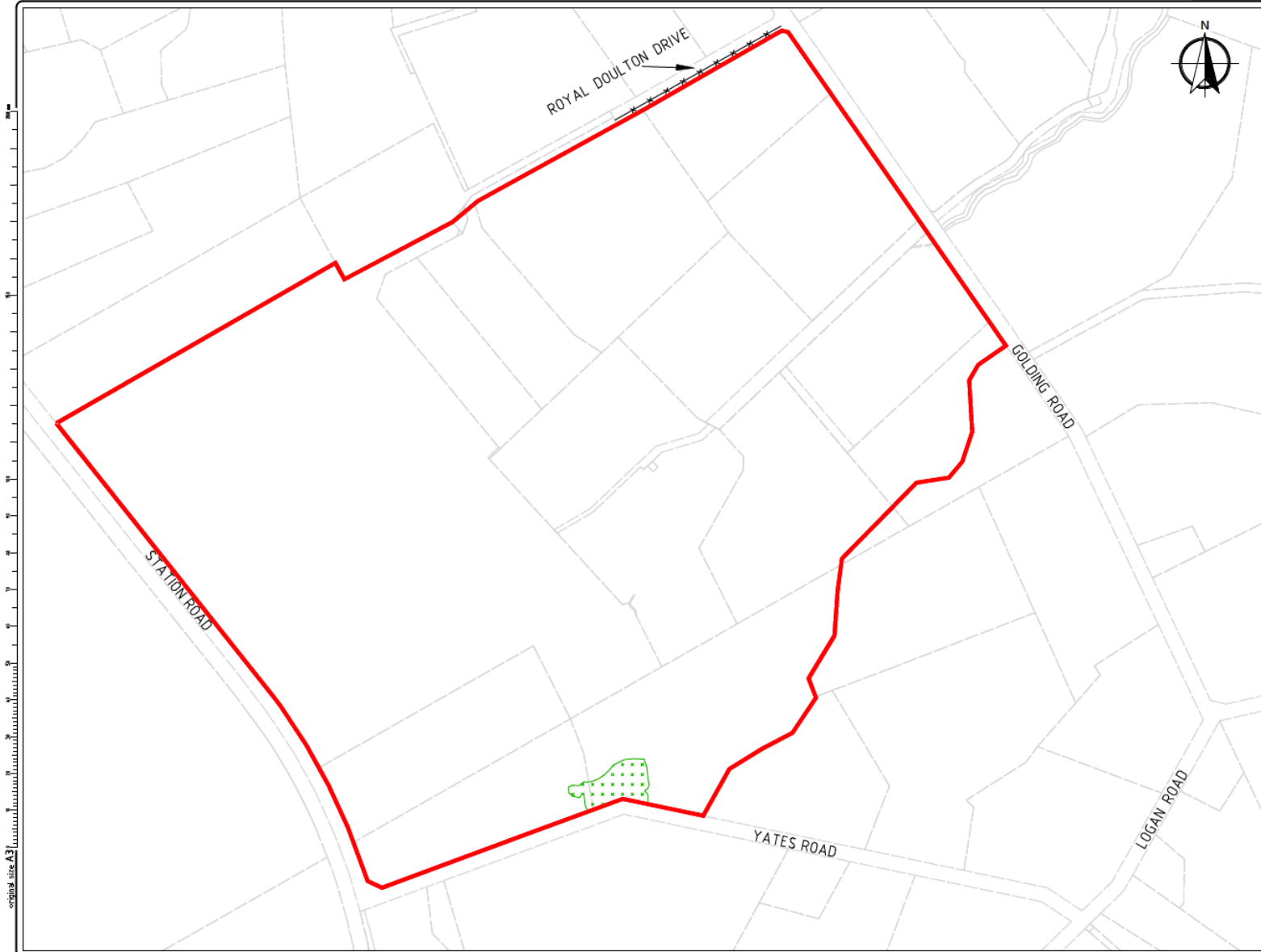
PRIVATE PLAN CHANGE PUKEKOHE GOLDING PRECINCT

GOLDING ROAD

PUKEKOHE

Surveyed	Date	Project No.
Designed	Date	4294
Drawn	Date	Scale: H2: 1:5000 @ A3
Approved	Date	REV. BY DATE COMMENT
Project Manager	Date	K HB 10/21 Overlay Updates
		L TB 12/21 Overlay Updates
		M HB 17/21 Precinct Update
		N JO 08/22 Precinct Update

TITLE	
PRECINCT PLAN 2	
Drawing Name	FL_CAD/CP 4294 Ndwg / Precinct Plan 2 SUBJECT TO FINAL SURVEY
Rev.	M



KEY

Precinct Boundary —

Abuttal Boundaries ---

Proposed Significant Ecological Area

Vehicle Access Restriction x x x

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LOCAL AUTHORITY	AUKLAND COUNCIL
PLANNING MAP	-
ZONING	FUTURE URBAN ZONE & MAJOR RECREATION FACILITY ZONE
ACTIVITY	-
COMPRISED IN	-
TOTAL AREA	82.6660ha
REGISTERED OWNERS	-

PROJECT NAME
 PRIVATE PLAN CHANGE PUKEKOHE GOLDING PRECINCT
 GOLDING ROAD
 PUKEKOHE

Surveyed	Date	Project No.	4294
Designed	Date	Scale	HZ: 1:5000 @ A3
Drawn	Date	REV	BY DATE COMMENT
Approved	Date	1	BSL 01/2019 Overlay Update
Project Manager	Date	2	BSL 11/2019 Overlay Update
		3	BSL 09/2021 Precinct Update

TITLE	
OVERLAY PLAN	
Drawing Name	FL_CAD/CP 4294 N.dwg /Overlay Map
SUBJECT TO FINAL SURVEY	Rev. M

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 N. 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 O. [a version of the Precinct Plan without Zones is provided for clarity]
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 N.
5. Insert new Vehicle Access Restriction as illustrated on drawing by Birch Surveyors Project Number 4294 Overlay Plan Revision N.

AMEND SCHEDULE 3 SIGNIFICANT ECOLOGICAL AREA - TERRESTRIAL SCHEDULE:

Table: Significant Ecological Areas – Terrestrial Schedule (SEA_T) [dp]

ID	Factor Met
SEA_T_XXXX	1, 2, 3

AMEND SCHEDULE 10 NOTABLE TREE SCHEDULE

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

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.

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 relating to riparian margins and hydrology mitigation. These measures will also have reciprocal benefits in protecting the ecological values associated with the SEA.

The precinct mitigates the adverse effects of traffic generation on the transport network and achieves the integration of land use and transport by:

- (a) Requiring safe, legible and direct pedestrian and cycling connection/s to the Pukekohe Rail Station as development and subdivision occurs;
- (b) Requiring Yates, Golding and Station Roads to be progressively upgraded to the design standards in Appendix 1 as development and subdivision occurs;
- (c) Future proofing the future arterial road network in the Pukekohe-Paerata Structure Plan (Royal Doulton Drive) through application of a road and vehicle access restriction control applying to the southern side of Royal Doulton Drive, requiring a splay at the intersection of Royal Doulton Drive and Golding Road and acoustic attenuation provisions to protect activities sensitive to noise from adverse effects arising from arterial road traffic noise;
- (d) Requiring new collector and other roads within the precinct generally in the locations shown on Precinct Plan 1, and new local roads to be located to form a high quality and integrated network; and
- (e) Requiring all proposed roads to be designed in accordance with Appendix 1, consistent with the functions and elements outlined in the table.

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

- Residential - Mixed Housing Urban
- Business – Neighbourhood Centre
- Business – Light Industry Zone

The Business - Light Industry Zone 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. 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 L_{Aeq} 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.

(Note: the preceding paragraph will not apply if and when that part of a plan change deleting all references to motorsport activities from the Pukekohe Park Precinct, including (although not limited to) Rules I434.6.1 and I434.6.2, becomes operative.)

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

I4XX.2. Objectives

- (1) Enable industrial activities develop on land adjoining Station Road and 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) 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.
- (3) 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.
- (4) Subdivision and development is coordinated with the delivery of water, wastewater and stormwater infrastructure.
- (5) Reverse sensitivity effects on the adjacent Special Purpose – Major Recreation Facility Zone (Pukekohe Park) are mitigated.
- (6) Activities sensitive to noise are protected from adverse health and amenity effects arising from road traffic noise associated with the operation of Royal Doulton Drive (future arterial road in the Pukekohe-Paerata Structure Plan).
- (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.
- (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.
- (11) Open space is provided in a way that meets the neighbourhood open space needs of the community and achieves a high amenity of green spaces including where practical along stream corridors.
- (12) 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.

Objective I4XX.2(12) shall not apply if and when that part of a plan change deleting all references to motorsport activities from the Pukekohe Park Precinct, including (although not limited to) Rules I434.6.1 and I434.6.2, becomes operative.

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 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:
 - (a) to provide collector roads and key intersections generally in the locations shown in Precinct Plan;
 - (b) to provide an interconnected urban local road network that achieves a highly connected street layout and integrates with the collector road network;
 - (c) to provide a high standard of amenity and safety for pedestrians particularly in areas where high volumes of pedestrians are expected;
 - (d) to provide for safe separated lanes for cyclists on collector roads;

- (e) to provide for the safe and efficient movement of vehicles; and
 - (f) to include necessary upgrades to existing infrastructure adjoining the Precinct, upgrades to existing road frontages of 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, including to the Pukekohe train station.
 - (5) To future proof for the future arterial road network in the Pukekohe-Paerata Structure Plan (Royal Doulton Drive) through road and vehicle access restrictions for sites adjoining Royal Doulton Drive requiring a splay at the intersection of Golding Road and Royal Doulton Drive and road noise attenuation in recognition that it may become a future arterial.

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.
- (7) Recognise that the precinct is part of a newly developing residential area, and that there is a potential need for educational facilities to establish within the Precinct.

Stormwater Management and Ecology

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

Open Space

- (10) Provision is enabled for a Neighbourhood Reserve.
- (11) Encourage development that provides accessible green spaces, including where practical along stream corridors.

Reverse Sensitivity

- (12) Require buildings that contain activities sensitive to noise in proximity to Royal Doulton Drive (future arterial road in the Pukekohe-Paerata Structure Plan) to be designed and constructed to achieve specified minimum indoor design noise levels to provide for people's health and residential amenity.
- (13) Provide for industrial activities on land immediately adjoining Station Road to support local employment.
- (14) 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) avoid activities sensitive to noise on land exposed to noise levels greater than 57 dB L_{Aeq} on Category C days.
- (15) Prior to any development within the 55 dB L_{Aeq} noise contour in the Precinct, require the establishment of an acoustic barrier(s) to form a buffer between noise from motorsport activities occurring on the Special Purpose – Major Recreational Facility Zone and the Precinct’s residential zones.
- (16) 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.

Policies I4XX.3(14) - (16) shall not apply if and when that part of a plan change deleting all references to motorsport activities from the Pukekohe Park Precinct, including (although not limited to) Rules I434.6.1 and I434.6.2, becomes operative.

I4XX.4. Activity table

The activities, controls and assessment criteria in the underlying Residential - Mixed Residential - Mixed Housing Urban zone, Business – Light Industry zone, Business - Neighbourhood Centre zone, Auckland-wide rules and overlays apply in the precinct unless otherwise specified below. Refer to Precinct Planning Map 1 for the location and extent of the underlying zones.

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

Table I4XX.4.1 - Activity table all Zones

Activity		Activity status
Use and Development		
(A1)	Activities that do not comply with one or more of the standards listed in I4XX.6.1A or I4XX.6.7	RD
(A2)	Activities that do not comply with one or more of the standards listed in I4XX.6.1, I4XX.6.2 to I4XX.6.5 (excluding I4XX.6.1A)	D
Subdivision		
(A3)	Subdivision in accordance with the Precinct Plan	RD
(A4)	Activities that do not comply with one or more of the standards listed in I4XX.6.1A or I4XX.6.7	RD
(A5)	Subdivision not in accordance with the Precinct Plan	D
(A6)	Subdivision that does not comply with one or more of the standards listed in I4XX.6.1, I4XX.6.2 to I4XX.6.5 (excluding I4XX.6.1A)	D

I4XX.4.2 – Residential – Mixed Housing Urban Zone

Activity		Activity status	Standards to be complied with
Use and Development			
(A1)	Show home	P	Standards in I4XX.6.6

Table I4XX.4.3 – Business – Light Industry Zone

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

Table I4XX.4.3 shall not apply if and when that part of a plan change deleting all references to motorsport activities from the Pukekohe Park Precinct, including (although not limited to) Rules I434.6.1 and I434.6.2, becomes operative.

Table I4XX.4.4 – Business – Neighbourhood Centre Zone

Activity		Activity status
Use and Development		
(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).

I4XX.6 Standards

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

I4XX.6.1 Transport Infrastructure Requirements

Purpose:

- Mitigate the adverse effects of traffic generation on the surrounding local and wider road 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.6.1.1.

Table I4XX.6.1.1 Transport Infrastructure Requirements

Transport Upgrade		Trigger
(T1)	Pedestrian and cycle connection to Station Road	The first site/dwelling and each subsequent site/dwelling.
(T2)	Pedestrian and cycle connection on Station Road to the Pukekohe Rail Station	The first site/dwelling.
(T3)	Station Road upgraded to an urban Collector Road standard (No urban berm or kerb and channel on opposite side of Station Road from the precinct only)	Prior to or in conjunction with any development or subdivision requiring direct or indirect vehicle access to Station Road
(T4)	Yates Road upgraded to an urban Collector Road standard (No urban berm or kerb and channel on opposite side of Yates Road from the precinct)	Any development or subdivision with frontage to Yates Road.
(T5)	Golding Road – upgraded to an urban Collector Road standard (No urban berm or kerb and channel on opposite side of Golding Road from the precinct)	Any development or subdivision with frontage to Golding Road.
(T6)	Royal Doulton Drive – upgraded to an urban Local Road standard (No urban berm on the opposite side of Royal Doulton Drive from the precinct)	Any development or subdivision with frontage to Royal Doulton Drive

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

I4XX.6.1A Road Design and Upgrade of Existing Rural Roads

Purpose:

- To ensure that any activity, development and/or subdivision complies with Appendix 1: Road Function and Design Elements Table, and that existing rural roads are progressively upgraded to an urban standard.

- (1) Any activity, development and /or subdivision that includes the construction of new roads, or the upgrade of existing roads, must comply with Appendix 1: Road Function and Design Elements Table.

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. This standard does not apply to that part of a riparian margin where a road, public walkway, or cycleway crosses over the stream.
- (2) The buffer 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, and the wetted habitat enhanced. This standard does not apply to that part of a wetland buffer where a road or public walkway crosses over the wetland.
- (3) The buffer of the Significant Ecological Area must be planted at the time of any subdivision or land development adjacent to the Significant Ecological Area 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;
 - (b) be consistent with local biodiversity;
 - (c) be planted at a density of 10,000 plants per hectare; and
 - (d) Be undertaken in accordance with the Special Information Requirements in I4XX.8.1.

I4XX.6.3 Site Access

Purpose:

- Maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings and to provide for the safe and efficient operation of the future arterial network.
- (1) Where subdivision and development adjoins a road with an existing or (on the Precinct Plan) planned 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 shared footpath, protected cycle lane or the road frontage.
 - (2) No new road intersection (excluding active mode only connections), additional vehicle crossing or additional activities using vehicles crossings existing as at the date of these precinct provisions being made operative shall be permitted within the section of Royal Doulton Drive and rights of way subject to a road and vehicle access restriction. This standard I4XX.6.3(2) shall cease to apply in the event that the future arterial road in the Pukekohe-Paerata Structure Plan is not located on an alignment utilising the current Royal Doulton Drive.

I4XX.6.3A – Road Widening Setback along Royal Doulton Drive

Purpose:

- To provide for the potential future required widening of Royal Doulton Drive.
- (1) A 2m-wide road widening setback must be provided along that part of the frontage of the land adjoining Royal Doulton Drive and rights of way to the west of it as shown as subject to the '2m Road Widening Strip' notation on the Precinct Plan.
 - (2) The setback must be measured from the legal road boundary or right of way that existed at the year of 2021. No buildings, structures or parts of a building shall be constructed within this 2m wide setback.
 - (3) Any minimum front yard setback of the underlying zone for the land adjoining Royal Doulton Drive shall be measured from this 2m-wide road widening setback.
 - (4) The standards at I4XX.6.3A (1) to (3) above shall cease to apply in the event that the future arterial road in the Auckland Council Pukekohe-Paerata Structure Plan is not located on an alignment utilising the current Royal Doulton Drive.

I4XX.6.4 Stormwater Management

I4XX.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 50m² 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 5mm 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.

I4XX.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) 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.

I4XX.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 I4XX6.4.1, 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.

I4XX.6.4.4 Operation and Maintenance of devices

Purpose: To ensure ongoing operational functionality of devices constructed and/or installed to meet standards I4XX.6.4.2 and 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.

I4XX.6.5 55 dB L_{Aeq} 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_{Aeq} 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_{Aeq} 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_{Aeq} 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 7m², 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)(a) 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:
 - (i) Be mechanically ventilated and/or cooled to achieve an internal temperature no greater than $25^{\circ}C$ based on external design conditions of dry bulb $25.1^{\circ}C$ and wet bulb $20.1^{\circ}C$. 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
 - (ii) 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.
 - (iii) Must be provided with relief for equivalent volumes of spill air.
 - (iv) 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 shall not apply if and when that part of a plan change deleting all references to motorsport activities from the Pukekohe Park Precinct, including (although not limited to) Rules I434.6.1 and I434.6.2, becomes operative.

I4XX.6.6 Development Controls Show Home

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

- (i) 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.

I4XX.6.7 Road Noise Attenuation

Purpose:

- To protect activities sensitive to noise from indoor adverse health and amenity effects arising from road traffic noise associated with the operation of Royal Doulton Drive as a future arterial road as illustrated in the Pukekohe-Paerata Structure Plan).
- (1) Any noise sensitive space (including any indoor spaces in Table I4XX.6.7.1) in a new building or alteration to an existing building that contains an activity sensitive to noise located within 75m to the boundary of Royal Doulton Drive or rights of way to the west of it (future arterial road in the Pukekohe-Paerata Structure Plan) shall be designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values set out in Table I4XX.6.7.1 below.

Table I4XX.6.7.1: Indoor noise levels:

Indoor Space	Indoor noise level $L_{Aeq(24h)}$
Residential (excluding home occupation and camping grounds)	40 dB
<i>Building type: Educational Facilities or Tertiary Educational Facilities</i>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios	40 dB
Libraries	45 dB
<i>Building type: Health</i>	
Overnight medical care, wards, sleeping areas	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<i>Building type: Community Facilities</i>	
Marae (excluding any area that is not a noise sensitive space)	35 dB
Places of Worship	35 dB
<i>All other Activities Sensitive to Noise</i>	
<i>All other noise sensitive spaces</i>	40 dB

- (2) If windows must be closed to achieve the design noise levels in Rule I4XX.6.7.1, the building must be designed, constructed and maintained with a mechanical ventilation system that:
- (a) For habitable rooms for a residential activity, must achieve the following requirements:
 - (i) Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - (ii) Is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - (iii) Provides relief for equivalent volumes of spill air; and
 - (iv) Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
 - (v) Does not generate more than 35 dB $L_{Aeq}(30s)$ when measured 1 metre away from any grille or diffuser.
 - (b) For other spaces, is as determined by a suitably qualified and experienced person.
- (3) A design report must be submitted by a suitably qualified and experienced person to the council demonstrating compliance with Rule I4XX.6.7.1(1) and (2) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design, road noise is based on current measured or predicted noise levels plus 3 dB, or future predicted noise levels.
- (4) The above rules do not apply in the event that the future arterial road in the Pukekohe-Paerata Structure Plan is located more than 75 metres beyond any residentially zoned property in the Precinct.

Advice note:

For the purposes of this rule, future predicted noise levels on Royal Doulton Drive (future arterial road in the Pukekohe-Paerata Structure Plan) means those levels modelled and is based on an assumed posted speed limit of 50km/h and the use of a low-noise road surface. Should future predicted noise levels be used for the purposes of this rule, this information and the associated assumptions and parameters is available on request from Auckland Transport as the road controlling authority for Royal Doulton Drive.

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 in the Business - Light Industry Zone and Residential - Mixed Housing Urban Zone):
 - (a) Consistency with the objectives and policies of the Precinct; and

- (b) Consistency with the Precinct Plan.
- (2) Subdivision:
- (a) Transport including development of an integrated road network, road(s), connections with neighbouring sites, access, walking and cycling networks and infrastructure, pedestrian and cycle connections to the Pukekohe train station, design and sequencing of upgrades to the existing road network, and traffic generation.
 - (b) Naturalising of the stream morphology and integration with stormwater management.
 - (c) The design and efficiency of stormwater infrastructure and devices (including communal devices)
 - (d) Open Spaces and open space integration including development of the neighbourhood park and greenways which includes walking and cycling infrastructure.
- (3) Cumulative impacts on the following, and need for any upgrade to the following or other measures to mitigate adverse effects:
- (a) the Station Road / East Street intersection;
 - (b) the Golding Road / East Street existing roundabout;
 - (c) the Ngahere Road / East Street intersection;
 - (d) the Logan Road / Golding Road intersection;
 - (e) the Yates Road / Logan Road intersection; and
 - (f) the Golding Road carriageway between Royal Doulton Drive and East Street.
- (4) Non-compliance with standard I4XX.6.7 – Noise attenuation:
- (a) The effects on people’s health and residential amenity;
 - (b) The location of the building;
 - (c) Topographical, building design features or other alternative mitigation that will mitigate potential adverse health and amenity effects relevant to noise; and
 - (d) Technical advice from an acoustic expert specialising in operational traffic noise mitigation or the road controlling authority for Royal Doulton Drive.
- (5) Non-compliance with standard I4XX.6.1A Road Function and Upgrade of Existing Roads:

- (a) Road design and 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 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.
 - (c) The extent to which the ecological values and water quality of existing watercourses or and wetlands are maintained and enhanced by the proposed subdivision or development.
- (2) Subdivision:
 - (a) Whether the collector roads ,key intersections and other connections depicted within the Precinct Plan are provided generally in the locations on the Precinct Plan to achieve a highly connected street layout that integrates with the surrounding transport network and whether an alternative alignment provides an equal or better degree of connectivity and amenity within and beyond the precinct may be appropriate, having regard to the following functional matters:
 - (i) Landowner patterns and the presence of natural features, natural hazards, contours or other constraints and how these impact on the placement of roads;
 - (ii) The need to achieve an efficient block structure and layout within the precinct suitable to the proposed activities; and
 - (iii) The constructability of roads and the ability for them to be connected beyond any property boundary.
 - (b) Whether a high quality and integrated network of local roads is provided within the precinct that provides a good degree of accessibility, adjoins areas of open space and, where possible, stream margins 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 subject to the Council's discretion as the future asset owner.
 - (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 safe walking and cycling networks and infrastructure.

- (f) Whether the road network provides direct, safe and legible pedestrian and cycle connections to the existing network on Station Road to provide access to the Pukekohe train station (acknowledging the constraints on Station Road north of the Subway intersection).
 - (g) Whether the East Street/Station Road, East Street/Golding Road, Golding Road / Logan Road, Yates Road / Logan Road and Ngahere Road / East Street intersections and the Golding Road carriageway can safely accommodate the cumulative effects of traffic from the Precinct.
 - (h) Whether any other measures are required to mitigate traffic effects on the above intersections referenced in (g) including measures relating to the timing of a collector road connection between Station Road and Golding Road.
 - (i) Whether the neighbourhood park is provided generally in the location on the Precinct Plan.
 - (j) The design to restore natural banks, meanders and patterns of the stream.
 - (k) Design and integration of stormwater management requirements with the open space network.
 - (l) The design and efficiency of stormwater infrastructure and devices (including communal devices) with consideration given to the likely effectiveness, lifecycle costs, ease of access and operation and integration with the built and natural environment.
- (3) Non-compliance with Standard I4XX.6.7 Noise Attenuation:
- (a) Whether the location of the building or any other existing buildings/structures avoids, remedies or mitigates the adverse noise effects associated with the road traffic noise relating to the operation of Royal Doulton Drive as a future arterial road.
 - (b) The extent to which the alternative mitigation measures avoid, remedy or mitigate the effects of non-compliance with the noise standards on the health and amenity of potential building occupants.
 - (c) Whether any identified topographical or building design features will mitigate any potential adverse health and amenity effects.
 - (d) Any implications arising from any technical advice from an acoustic expert specialising in operational traffic noise mitigation or the road controlling authority for Royal Doulton Drive.
- (4) Non-compliance with standard I4XX.6.1A Road Design and Upgrade of Existing Roads:
- (a) Whether there are constraints or other factors present which make it impractical to comply with the required standards.
 - (b) Whether the design of the road and associated road reserve achieves the relevant policies of the Precinct.
 - (c) Whether the proposed design and road reserve:

- (i) incorporates measures to achieve the required design speeds;
 - (ii) can safely accommodate required vehicle movements;
 - (iii) can appropriately accommodate all proposed infrastructure and roading elements including utilities and/or any stormwater treatment;
 - (iv) assesses the feasibility of upgrading any interim design or road reserve to the ultimate required standard.
- (d) Whether there is an appropriate interface design treatment at property boundaries, particularly for pedestrians and cyclists.

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 to the SEA 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) Include a management plan to ensure canopy closure within 5 years and the eradication of pest weeds;
 - (c) Confirm detail on the eco-sourcing proposed for the planting; and
 - (d) Take into consideration the local biodiversity and ecosystem extent.

I4XX.8.2 Acoustic Report and Landscape Mitigation Plan

- (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_{Aeq} 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 I4XX.6.5 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.
- (2) The provision of a landscape mitigation plan to mitigate the short-term or temporary effects resulting from the construction of the acoustic barrier prior to the progressive development of the Business - Light Industry Zone.

I4XX.8.3 Traffic Assessment

- (1) At the first stage of subdivision or development of any site existing at 14 December 2022; and
- (2) For any subdivision or development exceeding 60 dwellings/lots a Traffic Assessment must be provided which assesses effects (including cumulative effects) on the safety and efficiency of the road network and in particular addresses the need for:
- (a) Any upgrade of the Station Road / East Street intersection;

- (b) Any upgrade of the Golding Road / East Street existing roundabout;
- (c) Any upgrade of the Ngahere Road / East Street intersection;
- (d) Any upgrade of the Logan Road / Golding Road intersection;
- (e) Any upgrade of the Yates Road / Logan Road intersection; and
- (f) Any upgrade of Golding Road (between Royal Doulton Drive and East Street).

I4XX.8.4 Transport Design Report

- (1) Any proposed new key road intersection or upgrading of existing key road intersections 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 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 Precinct Plan

Appendix 1 Road Function and Required Design Elements Table

Road Function and Required Design Elements Table										
Road Name	Proposed Role and Function of Road in Precinct Area	Minimum Road Reserve (subject to note 1)	Total number of lanes	Speed Limit (Design) (km/hr)	Access Restrictions	Median	Bus Provision (subject to note 2)	On Street Parking	Cycle Provision	Pedestrian Provision
Golding Road	Collector	22m (2m widening)	2	50	Yes (where protected cycle lane)	No	Yes	Optional	Yes	Yes
Station Road	Collector	20	2	50	No	No	Yes	Optional	Yes	Yes Eastern side
Yates Road (interim)	Collector	21	2	50	No	No	Yes	Optional	Yes Northern side	Yes Northern side
New Collector Road (Industrial)	Collector	24m	2	50	Yes (where protected cycle lane)	No	Yes	Optional	Yes	Yes both sides
New Collector Road (Residential)	Collector	22m	2	50	Yes (where protected cycle lane)	No	Yes	Optional	Yes	Yes both sides
Local Roads (Residential)	Local	16m	2	30	No	No	No	Optional	No	Yes both sides

Local Road (Industrial)	Local	22m	2	30	No	No	No	Optional	No	Yes both sides
Royal Doulton Drive (Note 3)	Local	Existing	2	30	No	No	No	Optional	No	Yes One side

Note 1: Typical minimum width which may need to be varied in specific locations where required to accommodate network utilities, batters, structures, stormwater treatment, intersection design, significant constraints or other localised design requirements.

Note 2: Carriageway and intersection geometry capable of accommodating buses.

Note 3 Standard to be applied to any section of Royal Doulton Drive that will not have arterial road status.

Appendix D – Persons to be served with a copy of this notice

Persons to be served	Addresses
Jason Wu	jasonrock83@hotmail.com
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Christine Montagna	c.montagna@xtra.co.nz
Bronwyn Maclean	bronwyn.mcmurtry@gmail.com
Ngāti Tamaoho Attn: Lucille Rutherfordl	rmaofficer@tamaoho.maori.nz
Shaojie Zheng	charlie@fruitworld.co.nz
Vicky Maree Roose	vmroose@gmail.com
Franklin A & P Society Attn: Richard Peter Barton Holst	accounts@pukekoheshowgrounds.co.nz
Save Pukekohe Park Petition Attn: Christine Montagna/ Robert Hart	c.montagna@xtra.co.nz and bob.hart@raywhite.com
Peter Francis Montagna	peter@blackwoodlegal.co.nz
Patrica Makene	PO Box 86 Pukekohe South Auckland 2120
Anil Sachdeva	anilsachdeva2001@yahoo.com
Auckland Regional Public Health Service Attn: John Whitmore	JohnWh@adhb.govt.nz
Watercare Services Limited Attn: Mark Iszard	Mark.Iszard@water.co.nz

Auckland Transport Attn: Teresa George	teresa.george@at.govt.nz
John Harris C/-Simpson Grierson Attn: Bill Loutit and Sarah Mitchell	bill.loutit@simpsongrierson.com and sarah.mitchell@simpsongrierson.com
Golding Meadows and Auckland Trotting Club Inc Attn: Sir William Birch	sirwilliambirch@bslnz.com
Waka Kotahi NZ Transport Agency Attn: Brendan Clarke	brendan.clarke@nzta.govt.nz
Heather Isabel Clark	heatherisabelclark@yahoo.co.nz
Ministry of Education Attn: Vicky Hu	vicky.hu@beca.com
KiwiRail Holdings Limited (KiwiRail) Attn: Jodie Mitchell	jodie.mitchell@kiwirail.co.nz
Station Road Residents Group Attn: Sir William Birch	sirwilliambirch@bslnz.com
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Auckland Council Attn: Warren Maclennan	warren.maclennan@aucklandcouncil.govt.nz
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